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6 August 2008

Honduras: Open letter to the President of Honduras on the situation of human rights defenders and the recent escape of three men convicted of in the case of the killing of two environmentalists

Ref: TG AMR 37/2008.007

AI Index: AMR 37/002/2008

Dear Mr President,

I am writing to you on the first anniversary of the publication of Amnesty International's report *Persecution and Resistance: The Experience of Human Rights Defenders in Guatemala and Honduras* (AI Index: AMR 02/001/2007) with regard to the recent escape of three of the four police officers found guilty of the murders - in December 2006 - of human rights defenders, Heraldo Zúñiga and Roger Iván Cartagena, both members of the *Movimiento Ambientalista de Olancho* (Environmental Movement of Olancho – MAO).

During Amnesty International's last visit to your country in August 2007, we had the opportunity to present our main concerns regarding the situation of human rights defenders to the Honduran government, and I would like to reiterate these as follows:

- The absence of any effective protection of human rights defenders who are at risk;
- The absence of rapid, exhaustive and satisfactory investigations of human rights violations, along with a deep-rooted impunity surrounding human rights violations and abuses against human rights defenders, which promotes further attacks;
- Improper use of the legal system to harass and intimidate human rights defenders and restrict their capacity to carry out their legitimate work.

Amnesty International recognises the progress made in some cases of human rights violations against human rights defenders in Honduras. This progress remains limited, however, and does not represent a systematic response to a widespread problem.

Although a year ago the Honduran government stated its willingness to implement the necessary

reforms to guarantee the protection of human rights defenders in Honduras, Amnesty International is still waiting for any real commitment or concrete action that would demonstrate the Honduran government's political will to protect the legitimate work of human rights defence. There is an urgent need for an integral government policy on human rights defenders, along with protective measures that effectively protect the physical integrity of those working to defend human rights, both of which are lacking.

Amnesty International is seriously concerned at information recently received in relation to the murders of environmental defenders, Heraldo Zúñiga and Roger Iván Cartagena, both members of the Environmentalist Movement of Olancho. Three of the four police officers who, on 1 July, were finally found guilty of their murder, have escaped from the 115th Military Brigade in Juticalpa, Olancho Department. The prisoners were being held awaiting individual sentencing, intended to take place on 15 August. According to information received by Amnesty International, the first two police officers escaped from the military installations on 22 July, with the third escaping a few days later.

Amnesty International urges the Honduran authorities to conduct immediate and effective investigations into these events. In particular, the organisation would like the authorities to respond to the following concerns:

- On what basis was the decision taken to transfer the police officers, being held on remand, to a military battalion and not to a prison, which would have ensured the necessary security measures and impartiality?;
- What protection has been offered to the families of Heraldo Zúñiga and Roger Iván Cartagena since the escape of three of the four police officers found guilty of murdering these two human rights defenders?;
- What specific measures have the authorities taken to find the escaped police officers, so that they can be brought before the court on 15 August for individual sentencing?
- What measures have the authorities taken to establish the failings in the custody system and whether or not there was any possible complicity on the part of the authorities responsible for the prisoners?

Lastly, I would like to highlight the fact that it will be the tenth anniversary of 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) on 9 December, and the sixtieth anniversary of the Universal Declaration of Human Rights on the following day. By adopting the two Declarations, states - including Honduras - undertook to ensure respect for and protection of human rights, along with respect for and protection of those working to defend human rights. It is important to note that the Declaration on Human Rights Defenders takes up and reaffirms a number of rights that are included in the principal regional and international human rights treaties which, as you are aware, are binding upon states.

The tenth anniversary of the UN Declaration on Human Rights Defenders is another opportunity for Honduras to publicly reaffirm the legitimate nature of human rights defence work and its commitment to human rights, and for it to adopt a national action plan applying this Declaration.

Given the public interest in the State's effective administration and upholding of the legal system, we shall be making this letter public. I await your response and any comments you may have in this regard.

Yours faithfully,

Susan Lee
Americas Programme Director