

# Rights Action

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December 2017

## Electoral fraud, repression and killings in Honduras by U.S. & Canadian-backed government, but don't write letters of protest to the regime!

**A**s the last of 15 Mayan Q'eqchi' women – plaintiffs in the precedent-setting Hudbay Minerals lawsuits, for mining repression suffered in Guatemala – were leaving Toronto on November 25th, after three weeks of grueling depositions (examinations for discovery) by Hudbay's team of well-connected, well-paid lawyers, in Honduras, the U.S. and Canadian-backed government was caught using blatant fraud, and from there widespread repression, to try and steal the November 26, 2017, presidential elections.

In this newsletter, we provide a summary of the courageous Q'eqchi' plaintiffs and their beautiful participation in

**YOUR FUNDS AT WORK:** In 2017, Rights Actions transferred \$332,000 of your funds (individual donations, foundation grants) to grassroots organizations carrying out their own community development work, environmental and human rights defense projects, emergency relief projects, and work and struggle for democracy and justice: \$215,000 to groups and projects in Guatemala; \$43,000 to Honduras; \$49,000 to Peru, Mexico and El Salvador; \$22,000 for educational and activism related work. A summary of funds sent is on our website.

**MATCHING DONOR:** Two anonymous donors will match donations, up to a total of \$35,000, made by December 31, 2017.

the precedent-setting Hudbay lawsuits; and, an analysis of Honduras' endemic crisis of fraud and corruption, repression and impunity, dating back to the devastating military coup, June 28, 2009, and of the courage and vision of the Honduran people to resiliently demand – against great odds and risk of repression – respect for their democratically elected leaders and respect for their sovereignty.

**Article, reports and films:** On our website, find an updated summary of articles, radio interviews, films and news reports addressing work and issues that Rights Action is supporting and involved with.

### “Real life super heroes and the quest for mining justice in Canada and Guatemala”

Please join a Rights Action educational human rights delegation to Guatemala.

- Dates: Saturday, June 9–Sunday, June 17, 2018
- Complete information: info@rightsaction.org.

*(continued)*

#### TAX DEDUCTIBLE DONATIONS:

Make checks payable to “Rights Action” and mail to the appropriate US or Canadian office.

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GET INVOLVED**

**Speakers:** Invite us to give presentations in your community about these issues

**Educational Delegations:**

Form your own group or join one of our educational-solidarity delegation seminars to Guatemala and Honduras to learn more about these issues and struggles

**Daily News:**

- [www.democracynow.org](http://www.democracynow.org)
- [www.upsidedownworld.org](http://www.upsidedownworld.org)
- [www.dominionpaper.ca](http://www.dominionpaper.ca)
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Thank-you for your donations, your trust and commitment. Please send me your comments and questions.

Grahame Russell, *director Rights Action (USA & Canada)*  
[info@rightsaction.org](mailto:info@rightsaction.org)

**HUDBAY MINERALS LAWSUITS:  
Seeking Justice for Rape,  
Murder and Repression  
in the Mining Industry**

*“[The Hudbay lawsuits] have sent shivers  
through the vast Canadian mining, oil and gas industry”*

**(New York Times)**

Here are links to photo-essays I prepared while working with and accompanying twelve Mayan Q’eqchi’ plaintiffs (and two newborn babies) in Toronto, November 6-25, as they were questioned, one at a time, in examinations for discovery (day-long, often-times grueling depositions) by Hudbay’s of lawyers, as part of these precedent setting lawsuits that were initiated in 2010. Below, also, links to some related media reports.



After a day and half of grueling questioning by Hudbay’s lawyers, Olivia Asig Xol is surrounded by her Q’eqchi’ sisters – also victims of the 2007 gang-rapes and wholesale burning and destruction of their village of Lote 8, also plaintiffs in the lawsuits – and by her lawyers Murray Klippenstein and Cory Wanless.

Thank-you to the many people and institutions that donated money to help support the Q'eqchi' people in their on-going efforts to seek justice and reparations in Canada (and separately in Guatemala) for the repression they suffered due to Hudbay's mining operation in Guatemala from 2004-2011, repression that included the gang-rapes of 11 villager women, the targeted killing of Adolfo Ich, and the shooting-paralyzing of German Chub.

On request, I can send a financial report on the use of funds to pay for most aspects of their trip to Toronto, including: three pre-trip preparation sessions in Guatemala; acquiring personal i.d. documents, then passports and visas; providing small family stipends for food while the mothers were away; buying suit-cases, extra clothing and shoes for the cold Toronto weather; travel, food and lodging in Guatemala, to and from their communities (8-10 hours from Guatemala City); food while flying north and south; travel, food and communication costs while in Toronto; etc.

These amazing lawsuits and justice struggle are far from over. The actual trial might be another 3-5 years off! Along with the Q'eqchi' plaintiffs and Klippensteins' lawyers, Rights Action will be in it to the end. The plaintiffs deserve justice and reparations in Canada.

- November 3, 2017 – Press release – Examinations for discovery, November 8-24, 2017 (<http://mailchi.mp/rightsaction/press-release-hudbay-examinations-toronto-november-2017>)
- November 6, 2017 – Photo-essay #2 – Arriving in Toronto (<http://mailchi.mp/rightsaction/nov-6-2017arriving-in-toronto-llegando-a-toronto-los-juicios-hudbay-mineralscgn-lawsuits>)
- November 8, 2017 – Photo-essay #3 – Day #1 Examinations for discovery(<http://mailchi.mp/rightsaction/nov-8-2017-toronto-day-1-dia-1-examinations-for-discovery-depositions-juicios-hudbay-mineralscgn-lawsuits-declaraciones-anticipadas>)
- November 11, 2017 – Photo-essay #4 – (<http://mailchi.mp/rightsaction/seeking-justice-for-rape-in-the-mining-industry-the-hudbay-mineralscgn-lawsuits-examinations-for-discovery-photo-essay-4>)
- November 15, 2017 – Photo-essay #5 – This is how hard it is(<http://mailchi.mp/rightsaction/seeking-justice-for-rape-murder-repression-in-the-mining-industry-photo-essay-5>)
- November 22, 2017 – Photo-essay #6 – (<http://mailchi.mp/rightsaction/seeking-justice-for-rape-murder-repression-in-the-mining-industry-photo-essay-6-november-22-2017>)

## Recent media coverage

- **CBC The Current:** “How an Ontario court case could change Canadian mining overseas”, November 22, 2017, <http://www.cbc.ca/radio/thecurrent/the-current-for-november-23-2017-1.4414339/how-an-ontario-court-case-could-change-canadian-mining-overseas-1.4414418>
- **The Drop video:** “Hudbay Minerals lawsuits”, November 25, 2017. This video features interviews with Cory Wanless, of Klippensteins lawyers, and Grahame Russell, of Rights Action. View: <https://www.facebook.com/thedropvideo/videos/370077746779053/>
- **Rabble.ca:** “The struggle continues between Q'eqchi' communities and Hudbay Minerals”, by Rachel Small, December 1, 2017, <http://rabble.ca/blogs/bloggers/council-canadians-blog/2017/12/struggle-continues-between-qeqchi-communities-and>
- **National Post:** “New era: Canadian mining industry closely watching three civil cases alleging human rights abuses”, <http://nationalpost.com/news/canada/new-era-mining-industry-closely-watching-three-civil-cases-alleging-human-rights-abuses>

**DONATIONS:**  
Laptops,  
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If folks have used laptops, iPhones and/or digital cameras, that are of decent quality, that you would like to donate to Rights Action, that we would then give to our partner groups, let us know by email ([info@rightsaction.org](mailto:info@rightsaction.org)) and we can take it from there.

## Electoral fraud, repression and killings by U.S. and Canadian-backed government in Honduras –

### **DON'T WRITE LETTERS OF PROTEST TO THE REGIME!**

BY GRAHAME RUSSELL

Upset about electoral fraud, repression and killings being carried out in Honduras by the corrupt, repressive government of Juan Orlando Hernandez? If so, don't write letters of protest to the regime – they are impervious to them, protected and empowered by their political, military and economic dealings with the “international community”. Rather, letters of protest should be sent to those actors in the “international community” – particularly the U.S. (the big elephant in the room) and Canada – that maintain beneficial economic, military and political relations with Honduras, directly empowering the regime stay in power.



Since the 2009 military coup (supported and legitimized by the U.S. and Canada), repression and violence, impunity and corruption (including electoral fraud and repression in the three post-coup elections) are endemic in Honduras. But these are not only “Honduran” problems, they are problems of the “international community”. Brought back into power by the 2009 coup, the economic, military and political elites of Honduras care about two things:

- maintaining economic and political relations with the international community, primarily the U.S. and Canada, and also the World Bank and Inter-American Development Bank, a host of global companies working in the sectors of African palm, sugar cane and bananas production, garment “sweatshop” factories, mining and tourism; and
- maintaining support from the U.S. military.



These international relationships are the lifeblood of the regime. This is how power and wealth, corruption and impunity work.

Thus, the U.S. and Canadian governments, and other international actors, must be held politically and legally accountable for how they are complicit with the government in Honduras, turning a blind eye to and – in effect – benefitting from repression and violence, impunity and corruption (including electoral fraud).

### **Elections 2017: Fraud and repression**

It has been reported widely around the world – though covered only somewhat by the media in the U.S., and ignored almost completely in Canada – that there is a violent campaign of electoral fraud and military repression going on in Honduras.

This most recent flashpoint of government fraud, corruption and repression has two immediate causes. Firstly, Juan Orlando Hernandez (JOH, as he is referred to) ran illegally for re-election as President – his entire campaign ought to have been rejected outright by the TSE (Supreme Electoral Council), as Presidential re-election is illegal. Secondly, when JOH and the National Party realized they were going to lose the elections, notwithstanding the electoral fraud they had been perpetrating, they suspended the vote count, militarized the TSE (Supreme Electoral Council), imposed an illegal curfew on the country, and mobilized police and soldiers to repress pro-democracy, anti-electoral fraud protests.

COFADEH (the Committee of family members of disappeared and detained Hondurans) reported on December 7 that since election day (Sunday November 26), there had been 14 confirmed killings by military and police; 51 wounded (7 seriously, 2 with permanent damage); 844 arbitrary detentions; at least 4 illegal raids/searches of people's homes in Tegucigalpa.



#### **“Out – JOH, Narco-dictator”**

**This is much more than a slogan. President Juan Orlando Hernandez (JOH) has been linked to organized crime and narco-trafficking. It has been widely reported on how organized crime and drug trafficking mafias have infiltrated all branches and institutions of the Honduran State and government. (More info: <https://www.insightcrime.org/honduras-organized-crime-news/>)**

### **Recent history**

This crisis of electoral fraud and repression also has broader underlying causes. Honduras' current nightmare began June 28, 2009, when the country's weak but stable democracy was stolen by a military coup supported by the U.S. and Canada. Since then, Honduras has lived through a permanent situation of government repression, generalized violence, corruption and impunity.

Throughout 2009 and into 2010, hundreds of thousands of Hondurans – young and old, men and women, from all walks of life – took to the streets on a daily and weekly basis, protesting the coup. The regime responded simply and repeatedly: with repression.

In November 2009, the post-coup regime held elections that were boycotted by a majority of Hondurans and the international community, except the U.S. and Canada. Rejecting the legitimacy of the coup regime itself and the possibility of democratic elections, no international delegations were sent to Honduras to observe the elections, except from the U.S. government.

*(continued)*



*"Honduras has been a dream for multinational corporations since the 2009 coup, as the illegitimate government hammered through laws to favour international investors in tourism, mining, dams and model cities, while communities trying to protect their land have been criminalised and militarised."*

(Karen Spring,  
[http://www.theguardian.com/world/2013/nov/22/honduras-elections-leftist-party-libre?CMP=tw\\_t\\_gu](http://www.theguardian.com/world/2013/nov/22/honduras-elections-leftist-party-libre?CMP=tw_t_gu))



The candidate of the coup plotters, Porfirio Lobo of the National Party, "won" the elections that were marked by corruption and repression; soon after, Lobo's presidency was accepted as legitimate by the U.S. and Canada.

There followed four years of repression against any opposition to the 2009 coup, to the fraudulent elections and to the government's economic agenda, encapsulated by their slogan "Honduras is open for business" – further opening the country's resources to global companies and investors. As companies in the sectors of mining, dams, tourism, African palm, garment industry, etc., initiated or increased business dealings with the military-backed government, repression reached levels similar to the early 1980s when U.S.-backed military regimes carried out widespread repression in Honduras, El Salvador, Guatemala, in the context of the so-called 'war on communism'.

Crime and violence exploded across the country – Honduras came to have the highest murder rate in the world. As global business investments increased, organized crime, repression, corruption and impunity became the hallmarks of the country.

In November 2013, the same sectors (dominated by the National Party, military and economic elites) that carried out the 2009 coup and fraudulent 2009 elections, organized and used repression and fraud to steal the 2013 elections. By this time, a range of groups that had opposed the 2009 coup and ensuing repression, corruption and fraud, had formed a new political party – LIBRE. But for the fraud and repression of the regime, LIBRE would have won the 2013 elections – dozens of LIBRE members were killed leading up to election day.

Barely a word of this was reported in the North American media. The fraudulent, violent electoral process was again legitimized by the U.S. and Canada. The newly "elected" president was Juan Orlando Hernandez (JOH) of the National Party.

"President Juan Orlando Hernández was an enthusiastic supporter of the 2009 military coup and was elected president of congress in January 2010. In December of 2012, he led a "technical coup," in which congress deposed four members of the Supreme Court and named four new loyalist judges the next day. In August 2013, congress illegally named a new attorney general to a five-year term. After that, Hernández controlled all the key institutions of power, including the Supreme Court, the attorney general's office, the police, and the military. Hernández built his campaign on promises to end the very security crisis that his government helped produce." (Dana Frank, <http://www.foreignaffairs.com/articles/140283/dana-frank/hopeless-in-honduras>)

### **"Honduras is open for business"**

What followed was four more years of:

- the Canadian "porn king" Randy Jorgensen (a tourism operator who made his 'fortune' operating an on-line pornography business in Canada) and other North American tourism operators using fraud and government repression to evict indigenous Garifuna communities from their Caribbean coastal lands, to build cruise ship ports, 5 star beach resorts and timeshare condos for North American and European 'snow birds';
- mining companies expanding their legally-contested and widely opposed mining operations. From 2000-2008, Goldcorp Inc's San Martin mine left chronic health harms and environmental destruction in the Siria Valley. On-going today, Aura Minerals is expanding its open-pit, cyanide-leaching gold mine, backed by the military and police, and are threatening to destroy a 200 year-old cemetery in Azacualpa to get at the gold underneath;
- World Bank (and other international) investments in the production of African palm to produce ethanol and bio-diesel fuels for international 'green energy' markets. Since the coup, over 150 small farmers in the Aguan region have been killed by Honduras' land-owning oligarchy;

- Gildan Activewear, Hanes, Nike and other textile companies expanding production in low-wage, no benefits, no unions, unregulated maquiladora sweatshops;
- international investments in the Agua Zarca hydro-electric dam, an illegal project of the Honduran elites, widely opposed by the Lenca communities indigenous to that region. This community defense struggle resulted in the assassination of Berta Caceres, the widely respected and loved indigenous rights, anti-imperialist, anti-patriarchy, anti-coup activist and leader.

For the Honduran elites and their “international community” partners, the 2017 elections were supposed to rubber-stamp four more years of “Honduras is open for business”. But they underestimated the courage and resolve of the Honduran people who voted so massively on November 26, 2017, that the Opposition Alliance, headed by President-elect Salvador Nasralla, was winning by an “unsurmountable margin.”

Then, late on November 26, the TSE, dominated by government of JOH, pulled the plug on the electoral computer system, crashing it for almost five hours. Once the system came back on line, JOH, the illegal candidate of the National Party, had somehow shot to the forefront and ... millions of Hondurans again took to the streets to demand respect for their election, to use democracy and the rule of law to put an end to their U.S. and Canadian-backed regime.



### Day 16 of electoral fraud resistance

As of the writing of this article, the electoral situation has not been resolved. But for the courage and dignity of the Honduran people, who are taking to the streets day and night – and suffering repression for it – demanding respect for the election of Salvador Nasralla as their new President, these elections would have been stolen already by JOH and the National Party. Stay tuned ... Get involved at home in Canada and the U.S.

### U.S. and Canadian problems

Don't write your letters of protest to the Honduran regime that is allied with and empowered by its political, military and economic dealings with the “international community”. Through our denunciations and activism, we have to make this “international community” – particularly the U.S. and Canada – accountable for their actions.

**U.S.:** In the U.S., call the Capital Switchboard to contact your Senators and Representatives: (202) 224-3121. Get their phone numbers and email addresses; send them copies of this and other information; politely insist that they agree to the demands below; share your efforts with the media, family, friends and networks.

**Canada:** In Canada, find your MP by entering your postal code on this page: <http://www.ourcommons.ca/Parliamentarians/en/members>. Get their phone numbers and email addresses; send them copies of this and other information; politely insist that they agree to the demands below; share your efforts with the media, family, friends and networks.

In the short term, the U.S. and Canadian governments and elected politicians must:

- **condemn the multiple acts of electoral fraud** being carried out by the government of Juan Orlando Hernandez;
- **condemn the suspension of constitutional rights**, the imposition of a curfew and the acts of police and military repression against anti-electoral fraud protesters and other citizens;

- **state that the government of Juan Orlando Hernandez will be held fully accountable** for any and all electoral fraud and repression taking place;
- **suspend all economic, military and police** related relations with the corrupt government in power;
- **advocate for a complete recount of ALL votes**, carried out under full national and international supervision, or for a new run-off election held under full national and international supervision.

In the medium and longer terms, there must be legislative and senate inquiries in the U.S. and Canada into the causes of Honduras' endemic situation of repression and exploitation,

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corruption and impunity, focusing specifically on the role played by the U.S. and Canadian governments:

- supporting the 2009 military coup;
- supporting and legitimizing fraudulent and violent elections in 2009, 2013 and 2017 (though the 2017 elections remain unresolved);
- supporting the expansion of corporate and investor interests in Honduras in the areas of mining, garment "sweatshop" industry, bananas, hydro-electric dams, tourism, etc., while turning a blind eye to and – in effect – benefitting from repression, fraud, corruption and impunity.

If accountability is not brought to the military, economic and political backers of the Honduran regime, the repression, corruption and impunity – and suffering of the Honduran people – will not stop.



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