

June 10, 2005

HONDURAS: MONTAÑA VERDE COMMUNITY LEADER FELICIANO PINEDA GRAVELY INJURED, JAILED ON FABRICATED CHARGES; COPINH-AFFILIATED COMMUNITIES FACE ONGOING VIOLENT HUMAN RIGHTS VIOLATIONS

Rights Action distributes the Urgent Action below based on information provided by the Civic Council of Grassroots and Indigenous Organizations of Honduras (COPINH), one of our many long-term partner organizations in the region. COPINH-affiliated communities have been struggling for collective indigenous land rights for over a decade, in many cases in the face of ongoing repression by powerful sectors of the country - often landowners with influence and/or presence in all sectors and levels of government (municipal, departmental, national; executive, judicial and legislative branches).

More than 4 years since the violent arrest of Felipe Bejerano (February 2001, freed in 2003); more than 3 years since the violent and illegal arrest of Luis Benítez (February 2002, freed 2003); and, more than 2 years 5 months since the arrest and torture of Marcelino and Leonardo Miranda (January 8-9, 2003, political prisoners to date); yet another Montaña Verde Community Council leader has been violently attacked and imprisoned, on many of the same fabricated charges that Felipe, Luis, Marcelino, Leonardo and other Montaña Verde community leaders faced and currently face.

The community of Planes, Montaña Verde, is still without the collective community land title that was part of a formal agreement between COPINH and the Honduran government years ago; it is the main source of repression against community leaders.

The June 5th violent attempt against the life of Feliciano Pineda occurs in the context of ongoing repression, criminalization and manipulation of the legal system (used as a tool of repression) against local community activists fighting for their lands, resources and dignity. It also occurs in the context of intensifying repression and criminalization against social movement leaders in Honduras.

Send your urgent appeals to the authorities listed below. For more information or to contribute to an emergency fund for Rights Action's ongoing humanitarian support to persecuted Montaña Verde

community leaders and their families, contact: info@rightsaction.org, 416-654-2074, www.rightsaction.org. If you want on-off this elist: info@rightsaction.org

URGENT ACTION
June 10, 2005

HONDURAS: Another Montaña Verde Community Leader Attacked and Jailed; Ongoing Repression Against COPINH-affiliated Communities

*** * * COMMUNITY OF MONTAÑA VERDE, GRACIAS, LEMPIRA * * ***

On Sunday, June 5, 2005, at 1:00pm, Montaña Verde community leader FELICIANO PINEDA was shot at close range by paramilitaries DELFINO REYES, SANTOS REYES, PABLO REYES and CECILIO REYES, some of whom were involved in the violent capture and torture of Leonardo and Marcelino Miranda in early 2003, as well as in legal proceedings as false witnesses against Montaña Verde community leaders.

Feliciano hemorrhaged from the serious wounds with bullets to the right side of his face, the back of the neck, two on the right hand, one on the left hand, one in the back, one each on his right and left sides and a blow to his spine. He was saved by his life partner who screamed until they stopped. The community responded in an organized fashion by transferring the wounded man to the Hospital Escuela in Tegucigalpa, the capital of Honduras. There he was under the watch of DGIC (Criminal Investigation) agents, who later removed him from the hospital even though his health status was serious. He cannot walk nor eat and is still in danger of dying. Feliciano had been prescribed medication for his condition, access to which he is reportedly being denied.

Despite his precarious condition he was transferred from the hospital in Tegucigalpa to the regional jail in La Esperanza, Intibucá, and from there to the regional jail in Gracias, Lempira, where Marcelino and Leonardo Miranda have served 2 years, 5 months too many.

The four civilian/ paramilitaries who attacked Feliciano Pineda before eye-witnesses were briefly detained in by authorities in Gracias, Lempira. They were then almost immediately freed - with 'substitutive measures', conditions to avoid jail - by Gracias judge ATILIANO VASQUEZ.

When Vasquez became judge, he was quickly transferred onto almost all of the cases involving Montaña Verde community leaders. He condemned Marcelino and Leonardo Miranda to 25 years for murder, in a systematically abusive and flawed process. He heard the case against the 28 police officers for torture and abuse of authority for the illegal arrest and violent torture of the Miranda brothers in the January 8-9, 2003 military-style attack on the brothers, their families and the community. Prior to becoming judge, he was the private accusing lawyer in two other previous politically-motivated cases against Montaña Verde community leaders.

***** COMMUNITY OF GOLONDRINAS, MARCALA, LA PAZ *****

On June 8th, police and local judicial authorities carried out a violent eviction of the community of Golondrinas, in the municipality of Marcala, department of La Paz. The houses and belongings of the entire community were destroyed, and although the National Agrarian Institute (INA) has declared the lands property of the municipality of Marcala, they have been transferred to a private construction company.

This is the third forced eviction suffered by this community. The first was led by armed civilians, personnel from the 10th Infantry Battalion, police officers and DGIC agents. When the District Attorney and Judge were asked about this violent eviction, they denied having knowledge about it, even though it had been transmitted by radio.

***** COMMUNITY OF PUEBLO VIEJO, COLOMONCAGUA, INTIBUCÁ *****

The community of Pueblo Viejo, in the municipality of Colomoncagua, Intibuca has been negatively affected by an action of the National Agrarian Institute (INA). INA granted full land rights of a part of the community's collective land to a group of individuals who do not belong to the community. This land involves a watershed, from which the community draws its water. Twelve members of the community are being held in preventative detention.

***** COMMUNITY OF WISE, INTIBUCÁ, INTIBUCÁ *****

The community of Wise, in the municipality of Intibucá, department of Intibucá, has been sold from one landowner to another. The new owner has told the community that if they do not work for him, they will

be expelled from their land. Community members have organized themselves to demand their land rights as established by ILO Covenant 169. However, the DGIC (General Direction of Criminal Investigation, under the direct authority of the Ministry of Security), the District Attorney, and Intibucá court authorities have brought charges against community members, manipulating the 'justice' system and using it as a tool of repression.

FOR THOSE OF YOU WHO SPEAK SOME SPANISH, URGENT PHONE CALLS ARE NEEDED EXPRESSING YOUR CONCERN FOR FELICIANO PINEDA'S HEALTH AND LIFE TO:

Vilma Morales, Supreme Court President: (504) 234-2367

Ovidio Navarro, Attorney General: (504) 221-3099

Ramón Custodio, Human Rights Commissioner: (504) 235-7697 or 3532

Public Prosecutors' Office, Gracias, Lempira: (504) 656-1253

SEND YOUR URGENT APPEALS (PHONE CALLS, FAXES, EMAILS, ETC) TO THE FOLLOWING PEOPLE:

- DEMAND IMMEDIATE FREEDOM FOR POLITICAL PRISONERS FELICIANO PINEDA, MARCELINO MIRANDA, AND LEONARDO MIRANDA!
- expressing your knowledge of the violent attempt against and later mistreatment and jailing of Feliciano Pineda on June 5th.
- showing your concern for Feliciano Pineda's health and safety (demanding hospitalization, medication and protection).
- denouncing the fact that attackers Delfino Reyes, Cecilio Reyes, Santos Reyes and Pablo Reyes were freed, despite witnesses attesting to their attack on Feliciano Pineda - demand that justice be brought against those responsible for the attack and for the ongoing repression against Montaña Verde.
- expressing concern and condemnation for the ongoing violent repression against Montaña Verde and other Lenca communities affiliated with COPINH, such as the cases of Pueblo Viejo (Colomoncagua), Wise (Intibucá) and Golondrinas (Marcala).
- demanding an immediate and impartial investigation into all of the above incidents and that the results be made public.

CANADA:

- Robert Richard, Canadian Ambassador to Honduras, F:(504)239-7767, E:tgipa@dfait.maeci.gc.ca

- Honduran Embassy in Canada, Ana Carolina Galeano Burgos, 151 Slater St, #805-A, Ottawa, K1P-5H3, E: embhonca@embassyhonduras.ca, T:(613)233-8900, F:(613)232-0193

USA:

- Larry Palmer, US Ambassador to Honduras, t:(504) 236-9320 / 238-5114, F:(504) 236-9037

- Mario Miguel Canahuati, Honduran Ambassador to US, T:(202) 966-7702, F:(202) 966-9751, E: embassy@hondurasemb.org , 3007 Tilden Street N.W., Suite 4-M, Washington, D.C. 20008

HONDURAS:

- Honduras mission to the United Nations, T: 212-752-3370, E: hnd@un.org

- Lic. Ricardo Maduro, President of the Republic, Fax: (504) 221-4552

- Dr. Ramon Custodio Lopez, National Human Rights Commissioner, F: (504) 232-6894, Email: custodiolopez@conadeh.hn

with copies to COPINH: (504) 783-0817, copinhonduras@yahoo.es

To send messages of solidarity and support (preferably in Spanish) to FELICIANO PINEDA, MARCELINO MIRANDA and LEONARDO MIRANDA,

address mail in their name(s) and send to:

Centro Penal

Gracias, Lempira

HONDURAS

[note: mail will be opened. send messages/reading material accordingly.]

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For more information about these issues, to participate in upcoming Rights Action delegations (July 5-13; July 9-16, 2005) to Honduras and Guatemala to learn about these issues, or to make tax-deductible donations to Rights Action for the community-based organizations struggling for community development, environmental protection and rights in Honduras and Guatemala, contact Rights Action: info@rightsaction.org, 416-654-2074, www.rightsaction.org

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