

18 month struggle to free Edwin Espinal, Honduran political prisoner detained by U.S. & Canadian-backed regime (Collingwood Today report)

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This is how hard human rights struggles are, just to free a person illegally detained by a repressive, corrupt, anti-democratic regime. And still, most media in the U.S. & Canada will not report honestly on WHY tens of thousands of people are forced to flee Honduras, year after year, since the 2009 U.S. & Canadian-backed military coup.

As son-in-law worried for his life in Honduras jail, a local family fought for justice

August 20, 2019, by [Erika Engel](#)

<https://www.collingwoodtoday.ca/local-news/as-son-in-law-worried-for-his-life-in-honduras-jail-a-local-family-fought-for-justice-1647373>

'Our [Canadian] politicians are involved in turning a blind eye to human rights abuses all around the world,'
said Karen Spring



Karen Spring and Edwin Espinal play chess for the first time. Contributed photo

In an apartment in Honduras' capital city Tegucigalpa, a husband and wife played chess together for the first time. It might seem an ordinary scene - boring even - but it's an experience both feared would never happen.

Edwin Espinal has been separated from his wife since they were married, after becoming a prisoner in a maximum-security detention centre in Honduras. His life has been threatened by criminals and he has battled disease, infection, and malnutrition.

He was charged with inciting terrorism - a charge so loosely defined in Honduran law, it has been condemned by the United Nations.

Espinal was denied bail several times. The Honduran human rights defender was a political prisoner - as powerless as a pawn - and he worried it would stay that way unless the politics of the country changed.

Espinal, a citizen of Honduras, married Karen Spring, a Canadian citizen raised in Elmvale, from prison on [Oct. 18, 2018](#). The two had been partners for years. Karen met Espinal while she worked in Honduras for a human rights organization.

Karen has been living and working in Honduras since 2009. She's the Honduras-based coordinator for the Honduras Solidarity Network.

She was with Espinal when he was arrested. Through his imprisonment, there have been total blackouts where Karen couldn't visit Espinal, and the phones from the prison were shut off for months. He spent the first two weeks in solitary confinement, though he didn't know why.

In prison, he learned chess from another human rights defender. Meanwhile, his family and friends put into action all the strategies they could think of to get Espinal and others like him released.

Janet Spring, Karen's mother, has taken her own crash course in Canada's foreign policy and has banged on the door of every politician and ambassador she could reach, travelling to Ottawa, the U.S., and Honduras to petition for Espinal's release.

From her home in Elmvale, she has helped mobilize a Simcoe County-based campaign calling for the release of all political prisoners in Honduras.

Everyone worried an attack on the king would be the only way Espinal would be free again. "I'm certain Edwin isn't going to get out before the regime changes," Janet admitted in an interview earlier this summer.

But he did get out. Espinal was released on bail Aug. 9. He returned to court Aug. 15, where a judge set his hearing for May.

Janet was in Honduras for Espinal's last court date. The trip was two-fold; she was delivering a chess set she purchased for her daughter and son-in-law, and giving him the chance to fulfil a promise he made when she visited him in prison: he wanted to make her a "typico" breakfast.

Janet said the judge dismissed much of the evidence presented by the prosecution at his most recent court date. She referred to the evidence as "fabricated and circumstantial."

Still, that evidence was used to put Espinal in prison for 18 months.

Human Rights Defender Arrested

[Espinal was arrested on Jan. 19](#), 2018, after an anonymous social media campaign accused him and others of having ties to criminal organizations and drug cartels. At a pre-trial hearing, Espinal was accused of many charges including terrorism.

He was imprisoned at La Tolva, a maximum-security prison run by the Honduras military.

About 25 men, considered by many to be political prisoners like Espinal, were arrested at the same time. Among them was Raul Alvarez, whom Espinal met in La Tolva. Alvarez taught Espinal to play chess on the prison's single chessboard. Espinal found a group who wanted to learn to read and taught them when he could.

Espinal and Alvarez, as well as a Honduran teacher, Romel Portillo, arrested recently for his participation in protests, received death threats while at La Tolva. After a meeting with their lawyer, they refused to return to the module, fearing for their lives. They were provided with a "make-shift cell with no air circulation, no water or toilet, and no window, sleeping on the cement floor on a thin piece of foam," according to Janet.

One of Janet's last visits to the prison to see Espinal, he said the water had been shut off for two days. There was no drinking water, no water to flush the toilets, no water to wash, and no water to prepare food.

Even without a crisis and water shortage, which happened often according to reports from Espinal delivered by Janet, access to water was limited to minutes per day (toilets could only be flushed during those minutes).

Janet said the prison packs ten or more men to a cell that has just a single toilet. The prisoners get two hours of outdoor time in a month.

An untreated and undiagnosed ear infection has left Espinal deaf in one ear. In a letter he wrote from prison, Espinal said he thought La Tolva and the living conditions there were "made with the purpose to let prisoners kill each other."

Karen said she thought the conditions were terrible intentionally. "The conditions [in the prison] are seen as punishment, and are used to terrorize Hondurans," said Karen while in Elmvale last year. "These men are there for political reasons, they are not there because they've been convicted of anything."

While Espinal was imprisoned, there were riots at La Tolva that left multiple prisoners dead. [Amnesty International](#) visited the prison and called the circumstances surrounding the imprisonment of Alvarez and Espinal "inhumane."

Espinal and Alvarez's court cases bounced around different levels of courts, sometimes put on hold for a judge's vacation. All 18-months they were imprisoned was considered pre-trial detention, meaning charges had not been proven or tested in court.

Honduran citizens rise up

So why, after 18 months and previous attempts to secure release on bail, were Espinal and Alvarez finally released from La Tolva? It could be the government is losing its firm grip on the country. The country's citizens are rising up. Thousands flee in mass caravans to try their luck at the U.S. border. Those who stay don't want to let things stay the same.

The fires of protest sparked years ago have only grown hotter, fuelled by extreme poverty, daily violence, corruption, and what international human rights mechanisms – including the United Nations – are calling “deeply concerning” human rights abuses.

Mass protests occur regularly. Recently, teachers, doctors, nurses, and transportation staff walked out on strike to protest the Honduran government.

While on a delegation called “Roots of Migration” in Honduras, in early June, Janet said her group came upon several protest marches and demonstrations, including roadblocks set up by the Honduras joint police-military. Protestors called for two things: the resignation of President Juan Orlando Hernández, and the release of political prisoners like Espinal, Alvarez, and Portillo.

In 2008, Maurel Zelaya was the democratically elected president of Honduras. In 2009, there was a military coup and Zelaya was thrown out of office.

In 2017, an election fraught with allegations of corruption spurred protests en masse as hundreds of thousands of Hondurans marched in opposition to the government and President Juan Orlando Hernández.

A state of emergency was declared and the military and police dispersed protesters and imposed a curfew. The state of emergency has not been lifted - police and military remain a joint unit enforcing “public order.”

The Office of the United Nations High Commissioner for Human Rights (OHCHR) [released a report](#) on the allegations of human rights violations following the 2017 election. “OHCHR found that elements of the security forces, especially the Military Police of the Public Order and the Army, used excessive force, including lethal force, to control and disperse protests, leading to the killing and wounding of protesters as well as passers-by.”

According to the OHCHR, there were at least 23 people killed between Nov. 26, 2017 and Jan. 27, 2018. Of those 23 people, at least 16 of them were shot to death by security forces, including two women and two children. There were at least 60 people reported injured, half by live ammunition.

The Commissioner's report notes there were mass arrests during the protests and at least 1,351 people were detained between Dec. 1 and 5 for violating curfew.

The report notes there were “credible and consistent” allegations of ill-treatment at the time of arrest. During detention, there were also reports of illegal house raids. There has been a surge in threats and intimidation against journalists, media workers, social and political activists.

United Nations condemns Honduras military police

Another report by the United Nations High Commissioner for Human Rights, this one published in January of 2019, had strong recommendations about the continued use of the joint police-military for public order and said steps should be taken to address concerns by the UN and other international human rights mechanisms about the “overly broad” definition of the crime of terrorism - one of the charges levied against Espinal.

Honduras was one of the original members of the United Nations when it was founded in 1945, and remains a member of the general assembly. Such a membership requires each country to adopt the Universal Declaration of Human Rights as a minimum standard.

“OHCHR and relevant international human rights mechanisms have consistently recommended that Honduras reconsider the role played by the military in public order functions and noted the high risk of human rights violations, as highlighted by the concerns arising from the participation of the military in the policing of the 2017 protests related to the elections,” states the report.

Janet reported witnessing the military still policing protests in the country on her recent visits. While she was visiting the Canadian embassy in Honduras, she smelled tear gas, which was being used several blocks away.

In fact, she spotted a truck bearing the logo of the Canadian government loaded up with military personnel headed for a protest site. Global Affairs Canada said that truck was for the sole purpose of transporting health-care workers, equipment, and supplies to remote areas of Honduras for treatment of Chagas and other diseases.



According to the OHCHR report, one member of the Public Order Military Police is currently on trial for the assassination of three members of the Miskito Indigenous community during a night operation. In October, three children in a vehicle were struck by bullets as the Public Order Military Police engaged in an operation against street gangs. A journalist reporting in Tegucigalpa in November was injured as penitentiary guards transporting a prisoner opened fire while approaching a protest.

“Tear gas appears to be routinely used, often indiscriminately and on questionable grounds of necessity,” states the report.

On the subject of prisons, the report states overcrowding continues to increase despite opening new prisons in 2017. Individuals are often held in pre-trial detention for two years and end up released as their charges never go to trial.

The report states 23 inmates had died as of September 23, 2018 - five died violently in prison riots. “Poor health services accounted for several of these deaths,” states the OHCHR report. By August, there were 144 instances of tuberculosis recorded in Honduran prisons, with La Tolva being one of the worst cases “as conditions of detention and limited access to open air resulted in deteriorated physical condition and facilitated the spread of the disease.”

Human rights defenders like Espinal and Karen face extreme danger

“Attacks, criminalization, harassment and smear campaigns against human rights defenders, as well as burglaries of their offices and private residences remained of deep concern,” states the UN report. “The vast majority of human rights defenders in Honduras are not able to operate in a safe and enabling environment.”

In early July, the 11-year-old daughter of a known human rights defender, and the government opposition leader Gabriel Quiroz, was shot and killed while she was travelling by car in her home city of Choluteca.

On March 2, 2016, Berta Cáceres was shot dead two days before her 45th birthday. She was a known Indigenous environmentalist, women’s rights defender, political analyst and anti-capitalist campaigner. She had been embroiled in a battle to stop construction on an internationally-financed hydroelectric dam on a river considered sacred by the Lenca people.

The Guardian reported there were seven men found guilty of her murder, which was conducted by a group of hitmen paid to kill Cáceres. The court ruled her assassination was ordered by executives of the dam company Desa.

Hondurans Flee in Caravans

Hondurans are fleeing the country by the tens of thousands. A ride on the “coyote” network that involves paying someone to smuggle you over the U.S. border costs between \$7,000 and \$12,000 (US) per person. But it isn’t safe. Between 8,000 and 10,000 people have disappeared in the coyote system, likely forced into the sex trade.

Many have decided to try for safety in numbers, and mass caravans make their way north to the U.S. During the Roots of Migration delegation, Janet said she was told nearly half of all kids between the ages of 8 and 11 in Honduras said they would have to leave the country someday.

Murder, violence, drugs and gangs are all prevalent in Honduras - a youth and children's community centre Janet visited while on the delegation posted armed guards outside to protect their kids and their space from gang takeovers.

"A lot of people don't understand the severity," said Janet. "These people are facing real crisis ... it's hard to relate to. People don't like to talk about it."

Government Corruption

Part of the crisis is fighting the government that is supposed to be there to fight for you. "Through corruption and collusion, organized crime has infiltrated government agencies and the broader political arena, as demonstrated by the profile of the individuals prosecuted in ongoing criminal cases in national courts or extradited or arrested in foreign jurisdictions," states the Jan. 2019 UN high commissioner's report.

Recently, the president of Honduras has become one such individual, having been implicated in a drug trafficking case centred on his brother. The Wall Street Journal reported earlier this month U.S. prosecutors accused Honduran President Juan Orlando Hernández of conspiring with his brother and other top politicians to protect drug traffickers.

The president's brother, Juan Antonio "Tony" Hernández, a former Honduran lawmaker, is described in court documents as a "violent, multi-ton drug trafficker," who stamped his initials on cocaine shipments. He is currently facing drug and weapons charges in the U.S. and has pled not guilty.

The Wall Street Journal also reported prosecutors allege \$1.5 million in drug proceeds were used to support Orlando Hernández's 2013 election through bribes and gifts to local politicians to support his campaign.

The president has denied the accusations. A statement released by Orlando Hernández states he "led an unprecedented battle to free his country from the control of drug traffickers, working in an effective alliance with the United States government and other allies."

It's possible the escalation of protests and strikes and the charges against the president and his brother could have led the judge to grant Espinal and Alvarez bail and dismiss much of the prosecutor's evidence in an effort by the judge to distance himself from the current regime. But it's impossible to be sure.

Advocacy at Home

From the time of Espinal's arrest, the Spring family has been advocating - demanding - his release. They've been around Honduras, the U.S., Canada, bending the ears of all who would listen; some would not.

Residents in Elmvale, neighbours of the Springs, formed the Simcoe County Honduras Rights Monitor, an advocacy group that posted regular updates on Espinal and other political prisoners in Honduras and applied pressure to governments in Canada, the U.S., and Honduras.

"I thought he'd be out in two weeks," said Janet. "I thought if I called my MP and let the Canadian government know, they would have been on it and make a statement ... they didn't want to look into it

because he's not Canadian. I was shocked they wouldn't do anything. I thought Canada stood for human rights."

Earlier this month, and before Espinal was released, a spokesperson from Canada's Global Affairs office said the Canadian government was aware of his and Alvarez's incarceration and was following the issue closely.

"Canada has requested [Honduras] authorities take measures to ensure the safety and security of both detainees, and that prison conditions meet international standards established by the United Nations Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment as well as the United Nations Minimum Rules for the Treatment of Prisoners," said the statement from Global Affairs.

They confirmed Canadian officials had been granted permission by Honduran authorities on six occasions to visit La Tolva prison and visit Espinal and Alvarez. Most recently, Canadian officials visited the prison on July 18, 2019, where they would have seen the conditions under which Espinal and the others were being imprisoned.

Global Affairs did not directly respond to questions about the state of La Tolva.

"Canada has made representations to Honduran officials on multiple occasions regarding their obligations to ensure humane treatment of prisoners," read the Global Affairs statement. "However, the Office of the United Nations High Commissioner for Human Rights and Honduras' National Committee for the Prevention of Torture, Cruel, and Degrading Treatment (CONAPREV) have pointed out Honduras largely remains non-compliant."

When it comes to other human rights outside of Espinal and Alvarez's cases, Global Affairs said Canada was "monitoring" developments in Honduras and will continue to advocate "for the respect and promotion of human rights, including the right to peaceful protest."

Janet has pushed Global Affairs minister Chrystia Freeland to make a public statement about the treatment of Espinal and other political prisoners in Honduras, but Freeland has made no such comments.

"The country began spiralling [after the 2009 coup]," said Karen. "The more I've seen it spiral, the more I've seen Canada take the wrong position every time."

Last weekend, Freeland made a joint statement with the European Union's Frederica Mogherini to support Hong Kong residents' right to peaceful assembly and urging restraint in the wake of what they referred to as "a rising number of unacceptable violent incidents."

This is after months of protests by residents in Hong Kong accusing China of taking away Hong Kong's democratic rights. But Freeland has not made a public statement on the protests and resulting violence and arrests in Honduras.

"I think the Canadian voice has not been strong enough [on Honduras]," said Janet. "The UN and CONAPREV and all of these organizations that are trying to make a difference, if they don't have a

country like Canada supporting them 100 per cent, helping them with advocacy and making demands, they can't do any better."

Canada's stance on Human Rights

A document called Voices at Risk posted on the Global Affairs website is billed as Canada's guidelines on supporting human rights defenders. The lead sentence in the document's introduction states "Canadians care about human rights. They expect their government to help build respect for human rights at home and around the world."

Further into the document, it states Canada provides "effective support to people around the world who work for human rights by ... ensuring they are able to carry out their work in a safe and enabling environment, and protecting them from harm."

Later, the document states an attack on a human rights defender is "an attack against everyone's human rights."

Just as she has done for the Hong Kong protests, Freeland has made many public statements about the state of human rights in Venezuela. Through the Lima group, Freeland has done exactly as Janet hoped she would do for Honduras, but to Venezuela, and with Honduras by Canada's side. Honduras is one of 12 countries in the LIMA group.

The Canadian Global Affairs website states Canada is "deeply concerned by the suffering of the Venezuelan people and remains strongly committed to the promotion and protection of democracy and human rights." "In response to attacks on Venezuelans' democratic and human rights by the regime of Nicolás Maduro, Canada has imposed several rounds of targeted sanctions," reads a statement from Global Affairs.

Those sanctions include a "downgrade" of diplomatic relations with Venezuela and a joint effort to refer the situation in Venezuela to the International Criminal Court based on what Global Affairs refers to as "credible allegations" that serious international crimes may have been committed.

The Lima group statement claims the "illegitimate Maduro regime" is attempting to convene elections unconstitutionally and accuses Maduro of affronts to democracy, the rule of law, and the Venezuelan Constitution.

There are also accusations of the Venezuelan government repressing and murdering those who are "political opponents."

In Janet's view, the Lima group shows Canada's support of the Honduran government. She said if Canada recognizes the Honduran government is "non-compliant" when it comes to human rights standards set out by the United Nations, CONAPREV, and more, Canada shouldn't be involved with Honduras in the LIMA group.

"The Canadian government, under the leadership of Prime Minister Justin Trudeau and Minister Freeland, are rubbing shoulders with the Hernandez government and they are basically an ugly bystander," said Janet. "I think Canadians feel we play peacekeeping roles throughout the world. They don't realize, it's not any more. Our politicians are involved in turning a blind eye to human rights abuses all around the world."

For Janet, the last 18 months have demonstrated the need for more debate and education around Canada's foreign policy. "People don't know what's going on," said Janet. "I didn't know before all this." Now she does know, and she plans to do all she can to make sure foreign policy is a federal election issue this year. She has at least two clear reasons to think about Honduras from her farmhouse in Elmvale: A son and a daughter.

Her son-in-law is out on his own recognizance - free from La Tolva, but not from the regime that put him there in the first place. He may or may not get a fair trial. And yet, pawns have been known to keep a king in check.

Contact

Janet Spring & Simcoe County Honduras Rights Monitor Committee, jspring2@lakeheadu.ca, 705 734 4238

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