

June 30, 2006

HONDURAS: GOOD NEWS & BAD NEWS ñ ACTION NEEDED (prepared by Sandra Cuffe, caminando27@yahoo.es)

- Good: Montaña Verde political prisoner Margarito Vargas granted Provisional Freedom;
- Bad: Indigenous-African descendant Garifuna community leader forced at gunpoint to sign document giving up San Juan community lands to wealthy investors in the global tourism industry;

Rights Action asks for your timely response to the ongoing persecution of Garifuna community leaders.

To get on-off this elist: info@rightsaction.org.

===

THE GOOD: On June 28, Margarito Vargas Ponce ñ of the Montana Verde community (same as the Miranda brothers political prisoners) - was released from jail, after some six months of unjust imprisonment. Cleared of all other charges, in the end he was sentenced to three years in prison for complicity in a battery charge by Judge Hermes Moncada in Gracias. Under the new penal code, this sentence may be served in ìprovisionalî liberty, meaning Margarito must present himself before local judicial authorities every two months and if found guilty of any other accusation within the next five years, he will then have to do the time in jail for both charges.

Despite the fact that the sentence is clearly a part of the ongoing misuse and abuse of the judicial system to persecute community leaders struggling for community land rights, Margaritoís release from jail is good news. He will soon be reunited with his family and community. Less than 24 hours after his release, he was participating with other members of COPINH in a struggle to defend communitiesí rights, lands and development from the threat of the El Tigre bi-national hydroelectric dam that will flood entire communities in southwestern Honduras.

THE BAD - URGENT ACTION neede: San Juan Indigenous-African descendant Garifuna community leader Jessica García was forced at gunpoint to sign a document relinquishing community land rights.

On Thursday June 22, 2006, an unknown man arrived at the house of Jessica García, community leader and President of the San Juan Tela ñPatronatoí, a local organization representing community interests to government institutions. He offered her money in exchange for her signature of a document in which the community recognizes the rights of private real estate company PROMOTUR to communal lands belonging to the Garifuna community of San Juan, located in the Tela Bay,

department of Atlántida. When Jessica García refused to accept the money and sign the agreement, she was threatened and was forced to sign the document at gunpoint.

This incident is the latest in a series of grave human rights violations against the community of San Juan, collectively, and against individual outspoken community leaders. Along with the San Juan Lands Defense Committee president Wilfredo Guerrero, Jessica García has been one of the most active community leaders in the defense of communal lands and thus also a target for threats and persecution.

Years ago, the community of San Juan was granted a communal guarantee of occupation to 1775 hectares of land. This crucial document, however, conveniently disappeared from a government office in 1997. Other important community documents were conveniently burned last year, when the home of San Juan Lands Defense Committee president Wilfredo Guerrero was burnt to the ground in a related attack against the community.

San Juan has since been awarded a land deed of only 63 hectares, barely consisting of the current residential area, to the exclusion of the residential area of Nueva San Juan and all of the agricultural lands and natural resources vital to the subsistence and cultural survival of the whole community.

Despite the ongoing struggle to defend and obtain legal recognition for the entire communal territory, the loss and manipulation of official land documentation has cleared the way for the powerful interests that have long coveted the valuable lands along the Tela Bay, part of the country's Caribbean coast.

In the Nueva San Juan neighbourhood, with an illegitimate land deed, numerous incursions and threats have been made by PROMOTUR, owned by Jaime Rosenthal, powerful politician, banker, landowner and media owner. The latter's son, Yani Rosenthal, is both the Presidential Minister and an investor in the Los Micos Beach & Golf Resort, an environmentally and culturally destructive internationally financed (IDB, Inter-American Development Bank, BCIE, Central American Bank of Economic Integration, and investors from Italy and Spain) tourism complex planned between the Garifuna communities of TornabÉ and Miami, neighbouring San Juan in the Tela Bay.

The struggle of Jessica García, Wilfredo Guerrero and others to defend the community of San Juan's collective rights and lands from such powerful and destructive interests has been met with intense repression and persecution.

Last November, Wilfredo Guerrero's house, along with all of his belongings and the Lands Defense Committee's archives, was burned to the ground. Other community members' houses were destroyed this past

March and April.

On January 14, 2006, PROMOTUR representatives entered the community accompanied by a number of hooded men, armed with AK47s (illegal in Honduras). Although some of the intruders were detained after the community denounced their illegal construction of a wall around part of the disputed land, others returned the following day to intimidate the community.

On February 26, 2006, the bodies of San Juan community members Epon Andr s Castillo and Yino Eligio L pez were found in a lagoon near the community of La Ensenada, also along the Tela Bay. Both Garifuna youth were reportedly detained the previous night near Tornab  by public security forces agents allegedly assigned to protect the zone destined for the Los Micos enclave tourism project.

The motive of this double murder has not been explained or clarified; thus, many local community members interpret it as one more grave human rights violation carried out with the objective of terrorizing the local Garifuna population.

Local community organizations, the Honduran Fraternal Black Organization (OFRANEH), and other organizations, such as Rights Action, have repeatedly denounced many of these serious threats and crimes against the community of San Juan. Nevertheless, as has been demonstrated by the armed threats against Jessica Garc a, the systematic persecution of Garifuna community leaders continues. Ongoing national and international attention and presence is urgently needed.

WHAT TO DO:

Please write your own letters both to Honduran and US/Canadian diplomats, to your local government representatives, newspaper or other media outlet in order to raise attention to the critical situation facing San Juan and other Garifuna communities:

- denouncing the June 22 threats and intimidation against Jessica Garc a and asking for protection for her and her family;
- denouncing the series of grave human rights violations, such as the destruction of Wilfredo Guerrero s house in November and the February murder of two San Juan youth;
- expressing your concern that these abuses stem from the violations of the afro-indigenous community s collective land and cultural rights by the government, PROMOTUR and destructive internationally financed projects such as Los Micos Beach & Golf Resort, highlighting the decision-making power (and thus responsibility) of the US and Canada within the multilateral institutions financing these projects, such as the Inter-American Development Bank;
- urging that immediate action be taken to effect justice in past cases of human rights violations and to prevent further persecution and repression, such as the recognition of the San Juan community s

legal rights to their full communal territory;
- communicating that you expect and thanks in advance a timely response to your concerns.

CANADIANS:

Honduran Embassy in Canada: tel. (613) 233-9800, fax (613) 232-0913, embhonca@magma.ca Canadian Embassy in Honduras: tel. (504) 232-4551, fax (504) 239-7767, tglpa@dfait-maeci.gc.ca

US-ians:

Honduran Embassy in DC: tel. (202) 966-7702, fax (202) 966-9751, embassy@hondurasemb.org US Embassy in Honduras: tel. (504) 236-9320 or 238-5114, fax (504) 237-1792

Spanish speakers/writers may also directly either send letters to the following authorities:

SPECIAL PROSECUTOR FOR ETHNIC GROUPS:

Lic. Jany del Cid Martínez

Address: Av. República Dominicana, Edificio Las Lomas, Plaza #2, Colonia Las Lomas del Guijarro, Tegucigalpa, M.D.C., Honduras

Email: janydelcid@yahoo.es

Fax: (504) 221-5620

JUDICIAL AUTHORITIES IN TELA:

Public Prosecutor's Office (Ministerio Público/Fiscalía): fax (504) 448-1758

WHAT TO DO:

- be a human rights accompanier with Indigenous-African descendant Garifuna communities;
- come on educational-solidarity delegations to Honduras;
- establish long-term partnerships with OFRANEH and Garifuna communities;
- donate funds [via Rights Action] for the community development, environment and defense work of OFRANEH and Garifuna organizations.

Carry it on ð info@rightsaction.org

===