

From: RightsAction [info@rightsaction.org]  
Sent: Tuesday, November 30, 2004 2:05 PM  
To: info@rightsaction.org  
Subject: HONDURAS: MIRANDA BROTHERS POLITICAL PRISONERS - update

November 30, 2004

#### HONDURAS: MIRANDA BROTHERS POLITICAL PRISONERS

"It seems that the charges against Marcelino and Leonardo Miranda were not based on any criminal activity on their part. They were only aimed at restricting their attempts to protect the environment and their community's land rights." (Amnesty International)

Please read and distribute the Amnesty International press release below.

THANK-YOU to all of you who have been active, sending letters, donating funds, etc, on this case.

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If you want on/ off this elist: info@rightsaction.org.

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#### MONTA-A VERDE: INDIGENOUS RIGHTS, LAND, REPRESSION

Over the past 15 years, countless indigenous and community development activists have been assassinated in Honduras. Although the country signed the ILO's Covenant 169, indigenous rights exist only on paper. Those who struggle for their rights to territory, natural resource management, identity and autonomy are often met with discrimination, repression or bullets.

One example of this repression is the systematic targeting of members of the Indigenous Communal Council of Montaña Verde, affiliated with the Civic Council for Popular and Indigenous Organizations of Honduras - COPINH. Council members and other community authorities have been improperly charged with murder, assault and battery, theft, property damage, 'grand cattle theft,' attempt against the State and threats, as a result of their persistent struggle to obtain communal land titles to community land.

Though most previous false charges have been dropped, this complete

abuse of  
the judicial and penal systems continues against Marcelino and  
Leonardo  
Miranda, in jail since their arrest and torture in early 2003.

Please re-distribute the Amnesty press release to people and  
organizations  
you know of that are concerned about this case. Though this Amnesty  
statement is a step in the right direction for the jailed brothers,  
there is  
still much activism yet to do, to secure their release.

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PRESS RELEASE, AMNESTY INTERNATIONAL  
AMR 37/014/2004 (Public) AI Index:  
25 November 2004

#### HONDURAS: SUPREME COURT OF JUSTICE GIVES RAY OF HOPE TO IMPRISONED INDIGENOUS ACTIVISTS

Amnesty International said today that it considers the indigenous  
leaders,  
Leonardo and Marcelino Miranda, to be political prisoners, because the  
charges against them were politically motivated and they were denied a fair  
trial. Leonardo and Marcelino Miranda, leaders of the Lenca  
indigenous  
community, in Monta0a Verde, Gracias municipality, Lempira department,  
have  
been imprisoned since January 2003 when armed police detained and  
tortured  
them in front of their relatives and on the way to prison.

"The trial of Leonardo and Marcelino was plagued with irregularities,  
including a lack of evidence and partiality in relation to the  
consideration  
given to witness statements. Only the evidence from the witnesses for  
the  
prosecution was taken into account, while the statements made by  
defence  
witnesses were ignored," said Amnesty International.

In December 2003, the brothers were sentenced to 25 years imprisonment  
for  
the murder of Juan Reyes G0mez in 2001. An appeal lodged on their  
behalf was  
rejected in June 2004. A second appeal was lodged with the Honduras  
Supreme  
Court of Justice. On 11 November, the Supreme Court ruled in favour

of

Leonardo and Marcelino Miranda and against the sentence of 25 years imprisonment for murder. The Court found serious technical problems with the sentence.

"This decision has given a ray of hope in their struggle for justice. However, the Supreme Court has only annulled the sentence and referred the case for consideration by the Santa Rosa de Copan Appeals Court," said Amnesty International. "It seems that the charges against Marcelino and Leonardo Miranda were not based on any criminal activity on their part. They were only aimed at restricting their attempts to protect the environment and their community's land rights."

For many years, Amnesty International has been concerned about abuses against indigenous peoples in Honduras and the failure of the authorities to investigate the abuses and bring those responsible to justice. The Miranda brothers were trying to obstruct the efforts of those responsible for abuses and, therefore, ensuring recognition of their community's land rights. Those responsible for abuses are backed by powerful economic and political interests opposed to the brothers' work on behalf of the indigenous communities.

"The failure of the judicial system in Honduras to provide due process to the Miranda brothers and the prison sentence imposed on them has inhibited their ability to carry out their work to protect the human rights of their community. Unless clear and irrefutable evidence is presented against them, it is time that Leonardo and Marcelino Miranda were released to resume that work," concluded Amnesty International.

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TO MAKE TAX-CHARITABLE DONATIONS for emergency relief and support for Miranda brothers and their families: Make check payable to "Rights Action"

and mail to UNITED STATES: 1830 Connecticut Av, NW, Washington DC, 20009.

CANADA: 509 St. Clair Ave W, box73527, Toronto ON, M6C-1C0. Donate on-line

in Canada and the USA: [www.rightsaction.org](http://www.rightsaction.org) / CFC # 9914.

MORE INFORMATION: [info@rightsaction.org](mailto:info@rightsaction.org), 416-654-2074

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