Reports Received by CCR of Human Rights Violations in Honduras in April and May 2012

Since the June 2009 coup d’état Honduras has been experiencing a human rights crisis. The Center for Constitutional Rights (CCR) and its international partners have received and compiled an alarming number of reports of human rights violations. This summary of human rights violations in April and May 2012 follows monthly reports CCR has compiled since December 2011. In some of the incidents listed below, it is clear that the Honduran military and/or police were directly involved in abuses. This list is not comprehensive, as numerous human rights violations go undocumented, unreported or uncollected. We have included incidents that were widely reported in the press as well as some incidents that were reported to CCR or other organizations but require further investigation.

The U.S. Congress has placed conditions on the State Department’s police and military aid to Honduras.¹ As a result, prior to disbursing twenty percent of the allocated funds, the State Department will be required to report to Congress on actions Honduras is taking to protect and promote human rights. We urge the State Department to uphold this obligation in earnest and to consider the incidents reported herein.

April-May 2012

In April 2012, human rights organizations based in Honduras reported intensified threats to human rights defenders. On April 24, 2012, the Committee of Relatives of the Disappeared in Honduras (COFADEH), a prominent human rights organization in Honduras, held a press conference to report intensified threats, surveillance, harassment and even physical attacks toward COFADEH staff and members. On April 30, 2012, the United States-based Honduras Accompaniment Project (PROAH) denounced death threats received via text message by two international members of their accompaniment team, representing the first reported threats against international human rights observers in Honduras since the coup d’etat.² Protective accompaniment through programs such as PROAH for individuals whose lives are at risk has proven critically important to defending the rights and protections accorded to human rights defenders per the UN Declaration on Human Rights Defenders.

Members and leaders of Civic Counsel of Popular Indigenous Organizations of Honduras (COPINH) held a press conference to report increased death threats during April 2012. COPINH member José Saldivar Gámez received a phone call in which he was warned he’d be assassinated if he continued to participate in COPINH activities. COPINH leaders Sotero Chavarria, Juan Vásquez, Rolando Gutiérrez and Berta Cáceres also threats via phone calls and text messages. COPINH Director Berta Cáceres also received threats to her children and other relatives. Another leader, Salvador Zúñiga, received death threats on various occasions, including against his family and visitors. Members of the community San Francisco

Opalaca, which is resisting plans to build at least four dams, also reported threats, along with the Santa Elena community. COPINH leaders Juan Bautista, Asunción Martínez and Julio German were threatened with judicial processes by groups allied with Gladys Aurora, the Congressional Secretary and shareholder of hydroelectricity companies.3

On April 17, 2012 thousands of landless farmers occupied 30,000 acres of land in a culmination of efforts to enforce review of land title claims promised to them under ousted President Manuel Zelaya and reclaim state lands held for agrarian reform but expropriated by large sugar plantations.4 Confrontations between private guards and military officials against organized farmers in the Lower Aguán region of Honduras have resulted in at least 47 peasant deaths in the last two and half years.5

In April 2012 the Inter-American Commission on Human Rights released its 2011 Annual Report, highlighting the human rights situation in Honduras and reaffirming its previous conclusions6 that “since the 2009 coup d’état there have been human rights violations, which seriously affected the Honduran people, and the effects or repercussions have persisted.” In May 2012, Amnesty International released their annual report for 2011 which, regarding Honduras, noted impunity for human rights violations by the military and police, killings in ongoing land disputes in Lower Aguán, forced evictions of hundreds of campesino families and intimidation of human rights defenders.8

State authorities have been accused of participating in a large number of human rights violations. The National Human Rights Commission (CONADEH) compiled a report finding that of 10,449 complaints it received of human rights violations, almost half (4,904) were against state authorities,9 and of that number 2,837 were against police.10 Unfortunately, investigations into violations remain rare and the Honduran government has met the rising tide of violence with the appointment of a national police chief accused of operating death squads and participating in myriad human rights abuses. On May 21, Juan Carlos Bonilla Vallades, nicknamed “El Tigre” or “The Tiger,” was appointed new national police chief. Bonilla has been accused by internal affairs investigators of operating a death squad and has been linked to at least three assassinations and disappearances between 1998 and 2002, as well as 11 other cases.11

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9 This includes police, judges, prosecutors, education and health officials, prisons, councils, etc.
In April 2012 two UN Independent Experts called on the Government of Honduras to take concrete measures to stop the killing of lawyers in the country. Gabriela Knual, Special Rapporteur on the Independence of Magistrates and Attorneys, and Christof Heyns, Special Rapporteur on Arbitrary Executions, made the following joint statement: “In addition to the frequency of the killings and the death threats against lawyers, we are worried about the impunity of these crimes in Honduras,” adding “Governments have the obligation of guaranteeing that attorneys can carry out all their professional duties without intimidation and without risking their safety and that of their relatives.”

Likewise, in May, European Union Ambassadors condemned threats against human rights defenders and journalists in Honduras. In particular, opposition party members, LGBTI activists and women’s rights defenders have been targeted in a pattern of assassinations, including the 15 murders of LGBTI activists such as journalist, LIBRE party candidate and LGBTI activist Eric Martínez Ávila. Director-General of UNESCO, Irina Bokova, specifically called for an investigation into Ávila’s killing.

**DEA Involvement in Massacre**

CCR and allied organizations are particularly concerned about the involvement of DEA agents in a massacre that occurred in May in the Moskitia region. On May 11, 2011 a DEA Foreign-Deployed Advisory Team (FAST) accompanied Honduran National Police forces in State Department helicopters launched from a U.S. forward-operating base on a joint narcotics operation in the Moskitia region. The operation was conducted under the umbrella of “Operation Anvil,” a joint Central American drug interdiction program tracking flights of potential drug planes passing through Honduras, including the use of non-U.S. contract pilots who may sidestep military rules of engagement. Gunners on board the helicopter opened fire on a pipante, a small dugout canoe, travelling on the Rio Patuca near Ahuás, a small municipality in the Moskitia region. The attack resulted in the killing of four civilians, including two pregnant women, as well as both a 14-year-old and 21-year-old. Four other local residents were seriously injured, including one injured and bleeding woman who clung to weeds in the river for up to three hours before receiving medical assistance.

Recent interviews collected by a human rights delegation to Ahuás reveal that just following the massacre, English-speaking security forces landed in Ahuás and aimed guns at, threatened to kill and handcuffed local residents who attempted to assist those wounded in the massacre.

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19 *Id.*
The massacre has met with widespread public outcry, yet the State Department has not opened an investigation into the presence of U.S. agents and the use of a U.S. forward operating base and State Department equipment in the perpetration of the massacre, referring instead to ongoing investigations by the DEA and the Honduran Attorney General’s office. Moreover, Ahuás villagers report that neither U.S. nor Honduran government officials have interviewed eyewitnesses or secured evidence at the crime scene.

Incidents with police and/or military involvement:

- April 12 [forced evictions]: An eviction was carried out by police and military against the farmers’ settlement at El Coroso in Catacamas, Olancho. Approximately 100 families’ homes and belongings within were destroyed by tractors, leaving them homeless. Farmers reported that livestock and grains were robbed. The community had been living on that land for over seven years.
- April 17 [forced evictions]: Military and police agents, accompanied by private security guards, carried out an eviction without eviction orders. Approximately 1,500 families had been occupying land they claimed was rightfully theirs in a coordinated action by the San Manuel Cortes farmers’ movement MOCSAN. MOCSAN members were detained and fingerprinted.
- April 19 [harassment, detentions]: Several police officers forced resistance and teachers union leaders Arnold Leiva, Manuel Toro, Roger Leiva and Alex Paz into their patrol vehicle and detained them without justification for over an hour in a police cell in Santa Barbara. Their phones were confiscated.

24 La Central Nacional de Trabajadores del Campo (CNTC).
May 1 [assassination]: In the indigenous Lenca community of San Bartolo, Intibucá police entered María de Los Santos Domínguez Benítez’s home without permission, searching for her son. When police could not find him, and her other son and active COPINH member and anti-hydroelectric dam activist Santos Alberto Rodríguez protested, police shot him in the head, killing him instantly.  

One month after the killing, Benedicto Galo Peña, the policeman responsible for the killing, has yet to be arrested and there is no report of an investigation.  

May 11 [massacre]: Four indigenous Miskito people, including two pregnant women, a 14-year-old boy and a 21-year-old man, were killed and four more were injured when four U.S. State Department helicopters launched from a U.S. base—and which the U.S. government confirms carried DEA personnel—opened fire on a dugout canoe carrying fishermen, women and children on the Patuca River in Ahuás. Villagers report that security forces appearing to be U.S. military personnel landed after the massacre, detained villagers, made death threats and prevented medical assistance to victims of the massacre.  

May 15 [violence, intimidation]: Police and lumber workers attacked Tolupan indigenous people of the Lavanderos community in the Montaña de la Flor.  

May 17 [detention]: Eight peasant farmers, including Celeo Rodríguez, President of the Settlement Trust, were detained without charge in Tocoa by police and military members of the Xatruch II operation and released only after the intervention of human rights defenders.  

May 21 [repression, student evictions]: Five students were detained during a protest by students of the Pedagogical University Francisco Morazon (UPNFM), conducted in solidarity with fellow students suspended for participating in political protests. The police reportedly brutalized several students in the process.  

May 24 [illegal detention]: 17 MUCA leaders participating in negotiations with INA Minister César Ham in El Progreso were detained at a military checkpoint.  

May 24 [detention]: La Paz police detained 16 labourers, including 3 members of COPINH and three minors as young as thirteen on their way to their workplaces which are under a Buenos Aires community title, on the basis that they were undocumented despite that the labourers were in their own community.  

Incidents in which level of police and/or military involvement is unknown:

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33 May 24, 2012 email on file with CCR.  
April 6 and 14 [death threats, intimidation] Journalist and human rights defender Dina Meza of COFADEH received new threats of rape, torture and death. Ms. Meza, who reports on human rights issues for Defensores en Linea, was previously granted precautionary measures by the Inter-American Commission on Human Rights (IAHCR) as early as 2006 and again in 2009; however, to date the Honduran government has not implemented the measures to ensure her security.35

April 11 [assassination] MUCA farmer of the Camarones cooperative and father of five Doninely López Alvarado (46) was assassinated with at least six high caliber gunshots in an ambush by at least two hooded unknown persons who were hiding near the Salamá extraction plant while Doninely was driving his motorcycle toward the La Confianza palm plantation. An underage youth who was riding with Doninely was injured from falling from the motorcycle.36

April 12 [threats, intimidation, unlawful conduct] Indigenous and human rights organization COPINH reported that two unknown individuals entered the COPINH offices saying “enough criticism by these radios” and proceeded to cut the electricity to the indigenous community radios La Voz Lenca and Radio Guarajambala. The radios have been an important part of the local communities´ struggle, especially in campaigning against the building of a dam to produce privatized electricity.37

April 20 [threats, bodily harm, harassment] Noemí Pérez, human rights defender and a founder of COFADEH, was attacked by someone waiting for her in a parked car at COFADEH’s entrance. This person yelled insults at her and hit her right leg with a wooden stick. Noemí has been a human rights defender for over 22 years, her brother Samuel Pérez was disappeared by death squads in 1982.38

April 23 [violence] Neftalí Zuniga of MOCSAN was wounded during a MOCSAN march after being shot in the abdomen by hidden snipers using high caliber firearms allegedly belonging to guards of Empresas Azucareras.39

April 23 [assassinations] Journalist and television presenter Noel Alexander Valladares and two companions were assassinated as they were leaving local TV channel Maya TV in Tegucigalpa. When driving away together they were shot by hooded men on a Toyota Prado. Noel’s spouse

and co-presenter Nelly Yorleny Pavón survived but was hospitalized with gunshot wounds in the legs requiring surgery.\textsuperscript{40}

- April 26 [threats, intimidation] Channel 6 journalist Santiago Cerna received death threats and was followed by several cars without numbered plates in a suspicious manner. Santiago received death threats by text messages from unknown numbers. Close friends also received threats by phone and text with references to him and with insults.\textsuperscript{41}

- April 27 [shootings, intimidation] Unidentified men armed with AK-47s repeatedly shot at the car of the Channel 6 journalist Elder Joel Aguilar on a highway in Copán. Elder and his partner escaped unharmed.\textsuperscript{42}

- April 30 [threats, intimidation] United States-based Honduras Accompaniment Project (PROAH) denounced death threats received via text message by two international members of their accompaniment team. The death threats received by PROAH team members were signed from CAM, a pseudonym that has been used in numerous threats against human rights defenders and journalists in Honduras since the coup d’état.\textsuperscript{43}

- May 1 [death threats]: Edgardo Castro, journalist and director of the program “El Látigo Contra la Corrupción” of Globo TV, received hundreds of threatening text messages of which approximately 100 were death threats during his May 1\textsuperscript{44} broadcast. He has received previous threats and a beating since the coup.\textsuperscript{44}

- May 2 [intimidation]: 16 gunshots were fired at the home of JBN National TV correspondent Selvin Martínez while children played outside.\textsuperscript{45}

- May 3 [assassination]: Sitraunah Autonomous University Workers’ Union lecturer in pedagogy Miguel Ángel Barahona Fiallos was assassinated outside his home in Colonia San Miguel, El Progreso. Miguel was a coordinator of the M.A. program of the UNAH-VS and had worked there 35 years.\textsuperscript{46}

- May 5-7 [assassination]: A leader of the LGBTI community, human rights and anti-coup activist, LIBRE party candidate and journalist Erick Alexander Martínez Ávila went missing on May 5, and was found dead by asphyxiation resulting from strangulation, lying face up in a sewer two days later.\textsuperscript{47}


\textsuperscript{44}“TV Programme Director Gets Hundreds of Threatening Text Messages,” IFEX, May 7, 2012, http://www.ifex.org/honduras/2012/05/09/castro_amenazas/.

\textsuperscript{45}“Shots Fired at Journalist’s Home,” IFEX, April 30, 2012, http://www.ifex.org/honduras/2012/05/02/martinez_shooting/;


• May 8 [assassination]: Choloma Cortés community leader and Secretary General of the Socialist Morazáncico Party, Edilberto Solano, was assassinated by two men on a motorcycle.  

• May 10 [verbal threats]: LGBTI and women’s rights activist Fanny Gevawer received threatening messages on her phone related to her political activities just three days after the body of her colleague Erick Alexander Martínez Ávila was found.  

• May 9-15 [kidnapping and assassination]: HRN news director Ángel Alfredo Villatoro was kidnapped while commuting to work in the capital city of Tegucigalpa. On May 15, his corpse was found in Las Uvas in Tegucigalpa.  

• May 16 [assassination]: Farmer Juan José Peralta Escoto, of the Marañoines MUCA settlement was assassinated by landowner Miguel Facussé’s private security guards. His son Juan Peralta of Rígores and son-in-law Antonio Vélez of Marañoines were critically wounded. The three men were attacked while driving corn and wood toward the National Agrarian Department office and the La Confianza farm.  

• May 18 [assassination]: Farmer José Efraín Del Cid of the Nueva Panamá farmers cooperative of MUCA Marañoines in the left bank of Aguán river was shot in the face and killed by unidentified persons when traveling in Sonaguera.  

• May 19 [gun attack]: Julio Lino of the Garífuna Cristales community in Trujillo was shot in the chest by Julio Crespo—member of the Crespo family who claims vast tracks of land under dispute—who shot wildly into a crowd during an occupation to reclaim Garífuna ancestral community titles dating to 1901. Julio Crespo was freed by authorities without investigation.  

• May 20 [assassination]: FNRP activist Jesús Octavio Pineda was shot dead by unknown persons with five gunshots to the head in a drive-by shooting near his home in the La Pradera neighbourhood of San Pedro Sula.


May 28 [death threats]: Antonio Cabrera, a Tela, Atlántida department radio journalist who issues critical reports of the local government, received death threats by text message from unknown persons during his morning broadcast.\footnote{“Periodista de la Radio Frescura Denuncia Amenazas de Muerte,” IFEX, Junio 1, 2012, available at: http://www.ifex.org/honduras/2012/06/01/cabrera_amenazas/es/}