



September 29, 2011

## **Reports Received by CCR of Honduran Police and Military Involvement in Human Rights Violations in the Aguan Region between March 2011 and September 2011**

### **Background**

Until the June 2009 coup, the Honduran government had been investigating the validity of property titles in the Aguan region to determine whether peasant farmers (campesinos) had been wrongfully deprived of land through fraudulent “transfers” or other unlawful means that had resulted in the consolidation of valuable farmland in the hands of a few wealthy individuals in the 1990s.<sup>1</sup> The post-coup regimes ceased these investigations, resulting in the continuation of plantation-like land distribution and labor arrangements. Several campesino groups, including the Unified Campesino Movement of the Aguan [MUCA], Authentic Campesino Reclamation Movement of the Aguan [MARCA], and the Campesino Movement of Aguan [MCA], have been demanding the return of lands to peasant farmers and engaging in non-violent civil disobedience since before the coup to bring attention to the issue and push for investigations.

Since the coup, Honduran military and police, along with private security forces hired by individuals and businesses disputing the campesinos’ claims, have engaged in outright violence, threats, and other intimidation tactics against such groups and their members.<sup>2</sup> Specifically, campesinos and journalists covering the conflict and government opponents, have been the targets of torture, kidnappings, disappearances, and targeted slayings. As documented by one human rights mission to Aguan, “All the peasants visited by the [International Verification] Mission reported a **generalized atmosphere of fear and terror caused by continual threats and harassment** from the military, police, and the local businesses’ security guards.”<sup>3</sup> August of 2011 was considered “an exceptionally

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<sup>1</sup>The Oxford Committee for Famine Relief found that some one-third of the most desirable agricultural lands in Honduras are owned by just 1 percent of its populace.

<sup>2</sup>Reports indicate that the private security forces are trained as or by paramilitaries and, in some instances, by national military forces as well. Andrew Kennis, *Honduras: Wealthy Landowners Attempt to Quash Farming Collectives*, TRUTHOUT (Sept. 16, 2011), available at <http://www.truth-out.org/honduras-wealthy-landowners-attempt-quash-farming-collectives/1316109207>.

<sup>3</sup>International Verification Mission, Honduras: Human Rights Violations in Bajo Aguán, International Fact Finding Mission Report (“International Verification Mission Report”) (July 2011) (English version), available at [http://www.kua.fi/filebank/3870-Honduras\\_FFM\\_Report\\_Bajo\\_Aguan.pdf](http://www.kua.fi/filebank/3870-Honduras_FFM_Report_Bajo_Aguan.pdf).

violent month during what has been an exceptionally violent year.”<sup>4</sup> A recent New York Times article reports that “at least 15 people have been killed in recent weeks alone.”<sup>5</sup> A snapshot of such incidents over recent months is provided in the timeline below.

The resumption of U.S. military aid to Honduras after the coup, despite non-action by Honduran authorities in the face of consistent reports of human rights abuses against campesinos in the Aguan by state forces and private security, is highly problematic. Greater transparency about where and how U.S. aid is being used is necessary and, until such information is obtained and it can be confirmed that U.S. training and/or funding of Honduran security forces are not exacerbating this human rights crisis, U.S. funding should be suspended.

The timeline below reflects some of the human rights abuses perpetrated by Honduran security forces, based on reports that CCR has collected. This list is not a comprehensive collection and more detailed accounts can be obtained from the organizations and individuals identified in the footnotes below.

While the timeline focuses on recent reports, we want to highlight the case of **Juan Chinchilla**, a Honduran land rights activist who was kidnapped on January 8, 2011, held in captivity, interrogated about MUCA activities and tortured, but managed to escape. He reported that uniformed police and military were present during his captivity.<sup>6</sup> We also note that, while not included in this summary, private security forces have been identified as having perpetrated human rights abuses, including murder, kidnappings, and violent attacks, on campesinos and groups both on their own and in connection with state security forces.

### **MARCH 2011:**

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- 18 March: [*harassment*] Forced eviction of Authentic Campesino Reclamation Movement of the Aguan [MARCA] from the San Esteban Cooperative by police, army and private security guards.<sup>7</sup>

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<sup>4</sup>Andrew Kennis, *Honduras: Wealthy Landowners Attempt to Quash Farming Collectives*, TRUTHOUT (Sept. 16, 2011), available at <http://www.truth-out.org/honduras-wealthy-landowners-attempt-quash-farming-collectives/1316109207>

<sup>5</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?\\_r=1&pagewanted=1&src=twr](http://www.nytimes.com/2011/09/16/world/americas/honduras-land-conflicts-highlight-polarization.html?_r=1&pagewanted=1&src=twr).

<sup>6</sup>International Verification Mission Report, supra note 4; Rights Action, *Honduras Re-Admitted to the OAS; 3 Killed; 2 Kidnapped in the Aguan*, (June 9, 2011), available at <http://hondurashumanrights.wordpress.com/2011/06/16/honduras-re-admitted-to-the-oas-3-killed-2-kidnapped-in-the-aguan/>; Email communication from La Voz de Los de Abajo (dated Mar. 23, 2011) (on file with CCR).

<sup>7</sup>International Verification Mission Report, supra note 4.

- 21 March: [*violence*] **San Esteban Cooperative** attacked by armed men in vehicles carrying police insignias.<sup>8</sup>
- 23 March: [*threats; harassment*] **Blanca Espinoza**, President of Buenos Amigos de Saba, a cooperative in Colon, along with other members, reported being harassed by paramilitary guards since they were evicted from their lands. Ms. Espinoza and her daughters had received text message death threats, been followed from their homes, and even shot at while meeting with others during the preceding six months.<sup>9</sup>
- 30 March: [*harassment; violence*] Police and military used live ammunition to disperse peaceful protest in Planes, municipality of Sonaguera. One person was killed by the gunfire. Among those wounded by the gunfire were: **Neptalí Esquivel**, of the Nueva San Esteban peasant cooperative who was left permanently disabled; **Waldina Díaz**, teacher from Trujillo; **Mauro Rosales** of the Movimiento Unificado del Aguán (MUCA); **David Corea**, television cameraman in Olanchito; **Juan Antonio Vásquez**, president of the peasant cooperative Bolero; **Paulino Chávez Rosales** and **Franklin Hernández** of the peasant cooperative 4 de marzo; **Víctor Euceda** of the peasant cooperative 4 de febrero; **Daniel Pérez** of the peasant cooperative 4 de diciembre; professors **Elías Erazo Hernández** and **Eduardo Rivera** of Trujillo.<sup>10</sup>

#### **MAY 2011:**

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- 5 or 7 May:<sup>11</sup> [*killling*] [**Henry**] **Roney Diaz**, MARCA [El Despertar Cooperative], was ambushed by Orion security guards, police, and soldiers from the Honduran Army's 15<sup>th</sup> Battalion, after having been critical of businessman and landowner Miguel Facusse and his Dinant Corporation. (Orion provides private security for Dinant.) After the murder, police monitored Diaz's parents' home.<sup>12</sup>
- 21 May: [*kidnapping; disappearance*] **Olvin Gallegos** and **Segundo Gomez**, MARCA members, were kidnapped by private security guards (paramilitary-trained) while crossing the El Mochito, a palm plantation. An investigation at the El Mochito a few hours later was greeted by 2 patrols, 32 police officers, and army commandos (about 100 soldiers altogether) guarding the plant, all wearing masks. The company denied the two men were on the premises; they are still missing.<sup>13</sup>

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<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> Email communication from Committee of Relative of the Disappeared [COFADEH] (dated Mar. 31, 2011) (on file with CCR); see also Everaldo Martinez, *Desalojo violento en Planes deja 12 heridos de bala* (Mar. 30, 2011), available at [http://www.defensoresenlinea.com/cms/index.php?option=com\\_content&view=article&id=1271:desalojo-violento-en-planes-deja-12-heridos-de-bala&catid=42:seg-y-jus&Itemid=159](http://www.defensoresenlinea.com/cms/index.php?option=com_content&view=article&id=1271:desalojo-violento-en-planes-deja-12-heridos-de-bala&catid=42:seg-y-jus&Itemid=159) (English translation available at <http://hondurashumanrights.wordpress.com/2011/03/30/violent-eviction-in-planes-leaves-12-injured-one-dead/>).

<sup>11</sup> International Verification Mission Report, *supra* note 4.

<sup>12</sup> Letter from Annie Bird, Rights Action, to Jose Luis Gomez de Prado, *Partial list of Bajo Aguan campesinos victims of the paramilitary group functioning in the region* (dated Sept. 6, 2011) (on file with CCR).

<sup>13</sup> International Verification Mission Report, *supra* note 4.

## JUNE 2011:

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- 5 June: [*killings*] **Jose Recinos Aguilar, Joel Santamaria** and **Genaro Cuesta**, MARCA members, were shot and killed while in a car a few meters from the San Esteban Cooperative. Their assailants were in a marked Honduran police vehicle that retrieved the bodies and brought them to the forensic medicine office in La Ceiba the same afternoon.<sup>14</sup>
- 9 June: [*killings*] **Jose Luis Rodriguez**, 89 years old, burned alive in his home in the agrarian community of 28 de mayo, which borders Tocoa, during an assault by 40 police officers using tear gas and burning homes in the community. A community member who pleaded with the security forces to not burn the houses also was severely beaten.<sup>15</sup>
- 23-26 June: [*harassment; violence*] Rigores community in Tocoa violently and unlawfully evicted; over 100 homes burned by 50 police, mostly of the special forces COBRA unit, and private security forces working for palm plantations.<sup>16</sup> Additionally, the police and security forces set fire to community's crops, school, kindergarten, and two churches, leaving the families without shelter and means of life. The COBRA unit included in the attack included a military sharp shooter and the entire attack carried the markings of a strategic military assault. Authorities claim to have conducted the eviction "lawfully" notwithstanding the egregiously excessive use of force and lack of any investigation by the Public Ministry into land rights.<sup>17</sup>

## JULY 2011:

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- 1 July: [*harassment; violence*] Rigores community in Tocoa again attacked by police and private security forces, burning the homes that were being rebuilt after the June 2011 attack.<sup>18</sup>

## AUGUST 2011:

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- 2 August: [*harassment; violence*] Rigores community in Tocoa yet again attacked by police and private security forces, this time wounding **Ariel Lara**, a man from a **neighboring community**.<sup>19</sup>

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<sup>14</sup> *Id.*

<sup>15</sup> Annie Bird, Rights Action, *Rigores Community Attacked and Burned to the Ground, to Make Way for Production of African Palm and Sugar Cane, for Diesel Bio-Fuel Production* (July 1, 2011), available at [http://www.rightsaction.org/articles/Honduras\\_Aguan\\_violence\\_091711.html](http://www.rightsaction.org/articles/Honduras_Aguan_violence_091711.html).

<sup>16</sup> International Verification Mission Report, *supra* note 4; Muriel Soy, *Another Campesino Murdered: Two more in police custody*, HONDURAS: HUMAN RIGHTS (Aug. 14, 2011) available at <http://hondurashumanrights.wordpress.com/2011/08/14/campesino-killed-in-the-aguan> (source: Rights Action); Annie Bird, *Rigores Community Attacked and Burned to the Ground, to Make Way for Production of African Palm and Sugar Cane, for Diesel Bio-Fuel Production*, rightsaction.org (July 1, 2011), available at [http://www.rightsaction.org/articles/Honduras\\_Aguan\\_violence\\_091711.html](http://www.rightsaction.org/articles/Honduras_Aguan_violence_091711.html).

<sup>17</sup> *Id.*

<sup>18</sup> Muriel Soy, *Another Campesino Murdered: Two more in police custody*, HONDURAS: HUMAN RIGHTS (Aug. 14, 2011) available at <http://hondurashumanrights.wordpress.com/2011/08/14/campesino-killed-in-the-aguan> (source: Rights Action).

[*kidnapping; disappearance*] **Mauricio Joel Urbino Castro**, taxi driver having his cab repaired at a local garage when four armed men wearing ski masks identified themselves as police [“[W]e’re the police – hit the floor!”], ordered everyone on the ground, kicked the garage owner, and beat Mauricio Joel Urbino Castro before tying his hands behind him, violently removing him from the garage, and forcing him into an unidentifiable truck. He has not been seen since.<sup>20</sup>

- 13 August: [*threats; harassment*] **Lenikin Lemos Martinez** and **Denis Israel Castro**, 17 and 18 years old, beaten by police, arrested, and charged with murder; neighbors claim charges are false and politically motivated. This occurred in Guadalupe Carney, home to the MCA. Military along with palm plantation security forces also opened fire in the Rigores community on the same day.<sup>21</sup>
- 15 August: [*killing*] **Javier Melgar**, 17 years old, killed after military launched a joint attack with private security guards against campesinos from the Movimiento Campesino Colonia Nueva Vida de Rigores in Colon. Palm company security forces refused to allow Melgar’s family to recover the body, and Colon authorities refused to recover the body from the company for the family or for official investigation.<sup>22</sup>
- 21 August: [*kidnapping*] **Oscar Elias Lopez Munoz** kidnapped from his home, in the presence of his wife and 10-year old daughter, by hooded men wearing ski masks in the Suyapa neighborhood of Chamelecon in north Honduras; the men arrived in three cars, broke down the doors of his home, identified themselves as agents of the National Department of Criminal Investigation (DNIC) before forcibly removing him.<sup>23</sup>
- 30 August: [*kidnapped*] **Jose Reynaldo Cruz Palma**, president of the Community Council (Patronato) of Planeta Neighborhood in San Pedro Sula, kidnapped by agents of the DNIC and Preventative Police who intercepted a bus on which he was travelling and forcibly abducted him without cause in the presence of his wife.<sup>24</sup>

## **SEPTEMBER 2011:**

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- 15 September: [*violence*] On Honduran independence day, the National People’s Resistance Front (FNRP) called for peaceful public protests. In Tocoa, Colon, about 600 people participated in the FNRP protest. The police attempted to arrest a number of participants without cause; several leaders of social organizations sought to intervene

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<sup>19</sup> Muriel Soy, *11 people dead after clash over land in Honduras*, HONDURAS: HUMAN RIGHTS (Aug. 16, 2011) available at <http://hondurashumanrights.wordpress.com/2011/08/16/11-people-dead-after-clash-over-land-in-honduras> (source: Associated Press).

<sup>20</sup> COFADEH: *Once Again Forced Disappearance is being Implemented in Honduras*, HONDURAS: HUMAN RIGHTS (Sept. 2, 2011), available at <https://hondurashumanrights.wordpress.com/2011/09/02/cofadeh-once-again-forced-disappearance-is-being-implemented-in-honduras>.

<sup>21</sup> Muriel Soy, *Another Campesino Murdered: Two more in police custody*, HONDURAS: HUMAN RIGHTS (Aug. 14, 2011) available at <http://hondurashumanrights.wordpress.com/2011/08/14/campesino-killed-in-the-aguan> (source: Rights Action).

<sup>22</sup> *Id.*

<sup>23</sup> COFADEH: *Once Again Forced Disappearance is being Implemented in Honduras*, HONDURAS: HUMAN RIGHTS (Sept. 2, 2011), available at <https://hondurashumanrights.wordpress.com/2011/09/02/cofadeh-once-again-forced-disappearance-is-being-implemented-in-honduras>.

<sup>24</sup> *Id.*

and mediate the situation. The police responded with tear gas and attacked with batons, even following individuals after they had dispersed into private homes. Children suffered from teargas inhalation; an elderly man was brutally beaten. **Arnulfo Alvarado**, MUCA, and **Carlos Martínez**, MUCA, were immediately hospitalized. **Elmer Ángel Villeda Andrade**, a minor, and **Gregorio Godoy Caballero**, were detained, without charge.<sup>25</sup>

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<sup>25</sup> Popol Nah Tun, *TODAY: Police & Military Attack Protestors in Tocoa* (Sept. 15, 2011), available at <http://quotha.net/node/1976>.