

# QUESTIONNAIRE TO SUBMIT INFORMATION TO THE WORKING GROUP ON THE USE OF MERCENARIES

## I. Identity

1. Last name: Cervantes
2. First name: Vicki
3. Sex: (F)
4. Date of birth: [REDACTED]
5. Nationalities / Citizenship: USA
6.
  - a) Identity document: Passport
  - b) Issued by: [REDACTED]
  - c) Date: [REDACTED]
  - d) Number: [REDACTED]
7. Profession and/or activities:

*Volunteer Coordinator for human rights/solidarity organization, La Voz de los de Abajo - Chicago. La Voz de los de Abajo leads human rights delegations from the United States to Honduras with a focus on visiting the rural communities where there are reports of violations of human rights. We then report our findings to human rights organizations in Honduras and to human rights and religious organizations in the United States. We share information with the press in both countries.*

8. Permanent address: [REDACTED]  
[REDACTED]  
[REDACTED]  
lavozchicago@yahoo.com

II. Describe the details of the incident perpetrated by mercenaries, private military and security companies or by their employees, or pursuant to mercenary-related activities.

1. Date of the incident: September 13, 2012 at approximately 3pm
2. Place where the incident occurred (as detailed as possible):  
*In the town of Tocoa, province of Colon, in the Lower Aguan River Valley, in Honduras. The incident occurred in the neighborhood of Aurora which abuts directly an African palm plantation called Los Laureles which is in the hands of a land owner named Miguel Facusse and his company, DINANT.*
3. Describe the nature of the incident:

*We responded to a report from peasant organizations that on September 9th there was a violent eviction of small farmers attempting to recuperate part of the plantation and that the eviction was carried out by a combined force of police, military and private security guards who also tear gassed and attacked residents of the Aurora neighborhood in the course of the eviction of the peasants, sending at least two infants to the hospital and reportedly causing the death of one elderly resident. At about 2:30 pm on September 13th our delegation, accompanied by local human rights defenders from the Permanent Observatory for Human Rights in Aguan, visited the Aurora neighborhood. At the entrance we took photos of the plantation where we could see what looked like some destroyed huts and two armed guards at some distance from the gate, in the interior of the plantation. We interviewed residents of the neighborhood who had been present during the September 9th incident at two different homes outside one entrance to the plantation and then moved to some homes outside another entrance to the plantation. At approximately 3pm as we were waiting in the public road, outside a house and well outside the entrance to the plantation, we noticed that there were now at least 6 paramilitary guards moving (from varied distances) towards the entrance. Most of them had their faces covered with ski masks or other masks and they were all armed - some with shotguns and at least two with heavier caliber, automatic rifles that looked to us like military type weapons. Several members of the delegation were filming and taking pictures. The guards were shouting in spanish, for us to "get out" "leave" and apparently to the Hondurans with us - "Take these gringos away sons of bitches before we kill them". Some were pointing their weapons at us and one man shouted in spanish "this is your last warning". We began moving further away from the entrance, some people filming. One of the men then fired a shotgun at the ground in front of us. Several people with us took refuge behind the nearest private house. The group moved further away and after gathering up everyone left the area without finishing our interviews with residents. We were very concerned for the safety of the residents in the area as well as for the delegation's safety.*

4. Individuals or group of persons involved in the incident or are believed to have been involved, as well as their contact information (if possible):

*We do not have the contact information but they were employed by the Dinant Corporation, owned by Miguel Facusse. Dinant's main phone contact number in Honduras is (504) 22398271*

**5.If the individuals are employed by a private military or security company, please indicate the company name and address (if possible):**

*They are employed by the Dinant Corporation. Some of the men were in what looked like civilian clothing and some were in blue uniforms that looked like those used by security companies. The Dinant Corporation has stated that they have contracts with the Orion private security company.*

**III. Information concerning mercenaries, activities related to mercenaries and/or private military or security companies**

**1.Relevant information with regard to your case relative to mercenaries, activities related to mercenaries and/or private military or security companies in your country or at the location of the incident.**

*From September 6-16th our delegation received testimony from numerous peasants, human rights defenders and others about human rights violations including violence perpetrated by private security paramilitary type guards in the farming areas. There is considerable published documentation of paramilitary violence, against campesinos in the Aguan Valley in particular, in Honduras since the coup of June 2009. This has been documented in the reports of Honduran human rights organizations (Comite para la Defensa de Derechos Humanos de Honduras--Codeh; Comite de las Familias de los Detenidos y Desaparecidos Hondureños--Cofadeh; Centro de Investigacion y Promocion de los Derechos Humanos--Ciprodeh; and others); and internationally by Amnesty International, Food First International-FIAN; Center for Constitutional Rights - CCR-USA, and many others. In the Aguan Valley the majority of reports name Miguel Facusse most frequently as the involved party either because Dinant guards have been named by witnesses and survivors or because the bodies of the victims have been found on land belonging to Dinant. To our knowledge our experience is the first time an international delegation has been threatened directly but COFADEH has documented recent threats against human rights defenders and advocates for the campesino groups. This would*

*include Antonio Trejo the lawyer for campesino organizations who was assassinated shortly after our experience and who prior to his murder named Miguel Facusse as responsible for any harm that may occur to him.*

2. Please indicate any other relevant information relative to mercenaries, activities related to mercenaries and/or private military or security companies that recruit personnel and operate in your country:

(a) if there are local or international companies, please indicate the headquarters of the companies:

*Dinant is a Honduran agricultural, food processing, and food distributor corporation which employs private paramilitary guards on its multiple plantations and at its processing plants. It contracts with a private security company called Orion (unknown nationality and contact information)*

(b) any other information that is considered relevant to your case:

*On September 21, 2012 we received a copy via a human rights organizations in Honduras of a press release issued by the Dinant Corporation contesting our press statement on September 18, 2012. The Dinant statement accused our delegation of being invaders and that one of us said to "escalate and see what happens"\* Dinant's statement justified the firing of a "warning shot" and stated that some of their guards made statements to the Tocoa police "telling the true facts". Dinant also made an implicit threat to take legal action against us.*

*\*Note: there is a video that we filmed that is available at the link below in which one can hear a woman translating what the guards said and then stating, "back up, keep filming, de-escalate, back up, show them de-escalation".*

<http://youtu.be/AbOgsm8qQE4>

**IV. Indicate steps taken, including domestic remedies, especially with the judicial and administrative authorities, in your country or other jurisdictions**

*Immediately following the incident: 1. We filed a written complaint at the Tocoa police station. We were not able to go back to also file individual statements but the police told us the complaint was complete and on the record. A police official who would not give his rank but identified himself as Wilfredo Bautista, Investigator assigned to all the homicides in the Lower Aguan told us that "even we (the police) can't go into the plantation to investigate." 2. We called the U.S. Embassy in Tegucigalpa to report the incident and received calls from the embassy. We spoke with Kelly Merrik and with Nathan Anderson at the Embassy. 3. We called congressional representatives from Illinois (Janice Shakowsky) and Colorado (Jared Polis). 4. We reported the incident to the Comité de las Familias de los Detenidos and Disaparecidos (COFADEH) in Tegucigalpa the same day and on September 19th we made a formal written and recorded report in their offices 5. We issued one press release to press in the United States the same day.*

*On September 17th we issued a press release in Spanish to the Honduran press and held a press conference on September 18th in Tegucigalpa. Since returning to the United States members of the delegation have contacted their Congressional representatives.*

**V. Name and address of the person(s) submitting this information and contact information (if different from listed in section I above)**

*Vicki Lee Cervantes, La Voz de los de Abajo.* [REDACTED]  
[REDACTED]

*Alexy J. Lanza, La Voz de los de Abajo.* [REDACTED]  
[REDACTED]

*Sarah Sommers, Inter-religious Task Force on the Americas.* [REDACTED]  
[REDACTED]

*Irene Rodriguez* [REDACTED]

*Andrew Thayer, Gay Liberation Network.* [REDACTED]  
[REDACTED]

*Sidney Hollander, Chicago Religious Leadership Network on Latin America.* [REDACTED]  
[REDACTED]

*Lois Martin,* [REDACTED]

*Gregory McCain,* [REDACTED]

Mary Dean, [REDACTED]

Date:

October 12, 2012

Signature:

Vicki L. Granger

**NB. This questionnaire should be addressed to the Working Group on the use of mercenaries. Office of the High Commissioner for Human Rights, United Nations Office at Geneva, 8-14 avenue de la Paix, 1211 Geneva 10, Switzerland, fax No. (022) 917.90.06, E-mail: [urgent-action@ohchr.org](mailto:urgent-action@ohchr.org)**

**For more information concerning the Working Group, please see <http://ohchr.org/english/issues/mercenaries/index.htm>.**