

HONDURAS: update on killings, repression and impunity

January 30, 2005

HONDURAS update

We send this information about on-going killings and repression in Honduras.

The Amnesty International urgent action is follow-up to Rights Actionís

January 8, 2005 report on the assassination of Iginio Hernandez Vasquez, an

Indigenous community land activist.

As this situation of poverty, repression and impunity continues normally,

North American mining companies are working closely with the government of

Honduras, exploring every corner of the country for minerals to exploit ñ

the Honduran government is a good business partner.

If you want on-off this elist: info@rightsaction.org. To support community

based and indigenous organizations in Honduras, see below.

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AMNESTY INTERNATIONAL URGENT ACTION

PUBLIC, AI Index: AMR 37/001/2005, 21 January 2005

UA 19/05 Fear for safety/death threats

HONDURAS

Genaro V·squez Lorenzo (m) and Roberto Chicas Mejía (m), members of Consejo

Indígena de la Comunidad de las Olominas (Indigenous Communal Council of Las Olominas).

Other members of the Consejo Indígena de la Comunidad de las Olominas:

Julio Elías Hernández (m), brother of Higinio Hernández

V·squez

Other members of the family of Higinio Hernández V·squez

Killed: Higinio Hernández V·squez (m), Secretary of the Consejo Indígena de

la comunidad de las Olominas

Indigenous land rights activists Genaro V·squez Lorenzo and Roberto

Chicas

Mejía are believed to be in grave danger. The men, members of the Consejo Indígena de la Comunidad de las Olominas (Indigenous Communal Council of Las Olominas), received a death threat after witnessing the killing of Higinio Hernández Viquez, the organization's Secretary. Amnesty International is concerned for the safety of the two witnesses, the family of Higinio Hernández Viquez and other members of the Consejo Indígena de la Comunidad de las Olominas.

On 31 December 2004, Genaro Viquez Lorenzo, Roberto Chicas Mejía and Higinio Hernández Viquez were visiting the town of Planes, some 25km from their village of las Olominas, in La Paz department, southern Honduras. They were reportedly ambushed by two armed men, who shot Higinio Hernández. According to the two witnesses, Higinio Hernández managed to run a short distance before falling to the ground. The two assailants reportedly caught up with him and slit his throat.

After killing Higinio Hernández Viquez, one of the armed men allegedly threatened Genaro Viquez Lorenzo and Roberto Chicas Mejía, saying, "Si ustedes dan declaraciones también a ustedes los voy a palmar" ("If you tell anyone about this, I will kill you too"). Despite the threat, the two witnesses gave evidence to the local prosecutor on 7 January. They have reportedly identified one of the killers as a man from las Olominas, who has opposed the efforts of the Consejo Indígena de la Comunidad de las Olominas to gain communal rights to their land. The brother of Higinio Hernández Viquez, Julio Elías Hernández, has also spoken about the killing on a local radio station. Genaro Viquez Lorenzo, Roberto Chicas Mejía and Julio Elías Hernández have allegedly received no protection from the authorities, despite the threat to their lives. Higinio Hernández Viquez had reportedly also received death threats in relation to his work to secure communal

land

rights. He had reported these threats to the authorities on numerous occasions, however, no investigations were carried out or protection provided.

According to reports, this appears to be the latest incident in a campaign of intimidation to force the people of las Olominas to give up their legal rights to their land. Since 1996, when the legal papers giving the community ownership of the land were apparently stolen from the home of Higinio Hernandez V·squez, the Consejo Indígena de la Comunidad de las Olominas has been trying to obtain a new community title to the land from the National Agrarian Institute, the state body responsible for issuing land titles.

Since their efforts began they have been harassed and intimidated by some members of the community who have allegedly been trying to force them off the land, enabling it to be sold unlawfully.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing concern for the safety of Genaro V·squez Lorenzo, Roberto Chicas Mejía, Julio Elías Hernández, other members of the family of Higinio Hernández V·squez and of the Consejo Indígena de la Comunidad de las Olominas, following the killing of Higinio Hernández V·squez;
- calling for immediate measures to be taken to guarantee the safety of the people named above, in accordance with their wishes;
- calling on the authorities to initiate an immediate, thorough and impartial investigation into the killing of Higinio Hernández V·squez and threats against Genaro V·squez Lorenzo and Roberto Chicas Mejía, to make the results public and bring those responsible to justice;
- urging the authorities to ensure the National Agrarian Institute takes immediate action on the request by the Consejo Indígena de la Comunidad de las Olominas to obtain a new communal title to their land, after their legal title papers were apparently stolen from them in 1996.

CANADIANS:

- Robert Richard, Canadian Ambassador to Honduras, F:(504)239-7767, E:tglpa@dfait.maeci.gc.ca
- Honduran Embassy in Canada, Ana Carolina Galeano Burgos, 151 Slater Street, Suite 805-A, Ottawa, KIP-5H3, E: embhonca@embassyhonduras.ca, T:(613)233-8900, F:(613)232-0193

USA:

- Larry Palmer, US Ambassador to Honduras, t:(504) 236-9320 / 238-5114, F:(504) 236-9037
- Mario Miguel Canahuati, Honduran Ambassador to US, T:(202) 966-7702, 966-2604, 966-9751, F:(202) 966-9751, E: embassy@hondurasemb.org , 3007 Tilden Street N.W., Suite 4-M, Washington, D.C. 20008

HONDURAS:

- Honduras mission to the United Nations, T: 212-752-3370, E: hndun.org
- Lic. Ricardo Maduro, President of the Republic, Fax: (504) 221-4552
- Dr. Ramon Custodio Lopez, National Human Rights Commissioner, Fax: (504) 232-6894, Email: custodiolopez@conadeh.hn

with copies to COPINH: copinhonduras@yahoo.es, Tel/Fax: (504) 783-0817

FUNDS FOR HUMANITARIAN NEEDS

To contribute tax-deductible funds for the emergency needs of Iginio's family, and threatened community members of Las Olominas, make check payable to "Rights Action" and mail to:

- * United States: 1830 Connecticut Av, NW, Washington DC, 20009.
- * Canada: 509 St. Clair Ave W, box73527, Toronto ON, M6C-1C0.

On-line donations: USA and Canada: www.rightsaction.org. Wire funds to

Rights Action: contact info@rightsaction.org, 416-654-2074.

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HONDURAS: Justice system used as tool of repression against environment activists and community leaders in Olancho, Honduras. (Report written by Sandra Cuffe, Rights Action, Honduras)

The 'justice' system is once again being used as a tool of repression against activists in Honduras. Yet another set of criminal proceedings

against environmental activists involved in the community-based Environmental Movement of Olancho (MAO) was initiated in October. Key community leaders and MAO activists EFRAIN PAGUADA, REDIN CABALLERO HERNANDEZ, FILANDER MARTINEZ, NOEL LANZA and RENE GRADIS have been accused of death threats, illicit association and property damage.

The case files show that the charges stem from an incident that supposedly occurred on July 15, 2004, in Pacaya, municipality of Jano, when the accused arrived and obligated loggers to stop their activity in the area and remove their machinery. The 'investigations' reveal that the accused were heavily armed and violent, and that they threatened to kill the logging contractors and burn their machinery if they did not comply.

Although communities involved in MAO do engage in non-violent actions to stop illegal and destructive logging activities harming their communities, there was no such action in Jano on the date in question. One of the accused was at the departmental Caritas, where he works as an environmental promoter. Another was celebrating his birthday, in the presence of most of his community, as they are all well-respected leaders at the community and regional levels.

There are two other names that appear in the list – Antonio Acosta and Victoriano Acosta. Neither the accused activists nor community members in the area know who these two individuals are. This further leads to the conclusion of the communities and MAO: they are being persecuted by the powerful logging industry, but in a roundabout kind of way.

The charges were presented by Miriam Edith Figueroa Quijada, a State prosecutor with the Ministerio P'blico. The investigations, however, had been carried out by criminal investigation (DGIC) agents, to whom a contractor working for the loggers had denounced the supposed crimes. The fact that two of the accused are not known makes one suspect that a list of names was handed over to the contractor.

The prosecution also refers to prior and other pending charges against some of the accused, as this is not the first time that the logging industry and government authorities have used criminal charges and proceedings as a tool of repression against valued community leaders in Olancho.

It is, however, interesting to note that well-respected activists belonging to a non-violent community-based environmental movement have been charged with 'illicit association.' The article defining this charge, now commonly referred to as the 'anti-gang law' was reformed in October 2003, as part of the current government's 'Zero Tolerance' policy on gangs.

The results of the reform and the larger policy have been increasing militarization and attacks on poor neighbourhoods, the complete criminalization of youth and poverty, and hundreds and hundreds of young men in jail, whether for having a tattoo or wearing baggy pants or being young and loitering or because some police officer didn't like the look on his face.

One of the elements of the reformed law defining illicit association is that the decision on whether someone actually belongs to an illicit association or not is largely left to the discretion of law enforcement and judicial authorities. Thus, the increasing use of the charge against activists involved in legitimate organizations and movements.

Further charges include accusations of death threats and illicit association in a separate case against EFRAIN PAGUADA, as well as false accusations of attempted murder against another environmental activist, DAVID MURILLO. All of these proceedings were initiated in October, 2003, which further indicates coordinated persecution of Olancho community leaders.

The initial hearings for EFRAIN PAGUADA, REDIN CABALLERO HERNANDEZ, FILANDER MARTINEZ, NOEL LANZA and RENE GRADIS are scheduled for December 17, 21

and

22 in Juticalpa, Olancho, Honduras. Although lawyers from the Committee for Relatives of the Detained-Disappeared in Honduras (COFADEH) are working on the case, there are concerns that the pressure on the judicial authorities from the logging industry have created a hostile climate biased against the defendants.

PLEASE SEND LETTERS (OR PHONE CALLS) OF CONCERN TO THE FOLLOWING AUTHORITIES. Please consider sending your messages even if they will not arrive in time for this round of hearings.

CANADIANS:

Robert Richard
Canadian Ambassador to Honduras
Tel: (504) 232-4551
Fax: (504) 239-7767
Email: tglpa@dfait-maeci.gc.ca

Honduran Embassy in Canada
Tel: (613) 233-8900
Fax: (613) 232-0193
Email: embhonca@magma.ca

U.S. AMERICANS:

Larry Palmer
US Ambassador to Honduras
Fax: (504) 237-1792

Mario Canahuati
Honduran Ambassador to the US
Tel: (202) 966-7702
Fax: (202) 966-9751
Email: embassy@hondurasemb.org

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For more information, or to support MAO and other grassroots organizations in Honduras struggling for environmental, human rights and justice issues in the face of repression and impunity, contact Rights Action: info@rightsaction.org, 416-654-2074. RIGHTS ACTION, with its main office in

Guatemala, is tax-charitable NGO that supports community development work in Chiapas, Guatemala, Honduras and Haiti, as well as Peru, Nicaragua and Costa Rica, and engages in north-south education and work related to global development and human rights issues.

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