

25 September 2008

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Sr Manuel Zelaya Rosales  
President of the Republic of Honduras  
Casa Presidencial  
Boulevard Juan Pablo Segundo  
Tegucigalpa  
Honduras

Dear Mr President,

I am writing to express some of Amnesty International's concerns regarding the list of "Formal and Informal Pressure Groups Organization 2008", which gives detailed information on the names of social organizations, human rights defenders and some State officials.

This list, along with a camera containing various photographs of non-governmental organizations' (NGOs) offices, was found on 10 September in the hands of two plain clothes police officers who were found carrying out surveillance outside the offices of the *Sindicato de Trabajadores de la Universidad Nacional Autónomo de Honduras* (Workers' Union of the Honduras National Autonomous University).

The existence of this list and of the camera with photos of various NGOs, in the possession of two plain clothes police officers on surveillance duties, raises serious concerns for Amnesty International, particularly since a number of the people on the list are well-known social leaders, and some of them and/or their organizations have suffered serious acts of violence because of their work.

Such is the case, for example, of the *Movimiento Ambientalista de Olancho* (Olancho Environmentalist Movement - MAO -) and one of their leaders, Fr. Andrés Tamayo, who, as well as appearing on this list, have been granted precautionary protective measures by the Inter-American Commission on Human Rights precisely because of the severity of the threats and attacks which they have suffered. On 20 December 2006 two of the MAO's leaders, Heraldo Zúñiga and Roger Iván Cartagena, were murdered and four police officers were subsequently arrested. However, as noted previously in our letter sent on 8 August of this year, we are seriously concerned that three of these four officers escaped from the 115th Military Brigade in Juticalpa just weeks prior to being individually sentenced. The serious nature of these facts and the impunity surrounding them make it necessary to inform you that we are still awaiting a response to the questions raised in our letter of 8 August. We hope that similar occurrences will not be repeated in relation to the two police officers involved in the list discovered on 10 September, who are currently under investigation and being held at the Cobra Operations Command in Tegucigalpa.

Garífuna organizations and leaders are also to be found on the 10 September list. As you are aware, the Garífuna community of San Juan Tela, located in Atlántida department, its leaders and organizations, have suffered a series of violent acts and threats in the course of defending their ancestral lands from plans to develop tourist complexes on their territory. The fact that some of the Garífuna organizations and leaders have now been granted precautionary protective measures by the Inter-American Commission on Human Rights is indicative of the seriousness of the existence of this list and of the need to strengthen protection measures for those organizations and persons appearing on it.

Another notable name on the list is that of Altagracia Fuentes, General Secretary of the *Confederación de Trabajadores de Honduras* (Honduran Worker's Confederation), who appears with the comment "deceased" and who was, in fact, murdered by hired assassins in April of this year under circumstances that have yet to be clarified.

We welcome the fact that measures have been taken to investigate this situation, including the suspension of the head of the Police Analysis Unit and of the two police officers found

taking photographs with a list of names in their possession until the Department of Public Prosecutions and the Criminal Investigation Department have conducted their investigations. These investigations must, however, go beyond establishing the individual responsibility of the officers who were in possession of the list and also establish the authorship and aim of the list itself. The integrity and human rights of the officers being held must be guaranteed at all times.

It is essential for the government to publicly recognise the legitimate and important work of NGOs, social leaders and those working for human rights in Honduras. Such recognition is particularly important at the present moment given not only the existence of this list and the circumstances in which it was discovered but also the serious acts of violence that those working for human rights have suffered in recent years, to which must be added the recent attempt on the life of the Public Prosecutor for Consumer Protection, Luis Javier Santos, on 1 September 2008.

The widespread atmosphere of insecurity, impunity and feeling of vulnerability on the part of the social organizations and those working for human rights in Honduras requires that your government take concrete measures in individual cases, including those mentioned above, and also in relation to the general situation. I would like to make the following recommendations in this regard:

1. The 10th anniversary of the UN Declaration on Human Rights Defenders this coming 9 December and the 60th anniversary of the UN Declaration of Human Rights on 10 December give your government an opportunity to publicly recognise the important and legitimate work of human rights defenders in Honduras. Amnesty International will be on the alert for a public statement from you in this regard.
2. An integral government policy with regard to human rights defenders that includes prevention and protection measures for those working to defend human rights in Honduras and puts an end to the acts of intimidation and violence they suffer simply for undertaking their legitimate work is urgently required. I would therefore be grateful if you would inform me of the measures you have taken in this regard in your more than three years in office.
3. Immediate measures are required to strengthen the protection measures already in place for some people and organizations on the list. It is also essential that general measures are taken to protect all the people and organizations on the list, at least until the results of the investigations into the 10 September events are made public.
4. I would furthermore be grateful if you would inform us of the measures that have been taken to recapture the three escaped police officers connected with the murders of the two environmentalists, Olancho Heráldo Zúñiga and Roger Iván Cartagena, what protection measures are being provided to members of the MAO and their families and whether, following the discovery of the list on 10 September, additional protection measures have been taken.
5. I would like to reiterate the importance of conducting an impartial investigation into the existence, purpose and use of this list, and into the actions of the two police officers arrested on 10 September, the results of which should be made public. These investigations must necessarily go beyond establishing the individual responsibility of the two officers mentioned and establish the responsibility of the superior officers involved, either through their action or omission.
6. Investigations into the human rights violations of human rights defenders noted in this letter must be carried out rapidly, exhaustively and impartially so that those

responsible for these acts can be brought to justice and the victims can receive corresponding compensation.

Lastly, I would simply like to remind you that the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (UN Declaration on Human Rights Defenders) reaffirms the rights established in international human rights treaties ratified by Honduras and is also in line with Honduran constitutional standards such as freedom of expression, association and movement.

Given the public interest in the State's effective protection of the work of human rights defence, we shall be making this letter public. We hope that you will address the actions noted in this letter as a matter of urgency and we await your early response in this regard.

Yours faithfully,

Irene Khan  
Secretary General