

October 27, 2003

HONDURAS: URGENT ACTION - MONTAÑA VERDE

Please re-distribute this urgent action as widely as possible. Please contact the officials set out below to express your dismay at the on-going abuses of the legal and penal systems.

Funds are needed for the Montaña Verde legal cases, to cover expenses of the witnesses and the lawyer, and to support the political prisoners and their families. [See below how to make donations] Human rights observers/ companions are needed to go to Honduras and bring international attention to these abusive legal cases. [Contact: info@rightsaction.org if interested]

===

AI Index: AMR 37/018/2003, 21 October 2003

HONDURAS: Marcelino Martínez Espinal (m) lawyer and human rights defender, Marcelino Miranda (m) and Leonardo Miranda, human rights defenders and brothers.

Lawyer Marcelino Martínez Espinal has been further harassed and threatened, apparently due to his legal representation of brothers Marcelino and Leonardo Miranda, indigenous leaders from the Consejo Cívico de Organizaciones Indígenas Populares (COPINH), Civic Council of Indigenous and Popular Organizations.

On 16 October, Marcelino Martínez Espinal was driving on the road between the towns of Santa Rosa de Copán and Gracias, which links the departments of Copán and Lempira. At approximately 2.45pm he found he was driving behind a beige Toyota pick-up truck in which four individuals were travelling. As the truck approached a bridge it slowed down. When Marcelino Martínez Espinal began to overtake it, the truck accelerated and pulled up beside his car. The two people sitting in front lowered their window and shouted, "Acércate más por acá, hijo de la gran puta", ("Come closer, you son of a bitch"). As Marcelino veered to the right to avoid a collision, they shouted "Tienes miedo, perro", ("You're scared, you bastard").

After overtaking the vehicle, Marcelino Martínez Espinal stopped to let the truck pass, but it also came to a halt. For the next ten minutes, Marcelino Martínez Espinal was unable to get away from the truck.

Every time Marcelino's car was behind the truck, it slowed down, and when Marcelino was in front, the truck pulled up alongside him as if to push him off the road. The individuals in the truck continued to shout derogatory comments as they drove. The truck eventually stopped near a petrol station at Las Flores in Lempira department, and did not continue following him.

Amnesty International is concerned that this incident is likely to be linked to the previous harassment of Marcelino Martínez Espinal, who has been acting as Marcelino and Leonardo Miranda's lawyer since February 2003. On at least three occasions between February and September 2003, he has reportedly been followed in his car, and on 22 July, while attending a hearing of the Miranda brothers' case, two unidentified men allegedly asked questions and made derogatory comments about Marcelino Martínez Espinal. The concerns for his safety are so great that he feels unable to visit the Miranda brothers in Gracias prison, Lempira department. Marcelino Martínez Espinal has filed a complaint about this latest incident before the Dirección General de Investigación Criminal (DGIC), General Directorate of Criminal Investigations in Gracias, Lempira department. Amnesty International understands that following the complaint the DGIC has made initial enquiries about the ownership of the vehicle.

There is no further information about the proceedings against Marcelino and Leonardo Miranda, who were detained by armed police officers on 8 January 2003. They were reportedly tortured by police officers during their arrest and while detained in Gracias prison. They are facing charges of battery and murder (asesinato). Amnesty International remains concerned for their safety. The Fiscalía Especial de las Etnias (Special Prosecutor for Ethnic Affairs) has brought a lawsuit against several police personnel on charges of torture and abuse of authority during the Mirandas' arrest.

**RECOMMENDED ACTION:** Please send appeals to arrive as quickly as possible, in Spanish or your own language:  
– expressing continuing concern for the safety of Marcelino Martínez Espinal, following an apparent episode of intimidation on 16 October,

and a number of previous incidents of harassment;  
- asking the authorities what measures are being taken to ensure the safety of Marcelino Martínez Espinal;  
- calling for assurances that the Honduran authorities will take all necessary steps to protect Marcelino Martínez Espinal, and that he be allowed to perform his legitimate work as a lawyer and human rights defender without threats and harassment;  
- calling for an immediate and thorough investigation into all the acts of intimidation Marcelino Martínez Espinal has suffered, for the results to be made public and for those responsible to be brought to justice;  
- expressing concern at the allegations of torture and intimidation of Marcelino and Leonardo Miranda, and calling for an effective investigation into the allegations of torture and intimidation against the brothers, for the results to be made public and for those responsible to be brought to justice;

SEND LETTERS TO:

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

Honduran Ambassador to the United States, Mario Canahuati, 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@gamma.ca

Honduran mission to the United Nations: 866 UN Plaza Suite 417 New York, NY 10017 Tel: 212-752-3370, m.suazo@worldnet.att.net

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

United States Ambassador to Honduras, Larry Palmer, (504) 236-9320, F: (504) 238-4446

===

TO MAKE TAX-CHARITABLE DONATIONS, to directly support the community development and defense work of COPINH and the Montana Verde community,  
MAKE CHECK PAYABLE to "Rights Action" and mail to USA (1830 Connecticut Av, NW, Washington DC, 20009) or Canada (509 St. Clair Av, W, box 73527, Toronto ON, M6C-1C0).

DONATE ON LINE [in the USA]: [www.rightsaction.org](http://www.rightsaction.org)

===

HUMAN RIGHTS ACCOMPANIMENT: If you are interested in going to Honduras,  
as a trial or human rights observer, contact: [info@rightsaction.org](mailto:info@rightsaction.org)

===