

April 30, 2012

Reports Received by CCR of Human Rights Violations in Honduras in February and March 2012

Since the June 2009 coup d'état in Honduras that overthrew President Manuel Zelaya, a number of groups and professions have experienced systematic human rights violations. These groups include organized peasant farmers (campesinos), journalists, lesbian, gay, bisexual and transgender (LGBT) individuals, attorneys, members of the political opposition, and human rights defenders. Impunity for violence is the norm, and reports of death threats, surveillance and harassment have become commonplace.¹ Human Rights Watch's World Report 2012 lists attacks on journalists, rural violence, excessive use of force against demonstrators, lack of judicial independence, hostility against human rights defenders, violence against members of the LGBT community and lack of accountability for post-coup abuses as factors that contribute to an ongoing, pervasive climate of fear and intimidation.²

From February 7 to 14, 2012, United Nations Special Rapporteur on the situation of human rights defenders Margaret Sekaggya went on a mission to Honduras to evaluate the conditions for human rights defenders there. Upon the conclusion of her visit, Ms. Sekaggya reported, "the pervasive impunity and absence of effective investigations of human rights violations undermine the administration of justice and damage the public's trust in authorities... Public officials, including high-ranking authorities, have made public statements which stigmatise human rights defenders... [who] abstain from seeking protection as they consider that contact with the police exposes them to increased security risks."³

On March 12, 2012, ninety-four members of the House of Representatives sent a letter to U.S. Secretary of State Hilary Clinton calling on the State Department, "to suspend U.S. assistance to the Honduran military and police given the credible allegations of widespread, serious violations of human rights attributed to the security forces."⁴ Seven U.S. Senators signed a similar letter to the State Department stating that over 300 people have been killed by state security forces in Honduras since the 2009 coup d'état.⁵

The U.S. Congress has placed conditions on the State Department's police and military aid to Honduras.⁶ 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

¹ Annie Murphy, "In Honduras, Police Accused of Corruption, Killings," *National Public Radio*, February 11, 2012, available at: www.npr.org/2012/02/11/146668852/in-honduras-police-accused-of-corruption-killings/.

² "World Report 2012," *Human Rights Watch*, 2012, pp. 259-264, available at: <http://www.hrw.org/world-report-2012/>.

³ The United Nations Office of the High Commissioner for Human Rights, "Statement of the United Nations Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, on the conclusion of her official visit to Honduras," February 14, 2012, available at:

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11830&LangID=E>.

⁴ See: <http://ccrjustice.org/files/House%20of%20Representatives%20Honduras%20letter.pdf>

⁵ See: <http://ccrjustice.org/files/Senate%20Honduras%20letter.pdf>

⁶ Consolidated Appropriations Act of 2012, Pub. L. no. 112-74 (2011).

urge the State Department to uphold this obligation in earnest and to consider the incidents reported herein.

The Center for Constitutional Rights and its international partners have received and compiled an alarming number of reports of human rights violations in Honduras. In some 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 the months of February and March 2012 below. This represents a two-month 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 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.

In addition to the incidents listed below, we must note that on February 14, 2012, a devastating prison fire in Comayagua claimed at least 360 lives. The US Ambassador to Honduras stated, “there was negligence and violation of the law on the part of authorities by allowing these prisons to remain overcrowded and in dangerous conditions.”⁷ The facility housed sixty percent more inmates than it could safely hold – many of whom were awaiting trial. On February 15, the Inter-American Commission on Human Rights deplored the deaths and stated, “prison overcrowding not only constitutes in itself a form of cruel, inhuman, and degrading treatment, but is a factor that jeopardizes the life and personal integrity of those who are incarcerated in a particular facility.”⁸ As of March 8, only 110 bodies had been delivered back to mourning families for burial.⁹ One month later, another fire broke out amidst rioting in the San Pedro Sula prison, killing thirteen and demonstrating again the urgent need for prison reform.¹⁰

Incidents with police and/or military involvement:

- February 1 [*detention*]: Vitalino Álvarez, the spokesperson of the Unified Campesino Movement of the Aguán (MUCA), was arrested without a warrant. Álvarez had represented MUCA in land negotiations with the government and turned down President Lobo’s terms.¹¹
- February 2 [*detention, intimidation*]: Thirteen MUCA leaders were detained at a police checkpoint upon their return from meetings about the campesino movement in Aguán. They were reportedly brought to a police station in Tela in cars without license plates and have since been released.

⁷ “Deadly Honduras jail rise due to ‘negligence’: US,” *Associated Foreign Press*, March 8, 2012, *available at*: <http://www.google.com/hostednews/afp/article/ALeqM5i4sLTJ3sPXVfPr2tZ9MgtDNOqsqw?docId=CNG.b58b4af3e895329b9eef1ceae87d6b0.191>. *See also*: “Fire chief: 382 died as flames tore through Honduran prison,” *CNN*, February 16, 2012, *available at*: http://articles.cnn.com/2012-02-16/americas/world_americas_honduras-prison-fire_1_prison-fire-honduran-prison-mattress-fire?s=PM:AMERICAS.

⁸ Inter-American Commission on Human Rights, “IACHR Deplores Deaths in Fire in Honduras Prison No. 19/12,” February 15, 2012, *available at*: http://www.oas.org/en/iachr/media_center/PReleases/2012/019.asp.

⁹ *Id.*

¹⁰ It remains unclear whether the deaths were caused by the fire or the unrest. While the Chief of Police contends that gang rivalry provoked the tragedy, Security Minister Pompeyo Bonilla admitted that the fire had again highlighted the critical prison situation in Honduras. *See*: “Honduras San Pedro Sula prison unrest and fire kill 13,” *BBC*, March 29, 2012, *available at*: <http://www.bbc.co.uk/news/world-latin-america-17557658>.

¹¹ “Detienen al vocero del Muca,” *La Tribuna*, February 1, 2012, *available at*: <http://www.latribuna.hn/2012/02/01/detienen-al-vocero-del-muca>.

- February 8 [*forced eviction*]: A delegation organized by the United States-based La Voz de los de Abajo reported that military officers of the La Ceiba 4th battalion forcibly evicted farmers from the Salado Lislis community. The community reported that 200 armed troops were present, some of whom were allegedly wearing shirts that said “Dole” under army or police-issued bullet-proof vests.¹² The officers were accompanied by bulldozers that reportedly destroyed eighty homes and destroyed fields of crops; the community said that the officers cut down plants and trees and pulled up yucca.
- February 19 [*threats, intimidation*]: A convoy of twenty journalists traveling to the International Gathering for Human Rights in Tocoa was stopped by military troops. The occupants of a car driven by a MUCA leader were detained. Journalist Giorgio Trucchi reported that the officers waved their guns in a show of visible threat.¹³
- February 21 [*use of teargas*]: In the wake of the Comayagua prison fire, many families were not granted access to the morgue in order to identify loved ones. *Reuters* reported that the morgue was not large enough to accommodate the hundreds of corpses and that body bags littered the ground at the site and were rotting. Police used tear gas on hundreds of people that pushed their way into the morgue to locate deceased loved ones.¹⁴
- February 24 [*forced eviction, detention*]: Police forcibly evicted the campesino collective “Recuperando lo Nuestro” in La Paz and detained nine peasant workers. In a statement about the incident, the National Rural Workers Association (CNTC) reported that nighttime raids, repeat evictions, violence and the mistreatment of children and pregnant women have become regular tactics of the police in La Paz, Santa Barbara, Comayagua and the Aguán.¹⁵
- March 5 [*officer misconduct*]: The Permanent International Observatory of Human Rights in the Aguán accused Walter Maldonado, former director of the National Directorate of Criminal Investigation (DNIC), of stealing records that would have implicated police officers in murder, kidnapping, robbery and threats.¹⁶
- March 16 [*threats*]: Approximately three hundred soldiers were posted outside of a campesino community near Rigores and threatened the community with eviction.¹⁷
- March 21 [*violence, arrest*]: An estimated 200 military and police officers raided a camp where relatives of the Comayagua prison fire victims were protesting. They beat the protestors with clubs and detained at least one person, Ricardo Pineda, without any formal charge.¹⁸

¹² Email communication from La Voz de los de Abajo, February 20, 2012, on file with CCR.

¹³ “Aguán – Quiet please, crackdown in progress,” *Reporters Without Borders*, March 12, 2012, available at: <http://en.rsf.org/honduras-journalists-and-civil-society-02-03-2012,41987.html>.

¹⁴ “Morgue raided after Honduras prison fire,” *Al Jazeera*, February 21, 2012, available at: <http://www.aljazeera.com/news/americas/2012/02/2012221173212428539.html>.

¹⁵ Email communication from School of the Americas Watch, February 24, 2012, on file with CCR.

¹⁶ Statement from Wilfredo Paz, Permanent International Observatory of Human Rights in the Aguán, March 30, 2012, available at: <http://www.acodehu.com/?p=1536>.

¹⁷ *Id.*

¹⁸ Dina Meza, “Militares y policías golpean con fusiles y toletes a familiares de privados de libertad que esperan los cuerpos de sus parientes,” *Defensores en Línea*, March 22, 2012, available at: http://www.defensoresenlinea.com/cms/index.php?option=com_content&view=article&id=1930:militares-y-policias-golpean-con-fusiles-y-toletes-a-familiares-de-privados-de-libertad-que-esperan-los-cuerpos-de-sus-parientes&catid=54:den&Itemid=171.

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

- February 5 [*killings*]: Otilio Jiménez, the president of a Villanueva workers' union, was murdered in his workplace in broad daylight.¹⁹
- February 8 [*violence*]: The Permanent International Observatory of Human Rights in the Aguán claim that farmer Dionis Martínez was shot several times in front of the land of the Buenos Aires Peasant Movement. Martínez's uncle, Juan Galindo, is the president of a Maroñones settlement farmers' company.²⁰
- February 9 [*violence*]: Men on a motorcycle attempted to shoot farmer Ilier Romero but missed. Ilier's father, Tito Rodrigues, is another Maroñones settlement farmers' leader.²¹
- February 9 [*threats*]: Teacher and vice president of the Colegio de Profesores de Educación Media de Honduras (COPEMH), Néstor Alemán, received death threats after he publically criticized the Fundamental Education Bill and addressed issues regarding teacher pension funds on a television program called Politics and Society. COPEMH has had tension with the Honduran state ever since several of its leaders spoke out against the coup government in 2009.²²
- February 17 [*killings*]: Student activist Marlon Eugenio Villeda Izaguirre, 19, and his two friends, Gabriela Lizeth Cárdenas, 19, and Paxi Yamileth Escobar Ortega, 34, were murdered in a drive-by shooting. Villeda was a vocal member of the Revolutionary Socialist Student Front.²³
- February 22 [*threats, intimidation*]: Wilfredo Paz, coordinator of the Permanent International Observatory of Human Rights in the Aguán, received text messages threatening his life and the life of Juan Chinchilla, land rights activist and MUCA leader, just days after the International Meeting in Solidarity with the Aguán. One of the threats read: "Juan Chinchilla, your name is on the list we are looking for your head." No one has been tried for the kidnapping and torture of Chinchilla last year, and although the Inter-American Commission on Human Rights granted Paz precautionary measures in 2009, the Honduran government has not implemented them.²⁴
- February 23 [*theft, threats*]: Ivis Alvarado, a television program director who has been persecuted for his vocal opposition of the coup government, had his car was broken into, and two computers were stolen from his home. He reports receiving persistent death threats.²⁵

¹⁹ "Ultiman a presidente de patronato de Brisas del Rosario," *Tiempo*, February 5, 2012, available at: <http://www.tiempo.hn/index.php/sucesos/4724-ultiman-a-presidente-de-patronato-de-brisas-del-rosario>. See also: "En su propio negocio acaban con la vida de un dirigente communal," *La Tribuna*, February 7, 2012, available at: <http://www.latribuna.hn/2012/02/07/en-su-propio-negocio-acaban-con-la-vida-de-un-dirigente-comunal/>.

²⁰ "Denuncia: sigue el terror de estado en el norte de Honduras," *ACODEHU*, February 11, 2012, available at: <http://www.acodehu.com/?p=1273&lang=es>.

²¹ *Id.*

²² Marvin Palacios, "Amenazan a muerte a coordinador de la secretaría de DDHH de las organizaciones magisteriales de C.A.," *Defensores En Linea*, February 9, 2012, available at: http://defensoresenlinea.com/cms/index.php?view=article&catid=54%3Aden&id=1839%3Aamenazan-a-muerte-a-coordinador-de-la-secretaria-de-ddhh-de-las-organizaciones-magisteriales-de-ca-&tmpl=component&print=1&page=&option=com_content&Itemid=171.

²³ "Sicarios acribillan a un hombre y dos mujeres," *La Prensa*, February 17, 2012, available at:

<http://www.laprensa.hn/Secciones-Principales/Sucesos/Sicarios-acribillan-a-un-hombre-y-dos-mujeres>.

²⁴ "Two Honduran Activists Receive Death Threat," *Amnesty International*, February 27, 2012, available at:

<http://www.amnesty.org/en/library/asset/AMR37/003/2012/en/55fda04d-f98b-43e9-93e4-6028da96f323/amr370032012en.html>.

²⁵ "Regional radio journalist murdered by assailant with machete," *Reporters Without Borders*, March 12, 2012, available at: <http://en.rsf.org/honduras-journalists-and-civil-society-02-03-2012,41987.html>.

- February 24 [*threats, bribery*]: Jeremías Martínez Junior, a young MUCA leader, received a text message offering him \$7500 for Juan Chinchilla's address.²⁶ See February 22 note for information about Juan Chinchilla.
- February 24 [*threats*]: Danilo Osmaro Castellanos, the vice president of the Comité por la Libre Expresión (C-Libre), received death threats in the form of phone calls and text messages after he criticized a government official on the news show *Honduras a Todo Noticias*.²⁷
- February 24 [*threats*]: Journalist Luis Rodríguez, cameraman Javier Villalobos, television station operator Juan Ramón Flores and Digicable manager Ramón Cabrea all received phone and text threats during their continuous coverage of the Honduran prison fire.²⁸ The men raised particularly uncomfortable questions surrounding police involvement, locked prison doors, reports of gunfire, autopsies, accusations of bribery and the prison director's failure to call firefighters.²⁹
- February 27 [*violence*]: Judge Erick Euceda Ortez survived a drive-by shooting. He was shot twice. Euceda stated that he believes that the attempt on his life is directly related to his work and called for increased protection of high-profile lawyers and judges in Honduras.³⁰
- February 29 [*threats*]: *Radio Libertad* journalist Mavis Ethel Cruz received death threats after she made public comments about a senior police officer's resignation. Cruz has previously condemned the coup government and reported on corruption scandals.³¹
- February 29 [*killing*]: Journalist Saira Fabiola Almendares Borjas, 22, was shot and murdered alongside José Ramón Orellana Castellanos and an unknown companion. Their bodies were found in a field in Choloma.³²
- March 12 [*killing*]: Fausto Elio Hernández, former correspondent of the news program *La Voz de la Noticia*, was murdered by attackers with machetes on his way home.³³ Hernandez was the 19th journalist murdered since the coup and the second since the start of 2012.³⁴
- March 12 [*killing*]: Marvin José Andrade, a farmer in the Cayo Campo community, was burned, tortured and murdered after receiving numerous death threats from nearby landholders' security guards.³⁵

²⁶ See supra note 13.

²⁷ "C-Libre Vice President Receives Death Threats," *International Freedom of Expression Exchange*, February 24, 2012, available at: http://www.ifex.org/honduras/2012/02/27/amenaza_muerte/.

²⁸ "Journalists receive death threats after reporting on prison fire," *International Freedom of Expression Exchange*, February 24, 2012, available at: http://www.ifex.org/honduras/2012/02/27/prison_fire/.

²⁹ See supra note 25.

³⁰ "El atenido es por el trabajo que hago: juez Erick Euceda," *La Prensa*, March 1, 2012, available at: <http://www.laprensa.hn/Secciones-Principales/Honduras/San-Pedro-Sula/El-atenido-es-por-el-trabajo-que-hago-juez-Erick-Euceda>.

³¹ See supra note 25.

³² "Indignación en entierro de periodista Saira Almendares," *La Prensa*, March 3, 2012, available at: <http://www.laprensa.hn/Secciones-Principales/Sucesos/Indignacion-en-entierro-de-periodista-Saira-Almendares>.

³³ "Director-General condemns brutal murder of Honduran radio journalist Fausto Elio Valle Hernández," *UNESCO Press*, March 22, 2012, available at: http://www.unesco.org/new/en/media-services/single-view/news/director_general_condemns_brutal_murder_of_honduran_radio_journalist_fausto_elio_valle_hernandez/. See also: "Asesinan a machetazos a un periodista de una radio regional: 'La barbarie no conoce tregua,'" *Reporters Without Borders*, March 12, 2012, available at: <http://es.rsf.org/honduras-periodistas-y-actores-de-la-02-03-2012,41980.html>.

³⁴ *Id.*

³⁵ "Otro asesinato en el Bajo Aguan, Honduras," *ACODEHU*, March 30, 2012, available at: <http://www.acodehu.com/?p=1536&lang=es>. See also: Radio Mundo Real, April 10, 2012, available at: <http://radiomundoreal.fm/5358-se-requiere-atencion-urgente?lang=es>.

- March 13 [*threats*]: Alex Roberto Sabillón Gómez, a television journalist from Choloma, reported receiving death threats during his program regarding human rights violations against street vendors and market tenants. Sabillón had filed a formal complaint in 2010 about a death threat from the Choloma municipal alderman, but no action was taken in response.³⁶
- March 15 [*violence, threats*]: Approximately twenty private security guards entered a community in Comayagua and opened fire on a group of campesinos and their families; they wounded two women with bullets and beat another. Two of the private security guards threatened Francisco Caraccioli, a human rights defender who has been documenting human rights violations of the community.³⁷
- March 29 [*killings, violence*]: A group of campesinos were heading home from work in Trujillo when they were attacked by unknown men in cars. Four men died and eleven were injured.³⁸

³⁶ "Journalist receives death threat in Choloma," *C-Libre/International Freedom of Expression Exchange*, March 20, 2012, available at: http://www.ifex.org/honduras/2012/03/20/gomez_death_threat/.

³⁷ "Hombres armados al servicio de esposa del general López Arellano disparan contra coampesinos en Comayagua," *Defensores en Línea*, March 15, 2012, available at: http://www.defensoresenlinea.com/cms/index.php?option=com_content&view=article&id=1922%3Ahombres-armados-al-servicio-de-esposa-del-general-lopez-arellano-disparan-contr-campesinos-en-comayagua&Itemid=166.

³⁸ "4 farmworkers killed in Honduras land conflict," *Associated Press*, March 30, 2012, available at: <http://www.businessweek.com/ap/2012-03/D9TQSNLGO.htm>.