

## HONDURAS ACCOMPANIMENT PROJECT – PROAH

### SUMMARY OF HUMAN RIGHTS ISSUES AND EVENTS IN HONDURAS JULY 2014

In July, the issue of child migrants continued to dominate the headlines (P.5), with concern expressed about the fate of those deported from the US. The UN Special Rapporteur on violence against women, following her visit to Honduras talked of the environment these children are fleeing, where '*the climate of fear... and the lack of accountability for violations of human rights of women, is the norm*' (P.4). There were more incidents involving the beneficiaries of precautionary measures – the abduction of Garífuna land rights defenders by men linked to drug trafficking (see below), as well as of two Catholic priests supporting communities opposing mining, plus their PROAH accompaniers (P.12). This month, there were also disturbing revelations about the US Drugs Enforcement Administration (DEA)'s attempts to intimidate a survivor of the Ahuas tragedy into changing her testimony in its favor (P.3). Another journalist was murdered (P.8) and more suffered intimidation, including by the president. Another lawyer was murdered (P.10), with the motive likely to be his support for land rights, also thought to be the motive behind a massacre of four people, including a community leader (P.14). A LIBRE activist is the victim of a failed murder attempt and long-term police persecution (P.10). In the Bajo Aguán, there was a violent eviction of the Paso Aguán farm, with persecution of the campesinos' supporters – surveillance of members of OPDHA and smears targeted at Annie Bird of Rights Action (P.15). On a slightly happier note, Chabelo, the campesino wrongfully imprisoned since 2008, has been granted an appeal (P.16) and an army colonel has been convicted of closing down a TV station during the coup, the first such conviction (P.10).

On July 22, the Honduran Congress [approved the Bill](#) for the **Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Operators**, on its second reading. The Bill, which consists of 71 articles, is now the subject of consultation with the affected groups before it is definitively passed by Congress.

#### **GARÍFUNA PEOPLE: ABDUCTION OF MEMBERS OF OFRANEH IN VALLECITO**

Amnesty International issued an [urgent action](#) following the temporary abduction on July 17 of a group from the Garífuna organization OFRANEH (Honduran Black Fraternal Organization), including its general coordinator, Miriam Miranda. They were visiting a remote area in the Garífuna territory in Vallecito, Colón Department, when they were captured by four heavily-armed men. During a previous visit to the area, community members had discovered that an illegal runway used by drug traffickers, destroyed by the army in January 2014, was being rebuilt. Some of those captured managed to escape, and OFRANEH believes that it was thanks to the fact that they could then rapidly raise the alarm both nationally and internationally, that the remaining people held captive were freed four hours later.

As a result of pressure for action from numerous national and international organizations, the army was sent to the area to ensure the protection of those who were abducted. However, **there is concern about the security of Miriam Miranda, other Garífuna members and their families when they return to their homes.** Miriam Miranda was granted precautionary measures by the IACHR (Inter-American Commission on Human Rights) in 2011, and Amnesty International is calling on the state to fully implement them, as well as to provide effective protection to all members of the Garífuna community. The Garífuna community has struggled to take possession of their land since INA (National Agrarian Institute) granted them title deeds to 980 hectares in Vallecito in 1997. A year later, **Miguel Facussé invaded part of the land** to grow African palm, but withdrew following a Supreme Court judgment against him. However, it was only months later that **people involved in organized crime took control**

of 80% of Vallecito and built a clandestine air-strip for drug-trafficking which, until recently, the authorities did nothing about, despite its being reported to them on numerous occasions. One of the bitterest blows in the struggle for Vallecito – which has included harassment, intimidation and threats - was the murder of [Euquerio Bernardez Bonilla](#) in January 2004, a composer of over 300 Garífuna songs, and vice-president of one of 6 Garífuna agricultural cooperatives in Vallecito, asserting their rights to the land.

In September 2012, INA visited Vallecito to demarcate the Garífuna territory, an important step in the community's finally gaining control of all the land. However, the authorities have so far failed to ensure that the community can do so definitively and in safety. There is currently a campesino group on the land where the air-strip is located - working for the drugs traffickers, according to OFRANEH – which claims to have title to it, a claim which INA has failed to address and which OFRANEH is legally challenging as fraudulent. OFRANEH believes that the authorities' reluctance to act is due to the fact that this land, and others of the Garífuna people in the area, is coveted for a range of economic interests – oil as well as palm and drug-trafficking.<sup>1</sup>

The case features in Amnesty International's report [Indigenous Peoples' Long Struggle to Defend their Rights on the Americas](#), published on August 8.

## **GARÍFUNA PEOPLE: OFRANEH EX-PRESIDENT ADOPTED AS PRISONER OF CONSCIENCE**

On July 21, Amnesty International issued an [urgent action](#) on behalf of Ángel Amílcar Colón Quevedo, ex-president of OFRANEH, announcing that it had adopted him as a Prisoner of Conscience (see the urgent action and our [May summary](#) for more details). His situation is already a [case-study](#) in Amnesty International's Stop Torture campaign, launched in May. He was detained by police in March 2009 in Mexico, en route to the USA, where he had hoped to earn money to pay for cancer treatment for his eldest son. While in custody, the ex-president of OFRANEH was tortured to falsely implicate himself in criminal activity and, as a result, has been in prison ever since. His [wife](#) only heard that he was alive in September 2009 – six months after his arrest and four days after the death of his eldest son from cancer. **Amnesty International is treating him as a prisoner of conscience as his torture arose from racial discrimination and resulted in his unfounded prosecution.** In April, the allegations of torture had been [confirmed](#) by experts from the Honduran organisation CPTRT (Centre for the Prevention, Treatment and Rehabilitation of Victimas of Torture and their Relatives) who had visited Ángel Amílcar Colón in prison. Roberto Herrera, the CONADEH (National Human Rights Commissioner) has [joined the calls](#) for the withdrawal of the charges against Ángel Amílcar Colón, his immediate release, and an investigation into the reports of torture. On July 31, the Martin Luther King Jnr Foundation, which defends the rights of Afro-Hondurans, staged a [demonstration](#) outside the Mexican embassy in Honduras demanding his release. In Mexico, Ángel Amílcar Colón is being supported by the human rights NGO Centro Pro-DH.

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1 See OFRANEH articles [Narco pista, despojo territorial y rapto de integrantes de OFRANEH](#), [El Secuestro de Vallecito, Honduras: Palma africana y petróleo. El Instituto Nacional Agrario \(INA\) y el saqueo del Territorio Garífuna](#) and [La Defensa del Territorio de Vallecito, Colon](#)  
See also PROAH article [The Garifuna People Defend Their Land in the Area of Future Model Cities](#)

## AHUAS TRAGEDY: ALLEGATIONS OF ATTEMPTS BY DEA TO RIG EVIDENCE

From July 28 to August 1, relatives of the victims and survivors of the [Ahuas tragedy](#) in La Moskitia provided [more testimony](#) to COFADEH about the incident and its aftermath. The tragedy occurred on May 11, 2012, when four members of the Miskito indigenous group were killed and another four were injured, three permanently, when the boat they were traveling in was fired upon by helicopters during a joint anti-drugs operation by the Honduran security forces and US Drug Enforcement Administration (DEA). The most disturbing account came from Clara Wood, a survivor and mother of 14-year-old Hasked Brooks Wood who was killed in the attack. She stated that she was contacted at the end of December 2013 by a man who knew her cousin who encouraged her to go to Tegucigalpa, saying that he knew people who would be able to give her support as a victim. She said that she went there twice early this year, meeting with an American called Andrés who introduced himself as DEA agent, in what seems to have been US Embassy buildings. With two other Americans, **he subjected her to a lie detector test in which she was repeatedly encouraged to state that the boat's driver and his assistant fired on the helicopters.** (These members of the boat's crew were injured and killed in the attack, respectively). She refused, despite the fact that Andrés said that he would put 100,000 dollars in her bank account. She now fears for her life for having gone public on this attempt at bribery and to pervert the course of justice.<sup>2</sup> This follows the dismissal, on March 1, of **charges of murder and attempted murder** of the wounded survivors against three Hondurans involved in the counter-narcotics operation. The [judgment](#) stating that they were 'fulfilling their legitimate duties in legitimate self-defense'. COFADEH is appealing against the verdict, arguing that the authorities had failed to prove that there had been any attack from the boat which would justify a response of self-defense, which was in any case disproportionate.

The three Hondurans were also accused of **torture and cruel, inhuman and degrading treatment** – charges also dismissed - related to a number of incidents after the helicopters responsible for the attack landed in Ahuas. Doly Wood, one of the victims, who suffers from heart disease, told how he was dragged out of his house by personnel from the helicopter, some of whom were American, who kept him face-down on the ground for three hours with a boot on his neck while they interrogated him. He was one of the people COFADEH accompanied to the Special Human Rights Unit of the Public Prosecution Service so that they could give testimony, as part of COFADEH's bid to have the case against the helicopter crews expanded to include more victims.<sup>3</sup>

The revelations about the DEA's attempt to get testimony changed is the latest incident in the long-running attempt by the victims and COFADEH to achieve true justice for the tragedy, which was marked by the **US and Honduran authorities' attempts, initially, to stigmatize the victims**, and the DEA's block on any attempts by the Honduran investigators to interview the agents involved. However, in May came the [announcement](#) that the Offices of the Inspector Generals of both the Department of Justice and the Department of State are conducting a **joint review of the State Department and the DEA's post-incident responses to Ahuas**, as well as to two other anti-drug missions in Honduras in 2012 involving the use of deadly force.<sup>4</sup> This came on the heels of the **US budget appropriations law for 2014**, adopted in January, which talks of the conditions of aid to Honduras including 'assistance for innocent victims of [anti-narcotics] operations,' therefore contemplating aid to those of Ahuas<sup>5</sup>

2 The full text of the interview with Felix Molina, in which Clara Wood makes these allegations, is available at [DEA intenta chantajear con 100 mil dólares a indígena miskita de Ahuás, a quien aplicó sedantes y polígrafo para obtener declaración inculpatoria](#)

3 Defensoresenlinea [Los sobrevivientes de Ahuás y las secuelas que dejó el ataque de la DEA](#)  
For more background on the case, see [COFADEH's Preliminary Investigation Report](#)

4 For more information and commentary see CEPR's article [Hank Johnson on the Two-Year Anniversary of the Ahuas Killings and the Launching of a Joint Inspector General Review of the Incident](#)

5 CEPR [US Congressional Appropriations Bill Would Impose New Restrictions on Honduras Support](#)

## LENCA PEOPLE: SAN FRANCISCO DE OPALACA – CHARGES DISMISSED

On 23 July, charges were definitively dismissed against 7 people for usurpation of functions and provisionally dismissed against another 31 for sedition, meaning in the latter case that the charges can be revived within 5 years if more evidence comes to light.<sup>6</sup> The charges were in response to the establishment of an Indigenous Government in San Francisco de Opalaca municipality, supported by COPINH and set up as an alternative by the Lenca people to the administration headed by Socorro Sánchez, the National Party mayor whom they consider to have been elected fraudulently in November. They had effectively prevented him from taking office since January 25 through a 24-hour blockade and vigil at the town hall. The people charged with usurping functions were Entimo Vásquez, the mayor appointed via the Indigenous Government, and his town councillors, while among the 31 people accused of sedition were two reporters, from Radio Progreso and from Radio Puca Opalaca, in a move which had provoked Reporters without Borders to [express concern](#) about the violation of press freedom.<sup>7</sup>

## UN SPECIAL RAPPORTEUR ON VIOLENCE AGAINST WOMEN VISITS HONDURAS

Rashida Manjoo, the UN Special Rapporteur on violence against women, its causes and consequences, made her first official visit to Honduras from 1 to 8 July 2014, to investigate the scope, the new patterns and the root causes and consequences of violence against women and girls, as well as state prevention and protection strategies. She met with government authorities and representatives of civil society in Tegucigalpa, San Pedro Sula, and La Ceiba. In her [wide-ranging end-of-mission statement](#), she remarked that **violence against women was widespread and systematic**, and that during her mission she had noted scores of concerns regarding the high levels of domestic violence, femicide and sexual violence. She urged the Honduran government to address the culture of impunity for crimes against women and girls, reported to be running at 95% for sexual violence and femicide. She stated, **"The climate of fear, in both the public and private spheres, and the lack of accountability for violations of human rights of women, is the norm rather than the exception."**

She welcomed the recent inclusion of femicide as a specific crime in the Penal Code, but noted that incidents of violence against women appeared to be on the rise, with **an increase of 263.4 percent in the number of violent deaths of women between 2005 and 2013**. She lamented the fact that, without accurate and uncontested data, it was impossible to determine the scale of violence against women in Honduras and to develop appropriate policies and responses to address it.

**Trafficking in women** for sexual exploitation purposes was also underreported in Honduras, mainly due the hidden nature of the crime and the prevalence of organized crime.<sup>8</sup>

As with other human rights experts who have visited the country before her, she expressed deep concern at **the weakness of state institutions**, including high turnover of staff in the civil service, and the politicization of appointment processes, and its negative impact on the implementation of Government programmes and policies. She stated that the government needed to reflect upon this, given **its wider implications for the promotion and protection of human rights and the rule of law**.

During her mission, Rashida Manjoo met with members of civil society, including **feminist organisations which published a report** for the visit. In the [meeting](#), issues mentioned included the **militarization** of public security which failed to address the lack of safety for women; the **continuing ban on the emergency contraceptive pill**, particularly perverse – and dangerous - at a time of

<sup>6</sup> Previous reports, cited in our [June summary](#), had stated that 36 people had been charged.

<sup>7</sup> Radio Progreso and ERIC [Sobreseimiento provisional dictaron a indígenas acusados de sedición; Corresponsal en San Francisco de Opalaca continúa su labor a pesar de amenazas y criminalización](#)

<sup>8</sup> See Radio Progreso and ERIC article [Trata de personas roba la vida de miles de mujeres](#)

increasing sexual violence against women, and the **systematic dismantling of state institutions** for the protection of women and their rights. Their recommendations included mechanisms to ensure proper representation of women at local level, and a high-level commission against femicides.

In her meetings with organizations, Rashida Manjoo also heard about the **link between gendered violence and migration, the violence against human rights defenders**, including those working on land claims, environmental protection, and the rights of minorities, and that against **members of the LGBTI community**. She expressed concern at **the violence against indigenous and Afro-descent women and girls**, and the eviction of peoples from their lands in favour of corporate development projects, “in which women and children bear most of the cost”.

The Special Rapporteur visited the National Penitentiary for Women in Tegucigalpa, and noted that **the number of incarcerated women in Honduras is growing**, with the major causes of imprisonment associated with gangs, extortion, and drugs. She noted that a large number of women in detention had been the victims of poverty, violence, coercion, and duress prior to being imprisoned. In her assessment, the structural and root causes of incarceration; the violence experienced during incarceration; and the consequences of incarceration for women, were not being sufficiently addressed. The Special Rapporteur stressed the need for **women’s empowerment and social transformation** as a means of addressing the violence against them.

She will submit the full report of her findings and recommendations to the UN Human Rights Council in June 2015.

## CHILD MIGRANTS

The children attempting to enter the United States continued to dominate the headlines. The total number of children, both unaccompanied and with an adult, apprehended at the US south-west border dropped in July to half of the June figure, with 10,628 unaccompanied children and 16,330 children with an adult apprehended in June, as compared to 5,508 and 7,410, respectively, in July.<sup>9</sup>

Homeland Security Secretary Jeh Johnson [attributed the falling numbers](#) to an **aggressive US enforcement campaign** against the influx of migrants, including a US advertising campaign in Central American countries to deter parents from sending their children north, as well as Operation Coyote, a crackdown on human traffickers, leading to the arrests of 192 people smugglers by the end of July. There has also been a speeding up of immigration court hearings for Central American migrants, and an increase in deportation flights, which US officials believe have also served as a deterrent by countering rumors of leniency in the treatment of illegal migrants. The Mexican authorities have also been [cracking down on migrants](#) heading for the US, and in Honduras, the [authorities are now intervening](#) at the borders to prevent migrants without the proper documents from leaving the country. However, some of the drop in migrant numbers in the US may also be partly the normal seasonal reduction, to avoid the lethal summer heat.

**Furthermore, the figures are still extremely high** - in the 10 months of this US fiscal year (October 1, 2013 to July 31, 2014), the number of unaccompanied minors apprehended at the border, at 62,998, was still running at double the figure for the same period last year, with 98% (61,581) from four countries - Honduras (17,582), Guatemala (15,733), El Salvador (14,591) and Mexico (13,675).<sup>10</sup>

The sheer scale of the migration from Honduras has been felt in a drop in [school numbers](#), for example, in the southern region bordering El Salvador which has felt the [impact of migration](#) on its young population more generally – in one municipality, La Caridad, as many as half the inhabitants have emigrated to the United States.

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9 US Department of Homeland Security [DHS Update on the Situation Along the Southwest Border](#)

10 US Customs and Border Protection [Southwest Border Unaccompanied Alien Children](#)

## Root Causes

In terms of the reasons for the migrations, figures from Casa Alianza, quoted in [article by Giorgio Trucchi](#), are particularly eloquent – of the 3.7 million young people under 18 in Honduras, a million are not in school, 500,000 are working, and 8,000 live in the streets. In 2013, 2,000 12-year-old children had to abandon their studies because of death threats, and 17,000 families had to leave their homes for the same reason. Also according to Casa Alianza, the number of children and young people murdered in Honduras was 527 for the first six months of Juan Orlando Hernández's presidency (January 27 – July 31)<sup>11</sup>, a death toll set to match that of 2013, with 1,013 for the whole year, the highest number of such killings ever in Honduras (as compared to 97 in 1998 and 556 in 2002).

There have been a number of very good articles on the root causes of child migration from Honduras, including the decline in the security situation and state institutions post-coup, and economic factors which themselves have fed criminality. A number point to the US's role – in supporting corrupt and abusive governments in Honduras, particularly in the 1980s and post-coup, with their corrupt military and police, as well as the US's unequal trade relations with the country.<sup>12</sup>

## Proposed Solutions

Such is the extent of the issue – which is now being generally described as a [humanitarian crisis](#) - that around 200 experts and officials from several countries and bodies met in Tegucigalpa on July 16-17 at an [International Conference on Migration, Childhood and Family](#), convened by the Honduran government and UNICEF. The conference ended with the issuing of a Roadmap: An Invitation to Action ([Hoja de Ruta: Una Invitación a la Acción](#)) calling for the countries involved to implement a plan of action with sufficient resources for effective border control as well as the rapid establishment of a regional initiative to address the crisis to bring peace, security, welfare and justice to the peoples of Central America. However, the declaration was short on specifics.

In the case of **President Hernández**, his [line throughout](#) has been to stress the US's shared responsibility for the drugs crisis, and to use it to press for more funds for the security forces.

There were a number of calls for the root causes of the migrations to be addressed, including **UN Secretary-General, Ban-Ki Moon**, a [message](#) from whom was read out at the Conference. **The Regional Working Group on Child Migrants**, a coalition of organizations, both Latin American and US, including Casa Alianza Honduras, issued a [public statement](#) on July 18, expressing concern at the concrete measures already proposed or under discussion, with their focus on border enforcement and security issues, as opposed to addressing long-term structural issues. The Working Group demanded a human rights and development-oriented approach to the issue. Their plea was [echoed](#) by the head of the U.S. bishops' international justice and peace committee.

Unfortunately, at the **meeting of the presidents of Honduras, Guatemala and El Salvador with President Obama** on July 25 the Working Group's fears appeared to be realized. In his [press statement](#) afterwards, President Obama mentioned the need to increase measures to tackle drug-trafficking and made a passing reference to poverty reduction, but his main emphasis was on increasing border security and deterring migration.

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11 *Informe sobre la situación de derechos de los niños, niñas y jóvenes de Honduras, Mayo 2014* plus figures for June and July cited in Conexihon [Casa Alianza: Nueve niños asesinados o ejecutados a diario en Honduras](#)

12 For example, Radio Progreso and ERIC [Crisis humanitaria de niños migrantes representa el fracaso institucional en Honduras](#); Defensoresenlinea [Que EEUU termine de financiar la Guerra contra las Drogas y al régimen corrupto de Honduras](#); Dana Frank [Who's Responsible for the Flight of Honduran Children?](#); Judy Ancel: [Never mind the border — President Obama should visit Honduras](#); Alexander Main [The Central American Child Refugee Crisis: Made in U.S.A.](#);

Steve Rendall [All They Will Call You Will Be Detainees - A valuable survey of US mainstream news coverage of the issue, as well as of the analyses of alternative voices.](#)

## Concern about deportations

**President Obama** made it clear that, while facilities would be provided for the migrant children, most would be deported. He seemed to squash the [rumors circulating](#) that children in Honduras would be screened for refugee status in their home country to prevent them having to endure the dangerous journey overland to the US, stating that the criteria for acceptance of refugee would continue to be narrow, normally applying to people fleeing political persecution by the state, rather than poverty or gang violence. This clashes directly with the view of the UNHCHR (UN High Commissioner for Refugees), which in its report [Children on the Run](#), stated that a **total of 57% of the children migrants from Honduras were fleeing as they feared they could suffer serious harm, mostly (44%) from organized armed criminal actors, while 21% mentioned deprivation as a reason for leaving.** The UNHCR considers both as being potential grounds for asylum.<sup>13</sup> However, a [report by Vera Institute of Justice](#) from 2012 found that, while about 40% of unaccompanied migrant children apprehended in the US were identified as eligible for a form of legal relief from removal (such as asylum, special immigrant juvenile status, or visas for victims of crime or trafficking), fewer than 1% were actually granted it.

On July 31, the **UN High Commissioner for Human Rights, Navi Pillay**, [expressed concern](#) at the fact that the US was intending to deport most of the child migrants, as well as at almost 100 reports of physical, verbal and sexual abuse by US agents towards the children. She stressed that the US needed to urgently investigate all such allegations and that children should only be deported if their protection was guaranteed in the countries they were returned to.

On August 16, *The Los Angeles Times* ran a [story](#) that quoted Hector Hernández, morgue director in San Pedro Sula, as saying that five to 10 of the 42 homicide victims younger than 18 who were taken to the morgue since February had been deported from the US. The article now carries a correction, stating that he subsequently changed his numbers and said that only one of the murder victims had been deported. Nonetheless, the story gives other examples of the dangers faced by the returned migrants, particularly those in San Pedro Sula where, according to CAMR (Returned Migrant Support Center), 80% of the child migrants there had fled gang violence, and many would be forced to return to the same neighborhoods.

## JOURNALISTS

In July, the Inter-American Commission on Human Rights (IACHR) published its report [Violence against Journalists and Media Workers: Inter-American standards and domestic practices on prevention, protection, and prosecution of perpetrators](#). Honduras was mentioned along with Mexico and Brazil as countries where there had been a dramatic increase in the killings of journalists in recent years – with 4 journalists murdered in the country between 1995 and 2009, but rising to 15 from 2010 to 2013 which, the report states is 'particularly alarming considering that Honduras is a small country with a sparse population compared to other countries.'<sup>14</sup> The IACHR refers to the impunity surrounding the surge of violations of the right to life and freedom of expression, among other abuses, in Honduras following the coup, with many of the journalist victims identified as coup opponents, or have reported on land conflicts or organized crime.

The report mentions, without comment, the **Public Prosecution Service's High Impact Deaths Unit**, which investigates murders of members of groups particularly affected by violence, including

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13 UNHCR P. 44 [Children on the Run](#) and [Guidance Note on Refugee Claims Relating to Victims of Organized Gangs](#)  
See also the UNHCR's [Guidelines on Child Asylum Claims regarding persecution from gangs](#).

14 Presumably this figure is lower than the 31 in, for example, PEN International's report, because it refers specifically to murders of journalists related to the exercise of their profession and, given the lack of investigations into such murders in Honduras and thus the impunity surrounding them, it is difficult to establish a motive for them.

journalists. In October 2013, the Honduran state announced that the Unit was involved in 26 investigations into the murder of journalists during the period from 2009 to 2013, of which 10 have reportedly gone to trial. The figure of 26 murders is lower than the 32 quoted in other sources for that period. It also means that, at that point, at least 16 murders still remained in impunity. Furthermore, as PEN International noted in its report, [Honduras: Journalism in the Shadow of Impunity](#) even when there are convictions, the **cases generally remain in partial impunity as only the direct perpetrators are jailed** - the intellectual authors are not identified. This extends to even the most high-profile cases, such as Hanibal Barrow and Alfredo Villatoro, as PEN pointed out in a recent [press statement](#). In the case of threats and non-fatal attacks on journalists, these invariably fail to be investigated.

In its report, the IACHR also noted that, in the wake of its 2010 on-site visit to Honduras, it had questioned the government authorities' readiness to conclude that murders of journalists were unrelated to their profession, again, a persistent feature of the state's approach – see Herlyn Espinal's case below. The IACHR stressed the need for the authorities to exercise due diligence in their investigations.

**The report was launched on July 14 at an event held simultaneously in seven cities**, including Tegucigalpa, where four women journalists, including Dina Meza and Itsmania Pineda Platero, who have both suffered death threats because of their work and been named two of Reporters without Borders [100 Information Heroes](#), participated in a [debate organized by C-Libre](#) on the challenges they face, which include threats of sexual violence and the danger of being forced into self-censorship. There was no let-up in the attacks on journalists in July.

## **Murder**

On Monday July 21, **Herlyn Iván Espinal Martínez**, chief correspondent on Televisión's news program *Hoy Mismo* (Today) was found shot dead in a field in Santa Cruz de Yojoa, a municipality south of San Pedro Sula. According to autopsy reports, he was murdered a few hours after leaving his home in the early hours of Sunday morning. The ex-Director of Public Prosecutions, Edmundo Orellana, in an echo of the IACHR's concerns, lamented the lack of rigor in investigations and the fact that the authorities were all too willing to engage in speculation. This was in the face of the Security Minister's pronouncement, only two hours after the discovery of the body, that two possible motives were being pursued, both unconnected with his profession. The latest news on the murder investigation was apparently on August 7, when one person was in custody for the murder, protesting his innocence, and a second person was being sought as a direct perpetrator.<sup>15</sup> Herlyn Espinal's death brings to five the number of media workers murdered this year, up to the end of July.

## **Death Threats**

On July 7, **Amnesty International** issued an [urgent action on behalf of Dina Meza](#), the award-winning journalist and human rights defender, who has faced increasing harassment and intimidation since late May as a result of her work, including threats that she will be tortured and killed. On 28 May at 9.05pm Dina Meza received a phone call by an unknown individual with a high-pitched voice on her mobile saying “I’m going to beat you up if you continue messing around”. Only minutes before, she had published some news relating to the murder of a political activist on her Facebook page. These threatening phone calls, as well as text messages, have continued into August. She has also suffered surveillance. She was followed by unknown individuals in Tegucigalpa on 27 May, 5 June and on 5 July while with a family member. On 5 June, she was walking towards the Morazán Boulevard in Tegucigalpa when a man on a motorcycle without license plates started following her. He took off the helmet he was wearing to show Dina Meza he was looking at her, and she had to run to escape him.

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15 Radio Progreso and ERIC [Periodistas piden protección y justicia ante violencia inminente](#)  
Departamento 19 [Sin respuestas claras sobre asesinato de periodista Herlyn Espinal](#)



The harassment has extended to a close family member. On 25 June a man took photos of the relative, who was in a public place, and showed them the pictures he had taken. Two days earlier, Dina Meza was carrying out an interview in a public place when a man approached her and started taking pictures of her as well. On July 27, **Reporters without Borders** [wrote to the Honduran authorities](#) demanding protection for Dina, its Honduran correspondent, after failing to get a response from an earlier letter.

Reporters Without Borders also [called on the Honduran authorities to provide protection to three TV journalists in San Pedro Sula – Yanina Romero, Carlos Rodríguez and Lourdes Ramírez](#) – who have been receiving telephone death threats ever since they reported alleged corruption at Mario Catarino Rivas Hospital in early July. The three journalists, who work for KTV, began investigating the hospital after being told about suspicious deaths of patients there. Their report suggested that certain members of the medical staff may have deliberately caused the deaths of patients for the purpose of organ trafficking or commissions from funeral companies. The people making the threatening calls have identified themselves as doctors or nurses at the hospital, although the hospital's public relations service has ruled out any possibility that the callers are members of its staff. Several people have also appeared outside the KTV premises, apparently to intimidate the reporters.

### **Reporter threatened by President**

On July 10, Ramón Maldonado, a reporter for *Radio Matutino Ceibeño* (La Ceiba Morning Radio) and HCH television, asked the president, Juan Orlando Hernández, about an alleged government plan to move the borders of the Nombre de Dios nature reserve to allow marble mining without taking account of the fact that the reserve was the main water source for much of the region's population. The president, who was inaugurating a public WiFi connection in La Ceiba's central park, reacted by demanding in a threatening tone that Ramón Maldonado reveal his sources to the Public Prosecution Service and ordered his bodyguards to find out his name and take his photo. Maldonado volunteered his name but after the event was over, no security agents came to take his photo, which suggests that the president was purely wishing to intimidate him. Reporters without Borders condemned President Hernández's comments and the attempt to violate Maldonado's sources, stating that such threatening behavior was unworthy of the president of a democratic country.<sup>16</sup>

The murder of Herlyn Espinal, combined with the threats to journalists and their judicial harassment in the San Francisco de Opalaca case (see P.4), led both [C-Libre](#) and [Reporters without Borders](#) to issue statements on the general situation for journalists in Honduras.

### **New official secrets law – report by Institute for Access to Public Information expresses concern**

A report by the IAIP (Institute for Access to Public Information) has [concluded](#) that the Law on Classification of Public Documents related to Security and National Defence, better known as the official secrets law, **clamps down on the right to information and freedom of expression, and strengthens corruption**. The Law was approved hastily on January 24, at the end of the previous presidency, in a process which was itself less than transparent – the draft had been blocked in October 2013 after it encountered opposition.

There is concern that the failure to define strictly enough what constitutes national security, and under what circumstances it could be considered threatened, gives officials carte blanche to classify information on a whim. It could mean, for example, that there could be no way of knowing what the millions of dollars levied by the '*tasa de seguridad*' (security tax) are being spent on, if the information is classified as secret. The IAIP report points out that any information about a public official being

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16 Reporters without Borders [Honduran president threatens reporter at public event](#)

C-Libre [Presidente hondureño intimida a periodista y lo obliga a revelar su fuente informativa](#)

implicated in corruption can be classified as 'ultra secret' for 25 years under the law, by which time the statute of limitations for prosecuting public servants for corruption would have expired. There was also concern that the law directly targets journalism and freedom of expression, by putting a stranglehold on investigating or disseminating information. Under Article 10, 'when it can be foreseen that classified material may come to the knowledge of the media, these shall be notified of the nature of the material, and shall respect its classified nature.' The new law directly contradicts the Transparency Law, in force for the past five years, by removing the IAIP's powers to classify information regarded as secret, and overriding guarantees for freedom of expression and investigative journalism.

### **Media Concentration**

This issue was discussed at a [regional conference](#) in Guatemala City under the *Actores de Cambio* (Actors for Change) program. The journalist Manuel Torres, one of the speakers, stated that in Honduras, the mainstream media was controlled by only 5 families, who also had extensive business interests, thereby undermining the possibility of independent, diverse sources of information. The situation was similar in other Central American countries.

### **Colonel convicted of closing down Channel 36 during coup**

On August 12, Lieutenant Colonel José Arnulfo Jiménez was [sentenced to five years imprisonment](#) for closing down Channel 36 (*Canal 36*) during the coup in 2009. He was charged with abuse of authority and closure of the media. He had previously received a provisional dismissal of the charges on August 31, 2010. It is possible that the prison sentence will be commuted to a fine. The verdict was [hailed as historic](#) by Channel 36's proprietor, the LIBRE congressman Esdras Amado López, as the first time that a coup sponsor (*golpista*) had been sentenced in a court of law. Many media outlets were closed during and after the coup, 80% by the military (see P.165-175 of the Commission of Truth report '[The Voice of Greatest Authority is that of the Victims](#)').

### **LAWYERS**

On July 25, another lawyer, [Juan Eliseo Osorio Aguiriano](#), was murdered, in the colonia La Meseta, López Arellano district, in Choloma, in the north of the country. He was killed when three men, apparently unknown to him, turned up and shot him dead with AK-47s. He was the legal representative for a land occupation in the area, and the police at the moment believe that may be the motive for the killing. **This brings to 6 the number of lawyers killed this year up to the end of July.** According to CONADEH, the death toll for previous years is 16 in 2010, 22 in 2011, 14 in 2012, and 19 in 2013.

### **POLITICAL ACTIVISTS**

On July 28, Pedro Antonio Chávez, a leader of the FNRP (National Popular Resistance Front) and former LIBRE mayoral candidate for Villanueva, a town to the south of San Pedro Sula, was the victim of a [failed murder attempt](#). He was outside his house, in the Dos Caminos neighborhood of the town, chatting to a neighbor at 9.30 am, when a car drew up, with three men inside, two of whom, armed, got out. One of them approached, pointing a pistol at Chávez's head, but fortunately the gun jammed. They then fled the scene. Chávez says that a neighbor called the police but they failed to show up. Chávez is convinced that the murder attempt is related to his political activities. He has suffered persecution from the police in Villanueva and further afield ever since the coup, when he became active in the FNRP and LIBRE. This has intensified since the general elections, with **police cars constantly and openly tailing him, as well as harassing his customers outside his hardware store**, detaining them on trumped-up charges, to the point that some no longer go there, affecting his business. He is also issued with traffic summons twice a week, when he has not committed an offense, and the police

stop and search his vehicle with a regularity that Chávez feels amounts to persecution. At night, a car without number plates is regularly outside his house. The surveillance and harassment is so intense that he fears for his life and his children's.

### **TRADE UNIONISTS: UNAH**

Héctor Martínez Motiño, a lecturer at the Choluteca campus of the UNAH (National Autonomous University of Honduras), in the south of the country, [reported](#) that he had been the **victim of an attempt on his life** on July 8, when five nuts were removed from the back tire of his car. He had only traveled about 8 meters when the tire came off, and he almost ran over five students when he lost control of the car. The car had been parked only 8 meters away from the security guards' post of the university, which he considered highly suspicious. Héctor Martínez said that this was the third attempt on his life, and believed that it was due to his work as a trade unionist, reporting on violations of human, employment and economic rights within the university. He also said that there were 'dark interests' at work within the UNAH, and that he was constantly filing complaints about threats, persecution, intimidation, and harassment targeted at the university staff.

### **STUDENTS: UNAH**

PROAH has been acting as a trial observer in the case of Rommel Darío Morán Espinal who was arrested on July 24 outside the UNAH, where he was protesting with other students over various changes to the university system, including pass marks. He was severely beaten by COBRA riot police before being taken to the police station, where he was not allowed a phone call to inform his lawyer or family of his arrest. He was eventually taken to the Teaching Hospital (*Hospital Escuela*) because of his injuries, which included a head wound and bruising all over his body. There the police finally informed him that he was charged with participating in an illegal demonstration and attacking state security (*atentado contra la seguridad del estado*). He was then placed in preventive detention despite the fact that this is not normal practise for these kind of offenses, and despite his injuries, he was not examined by anyone from the Forensic Medicine Department of the Prosecution Service. **Such was the concern over his case, and its implications for the right to legitimate protest, that the Human Rights Alliance (*Alianza para los Derechos Humanos*)<sup>17</sup> called a [press conference](#) on July 29, the day before the first trial hearing, demanding his release and an investigation into ill-treatment by the police. At the hearing, on July 30, the judge continued with the original charges, arguing that the demonstration became illegal when some students involved in the protest started throwing stones at the police. One of the stones had hit a policeman in the face, hence the charge of attacking state security (*atentado contra la seguridad del estado*). However, Darío, who denies the charge, says that he was far away, at another gate, when the policeman was hit. Darío has been released from custody for the rest of the legal process on condition that he does not take part in protests or leave the country, and he must sign at the courthouse every week.<sup>18</sup>**

### **LGBTI**

[Statistics compiled](#) by the 'Cattrachas' (Feminist Lesbian Organization of Honduras) highlight the **dramatic rise in violent deaths of LGBTI people since the coup**. Of the 176 murders of this group in the last 20 years, 153 (or 86%) have been committed since the coup, a rise in the yearly average number of murders from 1.5 pre-coup to 30 post-coup.<sup>19</sup> The annual figures post-coup are 26 in 2009

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17 A coalition consisting of CPTRT, CIPRODEH (Centre for the Investigation and Promotion of Human Rights) and CODEH (Committee for the Defence of Human Rights in Honduras)

18 Defensoresenlinea [Medidas sustitutivas para Darío Moran](#)

19 This is taking all the murders committed since the coup. The article states that the current average is 35 a year, but that relates only to 2012 and 2013.

(in just the last 6 months, with only 3 murders in the first half of the year), 17 in 2010, 32 in 2011, 35 in 2012, 35 in 2013, and 8 in 2014 (up to July 15). The year with the highest number of murders pre-coup had been 2008, with 5 – nothing compared to the scale of killing subsequently.

This rise in killings of LGBTI people means that Honduras stands out even within the Northern Triangle, which [according to the \*Centroamérica Diferente\*](#) project is the most dangerous area in the region for LGBTI people. **Honduras accounted for 59.6% (168) of the 282 murders of LGBTI people in the Northern Triangle since 2009**, as compared to 24,8 % (70) for Guatemala and 15,6 % (44) for El Salvador.

The level of **impunity** for such killings in Honduras is also notable – according to the Cattrachas study, of the 176 people murdered over the past 20 years, prosecutions have been brought in only 39 cases, with 3 not guilty verdicts, 9 guilty verdicts, 10 cases where the accused have been arrested, of which 6 are awaiting a public trial. According to the statistics, 92 of the victims were gay men, 72 transsexuals, mainly women, and 12 lesbians.

One prominent case has been that of LGTBI and LIBRE activist and journalist, **Erick Martínez Ávila**, murdered on the night of May 6, 2012. Conexihon, C-Libre's press arm, had [expressed doubts](#) about the guilt of Gustavo Adolfo Aguilar Sánchez, a man with a criminal record arrested the next day for the killing and in custody ever since. There was apparently no forensic evidence to link him to the crime. One of the witnesses had originally given evidence in Aguilar's defense, and after the 'intervention' of the Prosecution Service, he changed his testimony and was proposed as a prosecution witness. Aguilar was [found not guilty](#) due to lack of evidence on June 30, which means that the true perpetrators are still at large, two years after Erick's murder.

This level of impunity gave rise to **protests** by the Honduran Sexual Diversity Committee, 300 of whose members marched through the streets of Tegucigalpa on July 25.

There have also been [expressions of outrage](#) over the case of a transsexual sex worker, Darwin Reyes, known as Mónica Shakira, who on July 26 was **badly beaten up by a doctor** after she demanded payment for her services. A second man then appeared on the scene and attacked her as well. A patrol of soldiers and PMOP (Public Order Military Police) turned up and did nothing to intervene, apart from one of them giving her a kick. Although attacks on sex workers occur with depressing regularity in Honduras, in this case the whole incident was videoed and shown on television, and so the authorities have been compelled to respond. It has been [announced](#) that the President has ordered an investigation into the incident and that the members of the patrol have been suspended.

## **MINING: LA NUEVA ESPERANZA**

We issued an [alert](#) following the **armed assault and abduction** on July 3 of Father César Augusto Espinoza Muñoz and Father Abel Carbajal, priests of the parish of Arizona, Atlántida and three international human rights accompaniers with PROAH (two Swiss and one French). The priests have been active in their support of La Nueva Esperanza community, in Tela municipality, in its opposition to mining. The incident occurred at about 7pm near Siguatepeque, a town to the north of Tegucigalpa, when the parish vehicle they were traveling in was intercepted by a car. Three armed men jumped out, pointing their guns and forcing the priests and PROAH team members to get into the back seat of their car while a fourth drove away in the parish vehicle. The men forcibly abducted the priests and PROAH team members, driving them around for approximately 45 minutes, issuing death threats and then left them in Siguatepeque. Fathers César and Abel, as well as 16 members of the Nueva Esperanza community in the parish of Arizona and human rights defenders supporting them, are beneficiaries of [precautionary measures](#) issued by the IACHR because of [death threats](#) and violence from representatives of the Minerale Victoria mining company, other mining interests and the National Police in response to the community's peaceful and legitimate opposition to the mine. For PROAH the

incident underscores the extreme state of insecurity in Honduras which people throughout the country face on a daily basis, as well as the striking lack of protection for recipients of IACHR precautionary measures and high level of risk for national and international human rights defenders in Honduras.

**In La Nueva Esperanza itself, the harassment of members of the community continues.** For example, the father of one of the beneficiaries of precautionary measures has received **death threats** by phone. In a separate [incident](#), on July 5 three men, opponents to mining in the community, were issued with a **summons** to appear on July 7 at the police station in the town of Tela, a couple of hours away, for 'various offenses' and warned that if they failed to do so they would be arrested. It transpired that the complainant was a relative of Wilfredo Funes, the foreman of Minerales Victoria's mining exploration works in La Nueva Esperanza, currently on trial for [holding two PROAH observers captive](#) for two-and-a-half hours on July 25, 2013, as well as threats and trespass on the property of the couple where the PROAH members were staying. The three men were accompanied to the police station by fellow villagers, priests from Arizona and the lawyer, Martín Fernández, a member of MADJ (Broad Movement for Dignity and Justice) which has been supporting the community. It became clear from hearing the complainant – there was no formal, written complaint - that there was no case to answer. The police officers involved were the same ones that had been involved in the attempted criminalization of five community leaders in January 2013, in clear collusion with Minerales Victoria. When, during this latest encounter, the villagers tried to file genuine complaints about recent threats and harassment, these officers refused to accept them. As a result of a complaint lodged about this incident, as well as the death threats received by members of the community, a special commission from the Public Prosecution Service visited La Nueva Esperanza on July 23 and informed the villagers that the officers involved had been suspended.

#### **MINING: AZACUALPA – SOCIAL CONFLICT THROUGH MINE'S EXPANSION**

There is a [new mining conflict](#) or, rather, the continuation of a long-running one, at Azacualpa, La Unión, in the western department of Copán. It worsened in April 2014 with the arrival of soldiers to crack down on anyone demanding a halt to mining in the area. The village is affected by the San Andrés gold mine, owned by a succession of Canadian companies, currently Aura Minerals, which, along with the San Martín in the Siria Valley, was one of the case studies for the recently-issued [Analysis of Mining in Honduras 2007-2012](#), by ICEFI (Central American Institute for Fiscal Studies) (see P.6 of our [June summary](#)). Aura Minerals' Honduran subsidiary is Minerales de Occidente S.A.

**The residents of Azacualpa complain that their village has become uninhabitable and the company wants to expand the mine into the village cemetery.** According to the *patronato* (community council), the villagers had previously reached an agreement with Aura Minerals that, with the expansion of mine, they would be moved to a suitable new area, as had other communities, but the mine continued to expand without the company honoring its commitment. The community is opposing the mine's encroachment on the cemetery, arguing that they have a document which gives them the power to refuse it. In the face of the company's refusal to negotiate with them, the *patronato* decided to resort to direct action, and blocked the way to the mine for two weeks to the mine's lorries. The police cracked down on the protest, beating the villagers and using tear gas. 21 people were charged with offenses and are subject to alternative measures to imprisonment.

#### **MINING: TWO MORE MUNICIPALITIES DECLARE OPPOSITION TO MINING**

On June 7, at a *cabildo abierto* attended by over 800 people, the municipality of **Dulce Nombre de Culmí in Olancho** [declared itself a mining-free zone](#), in view of the industry's environmental impacts. The people attending included 30 community water councils (*juntas de agua*), *patronatos*, the seven communities of the Pech indigenous people in the municipality, and NGOs such as CEHPRODEC.

The process had been supported by Franciscan priests in the region. In September 2013, the Pech people had [declared](#) El Carbón Mountain, an area of 34,000 hectares straddling the municipalities of Dulce Nombre de Culmí and San Esteban, a Pech Anthropological and Woodland Reserve.

In the municipality of **Teupasenti, El Paraíso** department, [the mayor has been trying to promote iron ore mining](#) against the will of many of its inhabitants. 17 farming communities expressed concern about the impact of the mines on the environment and their livelihoods, and at a *cabildo abierto* (open council meeting) on August 17 made a [formal declaration](#) to reject mining in the municipality.

### **MINING: SAFETY**

Eleven miners were trapped and only three of them were eventually rescued by teams from El Salvador, Guatemala and Honduras when the entrance to La Cuculmecca, an artisanal mine, collapsed on July 2, in San Juan Arriba, El Corpus, Choluteca. It gave rise to a number of reflections on the mining industry itself in Honduras. In the municipality of El Corpus, it is estimated that 2,000 people work in gold and silver mining, first established in the 16th century in the area, where workings have been opened or reactivated as a result of the global rise in prices for these metals. Many people there have been forced into mining by the lack of viable employment alternatives, driven from agriculture as a result of the drought in the south of the country and low prices.

According to [Pedro Landa of CEHPRODEC](#), this most recent tragedy highlights the state's failure to regulate artisanal mines, where each year 6-10 people are killed nationally. INHGEOMIN (Honduran Geology and Mines Institute) has stated that the mine's closure had been ordered last year after three people died in it, but the order was never enforced. Under the new Mining Act, adopted last year, responsibility for artisanal mining was passed to the municipalities, but there is concern that they lack the expertise and will to order and enforce safety measures, and that the prime interest of the mayors is in satisfying business interests. The miners themselves earn very little – the major profits are made by those processing the metal for later sale on the world markets. [Charges have now been brought](#) against the three owners of La Cuculmecca mine, but such is the desperation of the local people, who see their livelihoods threatened, that there have been protests against the measure. [OFRANEH](#) considers the tragedy, and the response to it, an illustration of the parlous state of the country as a whole.

**The CNRA (National Coalition of Environmental Networks) issued a [statement](#)** for the Global Day of Action Against Open Pit Mining on July 22, which, as well as expressing solidarity for the victims of La Cuculmecca, demanded the immediate abolition of the harmful Mining Act and cancelation of all the concessions so far made under it, respect for the declarations of mining-free municipalities and investigation into all the acts of persecution of human rights defenders supporting communities in their opposition to mining.

### **LAND DISPUTES: COMMUNITY LEADER MURDERED IN SAN PEDRO SULA**

On July 7, **Carlos Carrasco, a community leader**, and three other people were [murdered](#) in El Carmen neighborhood. He and his two bodyguards were dragged out of his house at 9 pm by men in ski-masks and military dress, who had arrived in two Toyota Land Cruisers, and who shot them and a passerby dead. The police believe that his support for community land occupations could be a possible motive for his murder. Carlos Carrasco was a leader of the Federation of Community Councils and River-Bank Settlements (*Federación de Patronatos y Bordos*) as well as the press and publicity officer for SINCOSIH (National Street Sellers' Union) and an active member of the National Party.

The Federation of Community Councils and River-Bank Settlements staged a [demonstration](#) on July 14, demanding the expropriation of land in El Carmen, as well as investigations into **murders of 10 people involved in this land recovery** since 2006, accusing landowners of being the perpetrators.

The murder comes only two months after that of [Orlando Orellana](#), the president of the *patronato* of Cerrito Lindo, also in San Pedro Sula and also involved in a land dispute. In Cerrito Lindo's case, a total of seven people have been killed, four of them since the granting of precautionary measures in 2005 by the IACHR.

### **LAND DISPUTES: BAJO AGUÁN**

On July 16, members of the Aguán Valley Regional Agrarian Platform (*Plataforma Agraria Regional del Valle del Aguán*) [denounced](#) attempts to weaken and destroy campesino organizations in the region defending land rights. They stated that **over 4,500 campesinos had been subject to legal proceedings over the last 4 years** as a result of their struggle for land rights. While the state sought to criminalize the campesino movement, the direct perpetrators and intellectual authors of the murders of 140 campesinos in the same period went unpunished.

### **Paso Aguán – Violent Eviction**

COFADEH issued an [urgent action](#) in response to the violent re-eviction from this farm, in Trujillo municipality, of members of the MCRGC (Gregorio Chávez Refoundation Campesino Movement), on July 3. They began occupying the farm following the disappearance of the campesino [Gregorio Chávez](#) there by Miguel Facusse's security guards in July 2012. His body was found on the farm three days later. The campesinos have been repeatedly evicted from the land, the last time being on June 26, an eviction which passed off peacefully. This time, on July 3, about 300 police and soldiers from the Xatruch III Joint Task Force raided the farm at 6.15 am, without presenting an eviction order. They immediately started firing tear gas and live bullets indiscriminately, seriously wounding two campesinos, José Sánchez Méndez and David Ponce. José Sánchez almost died, and part of his liver had to be removed, while in the case of David Ponce, the bullet entered near his collar-bone and lodged in his back.<sup>20</sup> Two others, Mariano Baquedano and Roger Rodríguez, were also hospitalized after being beaten. Seven people were arrested, including a minor, a member of OPDHA (Aguán Permanent Human Rights Observatory), and Gregorio Chávez's brother, accused of usurpation of property. Although they were detained at 11am, they were not taken to a police station until 4pm, contrary to the law.

Five MCRGC members are among the 123 leaders of campesino movements in the Bajo Aguán subject to precautionary measures granted by the IACHR since May 8.<sup>21</sup>

### **OPDHA Members subjected to Intimidating Surveillance**

OPDHA issued an [urgent alert](#) after three of its members, Martha Arnold, Irma Lemus and Rigoberto Duran were followed by two cars without number plates, on July 30 and 31. Martha Arnold was subject to surveillance by the occupants of one of the cars for two hours on the morning of July 30 while she waited for a bus in Tocoa. (She could not see who they were because the car's windows were tinted). At 10 am on July 31, before the initial trial hearing in Trujillo for the campesinos charged during the Paso Aguán eviction, Irma Lemus and Rigoberto Durán, together with Alex Navas and José Alejandro Mairena, lawyers from CIPRODEH representing the campesinos, were filmed by a soldier. After the hearing, between 6 and 7 pm, Irma Lemus and Rigoberto Durán were followed by the two vehicles, in the end taking refuge in a corner shop until they were rescued by a human rights organization. Soldiers and Miguel Facusse's legal representative, Omar de Jesús Garay Zúñiga, were reported to be in one of the cars.

20 Defensoresenlinea [Un campesino estuvo a punto de morir en brutal desalojo ejecutado en El Aguán](#)

21 IACHR precautionary measures PM 50/14 - Campesino Leaders of Bajo Aguán, Honduras  
<http://www.oas.org/en/iachr/decisions/precautionary.asp> [Resolution](#) in Spanish only

### **New Smear Campaign against Annie Bird of Rights Action**

Annie Bird has also been targeted for her support of the campesinos of Paso Aguán. On July 16, on the Honduran TV channel *Canal 11*, Roger Pineda, Dinant's Director of Corporate Affairs, accused her of provoking the destabilization of the region and organizing protests to cause clashes with the authorities. Colonel German Alfaro, commander of FUSINA (National Interinstitutional Security Force) and ex-commander of Xatruch III Joint Task Force then weighed in making similar accusations, as well as accusing her of entering the country secretly and engaging in 'clandestine activities', and sending information to organizations which was then re-transmitted to Al-Qaeda via the Al-Jazeera news organization (!). The accusations provoked outrage and expressions of solidarity from a range of organizations, including the [Aguán Valley Regional Agrarian Platform](#), MADJ, and [COPINH](#). Roger Pineda adopted a more emollient tone in a [press statement](#) a week later, suggesting that Annie Bird, rather than being actively malicious was simply sadly deluded in her support for the campesinos, and inviting the Rights Action delegation to meet Dinant during its visit in August.

Colonel Alfaro had made [similar accusations](#) in December 2013, which provoked a strong reaction from US human rights organizations, and it is concerning that he and Dinant feel free to repeat them now.

### **Chabelo – Appeal Application Accepted**

In a rare piece of good news, the case of José Isabel Morales (Chabelo) [will be referred to the Appeal Chamber](#) of the Supreme Court. He had been sentenced to 17-and-a-half years imprisonment in February by the court in Trujillo following a re-trial for which the term 'travesty of justice' could have been invented (see P.10 of our [summary for January-February](#) for more details). He has been in prison since 2008 for the murder of Carlos Manrique Osorto Castillo, a member of a family which has been involved in a murderous land dispute with the Guadalupe Carney community for 14 years. The victim was killed during an armed confrontation between the campesinos and the Osorto family, and Chabelo has been implicated purely because he was at the scene - to recover the body of a neighbor killed by gunshots from the Osorto house. Henry Osorto, the victim's uncle, is a sub-commissioner in the police force, and as such, is regarded as having an undue influence over the conduct of Chabelo's trial, as well as his treatment since his imprisonment – it is believed that it is due to Osorto that there have been various attempts on Chabelo's life, including poisoning. According to Chabelo's lawyer, Omar Menjívar, the Supreme Court will reach a decision within a year. On July 8, *El Tiempo* newspaper published a [sympathetic editorial](#) about Chabelo's case, describing him as a political prisoner.

### **Exhumations**

Campesino and human rights movements in the Bajo Aguán [repeated their demands](#) for greater transparency and consultation with the families of the victims regarding the exhumations by UMVIBA (Bajo Aguán Violent Deaths Unit), established in February to conduct investigations into killings in the context of land disputes in the region.<sup>22</sup> UMVIBA has already [exhumed](#) fifteen bodies of murdered campesinos were from cemeteries and oil palm plantations in various parts of the Bajo Aguán in the first stage, from June 16 to 20, and was due to start the second stage of exhumations in mid-July. It is exhuming those bodies which have not before been subject to an autopsy, and was aiming to disinter a further 25 (some reports say 35) corpses in the following weeks. Campesino and human rights movements have expressed concern that this is simply an exercise to to sanitize the image of Miguel Facussé's Dinant company, following the critical [report](#) by the World Bank's Compliance Advisor Ombudsman (CAO) on its loan to the company, which included concerns that Dinant's security guards

<sup>22</sup> For more background on UMVIBA, see Conexihon [Unidad especializada investigará asesinatos en el Aguán](#) and P.10 of our [January-February summary](#)



had been implicated in the murder of campesinos. The organizations argue that there are cases where there is clear evidence of this, but they still remain in impunity, with El Tumbador, where five campesinos were murdered in 2010, being one of the most notorious examples.<sup>23</sup>

### **World Bank**

The **Dinant** case was unsurprisingly included in a report by Human Rights Watch, [World Bank: Human Rights Status Report and Action Plan](#), published on July 1, which points to continued shortcomings in the World Bank's assessment and treatment of human rights risks when approving and financing projects. (The Compliance Advisor Ombudsman's [investigation](#) into the World Bank's loan to the FICOHSA, a Honduran bank which finances Dinant, will be dealt with in our August summary).

There has also been [concern expressed](#) by human rights and development organizations over the **World Bank's draft Environmental and Social Framework**, which they consider weakens land rights protection for poor and vulnerable groups.

### **ZEDEs**

In the wake of the Supreme Court's decision in May to uphold the law establishing ZEDEs (Employment and Economic Development Zones), Lauren Carasik has published two articles, [one](#) focusing on the background to the ZEDEs and the procedures for adopting them, and the other focusing on **Zacate Grande**, which may become part of the first ZEDE. The 5,000 inhabitants of this peninsula, who mainly earn their living from fishing and farming, have already seen much of their land and access to the sea taken by the rich elites, in particular Miguel Facussé. The article points out that, under a ZEDE, their vulnerability would only increase, as the laws allowing ZEDEs have been designed to give their investors maximal legal and financial protection, leaving residents with only minimal legal recourse and democratic rights. Therefore, if Zacate Grande were to become part of a ZEDE, the people would lose what little right they have at the moment to help determine what happens to the land or its resources. The article expresses the concern that political and economic elites might try to buy off some members of the community in order to create friction within it - already established practise on the peninsula - or instill fear among them. There are already reports of land speculators arriving in the town of Amapala, on neighboring Tigre Island, buying out some small landholders, and telling others that if they do not sell, they will not be able to afford the property taxes after the arrival of the ZEDEs.

### **JUDICIARY**

On July 14, José Miguel Insulza, Secretary-General of the Organization of American States [launched](#) the [Inter-American Program of Judicial Facilitators](#) in Honduras, which aims to improve access to justice for citizens who live in more outlying rural areas by establishing a service with national coverage, administered by the Justice Department. The facilitators, whose role will be to provide guidance on judicial matters, will be elected by the community and must already be a recognized leader within the community concerned, and not hold any party political office.

The Honduran Lawyers Association (CAH) is [demanding](#) the **recruitment of 230 new judges** to tackle the number of pending cases - an urgent task given that some 60% inmates are in prison without having been sentenced. This is a major factor in overcrowding, as pointed out by the IACHR in its 2013 [report](#) on Honduras' prison system. (According to one [report](#), the current prison capacity is 8,500 places, but there are currently 13,000 inmates. The situation has been made worse since detention pre-trial was made obligatory for a range of offenses in 2013.)

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23 Human Rights Watch [“There Are No Investigations Here”](#)

The shortage of judges is exacerbated by the '**purge**' conducted by the Judiciary Council (*Consejo de la Judicatura*) since October 2013, under which by [early June](#), 66 justice workers had either been sacked or suspended from their posts, of which 28 were judges, in a process condemned by the AJD (Association of Judges for Democracy) as arbitrary. This continuing lack of clarity in procedures and of due process in the disciplining of members of the judiciary will be [one of the prime focuses](#) during the hearing next year on the **case of the four judges sacked** for expressing opposition to the coup, [referred](#) to the Inter-American Court in March this year.<sup>24</sup>

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>

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