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UNITED STATES DEPARTMENT OF JUSTICE

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

IMMIGRATION COURT

26 FEDERAL PLAZA

NEW YORK, NEW YORK 10278

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**In the Matter of:** ) IN REMOVAL PROCEEDINGS

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) **File No.: [X]**

Ms K )

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**Immigration Judge: Randa Zagzoug Next Hearing: [X]**

**Volume II**

**Country Conditions Relating to Respondent’s past and fear of future persecution**

**U.S. DEPARTMENT OF HOMELAND SECURITY**

**U.S. CITIZENSHIP AND IMMIGRATION SERVICES**

**NEWARK ASYLUM OFFICE**

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In the Matter of:

MS K

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1. **DOMESTIC VIOLENCE IN HONDURAS**

United States Government Reports

1. U.S. Department of State, HONDURAS 2020 HUMAN RIGHTS REPORT, (2021) Available at: <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/honduras/>

* “Significant human rights issues included…lack of investigation of and accountability for violence against women.”
* “**The law was not effectively enforced, and weak public institutional structures contributed to the inadequate enforcement.**  **With high rates of impunity, including 90 percent for killings of women in the last 15 years according to the Violence Observatory, civil society groups reported that women often did not report domestic violence, or withdrew the charges, because they feared or were economically dependent on the aggressor.**  In addition, women experienced delays in accessing justice due to police who failed to process complaints in a timely manner or judicial system officials who deferred scheduling hearings.  Institutions such as the judiciary, Public Ministry, National Police, and Secretariat of Health attempted to enhance their responses to domestic violence, but obstacles included insufficient political will, inadequate budgets, limited or no services in rural areas, absence of or inadequate training and awareness of domestic violence among police and other authorities, and a pattern of male-dominant culture and norms.”

United Nations Reports

1. UN. Human Rights Council. Working Group on Discrimination against Women in Law and in Practice, Visit To Honduras: Report of the Working Group on the issue of discrimination against women in law and in practice (July 2019) *Available at:* <https://digitallibrary.un.org/record/3809746?ln=en#record-files-collapse-header>

* “The experts note persistent failings concerning women’s access to justice, which is essential for the realization of all their rights and is a fundamental element of the rule of law and good governance, together with the independence, impartiality, integrity and credibility of the judiciary, the fight against impunity and corruption, and the equal participation of women in the judiciary and other law implementation mechanisms. **Many of the components of the right to access to justice are not guaranteed to most women in Honduras.”**
* **"Patriarchal patterns of behaviour, attitudes, expectations, beliefs and practices discriminating against and denigrating girls and women remain widespread.** It was emphasized by many interlocutors during the visit, including government officials, that there is a culture of machismo in Honduras. Patriarchal attitudes in the country perpetuate inequality, as well as domestic violence and other forms of violence committed outside the home, and limit women’s participation in civil, political, economic and social life and a more egalitarian family environment. "
* “During the visit, the experts were informed that **violence against women is rampant in the country, fuelled by inequality, insecurity and impunity, and the lack of socioeconomic opportunities…**The forms of violence include exploitation, psychological, physical and sexual violence, trafficking and femicide, as well as legally unregulated cyberviolence (e.g., cyberharassment and publication of intimate images without consent, including of public and political personalities). The perpetrators include partners and family and community members, as well as other private actors and State agents…**According to the interlocutors met, there has been a rise in the brutality of violence, as well as the number of cases of disappearance of women**. Violence has been one of the root causes of migration by women. "
* “**This impunity is symptomatic of a pattern of structural discrimination against women.** While the problem of impunity was obvious to all the interlocutors met, criminal justice officials mostly considered that it was often due to victims withdrawing the complaints. Little understanding was shown of the victims’ lack of trust in the system and the inadequate protection against the risks to their security that they often faced when denouncing offenders, as well the obstacles that their economic dependence on the perpetrators created in terms of pursuing legal remedies. **According to international human rights standards, the State is not absolved from the obligation to investigate serious incidents of violence if the victim withdraws the complaint**: investigative efforts must be focused on all relevant evidence.”

1. The Advocates for Human Rights, UN Committee Against Torture. Honduras’ Compliance with the Convention Against Torture Parallel Report Relating To Violence Against Women by CAT (July 2016) *Available at:* <https://www.ecoi.net/en/document/1061374.html>
   * “Within the country there are high levels of gun violence, domestic violence, femicide, and sexual violence.”

* "**Honduras fails to uphold its obligations to protect women from violence under the Convention Against Torture**…The Committee against Torture (“the Committee”) has clarified that domestic violence falls under the purview of the obligations set forth in the Convention."
* "[W]here State authorities or others acting in official capacity or under color of law, know or have reasonable grounds to believe that acts of torture or ill-treatment are being committed by non-State officials or private actors and they fail to exercise due diligence to prevent, investigate, prosecute and punish such non-State officials or private actors consistently with this Convention, **the State bears responsibility and its officials should be considered authors, complicit or otherwise responsible under the Convention for consenting to or acquiescing in such impermissible acts**. Since the failure of the State to exercise due diligence to intervene to stop, sanction and provide remedies to victims of torture facilitates and enables non-State actors to commit acts impermissible under the Convention with impunity, **the State’s indifference or inaction provides a form of encouragement and/or de facto permission**. The Committee has applied this principle to States parties’ failure to prevent and protect victims from gender-based violence, such as rape, domestic violence, female genital mutilation and trafficking."
* “**Witnesses and others who know about the violence do nothing to stop it or to report it to authorities**.”
* “**Women do not go to the police for help and they fear retribution when their perpetrators are gang leaders or well-connected politically**. Several women reported that there was no point in going to the police because in Honduras, police do not get involved in domestic affairs. Others reported that they feared retribution for calling the police.”
* “**Even when women do turn to local law enforcement, they receive no support**.”
* “Instead of providing protection, police and other systems actors often encourage reconciliation with the abuser.”
* **Violence against women in Honduras is underreported** due to societal pressures on victims, fear of reprisal, and a belief among victims that the laws will not be enforced. Even when a rape case is investigated, the perpetrator is not always punished."
* “**Many argue that systemic failures are related to the largely ‘institutionalized’ violence against women in Honduras, which has an entrenched ‘machismo and patriarchal culture**.’ Between 2010 and 2014, 15,833 incidents of sexual violence were reported, of which barely 888 received sentencing. 94% of crimes of sexual violence go unpunished.”
* “**Femicide rates are increasing ‘with an alarming rate**.’ In the period between 2003 and 2015, some 5,411 women have suffered violent deaths in Honduras. From 2005 to 2012, violent deaths of women steadily increased, from 175 deaths per year to 606 deaths per year, an increase of 246.3% over eight years. A woman is murdered every 16 hours in Honduras.”
* “[T]he UN Special Rapporteur on Violence against Women recently reported that Honduras has a 95% impunity rate for sexual violence and femicide crimes. Moreover, ‘**the lack of accountability for violations of human rights of women is the norm rather than the exception’** in Honduras. Some public officials are apparently unaware of the legal definition of this crime or disagree with its creation.”
* “**Domestic violence is treated leniently and provisions are generally not enforced by the justice system**…The failure of authorities to exercise due diligence in investigating, prosecuting and punishing perpetrators of violence against women contributes to an environment of impunity within the country."
* “Government prosecutors and NGOs report that **most female victims of domestic violence are trapped in a situation of violence due to economic dependence on their male partner**, their role in caring for children, and the lack of shelters. They generally have no place to go other than to the homes of family members, friends, or neighbors—places where they often face continued threats and violence from their abusers.”

Foreign Government Reports

1. Immigration and Refugee Board of Canada, Honduras: Information Gathering Mission Report, Chapter 2: Violence against Women and Girls. (2018) Available at: <https://www.ecoi.net/en/file/local/1429301/1226_1523526023_ffm-honduras-eng.pdf>

* "The mission learned that **women and girls face various forms of violence and that violence against women and girls continues to be widespread across Honduras**. Grupo Sociedad Civil (GSC) indicated that there is a "war against women" in Honduras and that women face various levels of violence, including domestic violence (violencia doméstica) and violence carried out by organized criminal groups."
* "**Sources indicated that domestic violence is an issue in Honduras and has been a reason why women leave the country.**"
* "Sources indicated that adolescent women, in particular, are vulnerable to sexual attacks and sexual violence. "
* "The mission learned that **women feel that they would be in greater danger if they reported the violence they have experienced**.”
* “The mission learned that protection mechanisms, including the police complaint mechanism, do not function effectively and do not guarantee protection for victims and witnesses of crimes.”
* “**The mission learned that impunity is rampant, and that state institutions do not function effectively.**”
* “A 2017 BBC article cites women's rights organizations as stating that "**out of 463 women murdered [in 2016]…15 cases were investigated.”**

Non-Governmental Organizations

1. Amnesty International, Honduras 2020 Report, *Available at:* <https://www.amnesty.org/en/location/americas/central-america-and-the-caribbean/honduras/report-honduras/>

* “**Women and girls faced high levels of gender-based violence**. The National University of Honduras’ observatory on violence reported 224 femicides between January and December. According to the NGO Women’s Peace Movement “Visitación Padilla”, more than 65,000 calls about domestic and intra-family violence were registered through the National Emergency System 911 between January and October.”

1. INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, Human Rights Situation in Honduras, Part D. Women, (August 2019) *Available at:* <https://www.oas.org/en/iachr/reports/pdfs/Honduras2019-en.pdf>

* “Available information indicates that the prevalence of sexual abuse during childhood is 7.8%, the highest in Central America, according to the United Nations Population Fund.”
* “**During its visit in 2018, the Commission noted the serious situation of violence faced by women in Honduras and the various forms in which it is expressed, in particular gender-based violence, sexual violence and violence against women at particular risk, and the high rates of impunity that persist in such cases.”**
* “[T]he IACHR warns that **gender-based murders of women have not decreased** in the same proportion as other homicides in the country. In addition, the Commission is particularly concerned that these crimes are carried out with particular aggression against women and indicate a pattern of extreme violence against them that includes kidnappings, disappearances, torture in so-called “mad houses”, mutilations, dismemberments, face crushing, body burns, and other hate crimes.”
* “[D]espite the criminalization of feminicide, impunity prevails, given that in more than 90 per cent of cases, the murders of women continue unpunished.”
* “**The IACHR remains concerned about the prevalence of sexual violence in Honduras and the special vulnerability of women, girls and adolescents. According to UNAH data, in in 2017 there were a total of 3,105 cases of sexual crimes, with women accounting for 88.9 % (2,761) of the victims, 95% of these cases would remain unpunished.”**

1. Human Rights Watch, World Report 2021, *Available at:* <https://www.hrw.org/world-report/2021/country-chapters/honduras#2048fc>

* “Women in Honduras face high levels of gender-based violence. **The country has the second-highest rate of femicide**—defined as the killing of a woman by a man because of her gender—in Latin America, the UN Economic Commission for Latin America and the Caribbean reports.”
* “**A woman is killed every 23 hours on average,** the National Autonomous University of Honduras’ Violence Observatory reports. In 2018, the last year for which statistics are available, **60 percent of perpetrators were domestic partners.**”

1. Freedom House, FREEDOM IN THE WORLD 2021-Honduras (2021) *Available at:* <https://freedomhouse.org/country/honduras/freedom-world/2021>

* **“Honduras has among the highest femicide rates in the world, and these murders are rarely investigated.”**

1. The Advocates for Human Rights, Honduras’ Compliance with the Convention on the Elimination of All Forms of Discrimination against Women, Suggested List of Issues Relating to Violence Against Women (June 2021) *Available at:   
   ·*https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/HND/INT\_CEDAW\_ICO\_HND\_45049\_E.doc

* “Honduras has a high femicide rate; the Violence Observatory of the National Autonomous University of Honduras reported that in 2017, 338 women were murdered. **These human rights violations largely occur with impunity**; according to the *Centro de Derechos de la Mujer*(CDM), in 95% of the femicides committed between 2017 and the first weeks of 2018, no person has been held accountable."
* “**Lack of accountability exacerbates the problem of femicide**. Perpetrators of femicide avoided punishment in 90 percent of femicides over the last 15 years. High rates of impunity can be attributed to a lack of reporting due to economic dependence on the aggressor, delayed processing from law enforcement and judicial officials, insufficient training, and limited financial resources.”

1. Equality Now, [CLADEM Honduras](https://cladem.org/honduras/), and [Jóvenas Latidas](https://www.facebook.com/jovenaslatidass/), Honduras – Submission To The Committee On The Elimination Of Discrimination Against Women (CEDAW) 81st Session 2021, (June 9, 2021) *Available at:*  <https://www.equalitynow.org/resource/honduras_cedaw_2021/>

* “While Honduras defines rape as non-consensual, the law does not fully describe what this means except in the context of force, mental capacity or age suggesting that it does not recognise a broad range of coercive circumstances that negate consent. **Particularly missing from the enumerated circumstances in which sexual acts are considered non-consensual are circumstances in which the perpetrator abuses power or authority over the victim**.”

News Reports

1. JUJU CHANG, JACKIE JESKO, IGNACIO TORRES and JENNA MILLMAN, ABC NEWS Nightline, 'Men can do anything they want to women in Honduras': Inside one of the most dangerous places on Earth to be a woman, By (May 3, 2017) *Available at:*

https://abcnews.go.com/International/men-women-honduras-inside-dangerous-places- earth-woman/story?id=47135328

* “Much of this gender-based violence, according to Honduran activists like Neesa Medina, is **due to a** **sexist “machismo” culture of gangs, guns, and girls, where a man’s power is often measured in bullets.** Combine this with a government unable to cope with a relentless tide of drug-related [crime](http://abcnews.go.com/topics/news/crime.htm), Medina says you get **a culture where women are disposable.”**
* “**Men can do anything they want to women in Honduras,”** said Medina, an analyst with Honduras' Center for Women's Rights. “Because we think that it's common and it's something that you can be expected of, living here.”
* “But there is another brutal war raging there, one hidden just below the surface: **Honduras has been called the most dangerous place on earth to be a woman**. This ranking, due in large part to an epidemic of “femicide,” or the murder of a woman because she is a woman. According to Honduras’ Center for Women’s Rights, **one woman is murdered every sixteen hours in this nation, which is barely the size of Ohio.** According to the U.N., Honduras has the highest femicide rate in the world."
* **“It is not just murder, it’s also the shocking numbers of rape, assault, and**[**domestic violence**](http://abcnews.go.com/topics/news/issues/domestic-violence.htm)**cases, happening with near-total impunity.** In 2014, the United Nations reported that **95 percent of cases of sexual violence and femicide in Honduras were never even investigated.”**
* **“Too often, the violence comes from within a woman’s own home.** Heydi Hernandez, a 30-year-old mother of five, lives with the horrific memories and brutal scars from the night her husband attacked her with a machete after a heated argument. She says her oldest daughter witnessed as he severed both of her feet.”
* “According to the Women’s District Attorney Maria Mercedes Bustelo, “What these women feel is impotence. The authority has to reach these women. But in Honduras, that’s not possible at the moment.” **She says that filing a complaint can take weeks, police lack basic resources, and that there are many neighborhoods so dangerous, even the cops cannot enter without military backup.”**
* "Neesa Medina says reporting crimes and obtaining restraining orders often do little to prevent women from being attacked. “How powerful is a bullet? Is a bullet more powerful than a piece of paper?”
* **"Fear is an ever-present reality of life for so many women here, yet the Honduran government fails to provide shelters or safe houses."**

1. SOFIA LOTTO PERSIO, NEWSWEEK, Man Convicted of Murdering Miss Honduras and Sister (5/5/17) *Available at:* <https://www.newsweek.com/murder-miss-honduras-sister-jail-595126>

* **“In Honduras, one woman is murdered every 16 hours, usually by a man she knows**, according to a 2015 estimate by the Honduras Center for Women's Rights, a non-governmental organization.”
* “According to Adriana Quinones, U.N. Women's Country Representative in Guatemala and former adviser on ending violence against women in Latin America and the Caribbeans, **the whole region has a ‘culture of high tolerance’ towards gender-based violence.”**
* “‘In Latin America, we have a culture of high tolerance towards violence against women and girls. **You see it in the media all the time—crimes against women are exhibited with very crude images and nobody seems to care about it.** **Violence becomes normalized; it is seen as a part of life for women,**’ she said in an interview published on the [UN Women's website](https://www.unwomen.org/en/news/stories/2017/2/take-five-adriana-quinones-femicide-in-latin-america) in February.”
* “Quinones added: ‘People often fail to recognize the deadly chain of events that lead to femicide. An abusive relationship doesn't start with murder, but the abuse escalates and without timely intervention and support, the women may end up murdered.’”

1. FEDERICA VALABREGA The Picture Show: NPR HOURLY NEWS,  'I'm A Survivor Of Violence': Portraits Of Women Waiting In Mexico For U.S. Asylum (January 16, 2019) *Available at:* [https://www.npr.org/sections/pictureshow/2019/01/16/684812592/i-m-a-survivor-of-violence-portraits-of-women-waiting-in-mexico-for-u-s-asylum 1/16](https://www.npr.org/sections/pictureshow/2019/01/16/684812592/i-m-a-survivor-of-violence-portraits-of-women-waiting-in-mexico-for-u-s-asylum%201/16)

* **“‘Hitting a woman for a man is as normal as eating a tortilla from a food stand on the way to work,’** said Karen Paz, 34, from San Pedro Sula in Honduras, revealing a scar from a burn on her left shoulder.”
* “‘**Men can do anything to women in Honduras and the police hardly do anything about it,’** said Paz, while scrolling on her phone to show me more images of the burn and trying to find the police report she filed right after the attack. ‘They detained him for only 24 hours, and then he came back home. I couldn't stay there anymore; the next time he was going to kill me. My daughter could not witness that,’ she said.”
* "**Domestic violence was the leading reported crime in Honduras, according to a March 2015 report by the United Nations' special rapporteur on violence against women.** Between 2009 and 2012, 82,547 domestic violence complaints were lodged in courts across the country. Yet a low percentage of domestic abuse charges result in a conviction. Honduras' special prosecutor for women cited far lower numbers in the 2012-2014 period: 4,992 registered complaints, but just 134 convictions, according to the U.N. report. **The Migration Policy Institute found that El Salvador, Guatemala and Honduras, respectively, had the first-, third- and seventh-highest rate of gender-motivated killing of women in the world.** **Few of these cases are ever resolved by the courts. "**

Academic Studies

1. Denise N. Obinna, Seeking Sanctuary: Violence Against Women in El Salvador, Honduras, and Guatemala, (May 4, 2020) *Available at:* <https://journals.sagepub.com/doi/abs/10.1177/1077801220913633>

* “As migration accelerates, gender-related differences become evident. **Strong push factors underlined by patriarchal power systems and hypermasculine spaces have normalized violence against women.”**
* “In **Honduras, GBV is the second leading cause of death for women who are of reproductive age**.”
* "Social norms and legal precedents in the Northern Triangle are driven by an entrenched patriarchal culture which **routinely allows gender-based crimes to go unpunished and perpetrators of violence to act with impunity**.”
* “In many instances, law enforcement and the relevant authorities have been unable to provide adequate protection, leaving many exposed and vulnerable. Reflecting a systemic pattern of impunity within the NTCA countries, women often view the reporting of persecution to law enforcement as a futile process…many crimes against women continue to go without formal investigation by the justice system, both at the local and federal levels.”
* "In many cases, women reported internal displacements where they moved to find protections or attempted to hide in search of safety. MSF reports that some women never file police reports because they have seen family and friends do so with no results.
* "Femicide or feminicidio is the leading cause of female death in the NTCA countries. It has been described as a continuation of sexual assault and the most extreme form of violence based on gender inequality. "
* “ **The underlying causes of violence are deeply rooted in patriarchal machista or sexist cultures which are pervasive in the NTCA countries** (Ortega & Maria, 2012; Prieto-Carrón et al., 2007). While feminists have often argued for a perspective of violence which is “lived,” structural violence is exerted both systematically and symbolically. Manifesting through power structures designed to regulate males and females, **violence against women is perpetuated to sustain patriarchal power relations**. According to Jewkes et al. (2015), hegemonic masculinity involves “attitudes and practices among men that promote gender inequality involving men’s domination over women” (p. 113). "
* "Within the NTCA countries, this power manifests itself as structural violence, which is maintained through the subjugation of women and the constant threat of violence. As a tool of social exploitation, these gendered misogynistic attitudes are normalized, especially when perpetrators are not held accountable (Torres, 2018, 2019). **Unequal power dynamics play a big part in the lived ‘daily realities’ of women within the social order. When entrenched, Connell (2016) acknowledges that the state plays a direct role in creating structurally violent conditions which work against women. "**
* "Femicides in Honduras are often brutal as evidenced in the signs of mutilation and torture on the bodies of murdered women. Even though Honduras increased the penalty for femicide to 30–40 years in prison, **more than 90% of GBV crimes go unresolved**. Hunnicutt (2009) states that the patriarchal culture of Honduras might cause many women and men to minimize GBV, seeing it as normal, as **GBV is often treated as ‘not real’ or ‘imagined.’** A police officer interviewed in Tegucigalpa stated that: If you want to know about violence, you should go to the posta del distrito (district police station) . . . if you go there you will see real cases of violence.”
* **"Real cases of violence are meant to contrast with domestic violence cases or GBV which are considered “not real.”** Combined with this ideology, there is limited awareness about the legal rights and obligations that women have. There is often scarce knowledge about how the justice system functions and the fact that GBV is a crime (Menjívar & Drysdal Walsh, 2017). It also fosters an environment where women do not have the confidence to talk about their experiences. In many instances, domestic violence is considered a private matter which should not be publicly discussed.”
* **"In El Salvador and Honduras, one of the major challenges to an effective justice response has been the lack of coordination among law enforcement agencies as well as the lack of resources to conduct credible investigations regarding femicide and GBV. "**

1. Menjívar, C. and Walsh, S. D., Latin American Research Review, The Architecture of Feminicide: The State, Inequalities, and Everyday Gender Violence in Honduras. (2017) *Available at:* <https://doi.org/10.25222/larr.73>

* "Honduras has ratified regional and international conventions and has laws on the books criminalizing intrafamilial violence, rape, and killings of women. However, **the police and courts have undermined the aims of these laws by failing to implement them effectively or even by directly assaulting women**.”
* “And it is precisely the expression of gender violence and gendered violence in everyday life (in the home and the streets) that contributes to their normalization—they are always there, part of the way things are. **Everyday practices sustain the normalization of gender violence but also justify punishments for deviations from normative gender role expectations.”**
* "Thus, despite international recognition of the growing incidence of violence against women in Honduras, over 96 percent of feminicides go unpunished (Inter-American Commission on Human Rights 2011). **This impunity, an expression of symbolic and gender violence, sends a powerful message that women’s lives are expendable and unimportant, as unresponsive justice system institutions fall short in implementing the law on the books.”**
* “As in other countries in the region**, murders of women are disproportionately committed by intimate partners and have become increasingly brutal and sexualized**. **This is not the case for men.**”
* **“Rape was “reportedly a serious and pervasive societal problem and continued to be underreported due to fear of stigma, retribution, and further violence…**The stigma associated with sexual violence is pervasive, and often the victims are blamed, a practice that contributes to its normalization and impunity.”
* A representative from the Center for Women’s Rights in Honduras noted that “victims do not generally report cases of sexual violence; consequently, **it is very difficult to record the statistics that would demonstrate the severity of the problem.** And when women do report, they usually withdraw their complaint because they lack financial resources, fear reprisals, feel ashamed or are afraid of what their family, friends and the general public will say.”
* “Often, **officers attribute culpability for abuse to victims instead of abusers, blaming women for failing to avoid maltreatment through altering their behavior and becoming obedient and submissive**. This police response further entrenches gender inequality, which is first enforced through abuse and then reinforced (and normalized) by demonstrating that women have no choice but to submit to it. Country expert Claudia Hermannsdorfer (2012) reveals how symbolic and gender violence seep through from the social context to the justice system and shape the cognitive frames through which violence against women is viewed as a normal aspect of relationships. Reporting on police behavior, she notes: “Women who seek help from the police are often told that the issue is a matter for her husband to decide, and that she should go home, be intimate with him, and he will forgive her. Other times, police simply tell the women to stop disobeying their husbands…Honduran police ignore threats made against women, treating them as nothing more than the product of over-excited emotions.”
* **"Police reactions and dismissals of the seriousness of violence against women put women at risk for further abuse and even murder. "**
* "**Victim blaming is not restricted to the police but persists in the courts through the dismissal of women’s murders as “crimes of passion.”** These acts of omission exemplify the symbolic violence embedded in cognitive frames throughout justice system personnel who justify the murders of women as a consequence of romance… **Additionally, judges often blame female victims, assuming that the woman may have instigated the murder, and use this as an additional reason not to consider the murder or to dismiss the case”**
* **“Across both the police and the courts, women have encountered manifold obstacles to accessing justice, which increases their risk of violent victimization”**

1. **VIOLENCE AGAINST LGBT INDIVIDUALS IN HONDURAS**

United States Government Reports

1. U.S. Department of State, HONDURAS 2020 HUMAN RIGHTS REPORT, ( 2021) Available at: <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/honduras/> (See Exhibit D, Page X)

* “Significant human rights issues included…threats and violence against…lesbian, gay, bisexual, transgender, and intersex persons.”
* **"The Association for a Better Life and the Cattrachas Lesbian Network both reported 16 violent deaths of LGBTI persons as of September.**  **On July 10, unidentified assailants shot and killed transgender activist Scarleth Campbell in Tegucigalpa.  Campbell was an LGBTI activist and member of the Rainbow Dolls, an organization that fought violence and discrimination against members of the LGBTI community. "**
* "The law states that sexual orientation and gender-identity characteristics merit special protection from discrimination and includes these characteristics in a hate crimes amendment to the penal code.  **Nevertheless, social discrimination against LGBTI persons persisted, as did physical violence.  Impunity for such crimes was a problem, as was the impunity rate for all types of crime.  According to the Violence Observatory, of the 317 reported cases from 2009 through 2019 of hate crimes and violence against members of the LGBTI population, 92 percent had gone unpunished. "**
* **"LGBTI rights groups asserted that government agencies and private employers engaged in discriminatory hiring practices”**

United Nations Reports

1. UN. Human Rights Council. Working Group on Discrimination against Women in Law and in Practice, Visit To Honduras: Report of the Working Group on the issue of discrimination against women in law and in practice (July 2019) *Available at:*  <https://digitallibrary.un.org/record/3809746?ln=en#record-files-collapse-header> (See Exhibit E, Page X)

* “Despite efforts by the State and feminist activists in the country to promote women’s empowerment and gender equality, **discrimination against women persists in all spheres of their lives. This systemic and structural discrimination, nurtured by patriarchy and discriminatory gender roles, affects all women in Honduras, but women living in poverty, indigenous, Garífuna and Afro-Honduran women, lesbian, bisexual, transgender, queer and intersex women and women with disabilities, inter alia, are particularly disadvantaged.** "

Foreign Government Reports

1. Immigration and Refugee Board of Canada, Honduras: Information Gathering Mission Report, Chapter III: Situation of Sexual Minorities (2018) Available at: <https://www.ecoi.net/en/file/local/1429301/1226_1523526023_ffm-honduras-eng.pdf>

* "The mission learned that **the situation of sexual minorities and LGBTI human rights defenders in Honduras is precarious. Sexual minorities in Honduras face widespread discrimination on a daily basis throughout the country.** Asociación Colectivo Violeta indicated that it is ingrained in society as a whole to discriminate on the basis of sexual orientation and gender identity (SOGI). According to Asociación Para Una Vida Mejor de Personas Infectadas y Afectadas por el VIH/SIDA en Honduras (APUVIMEH), LGBT organizations and **sexual minorities live in an ‘extreme situation’ where their human rights are not respected and they remain invisible**.”
* "The mission learned that **sexual minorities in Honduras are persecuted in both public and private domains.** In the public domain, persecution occurs at the hands of state authorities, including the police and the military. According to Asociación LGTB Arcoíris, the principal agents of persecution are security forces, including the National Police, the Military Police of Public Order (Policía Militar Del Orden Público), municipal police (policía municipal), DPI, ATIC, Special Operations Command (Comando de Operaciones Especiales, COBRA), and the Armed Forces (Fuerzas Armadas). "
* "The mission also learned that gangs discriminate against sexual minorities and have used them for various gang-related activities. According to APUVIMEH, gangs, including M-18, MS-13, and criminal organizations, like the Cachiros, among others, express a high level of intolerance, homophobia, transphobia and lesbophobia towards sexual minorities."
* "The mission learned that **sexual minorities have been targeted and killed. APUVIMEH indicated that sexual minorities have been killed in a "very dehumanizing manner" and in "very savage" ways in their homes and in public spaces, including being stoned to death and mutilated.** "
* "According to Asociación LGTB Arcoíris, **the state ‘permits the social cleansing’ of sexual minorities in Honduras by not condemning newspapers that spread anti-LGBTI rhetoric and by allowing state ministers and religious entities to spread negative rhetoric about sexual minorities**"

Non-Governmental Organizations

1. Amnesty International, Honduras 2020 Report, *Available at:* <https://www.amnesty.org/en/location/americas/central-america-and-the-caribbean/honduras/report-honduras/> (See Exhibit H, Page X)

* **"The organization Cattrachas reported at least 19 violent deaths of LGBTI people, as well as high levels of impunity for such crimes.** "

1. INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, Human Rights Situation in Honduras, Part E: LGBTI Persons (August 2019) *Available at:* <https://www.oas.org/en/iachr/reports/pdfs/Honduras2019-en.pdf>

* **“[T]he IACHR is concern about the violence against women at special risk, such as lesbian, bisexual, transgender or intersex (LBTI) women and women human rights defenders. According to information received by the Commission, from 2009 to December 2017 there have been 29 violent deaths of lesbian women and 92 of trans women. …"**
* “Four years gone by since the issuance of the Report on the Situation of Human Rights in Honduras, the IACHR notes that **LGBTI persons in the country continue to live in contexts characterized by frequent physical, psychological and sexual violence. Furthermore, these persons do not have effective access to justice.** In that sense, **their claims to justice face obstacles and the respective cases result in widespread impunity.** In this regard, despite some convictions in judicial cases of violence against LGBTI persons, rulings are scarce and do not take into account possible motivations based on prejudice as a factor for the commission of crimes. **This transmits a social message that legitimizes discrimination and hatred against LGBTI persons. "**
* **"The Commission likewise continues to receive information from civil society on acts of violence committed against persons of diverse sexual orientation and gender identity and expression. The IACHR notes with concern the 155 murders of gays, lesbians, and transgender people 490 in the last five years, including two cases that occurred during the time the IACHR was conducting its on-site visit on June 30 and July 7, 2018. 491** …"
* "In addition, the IACHR emphasizes that in many of the cases of violence there were high levels of viciousness and cruelty, such as stabbing, riddling, execution, asphyxiation by strangulation, beating, calcination, and beheading. In this regard, the Commission highlights the case of Michelle Hernandez, a 24-year-old trans woman whose body was burned after being beaten to death in the municipality of Villanueva, department of Cortés, in early 2019.494 According to what has been reported in the media, to date no suspect has been identified or punished."
* “**The IACHR emphasizes that due to the absence of official statistics on victims of violence based on sexual orientation or gender identity, the numbers provided by civil society to vary from those presented by the State.”**
* “With regard to the widespread context of discrimination against LGBTI persons, the Commission received information from civil society indicating that in 2004, **the right to marriage was restricted only between men and women ‘who have the quality of such naturally,’ forbidding thereby marriage and de facto union between persons of the same sex and trans persons. "**

1. Human Rights Watch, World Report 2021, *Available at:* <https://www.hrw.org/world-report/2021/country-chapters/honduras#2048fc> (See Exhibit J, Page X)

* “Violent organized crime continues to disrupt Honduran society and push many people to leave the country. **Journalists, environmental activists, lesbian, gay, bisexual, and transgender (LGBT) individuals, and people with disabilities are among the groups targeted for violence.”**
* **"LGBT people in Honduras are frequently the targets of violence and discrimination, according to Human Rights Watch research. They face violence from gangs, the national civil police and the military police, members of the public, and their own families, as well as extortion by gangs and discrimination in schools and in the workplace.**"
* "**Violence against LGBT individuals forces many to leave their homes, fleeing internally or leaving the country to seek asylum.** Although there is a law that provides higher penalties for bias-based crimes, including on the grounds of sexual orientation and gender identity, the Attorney General’s office told Human Rights Watch in September 2020 that no one has been convicted under the law. "

1. Freedom House, FREEDOM IN THE WORLD 2021-Honduras (2021)  *Available at:* <https://freedomhouse.org/country/honduras/freedom-world/2021> (See Exhibit K, Page X)

* **“Violence and discrimination against LGBT+ people and Indigenous and Garifuna populations persist at high levels in Honduras.** Lesbian Network Cattrachas, a local NGO, reported that at least 20 LGBT+ people were killed in 2020. Cattrachas registered an impunity rate of 91 percent in the 373 murders of LBGT+ people between 2009 and 2020.”
* **“Same-sex marriage remains illegal in Honduras.** In 2019, a law came into force banning same-sex couples from adopting children despite the objection of activists, who called the bill superfluous and discriminatory.”

1. Outright International, HONDURAS AT A GLANCE, (webpage undated) *Available at:* <https://outrightinternational.org/region/Honduras>
   * Gang violence is a widespread issue in the country affecting all people in Honduras, but **LGBTIQ people, and trans people more specifically, are more vulnerable and often specific targets of this violence due to a prevalent culture of misogyny and toxic masculinity among the gangs, in which sexual and gender diversity is unacceptable. LGBTIQ people are also vulnerable to discrimination in employment, health care, education, and housing.** Societal opinion has not followed political will and remains negative. As such, many LGBTIQ people experience social rejection and are marginalized from their families and communities. "
2. PBI Honduras, The Access to Justice Board, against discrimination and impunity (2021) Available at: <https://pbi-honduras.org/news/2021-05/access-justice-board-against-discrimination-and-impunity>

* “‘It’s not just that they kill us. They don’t even investigate who did it.” This is how LGBTQI+ community organisations in Honduras describe the situation in the country, where over 90% of hate crimes go unpunished. In fact, the LGBTI Violent Deaths Observatory maintained by the Cattrachas Lesbian Network has found that only 29 of the 150 hate crimes committed over the last five years have been prosecuted. ‘These levels of impunity indirectly contribute to the collective perception that violence and discrimination against the LGBTI population are accepted by the State and its officials,’ the Sexual Diversity Committee warns. High levels of impunity add to the difficulty of reporting hate crimes. Over half of attacks against LGBTQI+ individuals in Honduras are committed by police officers.”
* “This situation reflects the discrimination and inequality faced by the LGBTQI+ population, which remains a consistent pattern in Honduras that is reflected in increasing systemic violence. Whereas in 2020, at least 20 members of the LGBTQI+ community were killed, 2021 “began very violently”, with five murders since the start of the year, according to the Arcoiris LGBT Association…In 2018, UN Special Rapporteur on the situation of human rights defenders Michel Forst,expressed his concern over the situation of the LGBTQI+ community, and identified the ‘inaction of the State to reduce the use of the media in inciting violence against them,’ as one of its causes.”

1. Regional Information Network on Violence against LGBTI People in Latin America and the Caribbean, Prejudice/ Knows No Bounds (09/2019) *Available at:* <https://sinviolencia.lgbt/wp-content/uploads/2019/09/Executive-Summary-Prejudice-knows-no-bounds.pdf>

* **"Over the course of the past five years, over 1,300 lesbian, gay, bisexual, trans, and intersex (LGBTI) people have been murdered in Latin America and the Caribbean. This is tantamount to an average of about one LGBTI killing per day."**
* "Despite these alarming statistics, governments in the region have yet to develop clear and effective strategies aimed at preventing, investigating, and punishing violence against LGBTI people. To the contrary, they have dismissed civil society’s outcry and ignored the many recommendations issued by international organisms to address the violence. Such negligence is the product of the historic erasure of people with diverse sexual orientations and gender identities (SOGI), entrenched social stigmas, the revictimizing nature of criminal justice systems across the region, and, above all, the sheer lack of political will to develop a coordinated institutional response. "
* "Still, the violence against LGBTI people is far more than numbers. **Each murder, but especially those founded in widely held societal prejudices, takes a disproportionate toll on LGBTI people and their communities because it sends the message that the only way for LGBTI people to survive is to hide their sexuality and gender identity. State inaction in the face of such violence only compounds this message, thereby amplifying its discriminatory effect on these historically marginalized groups. "**
* “The IACHR stresses that the absence of official data and, consequently, the invisibility of the violence against LGBTI persons, hinders an effective State response.”

1. Amnesty International, SEVEN DISCRIMINATORY (OR DEADLY) COUNTRIES FOR LGBT PEOPLE, (December 1, 2011) *Available at:* <https://www.amnestyusa.org/7-discriminatory-or-deadly-countries-for-lgbt-people/>

* “HONDURAS: Although same-sex sexual activity is not technically illegal in Honduras, Amnesty International is concerned about the environment faced by activists and other members of the LGBT community there. **Attacks are rarely investigated thoroughly, and there is not enough protection for those who come forward to report these crimes**.”

News Reports

1. Anastasia Moloney, Reuters, Top Americas rights commission condemns Honduras LGBT+ murders (JULY 18, 2019) by *Available at*: <https://www.reuters.com/article/us-honduras-lgbt-murders/top-americas-rights-commission-condemns-honduras-lgbt-murders-idUSKCN1UD323>

* "Twenty-one LGBT+ people have been murdered since January, according to local watchdog group Cattrachas, up from 18 in the same period last year. More than 300 gay and trans people have been murdered since 2009, the LGBT+ rights group said.”
* “‘These acts of violence are not isolated,’ the IACHR warned, adding that during a 2018 visit it observed that ‘**LGBTI people live in a context characterized by frequent physical, psychological and sexual violence against them, in addition to widespread impunity in those cases**.’”
* "**An entrenched machismo culture and conservative religious values in Honduras fuel discrimination against LGBT+ people, stymieing eﬀorts to change attitudes in the Catholic-majority nation**, she said. "
* “‘It’s much to do with the discourse of hate, of discrimination, prejudice that exists in society,’ Laitano said.”

1. Amidst Violence, Hondurans March for Pride Reported Killings of LGBT Hondurans Increased in 2019, Human Rights Watch: Despatches, 9/9/2019 *Available at:* <https://www.hrw.org/news/2019/09/09/amidst-violence-hondurans-march-pride>
   * "In a country where many cannot safely express their sexual orientation or gender identity publicly**, it is hard to measure how much violence LGBT people in Honduras suffer.** The Honduran government told Human Rights Watch it has no data on how many victims of violence are LGBT."

* "Absent official statistics, [Lesbian Network Cattrachas](http://www.cattrachas.org/index.php/es/) maintains an observatory tallying [cases of violence against LGBT people](http://www.cattrachas.org/index.php/es/observatorio) based on media monitoring and direct reports. According to Cattrachas, in 2018, 25 LGBT people were killed: 16 gay men, 5 trans people, and 4 lesbian women. And the situation appears to be worsening: the number of killings tallied between January and August of 2019 – 13 gay men, 7 trans people, and 6 lesbian women – already outpaces the entire year of 2018. San Pedro Sula is located in the region where Cattrachas has documented the highest rates of violence against LGBT people."

1. Interview: LGBT People Flee Violence in El Salvador, Guatemala, Honduras Discrimination Follows them from Home to the US Border, Human Rights Watch Interview by [Philippa H Stewart](https://www.hrw.org/about/people/philippa-h-stewart) and Neela Ghoshal, (October7, 2020) *Available at*: <https://www.hrw.org/news/2020/10/07/interview-lgbt-people-flee-violence-el-salvador-guatemala-honduras>

* “Lesbian, gay, bisexual, and transgender (LGBT) people from Honduras, El Salvador, and Guatemala, sometimes called the Northern Triangle, often face violence and discrimination from their families, gangs, and even the police.”
* “The Northern Triangle of Central America has **among the highest reported rates of murders against LGBT people in the world**.”
* “While none of the Northern Triangle countries criminalize homosexuality, the **governments are failing to protect LGBT people, and in some cases are adopting policies that make their lives more difficult**.”
* “Governments need to help change social attitudes and help families accept their LGBT children and also make sure people who commit violent offenses are held accountable, which currently isn’t happening.”
* “**Street gangs are powerful and target LGBT people, partly out of anti-LGBT hate and also because they know LGBT people rarely have a support network**. If a gang is trying to extort ‘rent’ from an LGBT person, that person often can't go back to their parents’ house, for example, because their family doesn’t accept them.”
* “In several cases we documented, **police stopped people on the streets and physically or sexually assaulted them after realizing they were LGBT**.”
* “Many people tried to stay in their home countries even after facing violence, but there were so many cases of police saying “well you were asking for it” when they tried to file complaints. The violence and lack of protection becomes too much for them to bear.”

1. Rachel Banning-Lover, The Guardian, Where are the most difficult places in the world to be gay or transgender? (Mar. 1, 2017) *Available at*: <https://www.theguardian.com/global-development-professionals-network/2017/mar/01/where-are-the-most-difficult-places-in-the-world-to-be-gay-or-transgender-lgbt>

* "A global study found that Honduras had by far the highest numbers of transgender murders relative to its population. **But it’s not just trans people who are at risk. After the left-leaning president, Manuel Zelaya, was ousted in 2009, LGBT murders soared; 215 have taken place since the coup.”**
* “It’s important to understand the wider context too – in recent years, people have been able to kill with impunity, regardless of the victim’s sexuality, and Honduras today is murder capital of the world with a national homicide rate of 60 per 100,000 people. **But LGBT murders are more likely go unpunished**, according to an Inter-American Commission on Human Rights report, **due to discriminatory stereotypes popular among the police.”**

Academic Studies

1. María Inés Taracena, NACLA Report on the Americas**-**Volume 50, La Caravana de la Resistencia, For Central Americans fleeing homophobic and transphobic violence, heading North is an act of resistance (December 20, 2018) *Available at:* <https://doi.org/10.1080/10714839.2018.1550982>
   * “For LGBTI+ people living in conservative countries like **Honduras,** **where most hate crimes go unpunished, the risks of unemployment, homelessness, lack of access to health care, and education are even greater.”**
2. **VIOLENCE AGAINST WOMEN IN MEXICO**

United States Government Reports

1. U.S. Department of State, MEXICO 2020 HUMAN RIGHTS REPORT, (2021) *Available at:* <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/mexico/>

* “Significant human rights issues included…**impunity for violence against women**.”
* “State and municipal laws addressing domestic violence largely failed to meet the required federal standards and often were unenforced.”
* “The Executive Secretariat of the National Public Security System reported **more than 1,600 killings of women, including 375 femicides, from January to June. April set a new record with 263 killings of women in one month**. The 911 hotline received almost 108,800 calls reporting incidents of violence against women from January to May, an increase of 20.5 percent over the same months in 2019…Calls included reports of relationship aggression, sexual assault, sexual harassment, rape, and intrafamily violence.”
* “Federal law prohibits sexual harassment and provides for fines from 250 to 5,000 times the minimum daily wage, but **the law was not effectively enforced**.”
* “According to the National Women’s Institute, the federal institution charged with directing national policy on equal opportunity for men and women, **sexual harassment in the workplace was a significant problem**.”
* “INEGI reported in 2017 that **23 percent of working women experienced violence in the workplace** within the past 12 months and that 6 percent experienced sexual violence. The CNDH reported, however, **1 percent of cases resulted in sanction for the perpetrator**.”

Non-Governmental Organizations

1. Human Rights Watch, World Report 2020, *Available at* [https://www.hrw.org/world-report/2020/country-chapters/mexico#](https://www.hrw.org/world-report/2020/country-chapters/mexico)

* “In 2018, the UN Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW) expressed concern for **persistent patterns of ‘generalized’ violence against women, including sexual violence**. Despite this, **Mexican laws do not adequately protect women and girls against domestic and sexual violence**. Some provisions, including those that make the severity of punishments for some sexual offenses contingent upon the ‘chastity’ if the victim, contradict international standards.”
* “**Women and girls continue to face alarming rates of gender-based violence**. According to official data, during January through July 2019 nationwide, there were 540 femicides – defined by Mexican law as depriving a woman of her life based on her gender. By April 2018, an official registry had recorded 9,522 women and girls missing.”

1. Amnesty International, Mexico: Failings in investigations of feminicides in the State of Mexico violate women’s rights to life, physical safety and access to justice, (09/20/2021) *available at* <https://www.amnesty.org/en/latest/press-release/2021/09/mexico-failings-investigations-feminicides-state-mexico-violate-womens-rights-life-physical-safety-access-justice/>

* “Investigations by the State of Mexico Attorney General’s Office into feminicides preceded by disappearances are **seriously flawed due to the inaction and negligence of the authorities** leading to evidence being lost, all lines of inquiry not being investigated, and a gender perspective not being applied correctly. **These shortcomings hamper the judicial process and increase the likelihood that cases will remain unpunished**.”
* “[F]eminicial violence and the failures in investigating and preventing them are part of a broader reality in the country.”
* “In 2020 alone, **3,723 killings of women were registered in Mexico**, of which 940 were investigated as feminicides in the country’s 32 states. Not one state was free of feminicides.”
* “The authorities do not always pursue all lines of inquiry and their failure to act results in the victims’ relatives – generally women – taking on leading the investigations and using their own resources to do so. **In some instances, the authorities threaten and harass families so that they do not bring the case to the attention of their superiors**. The authorities do not always apply a gender perspective throughout the criminal process, in contravention of protocols on investigating killings of women.”
* “The failings documented in the investigations result in **violations of women’s human rights to life and physical safety** and their families’ rights to judicial protection and access to justice.”

News Reports

1. Mat Youkee, Fair Observer, Violence Against Women in Mexico Rises, (Mar. 9, 2021) *Available at*: <https://www.fairobserver.com/region/latin_america/mat-youkee-violence-against-mexican-women-mexico-femicide-coronavirus-lockdown-world-news-60178/>

* “According to the Secretariat of Citizen Security (SSPC) **last year, 3,752 women were violently killed. Of these were 969 classified as femicides – defined as the violent death of a woman because of her gender – a slight increase on the previous year’s figure**. According to data compiled by the Economic Commission for Latin America and the Caribbean, **Mexico has the second-highest total number of femicides in the region** – after Brazil – whilst nearby El Salvador and Honduras have the highest rates per capita. The prevalence of violence crime, **a culture of machismo and weak implementation of measures designed to protect women** mean Latin America is home to 14 of the 25 countries with the highest rates of femicide in the world.”
* According to the sub-director of a Mexico City-based NGO, “‘During the first months of the pandemic, **we saw a rise in various forms of gender-based violence**…In total, 11 women killed each day, compared to 10 per day at the start of 2020.”
* “[T]he continued growth of Mexico’s transnational criminal organizations and militarized response of state security forces have further increased risks to women.”
* “‘**Organized crime has aggravated the situation with regards to the murder of women**,’ says Maria Salguero, a researcher who created the National Femicide Map. ‘The crime gangs use the dead bodies of women to send messages to their rivals. In states where there is a lot of organized crime…we see high incidences of femicide, disappearances and rape.’”
* “In May 2020 [Mexican President Lopez Obrador] said that 90% of domestic violence-related 911 calls were false. His team failed to provide evidence to support this claim when requested to by NGOs.”
* “[**M]any of the preventative and reactive policies introduced to tackle gender-based violence have been subject to cuts in government spending** as a result of the pandemic.”
* Experts “analyzed the activity of the courts at the start of the pandemic and…found **gender-based violence was not being prioritized**.”

1. Haydn Welch, Council on Foreign Relations, Women This Week: Ten Women and Girls Killed Each Day in Mexico (09/24/2021), *Available at* <https://www.cfr.org/blog/women-week-ten-women-and-girls-killed-each-day-mexico>

* “According to a new Amnesty International report, **at least ten women and girls are killed every day in Mexico**. The report says that all too often, **law enforcement fails to investigate the murders properly**, leaving the families of the murdered women and girls to seek justice themselves. In 2020, 3,723 women were killed in Mexico, according to the Mexico Public Prosecutors’ Office; just 940 of these murders were investigated as femicides. While women’s rights activists have advocated against femicides, **both Mexican law enforcement and the Mexican government have tended to diminish the severity of the problem**.”

1. Jose Miguel Vivanco, Los Angeles Times, Mexican government paralyzed in the face of a wave of femicides (03/03/2020), *Available at:* <https://www.latimes.com/opinion/story/2020-03-03/opinion-mexico-government-femicides>

* The recent brutal murder of a Mexican woman “caused renewed outrage over an issue that no longer feels new to many Mexicans: the **pervasiveness of gender-based violence in Mexico and the failure of the government to take the issue seriously enough to work to end it**. Despite longstanding efforts by activists for government action to stem these killings, **the number of femicides has grown 137 percent over the past five year**s, according to the country’s National Prosecutor.”
* “In 2019, the authorities reported 1,006 femicides, around a quarter of all women murdered that year. **Women’s rights groups say this number is likely underreported, since many state and local authorities are unable or unwilling to recognize when gender played a factor in a murder**, leading many femicides to be reported under the more widely recognized definition of homicide, which doesn’t identify gender as a motivating factor.”
* “Mexico is facing an overall skyrocketing levels of violence and near-total impunity. However, **the increasing number of women killed because of their gender is also rooted in other long-existing social problems**, such as the tendency of the media to ‘romanticize’ intimate partner violence as an understandable by-product of passionate love or of authorities to treat investigations and prosecutions of femicide as less important than other types of violent crime.”
* “[G]overnments need to pay close attention to the **disconnect between Mexico’s rhetoric on the international stage and its inaction domestically to meaningfully act to prevent and respond to gender-based violence**.”

1. **VIOLENCE AGAINST WOMEN IN MEXICO**

United States Government Reports

1. U.S. Department of State, MEXICO 2020 HUMAN RIGHTS REPORT, (2021) *Available at:* <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/mexico/> (See Exhibit II, Page X)

* “**Significant human rights issues included…violence targeting…lesbian, gay, bisexual, transgender, and intersex persons**.”
* “Civil society groups claimed police routinely subjected LGBTI persons to mistreatment while in custody.”
* “**Discrimination based on sexual orientation and gender identity was prevalent…There were reports the government did not always investigate and punish those complicit in abuses**, especially outside Mexico City.”
* “A CNDH poll conducted in 2019 found **six of every 10 members of the LGBTI community reported experiencing discrimination in the past 12 months, and more than half suffered hate speech and physical aggression**. In July the federal government’s National Commission to Prevent Discrimination wrote a letter condemning the Roman Catholic diocese of Mexicali for inciting homophobia by calling for anti-LGBTI protests.”
* “Discrimination in employment or occupation occurred against…LGBTI individuals.”

United Nations Reports

## Inter-American Commission on Human Rights, The Human Rights Situation in Mexico: Chapter 4: Impact on Particular Groups, Part c. LGBTI Persons *and* Chapter 6: The State’s Response, Part B. Challenges in the Structural Causes of Impunity, (Dec. 31, 2015), *available at*<http://www.oas.org/en/iachr/reports/pdfs/Mexico2016-en.pdf>

## “The Commission notes that there have been some improvements in Mexico City in terms of discrimination against LGBTI persons, but as stated by one civil society representative, ‘Mexico City is not Mexico,’ in reference to the deep-rooted stereotypes and prejudices that persist in many parts of the country.”

## “Currently, according to an organization of transgender persons based in Europe, **Mexico occupies the second place in the world, behind Brazil, as the country with the largest number of murders on account of gender identity or expression of gender**.”

## “Impunity levels in Mexico have been historically high, and the IACHR has received alarming information indicating that **as many as 98% of crimes reported in Mexico do not result in a conviction**. Again and again, the IACHR heard from victims that justice in Mexico is a ‘simulation,’ either because alleged perpetrators are falsely accused or because the authorities do not act with due diligence and their actions do not produce results.”

## U.N. Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns – Addendum: Mission to Mexico, 28 Apr. 2014,*available at* <http://www.refworld.org/docid/53981bd84.html>

* “The Special Rapporteur was alerted to an alarming **pattern of grotesque homicides of lesbian, gay, bisexual and transgender (LGBT) individuals and broad impunity for their perpetration, sometimes with the suspected complicity of investigative authorities**. Several interlocutors stated that between 2005 and March 2013, 555 homicides targeting the sexual orientation or gender identity of the victim were recorded. Sharp weapons are apparently used to kill in many of the cases, and the victims’ bodies often show deep cuts and further signs of torture including anal rape and genital mutilation.”
* “**Killings of LGBT individuals are marked by either a total failure to investigate or a faulty investigation guided by stereotypes and prejudice**. This concern has also been raised by [the National Human Rights Commission (CNDH)], which has indicated that crimes and human rights violations based on sexual orientation, gender identity or expression are not isolated, but are emblematic of patterns of conduct of some members of society and recurrent actions of certain public servants, including prejudices, dislikes and rejections, reflecting the existence of a serious structural problem of intolerance. The Special Rapporteur was told that authorities are quick to close such cases by calling these killings ‘crimes of passion’ and choosing not to pursue their prosecution as seriously as they should.”
* “The Special Rapporteur was further briefed on two cases in which an LGBT individual reported a death threat to government authorities and the state human rights commission and was subsequently killed without intervention or protective measures. According to information received, CNDH has **considered a number of crimes based on homophobia in which the perpetrators have been identified as civilians and police officers. The implication of police involvement is reinforced at a systemic level by large-scale impunity**.”

News Reports

1. Associated Press, Mexico trans women fight for justice as killings go unpunished., September 9, 2019, *available at*<https://www.latimes.com/world-nation/story/2019-09-09/mexico-trans-women-murders>

* “President Andres Manuel Lopez Obrador, who took office Dec. 1, has promised his government will carry out ‘effective’ investigations in LGBTQ hate crimes, but the grisly rate continues…**Like most crime in Mexico, nearly all such slaying go unsolved and unpunished – less than 3% of the killings of the LGBTQ members have resulted in convictions since 2013**.”

1. Oscar Lopez, Reuters, Mexico sees deadliest year for LGBT+ people in five years (May 15, 2020) *available at* <https://www.reuters.com/article/us-mexico-lgbt-murders-trfn/mexico-sees-deadliest-year-for-lgbt-people-in-five-years-idUSKBN22R37Y>

* “**Mexico is seeing a surge of extreme violence toward LGBT+ people in its deadliest year in half a decade**, a leading rights group said on Friday, citing cases of victims brutally stabbed and brazenly killed in public.”
* “In 2019, 117 lesbian, gay, bi and trans people were killed in Mexico, up almost a third compared with 2018 and the highest number since 2015, according to LGBT+ advocacy group Letra S.”
* “‘We’ve documented that victims are subjected to multiple forms of violence, before or even after they were murdered…There is a cruelty towards the victims.’”
* Local activists have “**said the increasing visibility afforded by advances in LGBT+ issues may have contributed to the surging violence. The violence ‘is specifically directed at LGBT people**.’”
* “Gay and trans people still face societal prejudice in the predominantly Catholic country where religious groups frequently criticize LGBT+ rights.”

Academic Articles

1. Transgender Law Center and Cornell University Law School LGBT Clinic, Report on Human Rights Conditions of Transgender Women in Mexico, May 2016, *available at* <https://transgenderlawcenter.org/wp-content/uploads/2016/05/CountryConditionsReport-FINAL.pdf>.

* “[**V]iolence against the LGBT community has actually increased since the recognition of same-sex marriage throughout Mexico because of backlash to these progressive changes in the law**…Indeed, violence against LGBT people has actually increased…Changes in the laws have made the LGBT communities more visible to the public and more vulnerable to homophobic and transphobic violence. Increased visibility has actually increased public misperceptions and false stereotypes about the gay and transgender communities. This has produced fears about these communities, such as that being gay or transgender is “contagious” or that all transgender individuals are HIV positive. These fears have in turn led to hate crimes and murders of LGBT people.”
* “Despite the existence of these formal protections around sexual orientation, advocates maintain that these **laws have not prevented discrimination and violence. LGBT individuals face many barriers in exercising their rights under the antidiscrimination statutes**. LGBT individuals who experience discrimination may be afraid to disclose their sexual orientation or gender identity to a federal agency and may be concerned about potential retaliation by public officials. This concern is especially relevant since the law does not have a clear enforcement mechanism or any provision that protects against retaliation.”
* “In the state of Veracruz, activists noted that not only were LGBT people being killed at a high rate in 2011, but they were also increasingly being tortured before their deaths.”