

HONDURAS ACCOMPANIMENT PROJECT – PROAH

SUMMARY OF HUMAN RIGHTS ISSUES AND EVENTS IN HONDURAS - APRIL 2014



Honduras once again featured in a number of reports by international organizations.

Inter-American Commission for Human Rights (IACHR) Report for 2013

Honduras, along with Venezuela and Cuba, was one of the countries which merited [a special focus](#) in the [report](#), as it has done every year since the 2009 coup. It refers to the **persistence of structural problems seriously affecting the enjoyment of fundamental rights** in Honduras, expressing particular concern at '*citizen insecurity, the independence of the judicial and other branches of government, weaknesses in the administration of justice that are reflected in high levels of violence and impunity, as well as discrimination and marginalization of segments of society*'. Groups identified as particularly vulnerable were **journalists, human rights defenders, the campesinos in the Bajo Aguán, members of the indigenous and LGTBI communities, and prisoners**. Among the specific cases mentioned were the criminalization of Berta Cáceres and other members of the COPINH leadership and of Magdalena Morales of the CNTC, as well as the murders of journalists, indigenous people and lawyers. On **women**, the IACHR expressed concern at the 246% rise in femicides between 2005 and 2012 and, against this background, the 'less than proactive role' of INAM (the National Institute for Women), and the closing down of the Femicide Investigation Unit in the Public Prosecution Service, which has been absorbed into a larger unit on high impact crimes.

PBI Honduras

Many of these vulnerable groups – people defending the land and sovereignty of indigenous and campesino communities, as well as LGBTI activists and media and legal professionals – were also identified as particularly affected by attacks in the [report Honduras: A new perspective on human rights? on the situation for human rights defenders in 2013](#), by the accompaniment organization Peace Brigades International (PBI). It noted that **the patterns of attacks, as in 2011 and 2012, included trumped up charges, militarization, defamation, and physical assaults**. The report expressed concern that the role of women human rights defenders was still not recognized, even though their level of risk and vulnerability was alarming, and it included recommendations to the UN, EU and Inter-American Commission on Human Rights (IACHR).

Global Witness

The vulnerability of Honduran campesinos was also highlighted in [Deadly Environment: The Dramatic Rise in Killings of Environmental and Land Defenders](#) published by the UK-based NGO, Global Witness. According to the report, **Honduras is the second most dangerous place in the world to be defending rights to land and the environment**, with 109 people murdered from 2002 to 2013, after Brazil, with 448 cases, accounting for 12% of all such cases documented worldwide, a remarkable feat for a country of only 8 million people. Of those 109 murders, 100 were committed since the coup (2010-2013), accounting for 21% of such killings worldwide, and almost matching Brazil (131) over the same period, with 25 times the population. As might be expected, most of the killings have been in the Bajo Aguan (93). The report acknowledges that there are limitations to the study because of under-reporting in certain countries, either due to restrictions or outright prohibitions on human rights monitoring, such as in Myanmar and China, or to lack of capacity and resources for NGOs and

governments to collect such data, suspected in the case of many countries in Africa. Nonetheless, the report still serves to put into some kind of context the sheer scale of such killings in Honduras post-coup.

STATE HUMAN RIGHTS INITIATIVES

A **human rights forum** took place on April 29, the aim of which was apparently to try and increase understanding between the armed forces and civil society on this issue. It was attended by the Minister of Defense, Samuel Reyes, the US Ambassador, Lisa Kubiske, and the CONADEH (National Human Rights Commissioner), Roberto Herrera, as well as officers from the Honduran armed forces, the US Southern Command and 'civil society' – quite who from civil society was not specified. Perhaps the most interesting things to emerge from the forum, which does not seem to have received much publicity, were a couple of pronouncements from the **US ambassador, who stated that 'there was no human rights policy' in Honduras, and also referred to the impunity** surrounding 'a few cases' of members of the military who had abused their power.¹

Presumably as a means of addressing at least one of these shortcomings, the cabinet adopted the **First Human Rights Public Policy and National Action Plan**, under which government officials commit themselves to actions which 'have a direct impact on the improvement of the human rights situation in Honduras'.² According to the IACHR annual report for 2013, the draft had been originally submitted to the then president at the end of 2012, so this has been a long time in coming.

IACHR PRECAUTIONARY MEASURES

In the meantime, the government's implementation of precautionary measures, a constant source of concern for the IACHR³, came under renewed attack. **MADJ** (the Broad Movement for Dignity and Justice), which has been supporting the communities in **La Nueva Esperanza and Locomapa** in their peaceful opposition to mining (see P.5 and 6), called [a press conference](#) on April 30 to criticize the fact that the beneficiaries of the measures, granted in December 2013 to a total of 56 people across both communities, have had to constantly pressure the state to enforce them, and even so, it has been slow to act, leaving them exposed to threats and attacks.

A few days earlier, the journalist and LIBRE congressman Esdras Amado López had filed a formal complaint with the *Fiscalía* (Public Prosecution Service) to challenge **a letter sent by the government to the IACHR requesting the withdrawal of precautionary measures from a number of human rights defenders and journalists**, on the grounds that 'the context which gave rise to the precautionary measures has changed substantially, given that the 2009 political crisis has been satisfactorily resolved, as demonstrated by the general elections'.⁴ Esdras Amado López was granted precautionary measures in the immediate aftermath of the coup – on June 29, 2009, having been detained and his whereabouts unknown. The precautionary measures ([PM 196-09](#)), first issued on the day of the coup, were eventually widened to cover hundreds of people considered at risk. Esdras Amado López himself has continued to receive threats – as recently as October last year, in the run-up to the elections, he was warned by a senior official from the Ministry of Security that he was on a hit-list, along with other LIBRE candidates.⁵ Given the atmosphere of repression (as well as the allegations of fraud) surrounding the elections, it seems bizarre that the government should point to them as proof that the

1 El Heraldo [Realizan Foro de DD HH en Honduras](#)

2 Conexihon [Ministros firman Convenio para Implementar la Política Pública de DD.HH.](#)

3 See, for example, Para.369 of its [annual report for 2013](#).

4 Cholusat Sur [JOH pretende suspender medidas cautelares a Periodistas y Defensores de Derechos Humanos](#)

5 Ultima Hora [Esdras Amado López denuncia amenazas a muerte en su contra](#)

'political crisis' has been overcome.⁶

JOURNALISTS

The timing of the government's letter to the IACHR seems deliberately provocative, coming as it does in the wake of **a number of reports of the dangers run by human rights defenders in Honduras, and particularly media workers**, such as the PEN/University of Toronto report [Honduras: Journalism in the Shadow of Impunity](#), the focus of an IACHR hearing in March. This was demonstrated all too clearly on April 11, with **the murder of sales and marketing manager, Carlos Mejía Orellana**, of **Radio Progreso**, who was himself subject to IACHR precautionary measures, along with other members of Radio Progreso's staff, issued on May 27, 2011 in his case for having received threats by text message.⁷ He was found dead with multiple stab wounds at his home in El Progreso, Yoro.⁸

His death provoked demands from a range of organizations - including [Amnesty International](#), [Reporters without Borders](#), and **20 Canadian NGOs in a joint letter** - for his killers to be brought to justice, and for the state to enforce precautionary and other protective measures, not only in the case of the Radio Progreso employees, but for other media workers under threat. The **IACHR's Special Rapporteur for Freedom of Expression** also issued [a statement](#), as did her **UN counterpart, Frank La Rue**, in a [joint declaration](#) with **Margaret Sekaggya**, the **UN Special Rapporteur for Human Rights Defenders** (in Spanish only), in which they focused on how the impunity prevailing in Honduras served to perpetuate attacks on journalists and other human rights defenders.

The British Ambassador to Honduras marked World Press Freedom Day by issuing a [press release](#) in which she condemned the murder, as well as paying tribute to the work of journalists in Honduras exposed to high levels of violence and aggression.

US Senator Kaine and Congressional Representatives McGovern, Farr and Schakowsky also expressed dismay at the government's failure to implement the precautionary measures for Radio Progreso, given the death threats and attacks targeted at its staff, as well as at news reports that the police had announced the murder was committed by someone close to Carlos Mejía before any investigation had begun. The latter was echoed by **Radio Progreso itself which issued a press statement** on April 29 expressing its concern at the lack of progress in the investigations three weeks after the murder, and at the fact that investigators appeared to be wanting to 'dismiss' it as a homosexual crime of passion.

Radio Progreso was one of the many media outlets that were temporarily occupied and closed by the military following the coup – on the very morning of it the station was invaded by around 25 soldiers who forced it to stop transmission,⁹ the first of a number of such incidents. As with Esdras Amado López, its director Father Ismael Moreno ('Padre Melo'), was one of the first people to be granted the precautionary measures [PM 196-09](#) in the wake of the coup, which were then extended a number of times, most recently in May 2012, to cover a total of 18 Radio Progreso workers, victims of threats and surveillance.¹⁰ **Every IACHR annual report since the coup has details of attacks and/or acts of intimidation targeted at the Radio's personnel**, including the threats against Padre Melo, which reached such a pitch in April 2010 that he was forced to go into hiding.

6 See for example, our summary for [October to December 2013](#), which details numerous incidents.

7 [Letter from CEJIL and ERIC to IACHR](#) (April 12, 2014)

8 See PROAH article [Reflection on the murder of Carlos Mejía, Radio Progreso](#)

9 Commission of Truth Report P.167 [The Voice of Greatest Authority is that of the Victims](#)

10 July 2 (Father Melo) and July 30, 2009; April 26*, May 3 and June 2, 2010; May 27 2011*; May 25, 2012 (see <http://www.oas.org/en/iachr/decisions/precautionary.asp>. Those with asterisks do not appear on that webpage – they are referred to in [C-Libre Alert 017-14](#).) In 2011, the staff of Radio Progreso were allocated their own precautionary measures - PM 399/09. The number of staff covered by precautionary measures comes from [Amnesty International's](#) urgent action.

Juan Carlos Argeñal Medina – no progress in murder case

The case of Juan Carlos Argeñal Medina, another high-profile killing,¹¹ so far bears out Radio Progreso's concerns about the failure to investigate attacks on media workers. The TV Globo journalist was shot dead on December 7, 2013 at his home in Danlí, in El Paraíso department. His relatives believe that he was murdered for broadcasting allegations of corruption at Gabriel Alvarado Hospital in the town. Given the financial interests allegedly involved, the prosecutor assigned to the case has told them that a special team will be set up in Tegucigalpa to investigate his murder, as it is likely that local investigators would be compromised. However, five months on from Juan Carlos Argeñal Medina's death, this team still has not materialized, and no investigations appear to have taken place.¹² In March, Amnesty International issued an [urgent action](#) on behalf of his brother, Mario Argeñal, who has publicly made a link between the journalist's murder and his exposure of corruption, as well as demanding justice from the authorities. As a result, he has been followed and subject to other acts of intimidation.

Further intimidation of journalists

Meanwhile, more journalists reported being intimidated because of their work.

Dennis Menjivar, who covers police matters for Channel 6 in Choloma, reported having been followed by cars without license plates since he covered the arrest of Carlos Arnoldo Lobo, known as “El Negro” Lobo (Black Wolf), whose extradition to the US on drug-trafficking charges was approved on May 2. The reporter had already suffered an attempt on his life two years ago – shot at from a car - after he criticized the Ministry of Security's work following a massacre, and was told by an official to 'watch what he was saying'.¹³

Jorge Oseguera, a journalist with Radio Internacional, has reported that he has **received threats after criticizing Aguas de San Pedro water company** on his program for grossly overcharging him – his bill currently stands at 93,000 lempiras (almost \$5,000). The company is notorious for its inefficiency and poor service, to the point that the issue is being raised in the Honduran Congress. The broadcaster reports that **the threats have included phone calls, visits by armed men to the radio station and he and members of his family being followed**. He has reported the matter to the police, the DNIC (National Criminal Investigation Directorate).¹⁴

In the third case, **José Onorio Cruz**, director of the on-line news program, *Fuera del camino* (Off-Road) on www.laradiopopular.net, who also is also a correspondent for Radio Progreso and Radio Uno from the southern city of Choluteca, has reported that he has been subject to **a series of acts of intimidation**, most recently, in early April, his house appears to have been spied upon by a motorcyclist who stopped at his gate and then peered in. This follows **two threats** received by the journalist, who denounces corruption and the militarization of society on his programs. The first came when he was leaving the TV Channel 21 *Libertad* (Freedom) in December 2013, when two men on a motorbike told him to stop speaking rubbish about the National Party and that journalists from the Resistance like him needed to be disappeared. The second threat was made in a shopping mall in Choluteca, when a man approached him and said that LIBRE journalists were now clearly identified and needed to take care, and also said in threatening tone that Juan Orlando wasn't going to put up with any crap from them. Both times the men looked like police officers. As a result of the latest incident, the journalist fears for his family.¹⁵

11 See P.17 of our summary for [October to December 2013](#) for more details of the reaction to his murder.

12 Defensores en línea [No se ha investigado nada en torno al asesinato del comunicador danlidense Argeñal Medina](#)

13 Conexihon [Periodista podría ser asesinado si las autoridades no lo protegen](#)

14 Radio Progreso and ERIC [Presentan moción para revisar contrato de Aguas de San Pedro](#)

15 Conexihon [Periodista es víctima de vigilancia en su residencia](#)

Julio Ernesto Alvarado

On a slightly happier note, Radio Globo's Julio Ernesto Alvarado, has now **definitively escaped a 16-month prison term and as well as (probably) a ban on practicing his profession**, after being found guilty, in December 2013, of defamation. The decision should be greeted with modified rapture because it was only possible on payment of a fine, and the lifting of the ban on practicing his profession will probably be subject to an appeal by the lawyer of Belinda Flores, a dean at UNAH (National Autonomous University of Honduras).¹⁶ This is despite the fact that the grounds for bringing the case at all were extremely dubious – he was essentially tried for giving two lecturers air-time to accuse Belinda Flores of corruption, allegations already published in *El Heraldo* newspaper. While they were exonerated in a law-suit brought by the dean, he was found guilty. His case was taken up by PEN International, concerned that the judgment was politically motivated, and he has received death threats to himself and his family through his Facebook page since the ruling in December.¹⁷

IACHR Special Rapporteur for Freedom of Expression – 2013 Report

The [report](#), released at the same time as the IACHR Annual Report, states, “*Honduras has ... suffered a drastic increase in the number of journalist deaths. Only 4 journalists were murdered in the country between 1995 and 2009, but from 2010 and 2013, the number rose to 15, a figure that is particularly alarming considering that Honduras is a small country with a sparse population compared to other countries.*” The report includes a litany of attacks and threats targeted at journalists in 2013.

LAWYERS

In contrast to the huge amount of concern and publicity (rightly) given to the murders of journalists, the far higher number of killings of lawyers pass almost unnoticed. The latest victim was **Roberto Nieto Cruz**, who was shot dead by a man on a motorbike as he was walking at midday in a busy street (Bulevar Morazan) in Tegucigalpa. There is no information available on the type of work he did, nor on the motives for his murder, although police are convinced that it was a contract killing, given that none of the victim's belongings were taken.¹⁸ **This brings to four the number of lawyers killed this year**, an average of one a month, which although alarming, is in fact so far a lower rate than previous years since the coup – according to CONADEH, there were 16 murders in 2010, 22 in 2011, 14 in 2012 and 19 in 2013.¹⁹

MINING: LA NUEVA ESPERANZA

Despite the granting of precautionary measures by the IACHR in December,²⁰ **the threats against opponents of mining in the community continue** – both verbal threats and the firing of guns and other acts of intimidation. Many are perpetrated by the relatives of Wilfredo Funes, the foreman of Minerales Victoria's exploration works, who has been imprisoned pending his trial for the temporary abduction of two PROAH volunteers (see our [summary for March](#)). On April 29, there was a meeting between members of the community and representatives of the *Fiscalía* (Public Prosecution Service), the police, the Ministry of Security and MADJ, at which the officials stated that the complaints would be investigated by a commission based in Tegucigalpa. Another meeting with representatives of the Ministry of Security, along with the public prosecutor in charge of their precautionary measures, is

16 Conexihon [Carta de libertad para periodista Julio Ernesto Alvarado](#)

17 PEN International [Honduras: Increased harassment of journalists Julio Ernesto Alvarado and Dina Meza must cease](#)

18 La Prensa [Matan a balazos a un abogado](#)

19 Proceso Digital [Conadeh: Más de 100 comunicadores y abogados murieron violentamente en gobierno de Lobo](#)

20 IACHR precautionary measures – [PM 195/13 of December 24, 2013 – Leaders and Human Rights Defenders of the Community of La Nueva Esperanza and of Florida Regional Community Council, Honduras](#) (in Spanish only)

scheduled for late May.

MINING: LOCOMAPA

The state has been less supportive in the case of the Tolupan indigenous community of Locomapa, Yoro, despite a total of 38 members also being subject to **precautionary measures²¹ granted by the IACHR in December**, due to the threats received for their peaceful opposition to illegal logging and antimony mining. This followed the murder of three Tolupans, on August 25, 2013, at a roadblock which the community had set up to prevent the passage of logging and mining vehicles. Their killers - **Selvin Fúnez Matute and Carlos Matute ('Los Matute') - continue at large** despite being subject to arrest warrants, and come down to the village every night to intimidate the opponents of mining and logging.

Particular targets are those community leaders - members of MADJ - who returned on February 22, after fleeing for fear of their lives. On their return, they were accompanied by a commission of various state agencies, amid great fanfare. Unfortunately, since then, the state's willingness to support them appears to have waned. For example, on March 27, one of 'Los Matute' threatened to drag them out of their houses and cut out their tongues if they carried on reporting incidents (see our [summary for March](#)). When a formal complaint was filed with the Public Prosecution Service, **according to the victims of the threats, the prosecutor indicated that he would not help them, considering it 'an internal matter.'**

On the other hand, the local police station now has a motor-bike which the police use to visit those subject to precautionary measures. In addition, the police apparently tried to arrest the two murderers on April 5 in a bar, but someone warned them, and they escaped. However, when PROAH visited the area in April, **the local police repeated that they feared for their lives if they enforced the arrest warrant.**

RIO BLANCO

COPINH Members Subject to Murder Allegations

Just a week after celebrating the first anniversary of its peaceful resistance to the Agua Zarca dam project, and a month after the vicious assault of one of its leaders, María Santos Domínguez, her husband and her son,²² this Lenca indigenous community and COPINH²³ came under fresh attack with the publication of [murder allegations](#) in El Heraldo newspaper. According to the article, published on April 8, the victims, Santos Martínez,²⁴ and Doroteo Benítez were peacefully eating their breakfast that day when they were killed with machetes and gunshots because they were workers for the hydroelectric company. The latter's widow accused two COPINH members within the community of committing the crime.

COPINH issued [a statement](#) in response to the allegations, which had also implicated Berta Cáceres, its General Coordinator, in the murders. The organization condemned the accusations as 'irrational, absurd, and malicious' and part of a continuing campaign of criminalization and intimidation waged by interests supporting the dam, including the Honduran state. It stated that **Doroteo Benítez, far from being an innocent victim, was a hitman** who had been actively part of this campaign. COPINH had filed numerous complaints with the authorities about the death threats he issued, which included

21 IACHR precautionary measures – [PM 416/13 of December 19, 2013 – 18 members of the Movimiento Amplio por la Dignidad y la Justicia \(MADJ\) and their Families, Honduras](#) (in Spanish only)

22 Beverley Bell [One Year of Resistance in Rio Blanco](#) (joint publication of *Foreign Policy In Focus*, [NACLA](#), and [TheNation.com](#)).

23 COPINH - Civic Council of Popular and Indigenous Organizations of Honduras

24 The El Heraldo article mistakenly has his name as Santos Domínguez.

publicly boasting that he would murder members of the organization. According to their statement, he had already committed a number of murders, both in Rio Blanco and elsewhere, as well as 'criminal acts' against children and the attempted rape of women. Far from peacefully eating breakfast before work when he was murdered, he was allegedly trying to carry out another murder with four other people, including Santos Martínez, when they both met their end (on Sunday April 6).

Rio Blanco Councils write to FMO (Dutch Development Bank)

In COPINH's statement, [FMO](#) is one of the entities which the organization accuses of being implicated, along with the Honduran state, in the persecution of COPINH and the Lenca people of Rio Blanco, and the violation of their rights, by aiding in the construction of the Agua Zarca dam against the community's wishes.²⁵ FMO is a public-private partnership, with 51% of its shares held by the Dutch state, and 49% held by commercial banks, trade unions and other private-sector representatives. On April 1, the Indigenous Council, the Elders Council and *Patronato* (Community Council) of La Tejera, Rio Blanco, marked the first anniversary of their protest against the dam by writing a [letter](#) to FMO asking it not to provide loans for the scheme, which threatens their land as well as the Gualcarque River, sacred to the Lenca people. The letter also points out that project has been rejected in a number of open meetings, and is therefore being imposed upon the community illegally.

LAND DISPUTES: BAJO AGUAN

World Bank Loan to Dinant

On April 2, the **World Bank's International Finance Corporation (IFC)** published its '[Enhanced Action Plan](#)', a condition for continuing its loan to Miguel Facussé's Dinant Corporation. This is in response to the [damning report](#) by the World Bank's Compliance Advisor Ombudsman (CAO), published in December 2013, which criticized the IFC for serious failings in its monitoring of the loan, and in particular for failing to address the land evictions and violence against campesinos by 'private and public security forces under Dinant's control or influence' (see P.11 of our summary for [January and February](#)).

In the introduction to the Enhanced Action Plan, the **World Bank welcomes the creation of UMBIVA (Bajo Aguán Violent Deaths Unit)** (see P.11 of our summary for [March](#)), and the plan itself states that Dinant will cooperate with the unit, actively monitoring the progress of investigations and pressing for their proper resolution (which should be interesting given the number of killings which Dinant security guards are thought to be implicated in).²⁶ The new Action Plan is intended to be a consultation draft and 'the basis of engagement with affected communities in the coming months'.

The IFC also published '[The IFC's Environmental & Social Lessons Learned](#)', a presentation given to its Board on April 4 as a briefing on lessons learned from the experiences of the last few years, particularly from the CAO Audit of IFC's investment in Dinant. It acknowledges deficiencies in the handling of the Dinant investment, including the fact that 'when acute problems emerged, neither IFC nor client [Dinant] was prepared' and also stated that 'Scope of the challenges in the Aguan Valley go beyond Dinant', which tends to portray Dinant as an innocent victim of forces beyond its control.

The extent to which the IFC *had*, in fact, learned its lesson was questioned by a group of international NGOs in a [letter](#) to the World Bank Executive Directors about a **proposed IFC loan of \$15 million to the Davivienda bank** in Honduras. According to the [Summary of Investment Information](#), the environmental and social risks associated with the loan project may include child labor, land disputes,

25 The others mentioned are DESA, the hydroelectric company itself, and COPRECA, a construction company, both Honduran; the German Voith Hydro and Siemens, manufacturing the turbines, and the Finn Fund (a development fund 90% owned by the Finnish government).

26 See, for example, the Human Rights Watch report "[There Are No Investigations Here](#)"

and impacts on indigenous and other vulnerable communities. In the letter, the organizations express concern that, despite this assessment and the general human rights context in Honduras, these risks have been classified as only medium. Furthermore, it is probable that Davivienda has financial ties with Dinant, and although the IFC loan itself may be ultimately intended for small and medium enterprises, it would free up funds for Davivienda to loan to Dinant or other companies involved in land acquisition.²⁷ The World Bank's Board was due to consider the proposal at the end of April, but in the end did not do so.

Appeal lodged in case of José Isabel 'Chabelo' Morales

Omar Menjívar, the defence lawyer for Chabelo lodged an appeal in early April, following the verdict on February 7 in which, in a re-trial, he was once again found guilty of the 2008 murder of Carlos Manrique Osorto Castillo, and later sentenced to 17-and-a-half years imprisonment. The victim was killed during an armed confrontation between the campesinos of the MCA (Aguan Campesino Movement), of the Guadalupe Carney community and the Osorto family, with whom they have been involved in a murderous land dispute for 14 years.²⁸

At the re-trial, Police Sub-Commissioner Henry Osorto, Carlos Manrique Osorto's uncle, stated that the victim had specifically named Chabelo as the person who shot him, when at the original trial in 2010 he had made no such claim. Another witness also changed his testimony at the re-trial to give Chabelo an even more prominent role in the events. Omar Menjívar considers it a violation of due process that he was not allowed to challenge these inconsistencies. He also criticized the brevity of the original investigation, which only lasted two days in a complex case with numerous people involved.²⁹ The appeal will be considered by the Public Prosecution Service in Trujillo, before its referral, if accepted, to the Supreme Court.

Eviction of La Trinidad cooperative feared imminent

OPDHA (Aguan Permanent Human Rights Observatory) issued an [alert](#), stating that an eviction was likely to take place on April 21 of the 300 families living there, implementing an order granted in February to the Salvadoran **René Morales, proprietor of the palm company Oleopalmas de Centroamerica**. (As at May 10, it has not happened). La Trinidad is one of three estates, along with San Isidro and El Despertar, for which their lawyer **Antonio Trejo** had succeeded in securing a ruling, on 29 June 2012, that the campesinos of MARCA (Authentic Campesino Land Recovery Movement of the Aguan) were the legitimate owners. He was **murdered** on 22 September 2012, a month after the (illegal) reversal of the ruling,³⁰ and his brother, José who was seeking justice for his death, was himself murdered in February 2013.³¹ The San Isidro cooperative has already been evicted, on September 3, 2013, and the estate re-occupied by Empresa Exportadora del Atlántico, an oil palm company owned by **Dinant**.³²

Kidnap and Beating of Member of San Esteban Cooperative

In the same [alert](#), OPHDA reported that, during Easter Week, **Ariel Padilla**, who was taking his turn as a guard at the San Esteban Cooperative, also part of MARCA, **was abducted by members of the security forces**, who beat him and threatened that he would be killed if he reported the incident. This follows the murder and wounding, respectively, of Walter and Wilmer Sevilla, cousins and the sons of

27 See also Guardian newspaper article [World Bank loan to Honduran bank comes under scrutiny](#)

28 See P.10 of our summary for [January-February](#) for more details.

29 Defensoresenlinea [Defensa de Chabelo, denuncia a testigos, Fiscales y Tribunal que lleva el caso](#)

30 Honduras Laboral [Asesinato de Abogado Antonio Trejo Defensor](#)

31 Amnesty International Press Release [Honduras must investigate killing of murdered activist's brother](#)

32 Conexihon [Aguán: Por fallo de la Corte desalojan a campesinos de la finca San Isidro](#)

well-known leaders of the cooperative, and the killing of Victor Antunez, also of San Esteban, all by masked assailants on February 8 (see P.10 of our summary for [January-February](#) for more details).

LAND DISPUTES: SUGAR CANE PLANTATIONS IN THE SULA VALLEY

CAHSA

The case against **Marlen Cruz Licona**, the human rights lawyer arrested on March 8 due to her work in support of MOCSAM (Campesino Movement of San Manuel Cortés) was provisionally dismissed in April. However, the Public Prosecution Service has submitted an appeal to the verdict, and is pressing for a prison sentence. Marlen appeared before the court of appeal in San Pedro Sula on May 1 to challenge this move and as at May 11 was still awaiting the judgment. She had been accused of 'usurpation' of land, theft of state property and aggression against police officers, following the take-over by MOCSAM of land disputed with CAHSA (the Honduran Sugar Company) in June 2012. Marlen Cruz, who is a legal representative with CODEH (Committee for the Defense of Human Rights), has said that she has never incited anyone to take over land - her only connection with the take-over was to go the police station after the violent eviction of the campesinos on the 12th to ensure that those detained were not being ill-treated (see P.10 of our [March summary](#) for further details).

AZUNOSA

The German-based organization **Cadeho** (Honduras Human Rights Network) has produced a [video](#), with English sub-titles, on the situation in Agua Blanca Sur, where the campesinos are locked in a parallel land dispute with AZUNOSA, the other major sugar company in the Sula Valley, and whose supporters have also suffered persecution, most notably Magdalena Morales, regional secretary of the CNTC (National Farmworkers' Federation) for Yoro (see P.9 of our [summary for January and February 2014](#)).

SABMiller, the British transnational which owns AZUNOSA, [came under attack from STIBYS](#) (Union of Beverage and Related Industry Workers), due to the **excessive hours demanded from its lorry drivers**, in breach of the Labor Code, at its company Cervecería Hondureña (Honduran Brewery Company). This followed the murder, on 5 April, of José Antonio Molina Reyes, one of its employees, who was shot dead at 8.30pm in Choloma when his lorry was held up by robbers.³³ He had already worked a 12-hour day, and it would have been another three hours before he finished. AZUNOSA supplies sugar to the company which, as well as beer, produces Coca Cola and other soft drinks.

OFRANEH: HEARINGS BEFORE THE INTER-AMERICAN COURT OF HUMAN RIGHTS

Two cases taken to the IACHR by the Garífuna organization OFRANEH (Honduran Black Fraternal Organization) will be heard at the Inter-American Court on May 19-20. They both concern the encroachment of land legally owned by two Garífuna communities - **Triunfo de la Cruz** and **Punta Piedra** (see P.11 of our [summary for October-December](#) for more details). PROAH accompanies the leaders of Triunfo de la Cruz who have suffered persecution because of their struggle to protect their territory, primarily threatened by tourist interests. The judgment on the case will probably be in October or November.

It may be a sensitive period. The last time that a case was brought by OFRANEH to the Inter-American Court was in response to the imprisonment of Alfredo Lopez, its Vice-President and a leader of Triunfo de la Cruz, jailed in 1997 on groundless charges of drug trafficking because of his work defending the community's land. Despite the Court's intervention,³⁴ he spent six years in prison.

33 El Tiempo [Matan a motorista de camión repartidor](#)

34 Inter-American Court of Human Rights, Case of López-Álvarez v. Honduras. Merits, Reparations and Costs. Judgment

Alfredo, his partner Teresa Reyes, and Gregoria Flores Martinez, OFRANEH's then general coordinator, were granted provisional (protective) measures on June 13, 2005 by the Court, in recognition of the risks they faced in giving evidence on the case. This followed the shooting and wounding of Gregoria Flores at a gas station a couple of weeks before, when she was on her way to Triunfo with a lawyer to collect testimony.³⁵ Such was the level of danger that she eventually went into exile.

JUDGES

The **independence of the judiciary in Honduras**, a significant source of concern for the IACHR (see P.15 of [our summary for January and February](#)) once again came to the fore in April.

Case of 4 sacked judges referred to Inter-American Court of Human Rights

On April 2, the IACHR [announced](#) the referral to the Inter-American Court of the case of the four judges sacked in May 2010 for their opposition to the coup.³⁶ The judges - Adán Guillermo López Lone, Luis Alonso Chévez de la Rocha, Ramón Enrique Barrios Maldonado, and Tirza del Carmen Flores Lanza – were members of the AJD (Association of Judges for Democracy). The IACHR concluded that the disciplinary proceedings against the judges, which were 'plagued by numerous irregularities,' were launched to punish their actions and statements against the coup, thereby violating their right to freedom of expression. The case was submitted to the Inter-American Court on March 17, due to the Honduran government's failure to comply with the IACHR's recommendations – to reinstate the judges, compensate them for material and non-material damages incurred, and reform the disciplinary system for judges. The IACHR feels that the case will enable the Court to expand its case law on judicial independence, particularly in a context of a democratic crisis resulting from a coup.³⁷

Reinstatement of 4 suspended justice workers

Meanwhile, four justice workers – three judges based in Tegucigalpa (two sentencing judges and one family judge), and a court secretary in San Pedro Sula – were [reinstated on April 1](#), after being among eight provisionally [suspended](#) on December 10 for 'delays in the administration of justice, changes in sentencing violating judicial rules and failure to comply with rulings handed down by higher courts'. It appears that the four managed to defend themselves in hearings but will still be fined three months' pay. It is the first time that justice workers have been reinstated since the Judiciary Council (*Consejo de la Judicatura*) began its purge of personnel in October 2013. By March, 33 judges had been suspended, leading to expressions of concern by the IACHR that the lack of a transparent, regulated disciplinary procedure was destabilizing the justice system.³⁸

POLICE

Police Purge

Similar concerns of arbitrariness have been directed at the purge of the police initiated in late 2011. For the APJ (Alliance for Peace and Justice), this was highlighted in December and January by the dismissal of 161 officers from the DNIC (National Criminal Investigation Directorate), some of whom

of February 1, 2006. Series C No. 141 (http://www.corteidh.or.cr/docs/casos/articulos/seriec_141_ing.pdf)

35 *I/A Court H.R., Case of López-Álvarez v. Honduras*. Order of the Inter-American Court of Human Rights of June 13, 2005 www.corteidh.or.cr/docs/medidas/lopez_se_03.doc (in Spanish only)

36 Case No. 12.816, *Adán Guillermo López Lone et al. v. Honduras*

37 See P.198 of the Commission of Truth report [The Voice with Most Authority is that of the Victims](#) for more details.

38 P.15 of our [summary for March](#).

had already passed trustworthiness tests and were considered to be dedicated officers, while at the same time 35 high-ranking officers were given honorable discharges despite some of them having failed the lie detection tests and being investigated for corruption. The APJ has also pointed to the fact that the few officers dismissed have been low- or middle-ranking, rather than senior officers.³⁹

An interview by [COFADEH with the lawyer Gladys Matamoros](#) revealed that there is nothing new in this approach. **In 2001, during Carlos Flores Facussé's presidency, about 2000 police personnel were laid off overnight**, in an apparent 'purge' of corrupt police officers. In fact, quite a few of those sacked were civilians, such as carpenters, and all the police staff lost all rights to benefits as a result of their dismissal. Gladys Matamoros is convinced that there were no grounds for sacking any of them. In 2009, she referred the case to the international justice system where it seems to have disappeared into a black hole.

Possibly in response to such criticisms, the **DIECP** (Police Personnel Investigation and Assessment Directorate), which is carrying out the current purge, [announced](#) that on April 1 it had **referred over 100 case files of 'millionaire' police officers** (possibly in lempiras) to the National Court of Auditors for investigation, some potentially for money laundering.

Trials for police brutality

The Supreme Court has ruled that the trial of the commander of the COBRA special forces, Elder Madrid Guerra, and five other police officers should continue. They are charged with abuse of authority, breach of the duties of public servants, illegal detention, ill-treatment and torture of 23 people during a peaceful protest against the coup outside the Congress building on August 12, 2009. The victims, some of whom had not even taken part in the demonstration, were beaten and then detained for two days, some of this time at the COBRA barracks, where they were subject to ill-treatment. The criminal court had definitively dismissed the charges against the police officers in 2010, but this verdict was overturned by the Court of Appeal in 2012, after being challenged by COFADEH and the Public Prosecution Service. The police officers' lawyers are seeking to invoke the 2010 Amnesty Law in their defense, but COFADEH is arguing that this cannot be applied in cases of crimes against humanity and human rights violations.⁴⁰

The brutal crackdown on demonstrators on April 12, 2009 was one of the most notorious following the coup.⁴¹ In the case of the similarly violent repression of a peaceful anti-coup protest in San Pedro Sula on September 15, 2010, the city's **Criminal Appeal Court recently dismissed the charges against the two police officers in command** (see our summary for [March](#)).

Eight police officers will be tried for [the death in custody of Mario Sequeira Canales](#), in Siguatepeque, in the department of Comayagua, on June 1, 2010. That night, police had been called to a hotel, as the staff were complaining the victim was rowdy and drunk. The police beat him constantly during and after his arrest, despite the fact that he was in handcuffs, and this continued in the cells, until he died. The eight policemen, who include the chief of the police station, who was fully aware of Mario Sequeira's treatment, are charged with torture, homicide, breach of the duties of public servants and abuse of authority. The victim had only arrived a few days before, on a short visit from the United States to see relatives. COFADEH has taken on the case.

39 AJP Presentation [Depuración de la Policía: Dos Años Sin Verdaderos Resultados](#). See also P.5 of our [summary for March](#)

40 Defensoresenlinea [CSJ ordena proseguir en el juicio contra policías que incurrieron en violaciones a DDHH en 2009](#)

41 See P.136 of Commission of Truth report [The Voice with Most Authority is that of the Victims](#) for more details.

Militarization of Public Security

This continues apace. The size of the PMOP (**Public Order Military Police**) is [set to double in May](#), from 1,000 to 2,000, to be mainly deployed in Tegucigalpa and San Pedro Sula, as now, but with some also in other areas. It is ultimately intended to have 5,000 officers.

Meanwhile, 300 agents of the elite police force, the **TIGRES**, another creature of Juan Orlando Hernandez, [underwent training by US and Colombian instructors](#) in April. Although the legislation establishing the TIGRES was adopted in June 2013, two months before the PMOP's, it is only now that the force is due to be fully operational, despite contradictory [statements](#) from the authorities months ago claiming that they were due to be on the streets imminently, or already were. The US government has so far [contributed \\$1 million](#) to the TIGRES.⁴²

CHILDREN

Visit by UN Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography

On April 25, the Special Rapporteur, Najat Maalla M'jid, gave a news conference at which she presented the [preliminary findings](#) of her mission, a follow-up to her [visit](#) two years ago. She stated that the Honduran government needed to urgently adopt measures to effectively protect children from all forms of violence, abuse and exploitation. She noted that there were numerous child victims of sexual exploitation and abuse, early pregnancy, sale, trafficking and child labor, and that even though the number of complaints had increased since her last visit, it still did not reflect the real scale of the problem. The risk factors were the same as those she identified two years ago, and included poverty, unemployment, insecurity, violence and proliferation of firearms, and migration. She was pleased to see that the Public Prosecution Service's unit on commercial sexual exploitation and trafficking of children continued in operation. However, she pressed for the re-establishment of the special police unit on trafficking and the complaints hot-line 'Breaking the Silence', and for greater coordination between the various child protection agencies. The formal report on her findings will be presented to the UN Human Rights Council in March 2015.

Guardians of the homeland

One of the many concerns expressed by the Special Rapporteur related to the Government's program 'Guardians of the homeland' (*Guardianes de la Patria*), under which the armed forces are tasked with inculcating values in vulnerable children, to prevent them falling into a life of crime. She stated that *'The best way to combat violence and insecurity is by offering vulnerable children and families sustainable alternatives.'* The initiative has been in place for a number of years, the original driving force behind it being Colonel Coca Cantarero who, as head of army procurement encouraged, for example, the children of maquila workers making military uniforms to join the program called, in that case, 'Guardians of the Lord'.⁴³ However, it has gained much greater publicity, and with it, opposition, since Juan Orlando Hernández began to more actively promote under his presidency. It has been condemned by [Honduran human rights organizations](#), which regard it as dangerous in its military indoctrination of young minds and argue, as does the Special Rapporteur, that more appropriate measures can and should be taken by other state bodies. They are considering reporting it to the UN Committee on the Rights of the Child. The CONADEH (National Human Rights Commissioner) is also apparently concerned, and is currently sending staff to monitor the sessions held by the armed

42 [The Public Security Index: Central America](#) of RESDAL (Security and Defense Network of Latin America) provides useful background on crime figures and on developments in policing and the justice system in Honduras.

43 [P.8 of Zipodemos April -June 2008](#).

forces. Based on the information gathered, he intends to organize meetings between civil society, the military and the government to discuss the program, under which it is now planned that 25,000 young people a year will be 'trained'. The military defend it, stating that at no time are the children taught to use weapons, and that their attendance is voluntary.⁴⁴

Child Malnutrition

The World Food Program has [expressed concern](#) at the level of child malnutrition in Honduras, which is as high as 30% in the south of the country. It has asked the government to take urgent measures, such as fortifying with vitamins the flour of tortillas which, along with beans, form the staple diet of rural families but, unlike beans, have little nutritional value.

EMERGENCY CONTRACEPTIVE PILLS

The issue of emergency contraceptive pills (ECPs), otherwise known as 'morning after pills' has come to the fore following **a motion in Congress in March** by the representative for the department of Atlántida, Antonio Leiva Bulnes, of the National Party, **to overturn the ban on the use, sale, purchase and promotion of the drugs introduced in October 2009**. The congressional Health Legislative Committee is examining the issue, and has held a meeting with representatives of the Pan American Health Organization and the *Movimiento de Mujeres por la Paz Visitación Padilla* (Visitación Padilla Pro-Peace Women's Movement), both of which support the use of ECPs.⁴⁵

Honduras, together with Chile, Ecuador and Peru, was denounced to the IACHR at a hearing in October 2013 because of its ban on the drugs.⁴⁶ The number of hospital births by girls and adolescents doubled from 14,312 in 2008 to 28,680 in 2010, and 50,000 became pregnant in 2012.⁴⁷ **Honduras now has the second highest rate of teenage pregnancies in Latin America**, with 25% of females giving birth at less than 19 years of age. According to a study by the Children's Unit of the Public Prosecution Service, **50% of such pregnancies are the result of rape**, many by relatives.⁴⁸ Figures produced by the Violence Observatory (*Observatorio de la Violencia*) of UNAH (National Autonomous University of Honduras) point to the dramatic increase in sexual violence against women since the coup – with the number of reported cases doubling from 1,241 in 2008 to 2,561 in 2013. In 2013, 88% of the victims were less than 19 years of age, and 46% 14 and under.⁴⁹ In the absence of ECPs, if a woman or girl becomes pregnant as a result of such attacks, the 'options' currently available are an illegal abortion or carrying the child to term.⁵⁰

The main argument for the ban on ECPs is that they are abortifacients and a danger to women's health, but this view is directly [contradicted by the World Health Organization](#), as well as other, [regional bodies](#), which state that they are safe as contraceptives and will not cause an abortion. The issue is highly politicized, with Cardinal Oscar Rodríguez, head of the Catholic Church in Honduras, accusing the congress members in favor of ECPs of accepting bribes. Given the controversy surrounding the issue, it has been suggested that it should be put to a referendum.⁵¹ In the event that the ban is lifted by Congress, a move supported by the Honduras Medical College (*Colegio Médico de Honduras*), a group

44 El Heraldo [Cien mil niños serán preparados por FF AA](#)

45 Conexihon [Desconocimiento, principal freno para el uso de las PAE's en Honduras](#)

46 <http://www.elheraldo.hn/Secciones-Principales/Pais/Denuncian-a-Honduras-ante-la-CIDH-por-limitar-pildoras-anticceptivas>

47 http://www.derechosdelamujer.org/actividades-y-comunicados/items/Honduras_Pae_CIDH.html

48 <http://eltiempo.com.ve/mundo/salud/la-organizacion-de-las-naciones-unidas-onu-y-la-federacion-nacional-de-futbol-de-honduras-fenafuth-lanzaron-hoy-la-campana-protecte-la-meta-orientada-a-prevenir-los-embarazos-y-el-vihsida/138661>

49 Violence Observatory Bulletins [January to December 2008](#) and [January to December 2013](#)

50 RH Reality Check [Honduran Supreme Court Upholds Most Sweeping Ban on Emergency Contraception Anywhere](#)

51 Tiempo [Cardenal Rodríguez critica propuesta legislativa de legalizar pastilla del "día después"](#)

of 10 medical and civil society organizations have [threatened to challenge the decision](#) in the domestic and international courts.

FORCED DISPLACEMENTS

On March 31, Juan Orlando Hernandez swore in the members of the new [Inter-Institutional Commission for the Protection of Persons Displaced by Violence](#) (CICESCT - *Comisión Interinstitucional para la Protección de Personas Desplazadas por la Violencia*) whose mandate is to formulate policies and take measures to prevent forced displacement by violence, as well as for the care, protection and to provide solutions for displaced persons and their families. The Commission will also take steps to ensure that national responses to forced displacement for reasons associated with violence and crime are brought in line with international standards of human rights protection and best practices promoted by international organizations.

The IACHR referred to the CICESCT, which had been approved by the Council of Ministers in November last year, in its [2013 Annual Report](#). It was not operational at the time the report was completed, and the IACHR in its recommendations urged the government to adopt measures to identify the number of persons that have been forced to be displaced as a consequence of organized crime, as well as provide assistance and protection to internally displaced persons.

According to the Norwegian Refugee Council and the Internal Displacement Monitoring Center, in their [Global Overview 2014: People internally displaced by conflict and violence](#), **17,000 people have suffered forced displacement in Honduras since 2008**, based on figures supplied by civil society monitors. They attribute the majority to the widespread violence, extortion, threats and forced recruitment committed by urban gangs, often with the complicity of local police forces. Other factors cited were agrarian conflicts, territorial disputes over trafficking corridors and natural resources, and the political persecution of those opposing the coup. The report also refers to the proliferation of 'paramilitary groups' and their abuses, often associated with government officials, private companies and the security forces, and linked to disputes over land and illegal mining concessions in rural areas. Although there have been intra-urban displacements in Tegucigalpa, San Pedro Sula, La Ceiba, Bajo Aguán and Choloma, many displaced people leave their communities and having not found assistance or protection, seek asylum in neighboring countries or the US.

The proportion of displaced people who ultimately leave the country is currently not known and it has been one of the tasks of the UNHCR (UN High Commissioner for Refugees) to compile better statistics on the situation in Honduras, as part of wider efforts to improve their protection, under an agreement it signed with the government in August 2013. From June to December 2013, it carried out a [study](#) of the reasons for the displacement of 22,632 returned migrants. Of those, 1,092 (5%) **reported that they had migrated because of threats (651) or insecurity (441)**, mostly from *maras* (gangs) or drugs traffickers. The departments from which most migrated because of threats or insecurity were Olancho (14.9%), Cortés (13.2%), Colón (10.4%), Francisco Morazán (8.8%) and Yoro (8.3%).

MIGRANTS

The initiative comes at a time when more Hondurans are migrating to the US than ever before. According to an [article by Vladimir López Recinos, in the magazine 'Migration and Development'](#), Honduras is, after Mexico, the Latin American country with highest number of migrants in the US, with 633,000 living there, according to the 2010 US census. Each year, around 80,000 Hondurans try to enter the US, but only 10,000 succeed, with the rest deported. At the same time, the dangers on the journey have increased.

In April, the IACHR expressed its concern about on two incidents, both including Honduran migrants

among the victims. In the first, on March 19, 2014, [110 migrants were discovered being held against their will in a small house in Houston, Texas](#). They ranged in ages from 5 to 47, including a pregnant woman and 17 children, and were found in squalid and cramped conditions, stripped of clothing and shoes potentially to hinder their escape. Most of the migrants reported being held under armed guard in the house for a couple of days with insufficient food and water. Five men connected to the house have been formally charged on hostage-taking, weapons, and conspiracy charges.

In the second case, [370 children and adolescents were discovered abandoned in 14 different states of Mexico](#), between March 17 and 24, by traffickers who had received received \$3,000 to \$5,000 to take them to the United States. When they were discovered, many of these minors showed signs of dehydration, extreme fatigue, and foot injuries, and were afraid because they did not know where they were - 163 were unaccompanied, and some were as young as 9 years old. There are indications of a drastic increase in the flows of child migrants heading toward the United States in recent years, to flee the violence they suffer in their countries of origin, reunite with their families, or seek a better life. There has been a 137% increase in the number detained by the Mexican authorities from 2011 and 2013, while the U.S. Department of Health and Human Services has estimated that 60,000 or more unaccompanied migrant children and adolescents could enter the United States in 2014.

For women migrants, the [fear of rape](#) on the journey is so great that many take contraceptives as a precaution.

A very moving documentary film has been released - [Who is Dayani Cristal?](#) - about the efforts to establish the identity and retrace the steps of a migrant whose body is found in the Arizona desert, and who turns out to be Honduran.

REPORT OF THE NATIONAL LAWYERS GUILD DELEGATION TO THE NOVEMBER 2013 ELECTIONS IN HONDURAS

The [report](#) of the 17 member delegation was published on April 1. It had gone to Honduras in November 2013 to observe the elections and meet with human rights defenders, political activists and government officials. They found that both on election day and beforehand, there were serious problems that significantly undermined the conclusions of the US State Department and certain others that the election was "free and fair" and "transparent."

Proyecto de Acompañamiento Internacional en Honduras (PROAH)
<http://proah.wordpress.com>

Honduras Accompaniment Project
<http://hondurasaccompanimentproject.wordpress.com>

Friendship Office of the Americas
<http://friendshipamericas.org>