

Every 3rd day the murder of a trans person is reported.

Preliminary results of a new Trans Murder Monitoring Project show more than 200 reported cases of murdered trans people from January 2008 to June 2009

by Carsten Balzer¹, July 2009

**Those who are lesbian, gay or bisexual,
those who are transgender, transsexual or intersex,
are full and equal members of the human family,
and are entitled to be treated as such.**

Navanethem Pillay

UN High Commissioner for Human Rights

(Statement made during a High-Level Meeting on
Human Rights, Sexual Orientation and Gender Identity,
United Nations (New York), December 18th 2008).

In April 2009 the international NGO Transgender Europe (TGEU) in cooperation with the multi-lingual scientific Online-Magazine “Liminalis – a Journal for Sex/Gender Emancipation and Resistance” started a new research project on collecting, monitoring, and analyzing reports of murdered trans people² on a worldwide scale. The first step of this ongoing research project is the so called Trans Murder Monitoring Project, the preliminary results of which are published here at this early stage of the project in order to inform about the project and to win supporters and cooperation partners.

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² Trans people (as used above) includes those people who have a gender identity which is different to the gender assigned at birth and those people who wish to portray their gender identity in a different way to the gender assigned at birth. It includes those people who feel they have to, or prefer or choose to, whether by clothing, accessories, cosmetics or body modification, present themselves differently to the expectations of the gender role assigned to them at birth. This includes, among many others, transsexual and transgender people, transvestites, cross dressers, no gender, multigender, genderqueer people, including intersex and gender variant people who relate to or identify as any of the above. Indigenous and local denominations such as muxé, hijras etc. - if reported - are mentioned additionally in the appending name lists of murdered trans persons.

These very preliminary results have revealed 121 cases of reported murdered trans people in 2008 worldwide. From January 2009 to June 2009 already 83 cases of murdered trans people have been reported worldwide.³ The preliminary results show furthermore that the number of reports of murdered trans people is increasing in the last years. Since the beginning of 2008 the murder of a trans person is reported every third day, on average.

The cases have been reported from all six World regions: North America, Latin America, Europe, Africa, Asia, and Oceania (see Name-Lists 2008, 2009; Tables 2008, 2009 and/or Maps 2008, 2009). The majority of cases have been reported from Latin America (2008: 91, January to June 2009: 73) and North America (2008: 16). On these continents the majority of cases have been reported from Brazil (59) and the U.S.A. (16) for 2008 and from Brazil (23), Venezuela (20), and Guatemala (10) for the first six months in 2009.

In these four countries it is alarming to see that the numbers of reports are increasing.⁴ Estrella Cerezo, a founding member of the Venezuelan transgender rights group Transvenus, explained, that the number of murdered trans people registered in Venezuela in 2009 is “*more than twice the number seen in the second half of last year*”.⁵ The Brazilian LGBT⁶ organisation Grupo Gay da Bahia (GGB), which is publishing data on reported murders of LGBT people since 1980 in Brazil, reported an increasing of 55 % on reported murders of LGBT people in Brazil in 2008 compared to the years before: meaning in total 190 reported cases.⁷ Thus, GGB declares “*Brazil is the world champion in homophobic crimes: 190 murders in 2008, followed by Mexico with 35 and the U.S.A. with 25.*”⁸ GGB is reporting these murders of LGBT people as hate crimes. The scholars working for GGB define hate

³ The first step of this ongoing monitoring and research project is made primarily through Internet research. The main focus of the Internet review is set on several Transgender Day-Of-Remembrance Websites, on Websites of Trans institutions and organisations (e.g. Trans Secretariat of ILGA, Transgender Egypt), national LGBT organisations (e.g. Grupo Gay da Bahia), Human Rights organisations (e.g. Amnesty International, Human Rights Watch), Online News-Portals, Online Newspapers and Online Magazines as well as urgent action calls from Human Rights organisations, which are to be found in diverse mailing lists (e.g. TGEU-info, SOGI). The languages used in this first stage of the project are English, Spanish, Portuguese, French, and German. In addition a review of the relevant literature is carried out. A second step, which will comprise the development of questionnaires that will be sent to trans networks, groups, and individuals worldwide, and conducting interviews with human rights and trans activists, is planned (see end of this article). In this second stage an evaluation and revision of the first stage and the preliminary results will take place. Further steps will follow.

⁴ See Transgender Day of Remembrance (2008) for the U.S.A., Grupo Gay da Bahia (2009b) for Brazil, as well as Grant (2009) for Venezuela and CERIGUA (2009) for Guatemala.

⁵ Grant (2009).

⁶ LGBT is the abbreviation for Lesbians, Gays, Bisexuals, and Transgender.

⁷ See Grupo Gay da Bahia (2009b).

crimes in the Brazilian context as follows: *“Thus, hate crimes are motivated by racism, machismo, religious intolerance, homophobia and ethnocentrism, leading its actors generally to practice a high level of physical violence and moralistic contempt towards the victim, because the murders are often preceded by torture, the use of multiple weapons and a large number of blows.”*⁹ The Organization for Security and Cooperation in Europe (OSCE) declares in a recently published practical guide on hate crime laws for the European context: *“Hate crimes are violent manifestations of intolerance and have a deep impact on not only the immediate victim but the group with which that victim identifies him or herself. They affect community cohesion and social stability. [...] In fact, hate crimes occur, to a greater or lesser extent, in all countries.”*¹⁰ In a discussion of the so called characteristics the OSCE guide mentions among other characteristics, ethnic origin/nationality, religion, gender, sexual orientation and reports cases of homophobia and so called gay-bashing.¹¹

As in the GGB hate crime definition the characteristics “gender identity” and “gender expression” and the reference to transphobia and transphobic hate crimes are missing. This is at first sight surprising as GGB states also that in Brazil the risk of a trans person (*travestis* and transsexuals) being murdered is 259 times higher than that of a homosexual¹² and the OSCE declared in their hate crime report from 2007: *“Homophobic hate crimes and incidents often show a high degree of cruelty and brutality. They often involve severe beatings, torture, mutilation, castration, even sexual assault. They are also very likely to result in death. Transgender people seem to be even more vulnerable within this category.”*¹³ In fact transphobic hate crimes are often reported as homophobic hate crimes or subsumed within the category of homophobia. Furthermore transphobic hate crimes are often confused with homophobic incidents in the same way transphobia is confused with homophobia. This occurs e.g. if the perpetrator chooses the victim not due to a factual knowledge of the victim’s sexual orientation, but due to the gender expression and/or gender identity of the victim. In the European Union Agency of Fundamental Rights (FRA) report “Homophobia and

⁸ „O Brasil é o campeão mundial de crimes homofóbicos, 190 homicídios em 2008, seguido do México com 35 e Estados Unidos com 25.“ (Grupo Gay da Bahia 2009a, translation by C.B.)

⁹ Mott et. al. (2002: 58), translation by C.B.

¹⁰ OSCE (2009: 16).

¹¹ OSCE (2009: 38-45).

¹² See Grupo Gay da Bahia (2009a).

¹³ OSCE / ODIHR (2007: 53)

Discrimination on Grounds of Sexual Orientation and Gender Identity in the EU Member States Part II - The Social Situation” “gender expression” and “gender identity” are defined as follows: *“Gender expression can be defined as the way in which every human being expresses herself/himself in genderized terms – that is to say, the way in which all persons express themselves within the different possibilities that the gender spectrum offers – like masculinity, femininity, androgyny, etc. Gender expression refers to the visible aspects (such as appearance, clothing, speech, and behaviour) of a person's gender identity. [...] Gender identity refers to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms. Gender identity is not the same as sexual orientation, and transgender persons may identify as heterosexual, bisexual or homosexual. Transgender issues are thus to be regarded as gender issues rather than a question of sexual orientation.”*¹⁴

Therefore, the recommendation of the authors of the “Handbook on monitoring and reporting homophobic and transphobic incidents” cannot be emphasized enough: *“In order to include all violence, we recommend referring to homophobic and transphobic violence or homophobic and transphobic incidents.”*¹⁵

Apart from this confusion, there is often a difficulty in classifying the murder of trans persons as hate crimes. This is due to a lack of information in the reports as well as the lack of national monitoring systems. Although the brutal violence and the reported circumstances in the reported cases are indicating that quite a lot of them and maybe most or almost all cases are transphobic hate crimes, in this first stage of presenting the preliminary results, they are classified as reports of murdered trans persons.

In addition to the above mentioned figures the preliminary results regarding Latin America show a total of 11 murdered trans people reported for Colombia followed by 5 for Honduras and 4 for Mexico and Venezuela for 2008, and 6 for Mexico and 3 for Argentina and the Dominican Republic for the first six months of 2009. In total murders of trans people were

¹⁴ FRA (2009: 27).

¹⁵ Loudes C., and Paradis, E. (2008: 7)

reported in 11 Latin American countries in 2008, and also in 11 Latin American countries in the first six months of 2009.

The preliminary results also reveal that murders of trans people have been reported in 5 European countries in 2008 (Germany, Italy, Portugal, Spain, and Turkey) and in 4 European countries (Russia, Serbia, Spain, Turkey) in the first six months of 2009. Spain is consistently on the list with 1 report of a murdered trans person, whereas the number of reports of murdered trans persons in Turkey increased from 2 in 2008 to 5 in the first six months of 2009.

In Asia murders of trans persons were reported for Iraq, Malaysia, and Singapore in 2008, and for India in the first six months of 2009. In Oceania murders of trans persons were reported for Australia in 2008, and for New Zealand in the first six months of 2009 (see Map 2008 and Map 2009).

In total the collected reports show murders of trans persons in 22 countries worldwide in 2008, and in 17 countries worldwide in the first six months of 2009. In total there have been 204 reported cases of murdered trans people in the last 1 ½ years.

These figures do not necessarily indicate an increase of murders of trans persons in some of these countries, but rather an increase in reports. However, they definitely reveal the main problem of these figures and such research in general.

This main problem exists on different levels.

Firstly, the collected data shows only those cases which have been reported. There is no data and no estimates available for the unreported cases. GGB, which has an almost 30 year experience in reporting murders of LGBT people in Brazil and annually creates one of the most comprehensive and detailed reports worldwide, declares, that its reports do not represent the true figures, which must be much higher, because their report data is based on newspaper and internet articles, there being no Governmental statistics on hate crimes.¹⁶

Secondly, the data presented here does not show all reported cases worldwide, but only most of those, which can only be found on the Internet with some effort. Reports from local newspapers which have no web page are also missing.

¹⁶ See Grupo Gay da Bahia (2009a).

Thirdly, because of the dozens of languages used in the Internet, the diversity of terms denominating trans people, and the myriad of web pages in the World Wide Web to date it is simply not possible to find all reports shown on the Internet with the limited resources of a NGO like TGEU.

Fourthly, there is a specific problem regarding the reporting of murdered trans persons. Not all trans people that are murdered are reported as trans. Depending on the knowledge and perspective of the person reporting the crime, murdered trans people are sometimes reported as men or women, or as lesbians or gays. This problem has been known among trans activists for some considerable time. When I was doing research in the trans communities of Rio de Janeiro from 2000 to 2001, a trans activist told me that some of the trans people that were murdered at that time in Rio de Janeiro were not reported in the newspapers or were reported as homosexuals as was often the case in the past.¹⁷ A very recent example of the central problem in reporting murders of trans people occurred in the context of the enormous increase of violence against LGBT people in Iraq since the issue of a fatwa against homosexuals in 2005.¹⁸ A report published in April 2009 says that there have been “63 more murders of gay people in Iraq just since December [2008] bringing to nearly 600 the number of cases of LGBT Iraqis killed for their sexuality [since 2005]”.¹⁹ How many of these 600 LGBT people or of these 60 gay people are trans people is not reported. A New York Times article stated at the same time that in February and March 2009 “as many as 25 boys and men suspected of being gay” have been found murdered in Sadr City, Iraq, several with the word “pervert” in Arabic on notes attached to their bodies. The authors cite a witness, “who preferred to be called “Basima” – the feminine version of his [sic!] name” and state about another witness “a man named Sa’ad, who has been taking estrogen and has developed small breasts”.²⁰

For these reasons the data presented does not reflect the true situation. It shows only a glimpse of reality, the tip of the iceberg of worldwide murders of trans people. The reality is much

¹⁷ See Balzer (2008: 130). GGB reported for the year 2000 a number of 38 murders of trans people in Brazil, and for 2001 a number of 41 murders of trans people in Brazil (see Balzer 2008: 130-131).

¹⁸ Doug Ireland reports that “the Grand Ayatollah Ali al-Sistani, the spiritual leader of all Iraqi Shiite Muslims, issued a death-to-all-gays fatwa in 2005” (Ireland 2009).

¹⁹ See Ireland (2009).

²⁰ Williams and Maher (2009).

worse. Therefore the tables and maps must be read in a way that says for example that Brazil is the leading nation on reported murders of trans people instead of Brazil is the leading nation on murders of trans people.

If these figures do not represent the real situation, one might question the reason for using them.

There are some good reasons to do so.

Firstly, though these figures, tables and maps do not show the real thing they do show in a very alarming way the need for better research and better research resources. The demand of the European NGO Transgender Europe (TGEU) is that European state institutions should not only recognize transphobic murders as hate crimes, but also record them and publish them in annual statistics²¹, and it is a demand that must be addressed to all governments in the world.

Furthermore these data show the pressing need for programs to prevent these murders and measures to properly investigate these murders. The European Parliament (EP), the Council of Europe (CoE), and the Organization of American States (OAS) have passed resolutions in support of the “Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity”²². Principle 4 (The Right To Life) of the Yogyakarta Principles reads *“Everyone has the right to life. No one shall be arbitrarily deprived of life, including by reference to considerations of sexual orientation or gender identity”* and demands that states shall *“[c]ease any State-sponsored or State-condoned attacks on the lives of persons based on sexual orientation or gender identity, and ensure that all such attacks, whether by government officials or by any individual or group, are vigorously investigated, and that, where appropriate evidence is found, those responsible are prosecuted, tried and duly punished.”*

²¹ „There is a need for national systems to monitor transphobic hate crimes, for awareness raising training for police officers, for support for community based reporting and victim-support structures as well as for more research.” See Transgender Europe (2009: 19).

²² www.yogyakartaprinciples.org

Principle 5 (The Right To Security Of The Person) of the Yogyakarta Principles reads: *“Everyone, regardless of sexual orientation or gender identity, has the right to security of the person and to protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual or group.”* and demands that states shall

- “a) Take all necessary policing and other measures to prevent and provide protection from all forms of violence and harassment related to sexual orientation and gender identity;*
- b) Take all necessary legislative measures to impose appropriate criminal penalties for violence, threats of violence, incitement to violence and related harassment, based on the sexual orientation or gender identity of any person or group of persons, in all spheres of life, including the family;*
- c) Take all necessary legislative, administrative and other measures to ensure that the sexual orientation or gender identity of the victim may not be advanced to justify, excuse or mitigate such violence;*
- d) Ensure that perpetration of such violence is vigorously investigated, and that, where appropriate evidence is found, those responsible are prosecuted, tried and duly punished, and that victims are provided with appropriate remedies and redress, including compensation;*
- e) Undertake campaigns of awareness-raising, directed to the general public as well as to actual and potential perpetrators of violence, in order to combat the prejudices that underlie violence related to sexual orientation and gender identity.”²³*

In December 2008 66 nations at the UN General Assembly²⁴ supported a statement confirming that international human rights protections include sexual orientation and gender identity. Among others, they reaffirmed *“the principle of non-discrimination which requires that human rights apply equally to every human being regardless of sexual orientation or*

²³ www.yogyakartaprinciples.org

²⁴ These 66 nations are: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Cape Verde, Central African Republic, Chile, Colombia, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Guinea-Bissau, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritius, Mexico, Montenegro, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Poland, Portugal, Romania, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, United Kingdom, Uruguay, and Venezuela (see www.ilga.org/news_results.asp?FileID=1211).

gender identity”, expressed their concern “by violations of human rights and fundamental freedoms based on sexual orientation or gender identity”, were disturbed “that violence, harassment, discrimination, exclusion, stigmatisation and prejudice are directed against persons in all countries in the world because of sexual orientation or gender identity, and that these practices undermine the integrity and dignity of those subjected to these abuses”, and urged “[s]tates to ensure that human rights violations based on sexual orientation or gender identity are investigated and perpetrators held accountable and brought to justice”²⁵

Secondly, even these preliminary reports, especially when put in context, can help to better understand the situation in which trans people have to live and to find ways to prevent these enormous figures of murdered trans persons and moreover to improve the societal and social situations trans people have to live in. I would like to give an example. The GGB report states for Brazil that 92% of the murdered trans people in 2008 earned their living as sex workers and that 80% of the murdered trans people were killed in the street or in public places²⁶, i.e. the working place of most Brazilian transgender sex workers. The preliminary results of the monitoring and research project regarding the 2008 reports show that 82% of the murdered trans persons earned their living as sex workers, and 55% of the trans persons were murdered in the street; regarding the 2009 reports they show that 53% earned their living as sex workers, and 45% of the trans persons were murdered in the street.²⁷ These are worldwide figures that do not only refer to Latin America (see Tables 2008 and Tables 2009). In fact in some reports of murdered trans people from the U.S.A. and in reports from some European countries (e.g. Germany, Spain, Portugal) the victims were also described as sex workers. My comparative study on trans people in Rio de Janeiro, New York City, and Berlin has shown that the vast majority of trans people that engage in sex work in Rio de Janeiro and New York City do so out of economic necessity and desperation.²⁸ To a lesser degree and especially for trans people with migration background the necessity to earn one’s living as a sex worker is

²⁵ See www.ilga.org/news_results.asp?FileID=1211.

²⁶ See Grupo Gay da Bahia (2009a).

²⁷ TGEU and Liminalis Trans Murder Monitoring project (see Tables 2008 and Tables 2009). As the figures in the tables of GGB, the TMM project figures refer to the sum of reports in which the location of death and the profession of the victim is mentioned.

²⁸ See Balzer (2008: 239-245, 378-382). The fact that a majority of trans people in Rio de Janeiro have to earn their living as sex workers has multiple historical, societal and social reasons.

true for some European countries, too.²⁹ In January 2009, Thomas Hammarberg, the Council of Europe Commissioner for Human Rights, declared: *“Data presented by EU’s Fundamental Rights Agency shows that in some countries the unemployment rate of transgender persons can reach up to 50%. Some jobless transgender persons are unable to find employment, and see no other option but to work in the sex industry. A report from Human Rights Watch on Turkey called attention to the situation of transgender sex workers in that country – victimised by violence, drug addiction, sexual abuse, lack of health insurance, homelessness, police attacks, and a high risk of HIV/AIDS.”*³⁰

In Rio de Janeiro the main reason for the lack of opportunities is the refusal of employers to hire trans people. This is due to the enormous amount of prejudices towards trans people in Brazilian society, which date back to the times of the last Brazilian dictatorship³¹ as well as to the late 1980s and early 1990s, when transphobia and homophobia experienced an enormous spread in Brazil during the AIDS hysteria.³²

With awareness rising campaigns that destigmatize and re-value trans people, the situation of trans people could be improved in general and the situations in which trans people are at a higher risk of becoming victims of transphobic murders could be reduced. These campaigns should be carried out by governmental institutions.

Thirdly, the tables and especially the maps that were produced based on this research data are useful means to vividly demonstrate that murders of trans people do occur in all six World regions. They occur in countries with high general murder statistics, that are regarded as unsafe countries such as e.g. Brazil, Colombia or Iraq as well as in countries/states with low(er) general murder statistics that are regarded as safe countries/states such as e.g. Australia, Germany, Portugal, New Zealand, Singapore or Spain. Early this year the Council of Europe Commissioner for Human Rights brought up a very brutal case of transphobic hate

²⁹ Note that the trans persons murdered in Germany and Portugal in 2008 and the trans person murdered in Spain in 2009 were migrants from Serbia-Montenegro, Brazil, and Morocco.

³⁰ See Hammarberg (2009).

³¹ The military repression that started in the late 1960s and reached its peak in the 1970s had two main targets: anyone who was seen as part of the ‘communist threat’ or as part of the threat to ‘Brazilian family morals’. The latter was recognized primarily in gay and trans people. Military censorship forbade every *travesti* show on television and in the theatre, and males were imprisoned for looking gay, that is, feminine. When the dictatorship ended in 1984, the formerly positive term *travesti* had become associated with ‘prostitution’ and crime, and trans people were often seen as criminals. (Balzer 2005: 120-122, cf. also Balzer 2008: 308-341).

³² See Balzer (2008: 333-334).

crime, which was reported to him by trans activists, among them Transgender Europe (TGEU): *“There have been some extremely brutal hate crimes against transgender persons. One case which received media attention was the murder in Portugal of a homeless, HIV-positive, Brazilian transgender woman, called Gisberta Salce Junior. She was tortured and raped by a group of young men, thrown into a well and left to die.”*³³

Fourthly, the results of such a research reveal sometimes very terrifying details on the nature of these crimes. The data shows that in 2008 six of the victims were minors, i.e. 5% of the murdered trans persons in 2008 were minors. One of these minors, the 15 year-old Leticia King from Oxnard (USA) was shot twice in the head by a class mate in front of the whole class. The data shows furthermore that in the first six months of 2009 three of the victims were minors, i.e. 7% of the murdered trans persons in the first six months of 2009 were minors.³⁴ The results also reveal that in 2008 57% of the reported murdered trans persons were shot, 17 % were stabbed and 10 % were beaten to death, and in the first six months of 2009 43% were shot and 33% were stabbed.³⁵ Apart from these brutal murders, in 2008 5 of the reported murdered trans persons were found brutally tortured or dismembered, 2 were shot by retired policemen, and 3 were executed in police stations. In the first six months of 2009 5 of the reported murdered trans persons were found tortured or dismembered.

Fifthly, this is a monitoring and research project in progress and the presentation of these preliminary results is only the first step. The second stage will see TGEU in cooperation with Liminalis developing a questionnaire and using their worldwide contacts for monitoring and research that presents a more realistic picture. Although TGEU and Liminalis wish that such research was unnecessary (because there was no murder of trans persons to report) they would appreciate contributions concerning reports of murdered trans people and transphobic murders and violence in general from the different countries in the six world regions. Therefore TGEU and Liminalis are asking networks, organisations and individuals to send reports of murdered trans people to [research\[at\]tgeu.org](mailto:research[at]tgeu.org) and to take part in this ongoing monitoring and research

³³ See Hammarberg (2009).

³⁴ This figure refers to the sum of reports in which the age of the victim is reported.

³⁵ These figures refer to the sum of reports in which the cause of death of the victim is reported.

project and help provide data for measurements to improve the situation of trans people worldwide.

When reporting cases of murdered trans people please give as many details as possible, e.g. the name of the victim, using if known the chosen social name of the victim, the victim's age and profession and if known the victim's self definition (e.g. *travesti*, *transwoman*, *FTM*, *genderqueer* etc.) or the local/indigenous denominations (e.g. *muxé*, *kathoey* etc.), the date (day, month, year) and the place (State, City/Town, Street/Public Place/Home etc.) of the murder as well as the cause of death (e.g. shot, stabbed, strangled etc.) and the source of information. Furthermore if possible a context for the murder (e.g. the above mentioned fatwa issued in Iraq in 2005 or the impact of the dictatorship in Brazil) as well as a follow up of the murder (investigation, classification as hate or bias crime, prosecution of the perpetrator etc.) would be very helpful.

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