

Rights Action

TRUTH IN HONDURAS: One year after the coup, the battle over who gets to expose—or avoid—recent history begins

BELOW:

Article, by Jeremy Bigwood, about the competing “truth” commissions
Proposal: the “Truth Commission”, presented by the Honduran Human Rights Platform

There are competing “truth” commissions in Honduras. Rights Action has posted a number of articles and commentaries about the Lobo government’s efforts to cover-up and whitewash the military coup and state repression, by establishing a “truth and reconciliation commission”:

http://rightsaction.org/Alerts/Honduras_truth_commission_mockery_050610.html
http://rightsaction.org/Alerts/Honduras_mining_lawyer_on_truth_comm_050210.html

"The only purpose of [Lobo's Truth Commission] is to support the Honduran regime's continued efforts to whitewash those responsible for the coup and its violent aftermath."

Please re-distribute this information

How to support the real Truth Commission, see below

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TRUTH IN HONDURAS: One year after the coup, the battle over who gets to expose—or avoid—recent history begins

By Jeremy Bigwood, http://inthesetimes.com/article/6069/truth_in_honduras/

"The only purpose of [Lobo's Truth Commission] is to support the Honduran regime's continued efforts to whitewash those responsible for the coup and its violent aftermath."

One year after Latin America’s first coup of the century, two opposing truth commissions—one official, one not—have set to work to determine why and how Honduran President Manuel Zelaya was removed from power. At stake is the legitimacy of the Honduran state and its president, issues of hegemony versus democracy, and, not least, the historical record.

The Honduran Armed Forces staged a coup d'état against Zelaya on June 28, 2009. Upset by Zelaya's leftward drift, Honduras' oligarchy, which has long ruled the impoverished Central American nation of 7.3 million, backed the coup.

In response, Zelaya supporters, as well as those simply opposed to the rupture of democratic rule, formed a vocal opposition movement, the National Front of Popular Resistance. The coup government's reaction, which was immediate and continues to the present, has involved "thousands of human-rights violations," according to the human-rights organization Center for Justice and International Law. Scores of opposition activists have been assassinated, according to Honduran human-rights organizations.

On January 26, the Honduran Congress granted amnesty to all those involved in political crimes during the coup. The next day, President Porfirio "Pepe" Lobo was inaugurated. Yet with the exception of the United States and allies like Mexico, Canada and Colombia, most of the hemisphere's nations, including Brazil, Venezuela and Argentina, and the Organization of American States still did not recognize Lobo's government.

On May 4, Lobo came up with a remedy, launching "La Comisión de Verdad" (known in English as the "Truth Commission").

Although truth commissions are usually conducted in post-conflict situations—like in El Salvador or South Africa in the 1990s—Honduras' is to take place during ongoing conflict.

The commission's stated aims are to clarify what happened before, during and after the coup that removed Zelaya from power, and to produce recommendations so that last year's events will never be repeated. Eduardo Stein, a former vice president of Guatemala, was picked by Lobo to lead it. Lobo's "Truth Commission" has already yielded diplomatic results: since its incorporation, eight nations have joined the United States in normalizing relations with Honduras.

Along with Stein, the government commission will comprise two academics (the present and former presidents of Honduran National University), a Canadian career diplomat and the ex-head of the Peruvian Supreme Court. Spain, Japan, Sweden, Canada and the United States will fund the commission, rather than the Honduran government.

Bertha Oliva, director of the Honduran Committee of the Detained and Disappeared, is not impressed. "The only purpose of [Lobo's Truth Commission] is to support the Honduran regime's continued efforts to whitewash those responsible for the coup and its violent aftermath," she wrote on Huffington Post.

To counter the official commission, the Honduran opposition movement is establishing its own investigative body. Six human-rights organizations will launch

“Comisión de la Verdad” (known in English as “Commission of the Truth”) on June 28, the coup’s anniversary. It will be “responsible for making known the human rights violations committed against thousands of Hondurans,” according to a May 6 commission press release. The commission—which will include a Nobel laureate, a writer and a priest—will last one year.

With the official “Truth Commission” backed by the Honduran oligarchy and the U.S. government, and the oppositionist “Commission of the Truth” backed by the Latin American Left, the two commissions will likely become respective standard-bearers for the Honduran government and the still-vibrant opposition movement—and the continuing continental struggle between haves and have-nots. Truth or no truth, don’t expect an amicable resolution to Honduras’ continuing political crisis any time soon.

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HONDURAS TRUTH COMMISSION

The Honduran Human Rights Platform is fully committed to protecting human rights, thwarting impunity, restoring the rights of victims and recuperating and re-founding a democratic institutionalidad that guarantees freedom and increases fundamental rights; we are committed to a struggle to ensure that the Honduran people will never again be subjected to a coup d’état, police repression or political repression or to other serious violations of human rights; we resolve that NEVER AGAIN will our voice be silenced; the people demand respect, justice and changes that will allow us to live with dignity. We therefore state the following:

GENERAL CONSIDERATIONS ABOUT THE “TRUTH AND RECONCILIATION” COMMISSION:

1. The Truth and Reconciliation Commission was set up by Porfirio Lobo Sosa, as stipulated by the Tegucigalpa-San José Agreement of October, 2009. The main objective of the Agreement is to ensure “peace, harmony and tranquility for the Honduran people.” The mandate of the Agreement is “to identify events that led to the situation of crisis –sic- and provide the Honduran people with ways of preventing such crises in the future.”

However, this Agreement does not make it possible to achieve these objectives because it is not legally-binding, thus, no legal appeal can be made to enforce it. As such, the Agreement is an insult to the people of Honduras and to the international community.

Events subsequent to the Agreement demonstrate that one of the signatories had feigned its good faith and that those holding the real power in the present Government continue to repress the people and perpetrate serious violations of human rights.

2. There was no real debate to define the mandate of the Lobo Commission. As it stands, the mandate is not inclusive, given that neither human rights organizations nor the victims have been summoned to make statements to the Commission about their version of events. This lack of transparency and participation negatively impacts the legitimacy of the Commission and contradicts the original objectives for which it was created.

3. The Lobo Commission's mandate is restricted. It limits its analysis to the so-called "political crisis". As well, it has no binding links with powers of State outside of the public administration. This is because it was created by Executive Decree and as such, has no legal force on other State organisms which could play an adjunct role in the Commission's effectiveness. As well, for these organisms to cooperate with the Commission, individual civil servants would have to agree to appear before the panel.

4. Lastly, the mandate of the Lobo Commission respects neither minimum standards, nor good practices, nor the principles established by the United Nations for this type of Commission. The mandate is lacking in impartiality, objectivity and independence. As a result, it is very unlikely that it will produce positive effects. As it is conceived, the Lobo Commission could, in fact, become yet another example of impunity and its objective of so-called "reconciliation" will lead to more collective frustration, instead of providing reparations for the serious and deep damage people have suffered.

THE REAL HONDURAS TRUTH COMMISSION

The Human Rights Platform urges the Truth Commission to comply independently, objectively and rigorously with international standards. The Commission's mandate should respond to the legitimate demand of Hondurans and of victims that they never again experience a coup d'état in Honduras. There have been serious violations of human rights, and events have damaged the dignity of individual citizens. The Truth Commission was created to ensure that the crimes that were committed do not continue to be treated with impunity.

Documentation of historical memory is an essential part of the process of affirmation of individual, civil, political social, economic cultural and collective rights and for the construction of a new institutionality.

The Human Rights Platform proposes the creation of a Truth Commission with the following objectives, mandate, rules of procedure, logistical resources, budget and administrative norms.

OBJECTIVES OF THE TRUTH COMMISSION:

The Truth Commission should help victims regain their dignity by setting up a mechanism that allows them to present testimonies regarding the serious violations of human rights they suffered during the coup d'état; the work of the Commission is to ensure that the voice of the Honduran people is not forgotten or silenced and that impunity does not interfere with justice; the Commission must ensure that serious violations against human rights and crimes against humanity are publicly denounced -

it is essential that these crimes no longer be treated with impunity. As well, the Commission must see to it that cases of violations of human rights and crimes against human rights defenders are documented, that the patterns these crimes take are described and that mechanisms for protection of defenders of human rights are proposed. Lastly, the Commission should propose structures that will prevent Honduras from ever again coming under the shadow of a coup d'état.

MANDATE OF THE TRUTH COMMISSION:

1. The Truth Commission should investigate and document violations of human rights that took place during the coup d'état on June 28, 2009, as well as other violations that have taken place and where possible, identify the persons responsible for these violations.
2. The Commission should investigate and establish patterns of aggression and persecution to which defenders of human rights and social leaders who promote structural change have been subjected; and identify those responsible.
3. The Commission should hear testimonies from victims who suffered repression during the eighties. This would allow the Commission to document the consequences of impunity, identify the structures of repression that continue operating in the country and identify how impunity mechanisms used for past crimes made it possible for violators of human rights to become active again during the coup d'état.
4. The Commission should report on the background to the coup d'état - the structural, institutional, economic, historical causes and the individuals who promoted and justified the coup. To this end, they should as well, analyze and identify foreign interests that promoted and supported the Coup.
5. The Commission should propose ways of responding to the right of victims to truth, justice and reparations. These recommendations would make it possible for victims to receive reparations and set up mechanisms to prevent further violations, re-establish rights and provide satisfactory re-habilitation and reparations, both on the individual and collective levels.
6. The Commission should identify the role played by each State institution and their link to the military Coup, including violations of human rights, be it by act or omission. Recommendations should be made to purge the State of all those who promoted or participated in the Coup and of all those who allowed or participated in violations of human rights. The Commission should also indicate which penal and criminal authorities should deal with the cases of such individuals or civil servants.
7. The Commission should present a report on the above mentioned issues to the Honduran people. The report should be distributed throughout the international community, in particular, it should be sent to the United Nations, the OAS, the EU and the International Criminal Court.
8. Once the Commission has completed the above work, a permanent international organism should be established to monitor, observe, intervene and provide expertise to ensure that the Truth Commission's recommendations are implemented.

PERIOD OF THE MANDATE OF THE TRUTH COMMISSION:

The Truth Commission will be instituted as of June 28, 2010, on the first anniversary of the coup d'état. It will hold its first session on July 5, in memory of Isis Obed

Murillo, the first direct victim of the Coup. The Truth Commission will hold a second session in the country in the last week of November, 2010 and will conclude its deliberations in a last session, in which it will present its report, in the last half of 2011.

PROCEDURAL NORMS FOR THE TRUTH COMMISSION:

The Truth Commission will have full autonomy and independence. Commissioners will be chosen for their broad commitment to human rights, their ethics and their experience in this field. They will carry their work out with impartiality, objectivity and according to the principles and best practices of the United Nations, which have helped other commissions establish the truth. The commissioners will receive no compensation or honorarium for their work on the Truth Commission. Commissioners will guarantee that their procedures will be transparent and legitimate and that the Commission will operate in full independence. Commissioners will also commit to successful objectives that reflect the ethics of the Commission. Where possible, commissioners will have access to support staff, who will be of different nationalities and care will be taken to ensure staff represents different social sectors. An Executive Secretariat Office will be set up for the Commission in Tegucigalpa. National and international personnel will be designated by the Commission. The Commission will also designate the Executive Secretary, who will be responsible for coordinating the Commission's activities.

The Human Rights Platform will cooperate with the Commission, providing any information at our disposal and facilitating participation of victims.

The Commission will have at its disposal an International Secretariat that will advise the Executive Secretary, help manage resources, promote international support and guarantee broad international distribution of the Commission's final report. The Human Rights Platform will indicate which individuals and organizations should form part of the International Secretariat and who should coordinate it.

LOGISTICAL RESOURCES OF THE TRUTH COMMISSION:

The Commission will have an independent office with appropriate security and equipment required for its operations. Once the Commission has completed its work, the whole infrastructure will be made available to the Human Rights Platform.

BUDGET AND ADMINISTRATION OF TRUTH COMMISSION FUNDS:

To ensure that the Commission operates efficiently, funding will be requested from the international community. Administration of funds will be placed in the hands of a Platform member organization while the Commission Secretariat is being set up. Additional, non-budgeted funding that may be obtained will be allocated for specific purposes, such as the construction of a monument to victims of the Coup.

Tegucigalpa, May, 2010
Human Rights Platform

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FUNDS ARE NEEDED:

Since the coup, June 28, 2009, Rights Action has supported and worked with the Honduran people's movement, funding organizations doing a range of work: human rights defense and promotion; media (radio, publications and internet); human rights accompaniment; human rights reporting; emergency support for repression victims; transportation; communication (phone, internet); camera work (film and still); travel to forums and negotiations; etc..

TAX DEDUCTIBLE DONATIONS

To support the real Truth Commission, make check payable to "Rights Action" [writing "Honduras TC" on the memo line] and mail to:

UNITED STATES: Box 50887, Washington DC, 20091-0887

CANADA: 552 - 351 Queen St. E, Toronto ON, M5A-1T8

CREDIT-CARD DONATIONS: <http://rightsaction.org/contributions.htm>

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DELEGATION TO HONDURAS, JUNE 26-JULY 4: First anniversary of June 28, 2009 oligarchic-military coup against the elected government (Contact Annie: annie@rightsaction.org)

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JOIN our newsletter mail list. Send name and address to: info@rightsaction.org

CREATE YOUR OWN email and mail lists and re-distribute our information

RECOMMENDED DAILY NEWS: www.democracynow.org /

www.upsidedownworld.org / www.dominionpaper.ca

RECOMMENDED BOOKS: Eduardo Galeano's "Open Veins of Latin America"; Howard Zinn's "A People's History of the United States"; Naomi Klein's "The Shock Doctrine"; Paolo Freire's "Pedagogy of the Oppressed"; Dr Seuss's "Horton Hears A Who"

- EDUCATION IN YOUR HOME COMMUNITY: Contact us to plan educational presentations in your own community, school, place of worship, home (info@rightsaction.org)
- EDUCATIONAL DELEGATIONS TO CENTRAL AMERICA: Form your own group or join one of our delegations to learn first hand about community development, human rights and environmental struggles (info@rightsaction.org)
- BOOK: "CODE Z59.5: There Is Only One People Here", by Grahame Russell. Code Z59.5 is a series of diary excerpts (comments, facts, quotes, etc.) from the 1990s and 2000s, related to the author's work in Central America, Mexico and North America, in defense of human rights. (To order: info@rightsaction.org)

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