

# Summary of Human Rights Violations in Honduras

June 28 2009 to present<sup>1</sup>

There have been a total of 4,234 Human Rights Violations and 3,033 illegal arrests since June 28, 2009.

## Executions:

Executions of civilians and members of the resistance movement against the coup d'état which occurred during public, peaceful protest:

- *Thirty-six (36) is the total number of the dead since June 28, 2009. The International community has recognized this cases with the exception of some of the LGBTTI cases.*
- **Twenty one (21) execution style deaths have been recorded by the Committee of the Families of the Disappeared in Honduras.**
- **Fifteen (15) execution style deaths have been recorded by the Coalition of Lesbian Gay Bisexual Transgender Transvestite and Instersex against the Coup d'état.**
- **More execution style deaths are believed to have occurred in the countryside and reports are forthcoming.**
- **Two (13) of the deaths are women, including transgender women.**

## Examples:

- 1) Violations to the right to life

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<sup>1</sup> Compiled by Suyapa Portillo and Eileen Ma for the Coalition for Peace and Democracy in Honduras on 12/5/2009. Translations by Suyapa Portillo. All the information has been taken from the following Human Rights Reports in Honduras: "Cifras y Rostros de la Represión" Violaciones a Derechos Humanos en el Marco del Golpe de Estado en Honduras". COFADEH. Tegucigalpa, Honduras. 10/22/2009; *Honduras. Reporte de violaciones a derechos humanos después del golpe de estado político-militar del 28 de junio de 2009.* CIPRODEH Tegucigalpa, M.DC. 17 de julio de 2009; "Violaciones a los Derechos Humanos de las Mujeres Después del Golpe De Estado en Honduras". Feministas en Resistencia. November 25, 2009; and "Asesinatos en el Marco del Golpe de Estado de la Comunidad LGTTBI en Honduras." Indyra Mendoza and Gabriele Mass. Red Lésbica Cattrachas and Feministas en Resistencia. Coalición LGTTBI Contra el Golpe de Estado. Tegucigalpa, Honduras. November 17, 2009. Information also gathered from interviews conducted by Suyapa Portillo with Human Rights representatives and organizations in Honduras on October 7-10, 2009 (COFADEH, COPINH, Coalición LGTTIB contra el golpe de Estado, Radio Progreso, Frente Nacional Contra el Golpe De Estado, Tegucigalpa y San Pedro Sula, COSIBAH, MADJ).

### 1.1 Extrajudicial Executions:

- July 2, 2009: The extrajudicial execution of reporter Gabriel Fino Noriega in San Juan Pueblo by men during a drive by shooting. He had received previous threats because he covered the resistance in his reports
- July 3rd: The extrajudicial killing of an unknown individual found in an area known as “La Montañita” near Tegucigalpa. “La Montañita” served as clandestine cemetery for extrajudicial killings during the cold war years of the 1980s. The man was wearing a “Cuarta Urna” shirt, the political project President Zelaya attempted to carry out on June 28.
- On July 5th: snipers aiming at the crowd in Toncontin Airport which led to the death of 19-year old Isis Obed Murillo Mencias. He was killed by an M-16; at the same time the crowd was hit with M16 bullets they were also attacked with chemical weapons
- July 11, 2009: The extrajudicial execution of Roger Ivan Bados Gonzales by a man who came to his house and shot him in San Pedro Sula. Two of his sisters are seriously injured. He is a member of the Union Democratica Party and was Secretary General of The Federation of Honduran Workers (FUTH).
- July 12, 2009: a member of the Union Democratica Party from Callejones, Santa Barbara, Ramon Garcia, was dragged out of a bus when coming back from a protest and was killed.

## Forced Disappearances

On July 11, 2005, the Honduran government ratified and supported the Interamerican Convention on Forced Disappearances of People. In the context of the coup d'état this Human Right has been grossly violated.

- Disappearance of Anastasio Barrera of 55 years old. Originally from Department of Lempira, affiliated with one of the five women's associations of the CNTC (Central Nacional of Campesino Workers). He was violently kidnapped in San Juan Pueblo in the municipality of Másica, Atlántida, July 5 at 9 PM, by 4 individuals in police gear who burst through the doors and pistol-whipped Anastasio's wife, escaped with two small daughters.

- Disappearance of Manuel Sevilla, 19 year old student, resident of Barrio Cabañas of San Pedro Sula, who participated in July 2 protests in the city center, which were repressed by military and police forces with tear and pepper gases, snipers, and 78 detentions. Manuel was one of the detainees transported to Rio Blanco but was freed hours later. On July 12, after a protest against the coup in Villanueva Cortes, on his return, he was separated from his friends and there has been no news of him since then.
- As of writing this report there have been between 109 cautionary restraining orders (medidas cautelarias), to address reports of threats to the physical integrity of human beings.

## Death Threats

Threats to life and person (particularly intimidation and systematic persecution of individuals, leaders and organizations demanding a return to constitutional order, or engaged in human rights defense or actions deemed activities in resistance)

- **One hundred and eight (108) cases of death threats have been recorded— organizations and individuals. The Inter-American Commission on Human Rights has granted 92 cautionary restraining orders (medidas cautelarias) to protect the lives of individuals that are being threatened. At the same time there is current information sought on 492 cases known to be at risk.**
- **During this period, from June 28, 2009 to present, 20 people have left the country due to death threats, intent of kidnapping and attempts against their life.**

Examples:

- On October 5<sup>th</sup> the group Juventud Popular Morazanista, a youth group, received the following message: *“Billy, Billy, today you will die like Pedro Magdiel, starting with Sandra and Ricardo and after that one by one. Because the best Communist is a dead Communist.”*<sup>2</sup>
- Trespassing and arrests, searches and seizures inside homes, media outlets by armed and uniformed military and paramilitary men without

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<sup>2</sup> “Cifras y Rostros de la Represión” Violaciones a Derechos Humanos en el Marco del Golpe de Estado en Honduras”. COFADEH. Tegucigalpa, Honduras. 10/22/2009.

proper judicial orders or presentation of such orders; improper searches for items related to the “cuarta urna” often with masks without proper identification to avoid identification.<sup>3</sup>

- Circulating rumors about orders of capture or life-threatening phone messages threatening people, their families and colleagues in work and resistance.
- De Facto government radio and television stations played PSAs on July 3 calling all citizens to denounce persons suspected of being from certain other countries and having Nicaraguan, Venezuelan or Cuban accents. Neighbors were to denounce their own neighbors and coworkers.
- Activists and leaders of organizations are followed by vehicles with polarized windows; these same vehicles sit in front of their offices, businesses, homes and follow them for hours. Shots are often heard near their homes.
- Improper institution of a State of Exception, Restricting constitutional guarantees—personal liberties, freedom of assembly and association, and movement—and permitting arbitrary detentions and restricting communication for over 24 hours. Although this State of Exemption and Martial Law were approved in the congress for a term of 73 hours from 10pm to 5am, in practices it has been imposed intermittently over the space of 5 months.
- Use of State of Exception after the coup d’etat—not to restore peace, but rather to persecute people selectively. The Interamerican Court on Human Rights has noted that “the suspension of civil guarantees lacks legitimacy when it is used to attack the democratic system, these rights should be unbreakable and enforced because they are essentials for the person.”<sup>4</sup>

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<sup>3</sup> *Honduras. Reporte de violaciones a derechos humanos después del golpe de estado político-militar del 28 de junio de 2009. CIPRODEH Tegucigalpa, M.DC. 17 de julio de 2009.*

<sup>4</sup> Interamerican Court on Human Rights. The right to Habeas Corpus under the suspension of civil guarantees (arts. 27.2, 25.1 and 7.6 of the American Convention on Human Rights). Consulting Opinion OC-8/87 of January 30 of January of 1987. Series A No. 8, Paragraph 20.

## Lesbian Gay Bisexual Transgender Transvestite and Intersex Community<sup>5</sup>

This is a marginalized community that has traditionally experienced repression from National Police and Military in Honduras. In the context of the Coup d'état, since June 28, 2009, there have been 17 extrajudicial murders, execution style. 11 of those deaths are Transgender women. According to a report by Human Rights Watch, 17 Transgender women have been killed in Honduras between 2004 and 2009; within the context of the coup d'état there have been 11 deaths of Transgender women and 4 of gay men.

The community has also received death threats, internet harassment and threats, has been subject to illegal arrests, beatings and accusations of sedition for protesting peacefully. Furthermore, people who are considered to be HIV+ are targets for discrimination; this is used as excuse for accounting for the deaths by the police, a violation of their rights to due process.

- **11 Transgender women have been killed since June 28, 2009**
- **6 gay men have been killed since June 28, 2009**
- **There has been on rape of a Lesbian which is not being disclosed as of yet**
- **Several individuals arrested during peaceful protests have been accused of Sedition**
- **Members and leaders of LGBTTI groups have received death threats**
- **Member and leader of Colectivo Travesti in San Pedro Sula was found murdered during curfew hours under Martial Law**
- **Documentarian and Lesbian leader has received many harassing emails via You Tube postings that are threatening and impinge on her civil liberty to freedom of expression**

### Examples:

- December 4<sup>th</sup>: Walter Tróchez was kidnapped by men in black masks, in a gray pick up without license plates, presumed to be from the DNIC (National Police Unit--a car similar to the one he denounce months before had been watching him outside his home which forced him to move) who insulted him and told him that they knew him well. They interrogated him about the resistance leaders and wanted to get names of leaders from the different movements. They asked him about the resistance. He managed to escape with life. The day after he filed a

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<sup>5</sup> Attached please find in an addendum the list of the LGBTQ deaths in the context of the Coup d'état in Honduras.

complaint with national and international human rights groups. **On December 10<sup>th</sup> he was brutally assassinated by 2 shots.**

- 29 of June: the extra judicial killing of Vicky Hernandez Castillo (Jhonny Emilson Herandez), transgender individual while working in the sex industry during martial law locked down. She was killed by one bullet to the head. **IMPORTANT:** There was no autopsy performed on the cadaver because it was deemed that Vicky might be HIV positive, which is in violation of the penal code process on cadavers.

## **Children and Youth**

Another marginalized group in Honduras; students and youth belong to student groups that have gone out to voice their opinion, in peaceful demonstration, have been targeted by the National Police and Military. To this day the Children's court has not taken the necessary steps to prosecute and prevent these abuses to children in Honduras.

- **6 youth have had to flee the country and 4 minors have fled with their parents.**
- **19 youth were detained and jailed in police stations, nonconventional detention centers.**
- **In Santa Rosa de Copan, 5 youth, minors, were arrested after a peaceful protest and received the same treatment as adults. They were not released with the adult but turned over to the Children's court (INFHA) for arraignment and to be interned in inadequate and dangerous detention centers.**
- **4 Children have been hurt seriously by National Police**
- **A 19 year old was shot at by police when he attempted to prevent the detention of his mother, who was being illegally arrested in her home.**
- **On September 22, a 13-year-old youth was admitted in the hospital after receiving a wound from a shot fired in his back.**

## **Arrests and Prevention of Liberty, Freedom of Circulation**

### **Military Grade Weapons:**

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Since June 29, 2009 the State has been using a series of weapons to disperse peaceful protesters. Such weapons have killed, injured seriously and maimed civilians. Although used to disperse all protests, the worst cases have been documented in 13 different peaceful protests.

- Tear gas with chemicals that remain in the air for a period of time also affecting the population that lives nearby not just the protesters. A grenade of CS, once thrown in the air generated a cloud of 6 to 9 meters in diameter. It is lethal to people with respiratory conditions and heart problems.
- Tear Gas GL have recently been aimed at homes in neighborhoods—often exploding over the bodies of people. These injuries cause traumatic lesions, and burns due to direct connection with the actual Granade GL.
- *All the tear gas and chemical weapons have three gases and pepper spray that attach to respiratory pathways, eyes, central nervous system.*

#### **Examples:**

- Tear Gas Bombs detonated in Comayagua, El Durazno, El Centro de Tegucigalpa, the Education and Teachers University (Universidad Pedagógica), the National Autonomous University, Neighborhood of San Rafael, Boulevard San Pablo II, near and around the Brazilian Embassy, near the offices of the COFADEH, San Pedro Sula Central Park, Choloma, the road to Alauca in el Paraiso.

## **Arrest, Illegal Detention Centers and Clandestine Prisons**

- **There have been 3033 illegal arrests up to 10/15/2009.<sup>6</sup>**
- **There have been 8 illegal detention centers operating throughout the country.**
- **People have also been arrested in the privacy of their home during home invasions.**
- **There are have been 110 arrests (between 8/11-9/30) of Resistance leaders accused of political crimes. To this day 27 people remain accused of sedition and crimes against the nation.**

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<sup>6</sup> See List of Civil Rights violations before and during the elections of Nov. 29, 2009.

- **3 organizers who work for Human Rights Organizations have been detained, arrested illegally and prevented from doing Human rights defense.**
- **3 Human Rights and Labor organizations have been threatened, attacked and tear gased in the offices of the Committee of the Family of the Disappeared in Honduras (COFADEH); STIBYS Union of Beverages and Beer; and the campesino group Via Campesina.**
- **There are 51 police and Military outposts in every corner of Honduras impeding the right to free circulation.<sup>7</sup>**

**The 8 illegal detention centers in operation are include:**

1. Municipal Gymnasium, San Marcos de Colon, Choluteca
2. Military barracks in the sector of Verdugo, Municipality of El Paraiso
3. Cobra Battalion barracks in Tegucigalpa, Neighborhood 21 de Octubre.
4. Pedagogical University Francisco Morazan
5. **The basement of the National Congress!**
6. Military commando trucks where they kept people between 1 and 2 hours.
7. Stadium Chochi Sosa, of the sports complex Jose Simon Azcona Hoyo
8. Hilltop Juan A. Lainez

## **Violations to Freedom of Expression and Speech**

**Media outlets have been routinely closed and threatened since June 28, 2009. Such closures include:**

- **Chanel 36:**
  - The paramilitary group named Frente Armado General Alvarez Martinez<sup>8</sup> threw a bomb into the installations of the channel causing damage and putting the staff in great peril.
- **Radio Progreso, Radio Globo, Cable Color and the Newspaper El Tiempo:**
  - Threats and harassment received for reporting on the massive protests and human rights violations

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<sup>7</sup> At the end of this document you will find a complete listing of Military outposts, check points.

<sup>8</sup> Named after notorious military leader in the 1980s.

- They have been removed from the air and from circulation on various occasions. Their electricity has been cut off intermittently, interfering with their production. The media outlets aforementioned have been closed and searched. Military police with military grade weapons has destroyed their equipment.
- On September 28, Chanel 36 and Radio Globo were closed and their equipment was confiscated and or destroyed.
- Executive Decree 124-2009 has made it possible to cancel frequencies and permits to radio and TV station as well as newspapers that provide coverage of the protests against the coup d'état.
- *Journalist have had their rights violated, they have been beaten, tortured, killed as is the case of Esteban Melendez killed of 5 gunshot wounds. Radio Progreso reporter was held in custody and the military used his body as an astray burning him by putting out their cigarettes all over his body—a form of torture.*
- Radio shows that belong to women's groups and other social organizations have been shut down.

## Freedom of Association and Free Speech

Civil Liberties were suspended by the defacto government; based on the lifting of Civil Guarantees the police and military have been able to harass, imprison and kill members of the resistance. No more than 3 people can gather in a public space because it is considered a violation due to the suspension of Civil Guarantees. Although they have claimed to restore them in practice, they continue to repress the general population.

- **Lesbian, Gay, Bisexual and Transgender groups have encountered severe repression, persecution and discrimination by the police in even greater quantities than before**
- **Youth Associations have been severely repressed by an unidentified vehicle with polarized windows and no license plates. They were forced to lie on the concrete with the machine guns pointed to their head. They were illegally searched, and office documents and personal objects they carried were seized.**
- **Many neighborhoods all over Tegucigalpa and Honduras have been in resistance and have seen protracted and consistent repression by National Police and Military.**

- **Injured people have reported being afraid to go to the local public hospitals because police and Military follow them there. The public hospitals also have military and police stationed there. Many go to the Human Rights groups for help with medical treatment once they are hurt. This is a gross violation of Human life.**