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Honduras: Meanwhile, Attacks Continue on Indigenous Community

March 28, 2003

HONDURAS: Report on Illegal Police Assault and Brutality in
Indigenous Community Montaña Verde

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In the 1970s, 1980s, 1990s, the US supported military, oligarchical
regimes in Central America, leading the "war on communism". In
Honduras, the US had 14 military bases to carry out their military
aggression in favor of "democracy" and the "human rights" of the
Honduran people. Keep this recent history in mind, as you read this
report.

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INVESTIGATIVE BACKGROUND AND DATES

Rising Roots founder Della Moran, along with Crystal Fry and Tarik
Perkins, visited Montaña Verde on January 18th, 2003, accompanied by
several members of COPINH (Council of Indigenous and Popular
Organizations of Honduras). We interviewed community members and the
families of Leonardo and Marcelino Miranda. Crystal Fry returned on
January 30th in the presence of several public prosecutors
investigating the case and took more photographs of damage done by the
illegal police invasion. Matt Ginsberg-Jaeckle visited Leonardo and
Marcelino Miranda in prison in Gracias, Lempira on February 9th, 2003,
accompanied by the families of both. (Crystal, Tarik, Della and Matt
are with risingrootsinternational@yahoo.com, working in conjunction
with Rights Action and COPINH).

INVESTIGATIVE REPORT

On January 18, 2003 we traveled to Montana Verde to investigate
reports of police brutality committed against community leaders and
members of the Consejo Comunal Indígena. We learned that around
midnight, the night of January 8, 2003, a group of twenty one armed
men entered the indigenous Lenca community of Montaña Verde,
municipality of Gracias, department of Lempira, to illegally capture
Lenca community leaders Marcelino and Leonardo Miranda. [See Rights
Action urgent action, 03-01-19]

We were guided by community members to the three sites within the
community where the incidents had occurred; the communal house, the
house of Leonard, and the house of Marcelino. Tracing the path of the

attackers, we first visited the communal house, where community meetings take place. Community members told us that the police suspected that Marcelino and Leonardo would be sleeping there since often the community leaders sleep away from their families for security reasons.

Both the window and the door of the communal house had been broken down. The building was sprayed with bullet holes, witnesses told us that government issued M-16ís were used. We saw a bullet hole in the metal latch of the door and found a few shells around the building.

After attacking the communal house the attackers moved on toward the houses of Marcelino and Leonardo Miranda. Susana Membreño, Marcelino's wife, reports that about ten men broke down the door and entered her home. She and her four children were threatened and harassed as they watched the men handcuff then beat Marcelino until he was unconscious. To test whether or not Marcelino was playing dead the men extinguished a cigarette on his face.

Throughout our interview, Marcelino's wife sobbed uncontrollably. She couldn't meet our eyes and other community members had to coax her into speaking with us. The children are extremely traumatized, they cried during the duration of our interview. Among the people threatened at gunpoint during the assault was the child Irene Miranda Membreño, who suffers from respiratory infections, and Marcelino's wife, Susana Membreño.

The attack was carried out between 12 and 1 a.m. on January 19th. It goes without saying that this raid was in violation of internationally and national recognized human rights norms, including article 99 of the Honduran Constitution, which asserts that all police entrances into civilian homes for the purpose of carrying out an arrest order must be carried out between 6am and 6pm and in the company of a judicial authority. The assigned authority, Virgilio Carias, did not arrive in Montaña Verde during the operation!

During the operation, the men ransacked Marcelino's house, we saw the family's broken money box from which the men stole 13,200 Lempiras, 10,000 of which was donated by COPINH for community development projects.

Meanwhile, at Leonardo's house, shots were fired into the back of the house. We saw four bullet holes and recovered several bullet shells. The men attempted to break down the door, but were unsuccessful. There was shouting and threats, but the men refused to identify themselves.

To force out the family (Leonardo, his wife, his brother, his brother's wife, five children and their eighty-year old grandmother), tear gas was thrown into the house. The family showed us the capsule of the tear gas which they had found in the home. The family told us

that when they exited their house they were pushed into the mud, threatened with guns and told that they were going to die. Eleuterio Miranda, brother of Leonardo, was beaten severely and still experiences pain in his back caused by this beating.

Though the family was forced from the house, Leonardo refused to leave until 6am, asserting his right to be arrested in the presence of a judicial authority and in the light of day. After resisting inside of his house the whole night, Leonardo came out at 6am, when he was immediately handcuffed and beaten, accused of wounding two officers earlier in the night. No weapons were found in his house and 15 community eye-witnesses, who are not mentioned in the police report, say that the officers were wounded during their own reckless assault at the beginning of the night.

We also interviewed another Miranda brother, Secondiro. He too has experienced police harassment. When we asked why he believed the Miranda family was constantly targeted, he answered that it was because the family was intelligent and very active organizing the community in their struggle for land entitlement. He told us that the police and other government officials in Gracias all sided with the Utrecho and C·lix families, who have been working for years to take the land from the people of Montana Verde. Amongst the police officers was identified Nelso Trejo, a police officer from Mejocote and an ally of the powerful family C·lix-Utrecho.

From interviews with Marcelino and Leonardo Miranda and community member/ COPINH organizer Martha Beceres, during a visit to the Gracias prison on February 9th, 2003, and based on reports prepared by forensic experts who visited Montana Verde and the Gracias prison, it was confirmed that both Marcelino and Leonardo were brutally tortured while being taken from Montana Verde to the Gracias prison [where they are presently being held].

Leonardo recounts having his head submerged in water until near suffocation repeatedly for at least 30 minutes. He was also hit in the head with firewood and the butts of the police officers' guns. Marcelino was beaten severely, burned with cigarettes, and threatened with death, which he believes may have been his fate had his wife not followed the officers most of the way to Las Crucitas, where Marcelino was joined by Leonardo and the two were put into a car. At one point, the officers released Marcelino, pointing their guns at him and telling him to walk away free, presumably in order to shoot him in the back as if he had fled from them. He refused.

In Las Crucitas, in the presence of Virgilio Carias, the prosecuting attorney in charge of the case, Marcelino and Leonardo were violently thrown into a car, then both were burned with cigarette butts. During the drive to Gracias, the police cut Leonardo's head, behind his right ear, telling him they were going to kill him. From the beginning of

the operation, Demetrio Reyes Benítez, a civilian and ally of the powerful C·lix Utrecho family, who was dressed as a police officer, was heard to insist, "Kill them, isn't that why we came here?"

Throughout the night and following day, no charges were presented to either Marcelino or Leonardo Miranda, nor to their families. The charge of robbing cattle was only later mentioned. Leonardo, while facing torture upon arrival to the holding cell in Gracias, was forced to sign a declaration. It was not until the arrival of the Gracias Commissioner of Human Rights, that the two were finally taken to a hospital and later transferred to the prison. Back in prison, the police threatened to let Anael Hernández, ally of the landholders who made the accusations, into their cell in order to kill them.

When asked about the motives of the accusers and attackers, Marcelino said, "I am conscious that they are bitter because we have struggled for our indigenous territory. We have fought a struggle so that the landholders do not rob us of our land. Their reaction is violent because we already have title to the land so they are only left the option of repressing us."

Marcelino and Leonardo also reported that they were forced, at gunpoint, in the presence of the assigned public investigator, to sign declarations accepting ownership of guns they had never seen. This same investigator has responded to the inquiries of Amnesty International and other human rights organizations saying that the Honduran government is doing "everything in its power to seek justice in the case."

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SAMPLE LETTER IN ENGLISH:

Hon. Ricardo Maduro, President of the Republic of Honduras

Esteemed Honorable President Ricardo Maduro:

I write to express grave concern over the torture and illegal imprisonment of Marcelino Miranda and Leonardo Miranda, two indigenous leaders from the town of Montaña Verde, Gracias, Lempira who are members of the indigenous organization, COPINH.

At midnight on January 8, 2003, twenty-one men entered their town in the municipality of Gracias, Lempira breaking into their houses, threatening their families, and brutally beating them. Marcelino and Leonardo were then dragged to Gracias where they were tortured and are now imprisoned. Honduras's justice system must not become an instrument of repression, violating fundamental human rights.

There has been a pattern of repression against leaders of Montaña

Verde and COPINH. Luis Benidez and Felipe Bejarano were arrested one and two years ago under false pretexts and have yet to receive their due and just trial. In attempts to protect community titled land, these two leaders have honestly and openly engaged in dialogue with the Honduran government about the numerous land conflicts in the country.

I urge the immediate prosecution of the public prosecutor for the region, Lic. Virgilio Carias for his role in the incident that police officials involved are duly prosecuted for acts of torture and that the four incarcerated community members be released immediately. Furthermore, I urge an end to the intimidations and violence against the indigenous movement in Honduras and the immediate solution of existing land conflicts. The Honduran Government should provide the financial and political support necessary for the institutions created to address the structural problem of land tenancy.

I thank you for your prompt attention to this urgent matter.

Sincerely,

PLEASE SEND LETTERS OF PROTEST TO:

Lic. Ricardo Maduro, Presidente de Honduras, F: (504) 235-6949, F: (504) 237-1121

Honduran Ambassador to the United States, Dr. Hugo NoÈ Pino, T: (202) 966-7702, F: (202) 966-9751, E: embassy@hondurasemb.org

Honduras Embassy in Canada, T: 613-233-8900, F: 613-232-0193, E: embhonca@magma.ca

Canadian Ambassador for Honduras, Denis Thibault, F: 011-504-232-8767, e: sjose-gr@dfait-maeci.gc.ca

United States Ambassador to Honduras, Frank Almaguer, T: (504) 236-9320, F: (504) 236-9037,

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RIGHTS ACTION:

Rights Action is a multi-faceted development and human rights organization that raises funds for community development and human rights work in Southern Mexico, Central America (mainly Guatemala & Honduras) and Peru, and educates and is active about global development and human rights issues.

ARE YOU INTERESTED IN:

making tax-charitable donations to community development organizations (like COPINH)?

being on our e-list and newsletter list?

going on an activist-educational delegation to Honduras?

being a human rights accompanier in Honduras?

purchasing copies of "The Rio Negro Massacres"?

Contact: info@rightsaction.org, www.rightsaction.org. 416-654-2074.