

Rights Action
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Rudy Hernandez Illegally Detained; Aguan Human Rights Observatory & Muca (Campesino Organization) Leaders Under Attack

Urgent action by Annie Bvird

PREPARED BY: Annie Bird, Rights Action co-director, and just back from a trip to the Aguan region. Questions / interviews:
annie@rightsaction.org

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**REPRESSION IS THE 'NEGOTIATION STRATEGY':
RUDY HERNANDEZ ILLEGALLY DETAINED; AGUAN HUMAN RIGHTS
OBSERVATORY & MUCA (CAMPESINO ORGANIZATION) LEADERS
UNDER ATTACK**

By Annie Bird (annie@rightsaction.org)

Since the June 2009 military coup against the democratically elected government of Honduras, the country – now ruled by an illegitimate, repressive regime - has become known as:

- The murder capital of the world
- A journalist-killing capital of the world
- An LGBT killing capital of the world
- The prison inmate killing capital of the world

This situation of repression, violence, corruption and impunity could not be much worse. State repression has reached levels similar to the 1980s.

One of the most violent and repressive parts of the country is the Aguan, an African Palm and sugar cane producing region in northern Honduras.

AGUAN

In January and February leaders of the Unified Campesino Movement of the Aguan (MUCA) and of the Aguan Human Rights Observatory have been again subject to attacks and arrests. At this time there is grave concern for the on-going safety of Rudy Hernandez (recently illegally detained and an active member of the Aguan Human Rights Observatory), and of Vitalino Alvarez, Juan Chinchilla, Jhony Rivas, Olvin Omar Soler Romero and Florinda Rodriguez (all MUCA leaders), and Esly Banegas (a leader in the Aguan Human Rights Observatory) and Wilfredo Paz (spokesperson of the Aguan Human Rights Observatory).

PLEASE WRITE TO YOUR OWN ELECTED POLITICIANS (MEMBERS OF PARLIAMENT, CONGRESS MEMBERS, SENATORS) ...

... to express your outrage that the US and Canadian governments have maintained 'business and military relations as usual' with the Honduran regime, and that – in particular – US military forces have trained and in other ways supported repressive Honduran forces in the Aguan, resulting in dozens of killings, the burning of entire villages and in these most recent detentions and threats.

This US military presence includes US Army Ranger training at the 15th Battalion Honduran military base, US Border Patrol participation in highway checkpoints, and US Marine trainings in the 4th Infantry base in La Ceiba.

When talking with or writing to your own elected politicians (Members of Parliament, Congress Members, Senators), demand that the US and Canadian governments withdraw immediately any

and all military and police “assistance” (training, funding, arming, etc).

Also, please ask US congressional representatives to sign on to the letter expressing concern about abuses in the Aguan sponsored by Sam Farr's office.

RUDY HERNANDEZ

On Monday, February 27, after 7pm, Rudy Hernandez, one of the foremost human rights advocates in the Aguan, was arrested in his home on trumped up charges of rape. Charges of this nature are extremely serious ... and they fit into a pattern of an abuse of the legal system itself so as to criminalize human rights defenders – a common strategy of repression.

Rudy is highly respected and all those close to this case consider these charges an attempt to intimidate and discredit members of the Aguan Human Rights Observatory. Rudy Hernandez was a spokesman for MUCA during the tense land ownership negotiations that culminated in the April 15, 2010 agreement between MUCA and the Honduran government.

60 KILLED (AND COUNTING) IN THE AGUAN

Rudy, along with fellow MUCA spokesman Juan Chinchilla, then undertook the first comprehensive documentation of campesino (small farmer) killings in the Aguan, and on October 25, 2011 Rudy appeared in a public hearing before the Inter-American Commission on Human Rights regarding the killings of some 60 people in the Aguan, since the June 2009 military coup – all members of the Aguan campesino movement.

Currently Rudy works with the San Alonso Foundation, a Tocoa based development organization, and has been focused on assisting the community of Rigores in negotiations with the government. On February 23, Rudy accompanied representatives

of the Campesinos Movement of Rigores in negotiations with the government and a press conference.

INTERNATIONAL HUMAN RIGHTS ENCOUNTER

From February 17-20, 2012, over 1,000 solidarity and human rights activists came together with local activists in Tocoa, Colon, the center of the Bajo Aguan Valley, and participated in an International Human Rights Encounter organized by the Aguan Human Rights Observatory. In the Aguan, approximately 60 land rights activists have been killed over the past two years in death squad style killings related to land rights disputes with palm oil agribusinesses that control farms which had been illegally taken from cooperatives in the 1990s.

Security was of utmost concern to organizers during the event, and MUCA spokesperson Juan Chinchilla, who has worked closely with Rudy Hernandez and was in charge of the event's security, is now the object of death threats.

Rudy's arrest is the latest in a pattern of persecution against land rights defenders using the "justice" system as a means of repression. Unified Campesino Movement of the Aguan (MUCA) leadership have been subject to several arbitrary detentions over the past several weeks, as well as intimidation, attacks, kidnapping and murder.

"DEATH LIST"

Rudy's and other leaders arrests have occurred at the same time that human rights leaders in the Aguan were warned on February 13 of the existence of a "death list" with the names of 25 leaders in the Aguan, including MUCA and Aguan Human Rights Observatory activists. The pattern of detentions coinciding with denouncements of a death list is extremely concerning given that Honduran human rights organizations have identified, in the

repression following the June 28, 2009 military coup, a pattern of killing of activists who had earlier been detained by the police.

NEGOTIATIONS UNDER THE GUN

The illegitimate arrests also correspond to land conflict negotiations; over the past two years a marked pattern of violence and repression of land rights activists during negotiations processes has emerged, in which the use of State sponsored repression is employed to influence the capacity of land rights activists to demand the respect for their land rights.

All of these communities should have had courts return the land to them many years ago, land that was illegally acquired by agri-businessmen with collusion from the State in the 1990s. However, because the justice system is extremely corrupt, they are forced to negotiate with corrupt officials, in conditions in which murder and terror are part of the negotiations strategy employed by the State and agri-businessmen.

MARCA AND MUCA SIGN AGREEMENT

On February 17, the Authentic Revindicative Campesino Movement of the Aguan, MARCA, and the MUCA Left Bank an agreement for the conditions of land purchases with the government. The communities have essentially been to by violence and coercion to sign agreements, the violence in the Aguan is largely a means of pressure during the negotiations.

In April 2010 MARCA separated from MUCA because they were not in agreement with the agreement MUCA signed, MARCA knew that legally the lands belong to them, that they were in the midst of court cases that in any semblance of functional governance would have led to the return of their lands. So the MARCA communities, at that time part of MUCA, split off from MUCA forming MARCA, refused to sign the agreement that MUCA signed, and they tried to proceed with their legal cases only to have their

leaders and members killed by death squads and the communities terrorized.

In the same way, in June 2011 MUCA signed an agreement for the purchase of lands which was extremely unfair to the MUCA Left Bank (Margen Izquierda - MUCA-MI) so MUCA-MI refused to sign it. This left them under extreme threat, vulnerable to violent eviction, and constantly intimidated by US trained troops, until finally they signed the agreement.

RIGORES FARM NEGOTIATION SURROUNDED BY CORRUPTION AND VIOLENCE

Rudy Hernandez is the principal advisor to the Campesino Movement of Rigores which is currently engaged in negotiation over the terms of purchase of the farm they have lived on and farmed for 11 years, from the National Agrarian Institute, the agency currently in charge of overseeing the expropriation of the farm given that the current title was acquired in an illegal manner from a cooperative established through the agrarian reform program.

On February 23, Rudy and community leaders undertook a press conference in Tegucigalpa denouncing anomalies and corruption in the land purchase process surrounding the Rigores farm, what local activists fear to be corruption within the National Agrarian Institute. In addition to promoting overvalued land purchased, as a condition for resolving the Rigores land conflict INA officials have reportedly pressured campesinos to form a parallel campesino organization, "Frente Campesino."

According to campesinos, in 2009, the Rigores farm was assessed with a value of 12 million Lempiras. In June 2011, campesinos were told that because of legal stumbling blocks the expropriation process would take a few more months, so the dialog was temporarily suspended. A few weeks later police, military, and security guards destroyed and terrorized the community, which

had existed for 11 years, bulldozing the homes and school. A few days later, INA workers arrived in helicopter to assess the land value, determining a value of 56 million lempiras, 44 million more than the government and the community had agreed upon. During evictions negotiations agreements were stolen from the homes of community leaders. Now, Rigores is being pressured to accept the 56 million lempira offer, threatened by US trained armed soldiers and masked special forces unit, and their advisors arrested.

POLITICALLY MANIPULATING LAND NEGOTIATIONS

Many campesinos believe that Cesar Hame, Minister of the National Agrarian Institute, INA, is engaged in a series of overvalued land sales in which he, or his party, may have a stake through corruption. Before the coup, under the terms of Executive Decree 18-2008 the Rigores farm was in the process of title 'cleansing' in which the land was being expropriated as a result of irregularities in the title transfer, and the current "owners," who likely knowingly engaged in illegalities and acts of corruption, were being compensated for the lands.

The union of INA workers, SITRAINA, currently asserts that Hame is trying to destroy the union, having created a parallel workers Association, which does not serve the key functions of a union, and has hired over 200 new workers while systematically firing SITRAINA unionized workers; currently 36 unionized INA workers have been fired, 26 of them over the past month.

The attacks on SITRAINA appear to be due to more than union busting. Historical INA workers have stood up in defense of communities, and accuse Hame of using INA as a platform for his Democratic Union (UD) party.

INA workers and campesinos report that Hame is promoting "Frente Campesinos" as a new parallel organizing structure to Campesino Movements, which historically and today have played

a key role in the agrarian reform process. According to reports, the Frentes Campesinos are an attempt to divide the campesino movement and to build a base of support for the UD party.

The UD party initially was identified with the Resistance movement, but many rejected UD after they participated in the Resistance boycotted November 2009 elections, and today the UD is not part of the LIBRE political party, organized as a coalition of sectors, identified with Manuel Zelaya. In January 2010 when Hame was named as Minister of the National Agrarian Institute by incoming President Porfirio Lobo, it was widely understood that the US Embassy had played a role in promoting Hame's placement to that position.

PATTERN OF REPRESSION & ATTACKS REPORTED BY THE AGUAN HUMAN RIGHTS OBSERVATORY

- Over the past few days, Juan Chinchilla, a MUCA spokesperson who for several years has worked very closely with Rudy Hernandez, has been subject to death threats. On February 22 a death threat directed against Juan Chinchilla was received in the telephone of Wilfredo Paz, Coordinator of the Aguan Human Rights Observatory.
- On February 25, Jeramias Rodriguez, a campesino leader from the same community where Juan Chinchilla lives, received a message offering him 150,000 lempiras (\$7500) to inform them of Juan Chinchillas movements. Jeremias Rodriguez and his father of the same name, have been receiving death threats by telephone. In January 2011, Juan Chinchilla was kidnapped and tortured, but was able to escape. Two men with the appearance of soldiers who assisted in the operation were English speakers.
- On February 13, an anonymous source told Esly Banegas, coordinator of the Coordination of Popular Organizations of the Aguan (COPA), that she and Vitalino Alvarez were on a death list that includes 25 leaders in the region.

- On February 11, also in Tela, Atlantida, while returning from land negotiations with the government, several military units stopped the leadership of MUCA, and detained Olvin Omar Soler Romero, a former soldier, accusing him of desertion.
- On February 6, an army convoy was stationed in front of the Rigores community, with M60s, M40s, and Special Forces wearing ski masks.
- On February 8, this same convoy entered the Finca Panama where there is an ongoing land rights conflict, and surrounded part of the lands of the Finca Marañones. This convoy has been seen in Tocoa over the past 72 hours, and it is the source of significant intimidation of the campesino movement.
- On February 1, Vitalino Alvarez, a current MUCA spokesperson, was detained without an arrest warrant by Tocoa police.
- On February 3, at approximately 9:30 pm, 13 leaders of MUCA were returning from negotiations in Tegucigalpa when they were detained in Arizona, Atlantida, and Juan Angel Rodriguez was arrested on charges of rape. He was released later the same evening with the excuse that arrest warrant existed for someone with the same name.
- On January 26, armed men with ski masks attacked two campesinos from MUCA Left Bank as they left the Marañones Settlement heading toward the town of Ilanga, five minutes from Marañones. The men opened fire on the campesinos with AK-47's and 9mm pistols. The campesinos threw down their motorcycle and fled into the brush where they were pursued, by some of the men but escaped. Gunmen took the motorcycle to Tocoa with the assistance of four National Police cars, and an hour later the landholder - campesinos believe to be responsible for the attack – was escorted into Tocoa by police and two commandos of the Xatruch force.
- During the last two weeks of January, 60 members of the San Esteban cooperative of the Authentic Revindicative Campesino Movement of the Aguan (MARCA) were obligated to pass through a detour that forced them through

a military Xatruch command post where they were photographed. Campesinos are concerned that the photographs may be supplied to hitmen to help target them for killings. Last year the president of MARCA, Secundino Ruiz, was killed by hitmen.

- On January 20, 10 armed men on motorcycles with ski masks and high caliber weapons for watched the entrance to the Rigores community in an apparent attempt to intimidate for approximately 30 minutes.
- The same day, January 20, at approximately 7am, Matias Valle, on the Board of the Associative Campesino Business (EAC) "El Chile", one of the EAC's member of the MUCA Right Bank, was shot and killed by two people aboard a motorcycle while he waited at a bus stop while he was on route to the La Confianza palm plantation, where EAC "El Chile" is a member.
- Florinda Rodriguez was kidnapped on January 15 for approximately half an hour. In the morning, she left her home to travel to the La Confianza farm, she was violently forced into a green double cabin pick-up truck had been watching her home by armed men. The car traveled a short distance, then stopped, while the men beat her and told her that her son was in a sack that was visible to her in the back of the pick-up, threatening her son's and her lives. They asked her questions about the leadership of La Aurora farm. She believes the kidnappers had Colombian accents. There are widespread reports that Colombians are training military in the 15th Battalion and private security forces. She was then released but told that if she denounced the incident they would return to kill her. In the weeks that followed she continued to be watched and threatened.

TERRORIZING FAMILIES OF VICTIMS AND MONEY FOR KILLINGS

The day following Matias Valle's killing, his family built a tomb for him in their home village of Quebrada de Arena, but received telephone calls from men claiming to be the killers, saying that

they intended to steal his head from the cemetery in order to collect 2 million Lempiras (\$100,000) reward for his killing. The family then prepared a tomb in the La Suyapa cooperative, but received a similar telephone call.

Finally Matias Valle was buried in the Sinaloa settlement closely controlled by MUCA. However, on February 23, 2012 members of the Public Prosecutors office and police came to exhume the body, claiming that an autopsy had not been done. Family members opposed. They do not trust the impartiality of the justice administrators and believe parts of his body may be removed to collect reward, and requested that an independent forensic team be named to examine the body.

The family's reaction is understandable given the threats against Matias Valle's body and a history of incidents, which have generated an extreme distrust of legal system officials. On October 15, 2011, Segundo Mendoza of the National Campesino Recuperation Movement was killed in the Finca Panama by security forces dressed in black. His body was removed by National Police and taken to the Forensic Examiners office in La Ceiba, which had the body for almost two days, and then returned it to the family, but his right hand had been cut off. This is understood to mean that hit men used his hand to collect a reward. The Public Prosecutors office later asserted that the victims' family had impeded an autopsy, despite having held the body for two days.

SYSTEMIC STATE OF AFFAIRS

What is set out, in this report / urgent action, is not a "crisis". This is the nature of Honduran repression and impunity today. While this repression and impunity have deep historical roots, it has taken a significant turn for the worse under the illegitimate, military backed regime of President Lobo that came to power after the June 2009 military coup. In the short term, there is no end in sight to this repression and impunity.

NO MORE POLITICS AND BUSINESS AS USUAL

We ask that North Americans keep on sending copies of this information, and your own letters, to Canadian and American politicians and government officials ... and to your local media. Since the June 2009 military coup, that ousted the democratically elected government of President Zelaya in Honduras, the governments of the USA and Canada are the governments that have most supported and legitimized the post-coup, repressive regimes of Honduras. North American companies and investors have increased their business activities in Honduras since the coup. In no small part, this illegitimate, repressive regime remains in power due to its political, economic and military relations with the USA and Canada.

WHAT TO DO

TO MAKE TAX-DEDUCTIBLE DONATIONS

for the courageous pro-democracy movement in Honduras (indigenous, campesino and NGO organizations working for an end to the repression, corruption and impunity of the Honduran State and economic elites, for a restoration of real democracy and a re-founding of the State and society) make check payable to "Rights Action" and mail to:

UNITED STATES: Box 50887, Washington DC, 20091-0887

CANADA: 552 - 351 Queen St. E, Toronto ON, M5A-1T8

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“The Coup vs. Democracy: Struggle of the Popular Movements”
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