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# HONDURAS

OBSERVATORY FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS  
ANNUAL REPORT 2011

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In 2010 and 2011, repression continued against human rights defenders and journalists who reported human rights committed violations in Honduras after the coup d'état on June 28, 2009. Moreover, the security situation for defenders of sexual minority rights, environmentalists and peasant leaders was of particular concern due to the high number of killings and attacks against them.

## Political context

On January 27, 2010, seven months after the military coup that deposed constitutionally elected President Manuel Zelaya, Mr. Porfirio Lobo took up presidential office as the result of an electoral process that was highly polemical both nationally and internationally<sup>1</sup>. As of April 2011, Honduras continued to be suspended from the Organisation of American States (OAS) and a number of major issues were not resolved under the new Government, such as respect for peaceful and democratic political opposition, freedom of expression and bringing to justice those responsible for the human rights violations that occurred during and after the coup d'état. Additionally, on January 26, 2010, the day before the President took up office, the National Congress of Honduras approved an amnesty decree for the events that occurred between January 1, 2008 and January 27, 2010. Although this decree states that human rights violations are exempt from the amnesty, the ambiguous language used and the lack of precise criteria for the decree's application have caused concern that it could be applied in an abusive manner<sup>2</sup>. This, coupled with the slow progress in current judicial processes, and the lack of resources for the Special Attorney for Human Rights, mean that the great majority of human rights violations committed after the coup d'état remain in impunity. Indeed, by April 2011, only one person had been deprived of one's freedom for human rights violations, and a definitive stay of proceedings had been declared in a

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1/ Due to obstacles for the return to Honduras of deposed President Zelaya, by April 2011, a number of countries in the region did not recognise the Government of Mr. Lobo: Argentina, Bolivia, Brazil, Ecuador, Paraguay, Uruguay and Venezuela.

2/ See Inter-American Commission on Human Rights (IACHR) Press Release No. 14/10, February 3, 2010.

number of important cases<sup>3</sup>. Since the beginning of President Lobo's term of office, progress has been made in establishing the Commission for Truth and Reconciliation (*Comisión de la Verdad y la Reconciliación* - CVR) in order to investigate events occurring before, during and after the coup. Nevertheless, the independence and legitimacy of this commission were questioned to such a point that civil society created an alternative mechanism called the Truth Commission (*Comisión de Verdad* - CDV). It is expected that both commissions will produce their reports in the second half of 2011.

Another cause for concern was the widespread lack of judicial independence, in particular in relation to the Supreme Court of Justice. On June 1, 2010, the Supreme Court of Justice ratified the decision to dismiss four judges who publicly opposed the coup d'état. This caused particular concern and rejection by the international community. For the follow-up mission of the Inter American Commission on Human Rights (IACHR), held in May 2010, it was clear that the causes leading to this process and the decisions against judges and magistrates were linked to their opposition to the coup d'état. The mission found it unacceptable that persons responsible for administering justice were charged because they opposed the breakdown of democracy<sup>4</sup>.

On the other hand, violence against Lesbian, Gay, Bisexual, Transgender and Intersexual (LGBTI) persons has worsened since the coup d'état in June 2009, as it is estimated that 43 members of this community have been murdered since the coup including human rights defenders of LGBTI persons<sup>5</sup>. In February 2011, the Security Secretary agreed to grant protection measures in favour of several LGBTI persons based on precautionary measures granted by the IACHR in January 2010<sup>6</sup>. Nevertheless, as of April 2011, they had still not been effectively implemented.

Also cause for serious concern was the violence which was used to repress

3/ As of April 2011 a stay of proceedings had been declared in cases against seventeen officials and five civilians, several of which were linked to massive human rights violations in several cities throughout the country, and criminal proceedings had been suspended against a further six individuals. Moreover, the charges proffered by the Attorney's office are against low ranking police officers for crimes against the public administration and not for crimes such as torture, injury, attacks, or illegal detentions. See Honduras Committee of Family Members of the Detained-Disappeared (*Comité de Familiares de Detenidos Desaparecidos en Honduras* - COFADEH).

4/ See IACHR, *Preliminary Observations of the Inter American Commission on Human Rights on its visit to Honduras, May 15-18, 2010*, June 3, 2010.

5/ See LGBTI Rainbow Association (*Asociación Arcoiris*).

6/ See IACHR Precautionary Measures 18/10, January 29, 2010.

peaceful demonstrations organised by the resistance to the coup d'état, as well as violence against journalists who openly expressed opposition to the coup. By April 2011, at least ten such journalists had been murdered since the possession of the new Government and none of the cases had been totally resolved<sup>7</sup>. Moreover, during its visit in May 2010, the IACHR confirmed that the Government had not implemented precautionary measures granted to 28 journalists, or in some cases had implemented these measures in an insufficient or tardy manner<sup>8</sup>.

These concerns were highlighted by the United Nations Human Rights Council during the Universal Periodic Review (UPR) of Honduras in 2010. A number of the UN Council recommendations focused on the need to reinforce mechanisms and effective means to duly protect human rights defenders, journalists and judges, and on the importance of taking appropriate measures to strengthen the independence of the judicial power, and on the need to investigate human rights violations that occurred during the coup, and on bringing to justice those responsible for these acts. The UN Human Rights Council also made a number of recommendations on the importance of guaranteeing freedom of expression and protecting journalists. The recommendations also emphasised the importance of carrying out independent, impartial and effective investigations into violence against the LGBTI population and of taking effective measures to improve conditions of detention, in particular to reduce overcrowding and violent incidents in prisons<sup>9</sup>.

### **Killings of peasant leaders and environmental defenders**

The climate of insecurity worsened against environmentalists and peasant leaders. On May 8, 2010, Mr. **Adalberto Figueroa** was assassinated in the municipality of Guata. He was a board member of the Environmentalist Movement of Olancho (*Movimiento Ambientalista de Olancho - MAO*), Coordinator of the Environmentalist Movement of Guata (*Movimiento Ambientalista de Guata*) and an alderman in the Guata municipal corporation. Mr. Figueroa had worked for many years to protect the forests in the region against the operations of logging companies. Mr. Figueroa is the ninth activist from the MAO to be assassinated since 2001<sup>10</sup>. Only two of these nine cases, namely those of Mr. **Heraldo Zúñiga** and Mr. **Roger**

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7/ See Inter-American Press Society Press Release, May 19, 2011 and IACHR Press Release No. R45/11, May 13, 2011.

8/ See IACHR, *Preliminary Observations of the Inter American Commission on Human Rights on its visit to Honduras...*, *op. cit.*

9/ See Human Rights Council, *Report of the Universal Periodic Review Working Group*, UN Document A/HRC/16/10, February 4, 2011.

10/ See COFADEH.

**Murillo**, were brought to justice, leading to the conviction of members of the police. However, two of those found guilty escaped and as of April 2011, they had not been apprehended. The other seven cases remain in impunity. Meanwhile, Ms. **Teresa Flores**, a peasant leader and member of the Coordinating Council of Peasant Organisations of Honduras (*Consejo Coordinador de Organizaciones Campesinas de Honduras - COCOCH*), disappeared on August 7, 2010. On August 11, her body was found bearing signs of torture some 35 km from the city of Siguatepeque. Ms. Flores was the coordinator of a number of peasant groups in the area where she resided, in the department of Comayagua, and she disappeared while travelling towards her home on a bus. The Unit of Femicide in Comayagua investigated the case, yet as of April 2011 no request for indictment had been presented<sup>11</sup>. In another case, on March 14, 2010, Mr. **Nahúm Palacios**, Director of News on the *Televisora Canal 5* television station in Aguán, was assassinated as he travelled to his home in the city of Tocoa. In the weeks preceding his death, Mr. Palacios had been covering the agrarian conflict in Aguán between the Unified Peasant Movement (*Movimiento Campesino Unificado - MUCA*) and businessmen in the area. The precautionary measures he had been granted on July 24, 2009 by the IACHR, had not been implemented. Despite having begun investigative proceedings for this case, by April 2011, the Public Ministry had not presented a request for indictment and did not have any clear leads as to the authors of the crime<sup>12</sup>.

### **Killings, threats, surveillance and violence against defenders of LGBTI people**

Violence against defenders of LGBTI persons has worsened since the coup d'état in June 2009. On August 31, 2010, Ms. **Neraldys Perdomo** and Ms. **Imperia Gamaniel Parson**, respectively President and Vice-President of the Pink Unity Collective (*Colectivo Unidad Color Rosa*), were assassinated. This organisation provides a space for transvestites, transgender persons and transsexuals to freely express themselves and to gain access to health and education services<sup>13</sup>. In another case, in spite of the protection measures agreed for Mr. **Donny Reyes**, General Coordinator of the LGBTI Rainbow Association (*Asociación LGBTI Arcoiris*) who has been a beneficiary of precautionary measures from the IACHR since July 2, 2009, he continued to receive death threats through text messages and was followed by unknown individuals near his home, on several occasions throughout 2010. This situation caused him to leave the country on two

11/ *Idem*.

12/ *Idem*.

13/ See IACHR Press Release No. 4/11, January 20, 2011.

occasions (from October to December 2010 and in January 2011), in fear for his life<sup>14</sup>. Equally, in spite of police patrols ordered by the Government as protection measures for the House of Rebirth (*Casa Renacer*)<sup>15</sup>, these were only implemented sporadically and the organisation had to continue using self-protection measures<sup>16</sup>. Acts of harassment, surveillance and intimidation also continued throughout 2010 and 2011 against members of the Association for a Better Life (*Asociación Por Una Vida Mejor - APUVIMEH*)<sup>17</sup>. Several members were forced to leave the country in December 2009, after the killing of Mr. **Walter Tróchez**, founding member of APUVIMEH and Secretary of House of Rebirth. As of April 2011, investigations into the murder of Mr. Tróchez had not advanced. In August 2010, a number of armed individuals were seen watching the home of Ms. **Sandra Zambrano**, Head of Projects at APUVIMEH, and others were seen watching the offices of APUVIMEH. Subsequently, on April 26, 2011, several armed men arrived at Ms. Zambrano's home and asked questions about her. These events were reported to the Special Attorney for Human Rights and by April 2011, the investigation continued to be in the preliminary stages<sup>18</sup>. In addition, Mr. **Alex David Sánchez Álvarez**, a volunteer in several organisations defending the rights of LGBTI people and a nurse in the Centre for the Prevention, Treatment and Rehabilitation of Victims of Torture and their Families (*Centro de Prevención, Tratamiento y Rehabilitación de las Víctimas de Tortura y sus Familiares - CPTRT*), was followed from January 14 to 19, 2011 by unknown individuals. On January 14, 2011, Mr. Sánchez Álvarez and another LGBTI activist he was with, outside the offices of the Purple Collective (*Colectivo Violeta*) were threatened with death by an armed man who said "you're the ones we haven't got yet", and on January 19, 2011, when he was travelling to the CPTRT, he was beaten by a man who was travelling on a motorcycle<sup>19</sup>. These events were denounced before the Public Ministry. However, investigations were not initiated. Finally, as of April 2011, the assassination of Ms. **Cynthia Nicole**, an activist for the rights of transgender people and a leader of the Purple Collective who was shot dead by unknown individuals on January 9, 2009, remained unpunished.

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14 / See LGBTI Rainbow Association.

15 / Casa Renacer is a refuge that houses HIV positive persons and offers advice to LGBTI persons.

16 / *Ibid.* at 10.

17 / Association that works for the human rights of LGBTI persons and persons affected by HIV-AIDS.

18 / *Ibid.* at 10.

19 / See CPTRT Press Release, January 19, 2011.

## Threats, intimidation and murder attempts against human rights defenders who investigate and denounce illegal activities committed during the coup d'état

A number of defenders who participate in public fora to denounce and raise awareness of the human rights situation in Honduras lived in a continuous state of fear and intimidation throughout 2010 and 2011. The members of the Truth Commission (CDV) were the victims of numerous threats, surveillance, intimidation, theft and even murder attempts. Throughout 2010 unknown individuals were seen watching the offices of the CDV and several members received written death threats. In October 2010, unknown individuals entered the offices of the CDV and stole a computer and a mobile phone. On March 22 and 30, 2011, Mr. **Eddy Ramón Guifarro Mejía**, a member of the CDV, suffered police harassment and was the object of a murder attempt by unknown assailants who attempted to detain him and then fired shots at him. The CDV offices in San Pedro Sula were also attacked on March 28, 2011, when the Coordinator of the office Ms. **Brenda Mejía** was inside the building with two others and an explosive artefact was launched at the offices causing material damage. Subsequently, on March 31, 2011, unknown individuals threw stones at the CDV offices for the attention of victims in Tegucigalpa. All of these events were reported to different institutions, including to the Special Attorney for Human Rights in the Public Ministry, however by April 2011, there was no progress in the investigations. Furthermore, Mr. **Leo Valladares Lanza**, Director of the Association for Participative Citizenship (*Asociación para una Ciudadanía Participativa - ACI-Participa*)<sup>20</sup>, was victim of acts of harassment since February 2011, when he spoke on television about the resurgence of militarism after the coup d'état, and its incorporation into the executive power structures. He was subjected to anonymous calls to his home and two raids on the offices of ACI-Participa on March 28 and April 10, 2011. These events were denounced before the Special Attorney for Human Rights in the Public Ministry, who visited the scene where the events had taken place, however there had been no progress made in the case by April 2011. Earlier, in February and March 2010, Mr. Valladares Lanza had been followed on repeated occasions by the same taxi and after police investigations into these events, it was recommended that he takes additional security measures for himself and his family. The precautionary measures granted by the IACHR on July 24, 2009 in favour of Ms. **Gladys Lanza**, Coordinator of the Visitación Padilla Women's Movement for Peace (*Movimiento de Mujeres por la Paz Visitación Padilla*), were not implemented and she continued to be the victim of threats. In June 2010,

20 / Organisation that promotes the respect of human rights in Honduras, and encourages citizen participation in decision-making processes.

she began once again to receive intimidating telephone calls against her, which had been constant throughout 2009. In addition, on March 8, 2010, during International Women's Day, the tyres of the organisation's car were knifed, and on July 17, 2010, hours after she participated in the radio programme "Voces Contra el Olvido", broadcast by the Honduras Committee of Family Members of the Detained-Disappeared (*Comité de Familiares de Detenidos Desaparecidos en Honduras* - COFADEH), in which she analysed military resurgence in Honduras and Latin America, she received threats by email. These threats were denounced before the Special Attorney for Human Rights. However, there was no progress in the case as of April 2011. Ms. Lanza's delicate situation led the Inter-American Court on Human Rights (IACtHR) to decree provisional protection measures in her favour on September 10, 2010, under which police patrols were ordered in the areas near her office and home. Nevertheless, on December 22, 2010, unknown individuals evaded the surveillance cameras and broke into the administration office, where they rifled through written information. Moreover, on March 21, 2011, a tear gas bomb was launched in the entrance to her home, affecting bystanders who happened to be there at the time. These events were denounced, however by April 2011 no progress had been made in the case.

In 2010 and 2011, threats, surveillance and attacks were also registered against journalists who reported human rights abuses after the coup d'état. Several members of *Radio Progreso*, a radio station in the north of Honduras that reported human rights violations committed after the coup, were threatened and harassed. Its Director, Father **Ismael Moreno**, and journalist **Gerardo Chévez** received threatening messages on their mobile phones, in March and April 2010. Likewise, Ms. **Leticia Castellanos**, a journalist with *Radio Progreso*, in addition to receiving threats, was followed and watched on several occasions<sup>21</sup>. In a similar case, on July 31, 2010, Ms. **Mayka Antúnez**, a journalist with the *Radio Globo* news programme, was informed by a trustworthy source that several military officers had stated that even if they could not do anything against her, "others" could do her damage. These threats were made after she interrogated Mr. Roberto Micheletti<sup>22</sup> about the state of human rights, impunity, and his responsibility in the deaths that occurred during the coup d'état.

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21/ See CPTRT and IACHR, *Preliminary Observations of the Inter American Commission on Human Rights on its visit to Honduras ...*, *op. cit.* For these threats and acts of surveillance the IACHR granted precautionary measures to Father Ismael Moreno, Mr. Gerardo Chévez, Ms. Leticia Castellanos and to other journalists from *Radio Progreso*. See IACHR, Amplification of Precautionary Measures 196/09, July 2, 2009, May 3, 2010 and June 2, 2010.

22/ Mr. Micheletti was named *de facto* President after the coup d'état until Mr. Lobo came to office.

According to the same sources, after the interview Mr. Micheletti had ordered the journalist to be followed.

### Urgent Interventions issued by The Observatory from January 2010 to April 2011

Names	Violations / Follow-up	Reference	Date of Issuance
Radio station <i>Faluma Bimetu</i>	Attack / Acts of intimidation	Urgent Appeal HDN 001/0110/OBS 005	January 8, 2010
Ms. Gladys Lanza	Death threat	Urgent Appeal HDN 002/0710/OBS 090	July 22, 2010
Ms. Mayka Antúnez	Threats	Urgent Appeal HDN 003/0810/OBS 095	August 6, 2010
Mr. Leo Valladares Lanza	Acts of aggression and intimidation	Urgent Appeal HDN 001/0311/OBS 031	March 8, 2011
Truth Commission (CDV) / Ms. Brenda Mejía	Attack	Urgent Appeal HND 002/0411/OBS 055	April 1, 2011
Mr. Eddy Ramón Guifarro Mejía	Aggression / Harassment / Threats	Urgent Appeal HND 003/0411/OBS 069	April 21, 2011