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15 December 2006

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Honduras: Treatment of homosexuals, including protection offered by the state and the attitude of the population
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Sexual relations between adults of the same sex are not prohibited in Honduras (ILGA 2006; see also World Policy Institute Dec. 2003, 54). However, same-sex marriage is illegal (ILGA 2006, 5). Article 60 of title III of the Honduran constitution of 1982 (*Constitución de la República de Honduras, 1982*) prohibits all forms of discrimination based on gender, race, class, or any other discrimination that is detrimental to human dignity (11 Jan. 1982). A report on the World Policy Institute Web site states that although Article 60 of the Honduran constitution "could easily encompass discrimination on the basis of sexual orientation, the courts have yet to interpret the text in that way" (2003, 54).

In an article published by AIDS Project Los Angeles (APLA), the national director of the Institute for Gay Men's Health is quoted as saying that, in general, homosexuals from the Caribbean and Central America are "highly stigmatized" (18 May 2006). With respect to the treatment of homosexuals in Honduras in particular, correspondence from a representative of the San Pedro Gay Community for Holistic Health (*Comunidad Gay Sampedrana para la Salud Integral - CGSSI*), a Honduran non-governmental organization that defends gay rights (AI 1 Sept. 2003), indicated that the gay population in Honduras lives in a conservative country, where religion influences political decisions (23 Nov. 2006; see also ILGA 6 Sept. 2006). The CGSSI representative also stated that Honduras has no laws protecting homosexuals from [translation] "discrimination" and that a number of crimes against homosexuals have been reported in the country (23 Nov. 2006; see also ILGA 6 Sept. 2006).

In a 23 November 2006 press release, the CGSSI representative provided the following information. According to him, the Honduran authorities provide no protection to the country's gay population. In addition, in 2004 and 2005, more than 10 lesbian, gay, transsexual and bisexual individuals were killed in Honduras, adding to the more than 200 murders that were committed in the last decade. The CGSSI representative added that the police do not always investigate these murders and that the deaths are sometimes not registered. He stated that some media sensationalize the topic of homosexuality. The representative also indicated that the evangelical brotherhood in Honduras has challenged the existence of the CGSSI and Kukulkan. According to APLA, Kukulkan is a Honduran non-governmental organization that advocates for gay rights (APLA 18 May 2006).

The CGSSI representative also stated that homosexuals are frequently harassed by the Honduran police (23 Nov. 2006). The World Policy Institute report notes that the "[Honduran] police frequently charge ... gay men (and occasionally lesbians) with offending 'morality and public decency' if they are seen expressing physical affection in public" (2003, 53-54; see also CGSSI 23 November 2006). The same report indicates that "transvestites and sex workers are frequently charged with causing a 'public scandal,' even though sex work is not illegal" (World Policy Institute 2003, 54).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

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World Policy Institute. December 2003. Andrew Reding. "Sexual Orientation and Human Rights in the Americas." *World Policy Reports*. <<http://www.worldpolicy.org/globalrights/sexorient/2003-LGBT-Americas.pdf>> [Accessed 1 Dec. 2006]

Additional Sources Consulted

Oral sources: The Foro Nacional de Sida and the Comisionado Nacional de los Derechos Humanos de Honduras did not respond to this request for information within time constraints.

Internet sites, including: Associated Press (AP), Human Rights Watch (HRW), International Gay and Lesbian Human Rights Commission (IGLHRC), *La Prensa* [Tegucigalpa], Mujeres Hoy, United Nations (UN), United States Department of State.

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