



January 23, 2012

Honorable María Otero
Under Secretary
Democracy and Global Affairs

Honorable Michael Posner
Assistant Secretary
Bureau of Democracy, Human Rights, and Labor

U.S. Department of State
2201 C Street NW
Washington, DC 20520

Re: Concern for Safety of Honduran Citizens David Murillo and Silvia Mencías

Dear Ms. Otero and Mr. Posner:

I write to you to express my organization's serious concerns about the safety and security of our clients David Murillo and Silvia Mencías and to urge that your offices take all available steps to help ensure their safety and strenuously pursue these concerns with government officials in Honduras.

David and Silvia are citizens of Honduras and the parents of Isis Murillo, a nineteen-year-old who was shot and killed on July 5, 2009, by Honduran military at Toncontín Airport in Tegucigalpa. Isis had gathered there with thousands of others to await the return of President Manuel Zelaya who, as you know, had been illegally ousted and forced into exile the week before on June 28, 2009. Our organization represents David and Silvia in their civil case against Roberto Micheletti, who was involved in the coup and subsequently became *de facto* president, for the extra-judicial killing of their son and for the political persecution they suffered in the aftermath.

After suffering the violent loss of their son, the Murillos began receiving harassing and threatening calls and text messages. They were subjected to surveillance that included being followed and police helicopters circling over their residence, close enough that they could see

police with weapons drawn. At one point, fliers were dropped from the helicopter threatening that what happened to their son could happen to them. The Murillos fled their home in Tegucigalpa to a rural area where they hoped they would be less known and visible, but they continued to experience security concerns. After filing their case against Micheletti, their concerns grew with more evidence that they were being followed and were under surveillance. Their own experiences combined with the continued and alarming deterioration of the human rights situation in Honduras compelled them to seek refuge temporarily in Argentina. They have recently returned to Honduras and are concerned, understandably and justifiably, for their personal security and that of their family.

Sadly, the Murillos' experiences are entirely consistent with the current state of affairs in Honduras, aptly described in the November 28, 2011, letter to the Secretary of State from United States Rep. Howard L. Berman, Ranking Member of the House Committee on Foreign Affairs, in which he expressed his "grave concern regarding the current human rights situation in Honduras, and in particular the role of Honduran state security forces in human rights abuses, which in the past two months has reached a distressing pitch." It is also consistent with the concerns expressed in a May 31, 2011, letter signed by eighty-seven members of Congress, which noted in particular that "members of the security forces are implicated in many incidents of threats, harassment, attacks and extrajudicial executions."

The Murillos' experiences are also borne out by repeated findings of the Inter-American Commission on Human Rights, which has well documented the "disproportionate use of force to quell public demonstrations against the policies of the current government; the lack of independence of the judiciary; and the situation of human rights defenders." Indeed, the Truth and Reconciliation Commission, which was established by the coup government, in part at the urging of the United States, also noted the involvement of state security forces or "people acting in [the state's] interest" in the killing of those in opposition to the coup and coup-government. Additionally, in an expert report submitted in the Murillos' case, Human Rights Watch investigator Tamara Taraciuk details and documents the complete culture of impunity that prevails in Honduras for the coup and the human right violations that have multiplied exponentially since the coup.

The Murillos, having lost their son who was violently killed while peacefully assembling in Honduras, are victims of a most egregious and tragic human rights violation. But, in seeking accountability for Isis' killing and the menacing, threats and harassment they have suffered as part of the political persecution in Honduras, they are also courageous human rights defenders. It is imperative that the United States continue to reassess its policy toward Honduras and support for Honduran security forces, as urged by members of Congress. At the same time, it is imperative that the Embassy publicly denounce the threats and harassment already suffered by the Murillos and publicly declare to Honduran government officials the obligation to respect and protect the human right to life and personal security of David Murillo and Silvia Mencías, specifically, and of all human rights defenders in Honduras.

Please note that my organization has partnered with the Honduran human rights organization *El Comité de Familiares de Detenidos Desaparecidos en Honduras* (COFADEH), which serves as

local counsel to the Murillos. As such, any communication with the Murillos should be directed through Bertha Oliva, the Executive Director of COFADEH.

Sincerely,

A handwritten signature in black ink, appearing to read "Vincent Warren". The signature is stylized and written in a cursive-like font.

Vincent Warren
Executive Director
Center for Constitutional Rights

cc Deputy Assistant Secretary Kathleen Fitzpatrick
Senator Patrick Leahy
Representative Howard L. Berman
Representative James McGovern

Enclosures (3):
Human Rights Watch Expert Declaration by Tamara Taraciuk
Letter to Secretary Clinton by Members of Congress
Letter to Secretary Clinton by Representative Howard L. Berman