



February 13, 2012

## **Reports Received by CCR of Human Rights Violations in Honduras in December 2011 and January 2012**

Since the June 2009 coup d'état that overthrew Honduras' democratically-elected president, Manuel Zelaya, the Honduran military and police, as well as unknown entities, have engaged in systematic threats and violence against a number of groups and professions, including organized peasant farmers (*campesinos*), journalists covering such issues as land disputes and military/police misconduct, lawyers, members of the lesbian, gay, bisexual, and transgender (LGBT) community, members of the political opposition, and human rights activists.

Since the coup, dozens of anti-coup activists and union leaders have been killed, at least 17 journalists have been assassinated,<sup>1</sup> and 74 lawyers have been killed with total impunity.<sup>2</sup> In the northeastern Aguán region alone, over forty land-rights activists have been murdered.<sup>3</sup> And since the beginning of 2010, at least 62 members of the LGBT community have been murdered.<sup>4</sup> The U.S. State Department notes that "allegations of violence against and intimidation of opposition activists; journalists; and members of the lesbian, gay, bisexual, and transgender (LGBT) community continue to raise concerns regarding human rights conditions."<sup>5</sup> Impunity remains a serious problem.<sup>6</sup> Taken together, these factors foster a palpable climate of fear and intimidation for Honduran civil society.

The Center for Constitutional Rights (CCR) and our partners have collected an alarming number of reports of human rights violations in Honduras. In many of the reports, it is clear that the Honduran military and/or police were directly involved in human rights abuses. We have listed these reports for

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<sup>1</sup> Reporters Without Borders notes that no murders of journalists have been solved since 2010. This impunity leaves the profession vulnerable to attack. "Journalist Killed, Paper Attacked as Violence Against Media Grows," *Reporters Without Borders*, December 8, 2011, available at: <http://en.rsf.org/honduras-journalist-killed-paper-attacked-08-12-2011,41532.html>.

<sup>2</sup> "Lawyer gunned down after reporting police abuses to media," *Reporters Without Borders*, January 19, 2012, available at: <http://en.rsf.org/paraguay-lawyer-gunned-down-after-reporting-19-01-2012,41712.html>.

<sup>3</sup> Elizabeth Malkin, "In Honduras, Land Struggles Highlight Post-Coup Polarization," *New York Times*, Sept. 15, 2011, available at: <http://www.nytimes.com/2011/09/16/world/americas/honduras-land-conflicts-highlight-polarization.html?pagewanted=all>.

<sup>4</sup> "Honduras is test of new U.S. policy on gay rights," *Miami Herald*, January 17, 2012, available at: <http://inewp.com/?p=10528;http://www.miamiherald.com/2012/01/17/2593984/honduras-is-test-of-new-us-policy.html>.

<sup>5</sup> "Background Note: Honduras," *U.S. Department of State*, September 12, 2011, available at: <http://www.state.gov/r/pa/ei/bgn/1922.htm> (Feb. 8, 2012).

<sup>6</sup> "World Report 2012: Honduras," *Human Rights Watch*, available at: <http://www.hrw.org/world-report-2012/world-report-chapter-honduras>.

the months of December 2011 and January 2012 below. This brief, two-month period provides just one snapshot of the widespread, post-coup pattern of violence and harassment targeting the groups and professions mentioned above. This list is not comprehensive, as numerous human rights violations go undocumented, unreported, or uncollected.

We have received reports of members of targeted groups and professions being verbally and physically intimidated, wounded, and/or murdered by unknown attackers. We have included some of these incidents in this memorandum. It should be particularly noted that in some instances a number of human rights activists and journalists who publicly criticize police abuses or corruption have soon after been killed or physically injured by masked attackers and/or with weapons commonly used by military or police.

Despite grave abuses of power, impunity remains the norm, and little is being done to hold the Honduran police and military accountable for their actions. Most incidents of abuse have gone uninvestigated, and system-wide reforms have yet to be implemented.

In addition to the human rights abuses listed below, we have been contacted about two incidents in which large caches of weapons and ammunition – including rocket launchers capable of destroying tanks – have been stolen from high security military warehouses. A Honduran newspaper article raised the possibility that the police and/or military were involved.<sup>7</sup> Police officials had tried to keep the latest theft quiet, prompting the newspaper’s anonymous source to comment, “The way they handle these cases, you do not know if senior police are complicit or directly part of the criminal acts.”<sup>8</sup>

In December of 2011, concerned with the involvement of state actors in gross human rights abuses in Honduras, the U.S. Congress placed certain conditions on the State Department’s police and military aid to Honduras.<sup>9</sup> As a result, prior to disbursing 20 percent of the allocated funds, the State Department will be required to report to Congress on actions the de facto government in Honduras is taking to protect and promote human rights. We urge the State Department to take this obligation seriously and to consider the incidents reported herein.

### **Incidents with clear Police/Military involvement**

- December 6: [*suppression of speech*] A teachers’ march demanding that they be paid for the month of November was violently suppressed with teargas and water cannons by the National Police.<sup>10</sup>

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<sup>7</sup> “Se roban del CALFFAA 22 RPG-7 con sus respectivas municiones,” *El Heraldo*, February 7, 2012, available at: <http://www.elheraldo.hn/Secciones-Secundarias/Unidad-Investigativa/Se-roban-22-lanzacohetes-RPG-7-del-Comando-de-Apoyo-Logistico/%28notacompleta%29/1On> (in Spanish)

<sup>8</sup> “Honduras Police Loses a Large Cache of Weapons,” *Fox News Latino*, October 31, 2011, available at: <http://latino.foxnews.com/latino/news/2011/10/31/honduras-loses-large-cache-weapons-from-police-warehouse>

<sup>9</sup> Consolidated Appropriations Act of 2012, Pub. L. no. 112-74 (2011).

<sup>10</sup> “Maestros protestan por atraso de los salarios.” *La Tribuna*, December 7, 2011. Available at: <http://www.latribuna.hn/2011/12/07/docentes-exigen-en-las-calles-pago-de-salarios-atrasados/>.

- December 13: [*suppression of speech, violence*] Women journalists organized a protest at the Presidential House against the killing of journalists, free speech violations, and impunity. The protest was suppressed, and the protesters beaten, and teargas bombs were fired at them.<sup>11</sup>
- December 14: [*detention*] “Investigative agents” detained 50 farmers from the CANAAN cooperative. They were taken into police custody without being shown any judicial orders.<sup>12</sup>
- December 20: [*suppression of speech, violence*] Police violently cracked down on teachers protesting unpaid wages. Tear gas was launched by heavily-armed police officials.<sup>13</sup>
- December 23: [*violence*] Colombian journalist and university lecturer **Leonel Espinoza** was stopped at gunpoint and detained for over an hour by two police officers in Tegucigalpa. He was ordered out of his vehicle. Scared, he started running away and calling for help. He was handcuffed so tightly that his wrists nearly bled, his shoes were removed, and the officers began to beat him. He was told that he was arrested for public disorder/disturbing the peace. After about an hour, he was let go. Espinoza’s journalism has focused on police issues, attacks on journalists, and impunity in cases of murdered journalists and the killing of the Autonomous University of Honduras Rector’s son in November of 2011. After this incident, Espinoza went to the U.S. embassy to ask for protection, filed a complaint with the Criminal Investigations Department, and subjected himself to a forensics exam.<sup>14</sup>
- December 22-25: [*detentions*] The Human Rights Observatory in Aguán reported the arbitrary detentions of a number of campesinos from different organizations in the days leading up to Christmas. The organizations had been vocal in opposition to a development project. The mayor of Bonito Oriental and various citizens from different social sectors were also detained.<sup>15</sup>
- December 24: [*threats, intimidation*] Cameraperson **Uriel Gudiel Rodriguez** was stopped on his walk home and issued a death threat by state investigative agent Elmer Ardón. Uriel had also previously received a threat through a friend from Elmer’s father. The Ardón family believes that Uriel filmed embarrassing footage of police officer Reidi Arturo Ardón, who is the lead suspect in the murder of a resistance activist.<sup>16</sup>
- December 26: [*violence*] Well-known progressive priest, human rights activist, and environmental rights defender **Marco Aurelio Lorenzo** and his 2 brothers were detained and brutally beaten on the highway by eight police officers. They had stopped on the side of the

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<sup>11</sup> “Journalists March in Front of Presidential House,” *Honduras News*, December 13, 2001, *available at*: <http://www.hondurasnews.com/journalists-march-in-front-of-presidential-house/#.TyBm229ST0V>; *see also* “‘Journalism for Life’ Demonstrator Receives Four Death Threats in Three Days,” *Reporters Without Borders*, January 12, 2012, *available at*: <http://en.rsf.org/honduras-soldiers-use-clubs-to-disperse-14-12-2011,41548.html>.

<sup>12</sup> *Id.*

<sup>13</sup> “Maestros realizan movilización en la capital de Honduras,” *El Heraldo*, December 20, 2011, *available at*: <http://www.elheraldo.hn/Secciones-Principales/Pais/Maestros-realizan-movilizacion-en-Tegucigalpa>.

<sup>14</sup> “Journalist Assaulted by National Police officers,” *International Freedom of Expression Exchange*, December 28, 2011, *available at*: [http://www.ifex.org/honduras/2011/12/28/espinoza\\_police\\_assault](http://www.ifex.org/honduras/2011/12/28/espinoza_police_assault); *see also* email communication from Committee of Relatives of the Disappeared (COFADEH) (Jan. 9, 2012)(on file with CCR).

<sup>15</sup> *Id.*; *see also* “In the Aguan a baby Jesus will be born in the midst of repression,” *M.I.O Aguan*, *available at*: <http://mioaguan.blogspot.com/p/ingles.html>.

<sup>16</sup> “Police officer issues death threat against camera operator,” *International Freedom of Expression Exchange*, December 28, 2011, *available at*: [http://www.ifex.org/honduras/2011/12/28/rodriguez\\_death\\_threat](http://www.ifex.org/honduras/2011/12/28/rodriguez_death_threat).

road to take a rest from driving. Marco's brother got out of the car to put a rock under the tire to prevent the car from rolling downhill. At that point, the police officers approached and attacked him. He was severely injured in the attack, and sustained a fractured rib. Marco was pinned down, kicked, and beaten, knocked unconscious and required 16 stitches in his head. After beating Marco and his brothers, the police officers ordered them into their car, removed the rock from under the wheel, and caused the car to roll into a ditch. Then they handcuffed Marco and his brothers into the police patrol car and drove them to the hospital. The police officers also robbed them. The next day, when he went to collect his car from the police, Marco was told he had no fine to pay because he had committed no crime.<sup>17</sup>

- January 7: [*violence*] **Gonzalo Cruz**, an active human rights defender, was shot repeatedly by two plain-clothes police officers, Amado Jovel Diaz and Danilo Jovel Diaz, who then fled on a motorcycle. The hospital said Gonzalo Cruz had been treated for 14 wounds and that his lungs were severely damaged from the shooting. In December, the same 2 officers had been seen taking photos of the houses of active members of the National Popular Resistance Front in San Antonio, the same city where Gonzalo Cruz was from.<sup>18</sup>

#### **Human Rights Abuses Where Level of State Involvement is Unknown**

- Throughout December: [*threats*] Former police commissioner **María Luisa Borjas** received at least 45 calls threatening her with death and telling her she will be "the next one." She has advocated for intervention against police corruption.<sup>19</sup>
- December 4: [*killing*] A young transgender woman named Karlita was stabbed to death. According to advocates, this was the 17<sup>th</sup> time in 2011 that a member of the LGBT community has been murdered with impunity. Since the coup, 62 members of the LGBT community have been killed. Of these, only 9 cases have been investigated and/or prosecuted.<sup>20</sup>
- December 5: [*violence*] Armed men in a vehicle shot 10 times at the building of La Tribuna, a daily Honduran newspaper. The gunmen wounded security guard **José Manuel Izaguirre**, who was shot three times. La Tribuna had been publishing stories about the assassination of two university students by members of the police force. La Tribuna news editor, Martin Ramirez, said the vehicle used in the attack was believed to be the same one used in a November 20 attack on another reporter from La Tribuna. Following the November 20 incident, the newspaper published a "public complaint" saying its reporters had been subjected to harassment and intimidation by law enforcement officials.<sup>21</sup>

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<sup>17</sup> COFADEH, supra note 12; see also "Attacks against human rights defenders Mr. Gonzalo Cruz and Father Marco Aurelio Lorenzo by police agents," *Front Line Defenders*, January 12, 2012, available at: <http://www.frontlinedefenders.org/node/17038>.

<sup>18</sup> Front Line Defenders, supra note 10; see also COFADEH, supra note 12.

<sup>19</sup> "Ex Comisionada de Policia Denuncia que le han dicho que ella es la proxima en la lista," *El Heraldo*, December 9, 2011, available at: [www.elheraldo.hn/Secciones-Principales/Pais/Ex-comisionada-de-Policia-denuncia-que-le-han-dicho-que-ella-es-la-proxima-en-la-lista](http://www.elheraldo.hn/Secciones-Principales/Pais/Ex-comisionada-de-Policia-denuncia-que-le-han-dicho-que-ella-es-la-proxima-en-la-lista) [in Spanish].

<sup>20</sup> "Honduras is test" supra, note 3.

<sup>21</sup> "IAPA decries murder of Honduras reporter," *Impunidad*, December 6, 2011, available at: <http://www.impunidad.com/comunicado.php?idioma=us&id=4653>; see also "Honduran Daily attacked by

- December 5: [threats] **Andrés Pavón Murillo**, the director of Honduran human rights group Committee for the Defence of Human Rights in Honduras' (CODEH) and colleague **Cesar Adin Barraza** were threatened at an ATM machine near the presidential house by a person who followed them in a blue pick-up truck.<sup>22</sup>
- December 6: [killing, threats] Journalist **Luz Marina Paz Villalabos** and photographer **Delmer Canales** were shot and killed by two individuals on a motorcycle. The two were travelling in a vehicle owned by an officer of the armed forces when killed. Paz Villalabos is the first female journalist to be killed. She had previously worked for a TV station directed by Eduardo Maldonado, whose son was kidnapped in 2010; she had declared herself anti-coup.<sup>23</sup>
- December 7: [killing] Former Security Minister (1992-2010) and former secretary of the anti-drug trafficking commission, **Alfredo Landaverde**, was shot 5 times and killed by gunmen on motorcycles. He was in a car with two others, both of whom were also gravely wounded. Prior to the assassination, Landaverde had made public comments criticizing the police and calling for public investigations into the police, army, and the Department of Public Prosecutors. The assassination of Landaverde is an example of a trend of persecution of people who represent the "political opposition."<sup>24</sup>
- December 8: [killing] Journalist/Radio Presenter **Joshue Torres** was found dead, supposedly hanged. Forensic examiner called for an investigation due to suspected criminal involvement and that his hands were tied behind his back.<sup>25</sup>
- December 17: [violence] **Milvia Yamileth Ochoa**, the Minutes Secretary of the Free Vendors Union of Honduras SIVELIH, was shot at when she was leaving a union meeting. SIVELIH had been denouncing abuse by municipal inspectors and police This incident is part of a pattern of violence and intimidation against trade unionists.<sup>26</sup>
- December 24: [violence, detention] **Juan José Peralta**, a campesino and president of Rigores Cooperative Luz y Esperanza, was hospitalized for injuries after being run off the road as he was crossing over a river in his car with his family. Peralta had recently been detained by police.<sup>27</sup>
- Throughout January: [threats] Journalists **Gilda Silvestucci** and **Itsmania Pineda Platero** both received threatening phone calls. Both women helped organize the December 13 journalists' march protesting free speech violations and impunity. Silvestucci had been constantly followed

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gunmen," *Committee to Protect Journalists*, December 5, 2011, available at:

<http://www.cpj.org/2011/12/honduran-daily-attacked-by-gunmen.php>.

<sup>22</sup> "Urgent Action: Activists Threatened in Honduras," *Amnesty International*, December 13, 2011, available at:

<http://www.amnesty.org/en/library/asset/AMR37/008/2011/en/fbf97cb0-f02f-4d63-917d-d1cdaa0cb8c4/amr370082011en.pdf>.

<sup>23</sup> Impunidad, supra note 19; see also "Journalist killed, paper attacked as violence against media grows,"

*Reporters without Borders*, December 8, 2011, available at: <http://en.rsf.org/honduras-journalist-killed-paper-attacked-08-12-2011,41532.html>.

<sup>24</sup> "Honduran journalists face 'growing threat,'" *BBC News*, December 7, 2011, available at:

<http://www.bbc.co.uk/news/world-latin-america-16070817>.

<sup>25</sup> "Hallan ahorcado a locutor en Talanga," *El Tiempo*, available at: <http://www.tiempo.hn/index.php/sucesos/556-hallan-ahorcado-a-locutor-en-talanga>.

<sup>26</sup> "Atentan contra la secretaria del Sindicato de Vendedores Ambulantes," *Agencia Latinoamericana de Informacion*, December 20, 2011, available at: <http://alainet.org/active/51698&lang=es>.

<sup>27</sup> M.I.O. Aguan, supra note 13.

since she and 14 other women journalists filed a complaint on December 21 against the President, the armed forces chief of staff, and the presidential guard chief. The complaint was filed with special prosecutor for human rights Sandra Ponce. Platero is also the head of Xibalba, a human rights organization.<sup>28</sup>

- January 9: [*killings*] Eight people, including four children, were murdered by attackers with AK-47s and machetes in a field near their home in Regaderos village in the lower Aguán Valley, a site of land conflict. Seven of the eight were from the same campesino family.<sup>29</sup>
- January 17: [*killings*] **Ricardo Rosales**, a lawyer who had recently accused police in the northern town of Tela of serious human rights abuses, was shot dead by three hooded gunmen outside his home.<sup>30</sup>
- January 20: [*killings*] **Matias Valle**, a peasant community leader and representative of the Aguán United Peasant Movement (MUCA), was gunned down by two men on a motorcycle.<sup>31</sup>

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<sup>28</sup> “Women journalists terrorized, peasant spokesman gunned down in Aguan,” *Reporters without Borders*, January 24, 2012, available at: <http://en.rsf.org/honduras-women-journalists-terrorized-24-01-2012,41761.html>; see also Journalism for life, supra note 9; see also “Journalists under constant threat in Honduras,” *Honduras: Human Rights*, January 26, 2012, available at: <http://hondurashumanrights.wordpress.com/2012/01/26/journalists-under-constant-threat-in-honduras>.

<sup>29</sup> “Asesinan a cuatro niños y cuatro adultos en aldea de Saba,” *Tiempo*, January 20, 2012, available at: <http://www.tiempo.hn/index.php/sucesos/2780-asesinan-a-cuatro-ninos-y-cuatro-adultos-en-aldea-de-saba> (in Spanish; English translation available at: <http://quotha.net/node/2066>); see also “4 farmworkers, 4 children slain in Honduras,” *Boston Globe*, January 11, 2012, available at: [http://articles.boston.com/2012-01-11/news/30616945\\_1\\_farmworkers-honduras-farm-workers](http://articles.boston.com/2012-01-11/news/30616945_1_farmworkers-honduras-farm-workers).

<sup>30</sup> See “Lawyer gunned down,” supra note 2.

<sup>31</sup> Women Journalists Terrorized, supra note 26.