

Rights Action
February 21, 2012

Honduras – Comayagua Prison Fire Kills 358 Inmates

- TWO ARTICLES: about the February 14, 2012 Comayagua prison fire, providing testimony that this inferno was no “accident”
- LINK: to documentary film “El Porvenir” about the 2003 El Porvenir prison fire that killed 69 inmates
- COMMENTARY: by Annie Bird and Karen Spring

EMERGENCY RELIEF FUNDS NEEDED

Rights Action is asking for tax-deductible donations for Comayagua fire victims and family members that will be channeled to the CPTRT (Centre for Prevention, Treatment and Rehabilitation of Torture Victims and their Families), a non-government organization in Honduras (that Rights Action has long worked with) that supports and works with prisoners and family members of prisoners in Honduras' endemically abusive jail system. To donate, see below.

QUESTIONS AND COMMENTS

Grahame Russell, co-director, info@rightsaction.org

Annie Bird, co-director, annie@rightsaction.org

- Please re-post and re-publish this information
- Get on-off Rights Action's listserv: www.rightsaction.org
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www.facebook.com/RightsAction.org

A TESTIMONY FROM A SURVIVOR THAT LOST HIS BROTHER:

<http://www.hondudiario.com/content/“polic%C3%AD-rocianon-gasolina-para-provocar-incendió”-según-supuesto-reo-sobreviviente>

“The police poured gasoline on us to provoke the fire”
(alleged surviving prisoner)

[According to the alleged prisoner, there was a jailbreak planned and the police turned the tables on them and set fire to the place. The fire caused the death of approximately 355 prisoners. He revealed that at Wednesday at 10pm there was an escape planned from the prison farm, for which he paid 85 thousand lempiras (over \$4,000), deposited in a bank account by his family.]

Tegucigalpa, Honduras. This morning on the news program, Hable Como Habla (Speak as they Speak), an alleged prisoner, who escaped and survived the tragedy of the prison farm of Comayagua, said that the incident was provoked by the police personnel that poured gasoline on pavilions 6 to 10, and set it on fire.

“I can't give my name as you can understand ... it is something that happened to us, you understand ... it is something that many companions suffered and as I said, I have a brother who died, and the only thing I could do was get out of that place”, were the first words this fugitive expressed with a voice choked with emotion during his phone conversation with HCH.

He continued, “What I am going to tell you is something that happened to one of my brothers who was stuck inside. What they're saying is not true; we weren't the ones who set fire to ourselves, that idea is ridiculous, because that isn't what happened.”

“It was the police that started shooting at us, they were the ones that poured gasoline on us, you understand ..., and many of us, many of our companions died. When we realized that the fire was going to kill us, we tried to get out of there” related the prisoner who did not want to reveal his name. He added that his brother could not be saved: “Like I said, my brother couldn't get out, he couldn't save himself, but considering the way I am now, I'd be

better off dead, since I have a broken foot and I don't know how to tell you this ...” and he began to cry.

“I just ask that God gives strength to my mother, she lives in Guaymaca... I only ask him to give me strength... strength... One day I will go to where she is to embrace her and tell her how much I love her”, he said.

He said that the only thing he asks is that justice be done regarding what happened there, because they had been victims of a fire that was provoked by the police, “find out what happened with the guards, that is all that I ask”.

SO-CALLED “SHORT CIRCUIT”

According to the prisoner, the version about a short circuit is absolutely false, because things like that have happened before, “when there were short circuits, we were on the alert, a short circuit doesn't set a fire, and a single mattress doesn't set fire to a large room.”

In that regard, he indicated that they want to cover up the truth (block out the sun with a finger) but they won't be able to do it, “because there are many of us, who feel for the death of our companions and we were also there, and maybe one will say the truth about what happened there, get the truth out.”

He added that he is currently with two other companions who were able to escape with him, and they sought help with some friends of theirs who are trying to cure their burns and gunfire wounds. He ruled out the possibility of turning themselves in, because in his case, he doesn't want to go back to prison because he has a 29 year sentence for the crime of homicide, illicit weapon possession and a rape he never committed. “I was accused of a crime I never committed which is a violation”.

HOW THE FIRE STARTED

“The fire began in cell 6, where the problem started, but right away it extended to cell 10 in one huge fire, because they poured gasoline on us”, he recounted. He added that none of the police guards did anything to save their lives, and all they did was throw them the keys. “They didn’t say, we’ll open the gates, to the contrary, they closed them when we were jumping from the roofs, and they shot at us to keep us inside,” he expressed.

Nevertheless he added that they were able to escape from the roof, “we were able to escape by the fences, I was shot and another companion helped me. I have one bullet in the leg, another in the arm and another in my back.” He explained that he was in the 8th cell where many were shot to death when trying to escape from the fire.

He revealed that a jailbreak from the Prison Farm was planned for Wednesday at 10 at night, for which his family paid 85 thousand lempiras (over \$4,000), deposited in a bank account. The agreement for this jailbreak, between the Comayagua prison director, the police and fugitives, was that 85 prisoners would escape, but “the guards turned the tables on us and, at the end, they started to shoot at us, set a fire and doused us in gasoline.” “I had to pay 85 thousand lempiras, some paid more, some paid less”, he revealed.

At the end of the conversation the journalist Eduardo Maldonado asked why he decided to speak and he responded “for my brother, whose body I want given to my mother and because I might go back to a place like that and I don’t want them to lynch me”. hondudiaro

ALLEGATIONS THE FIRE WAS A RESULT OF POLICE BEING BRIBED TO KILL A LOCAL DOCTOR WHO WAS IN PRISON BECAUSE OF DEBT, AND THAT THE SOLE WOMAN WHO ALSO DIED IN THE FIRE WAS HIS WIFE:

<http://www.latribuna.hn/2012/02/17/profugo-%E2%80%99Cel-objetivo-era-matar-al-doctor-y-sus-dos-acompanantes%E2%80%99D/>

February 17, 2012

TEGUCIGALPA- The mysterious causes surrounding the tragedy at the prison center of Comayagua, where more than 350 prisoners died, continue to be unknown, but new versions assure that it was the police who started the fire. One of the prisoners, now fugitive, told HCH that the police set them on fire and that the objective was to kill a doctor and his two companions.

Preliminary reports said that a short circuit had provoked the fire and then the prisoners had burned a mattress in the sector. However, this morning, three fugitives who survived the hell caused by the fire in the establishment gave a different version. Apparently there was a very detailed plan, and the director of the prison, Wilmer Obdulio López Irías, had received a large sum of money to execute a doctor who was imprisoned in cell six.

The versions that came out through a phone call to the TV station Speak as you Speak (HCH in Spanish) is that someone from Spain had ordered the death of the medical doctor, Constantino Ipsilanti, since he was responsible for killing a citizen from that country. People from Comayagua told LA TRIBUNA that the doctor was one of the best friends of a European who had a restaurant that sold chicken in front of the La Merced park. In addition, they said that the Spanish citizen had money and he loaned it to the Doctor, who was the owner of the Popular Pharmacy in Comayagua. When the medical doctor decided to run for Mayor, the Spaniard loaned him money to finance the campaign, however the debt grew too large, so he decided to kidnap him and then he killed him. They also mentioned that the pregnant woman, who was in the same cell, was the Doctor's wife who always visited him.

Below is the recount of one of the fugitives, whose name is omitted for obvious reasons. He assures that the police's objective was to kill the doctor, but since the plan failed they decided to burn down cells 6 and 7 in order to simulate a fire.

HCH: You are a survivor of the tragedy?

Fugitive: Yes, right now we are hidden in a secret place.

HCH: Where are you now?

Fugitive: I have many bruises and wounds, but in reality I can not tell you where I am.

HCH: When were you taken there?

Fugitive: Yes, but I have lost my sense of time.

HCH: You were imprisoned in Comayagua and for what kind of crime?

Fugitive: Yes, for homicide. I've been in 7 years, and I am sentenced to 27.

HCH: What is your version?

Fugitive: This is the truth: the main objective was the death of the doctor; that is what was planned.

HCH: What doctor?

Fugitive: The one who ran for mayor.

HCH: Ipsilanti?

Fugitive: Yes, that is correct, and his two companions.

HCH: And, did he die?

Fugitive: Yes, his two companions did too; they were in Cell six, that is why the fire started there, because that is where the jailbreak was going to start.

HCH: And was there a plan to escape?

Fugitive: Yes, there was a plan to escape, but the main objective was the doctor and his two companions.

HCH: They were going to escape?

Fugitive: They were on the list of those who were going to escape, but the main objective was to kill them.

HCH: Who wanted to kill them?

Fugitive: Well there was a lot of money offered for his head, first they offered a million dollars to see who wanted to kill him on the inside, and then there was a change in prison director and they offered four million Euros, and this money has to be in bank accounts, principally in the director's and from there, the person who made all the contacts for the escape and all of that was the general coordinator, the owner of the TRUCHA.

HCH: What is his name?

Fugitive: Chico and the other is Fredy Castellanos, they were the ones that planned the escape, picked up the money and all of that.

HCH: So it is true that they paid?

Fugitive: Yes, and what they offered the doctor was that he leave, that they were going to get him out, uniformed, and once he was out, they would kill him.

HCH: They'll apply the "law" for escaping? LEY FUGA

Fugitive: That is correct; then they would get the money offered for killing them from abroad.

HCH: Was that money already deposited?

Fugitive: Yes, there is already a large sum of money; those monies that came from Europe need to be investigated.

HCH: And where were you?

Fugitive: I was in the eighth cell and only very few of us were able to be saved, the rest died by asphyxia.

HCH: But they set the prison on fire?

Fugitive: That is correct, the police set it on fire, the escape plan was going to happen and they were going to open several gates because people were going to escape from several sections.

HCH: And you weren't on the list?

Fugitive: No, not at all. I am going to pay my crime and I know that I will get out one day, I never liked running from justice. Moreover, I turned myself in, voluntarily. What happened is that the police on duty threw the keys in and went running out, then we could hear the explosions inside of section number six, they threw Molotov cocktails and that is what ignited six and seven at the same time.

HCH: Who threw the bomb?

Fugitive: The police, those who were near the kitchen.

HCH: Who died there?

Fugitive: I'm saying this because of my friends who had nothing to do with this at all. I wish the prosecutor's office would investigate there, and stop talking about a short circuit because the electricity was never cut, we were just sleeping and heard the explosions in six and seven where the doctor and his two companions were, that was the police's main objective.

HCH: But, if the objective was to get him out and kill him outside, why did everything else happen?

Fugitive: Because the jailbreak didn't happen and they had already received money to do the fire thing, and say that the doctor was burned to death, and they started the fire.

HCH: To disguise it?

Fugitive: To disguise it, but everyone who was there left; and they are all involved, from the director to all of those on duty.

HCH: What is the director's name?

Fugitive: I don't remember because he is a director that came from Támara recently and he didn't get to know the prison population.

HCH: So why do you tie him to this?

Fugitive: Because inside (a prison) you find out everything that happens. What goes out, what comes in, and if an eighth of alcohol gets in, it is because of the guards. The police smuggle it in and then they blame the visitors when they find it.

HCH: Are you fugitive?

Fugitive: Yes, of course. I am fugitive so that the truth can be known. I escaped through a hole we made, because the smoke was killing us.

HCH: Are you going to turn yourself in?

Fugitive: Yes, once they give me the necessary protection.

HCH: Can you repeat your version?

Fugitive: The main objective was killing the doctor and his companions, and I know that this is being paid for, I don't know from where, but possibly from Spain.

EL PORVENIR (60 minute documentary film)

<http://vimeo.com/14106974>

On the morning of April 5, 2003, news broke of a violent clash between members of the Mara 18 gang and common prisoners at the El Porvenir penal farm in La Ceiba, Honduras. When the fighting was over, 69 people, mainly gang members, were dead—most of them shot, stabbed, beaten or burned. Although prison officials initially claimed that the Mara 18 had initiated the violence and set the deadly fire in their cellblock, subsequent evidence revealed that the conflict was a premeditated massacre in which prison authorities were actively involved in the execution of unarmed

gang members. In "El Porvenir," survivors and families of the victims tell the story of what happened that day and of their subsequent struggles for truth and justice. Using the tragedy as a springboard, the film also explores the broader issue of gangs in Honduras. While members of Honduran society agree it is a problem in need of a solution, the roots of the problem and the means to solve it aren't easy questions to answer.

PRISON FIRE RAISES CONCERNS OF CONNECTIONS BETWEEN GANGS AND HONDURAN POLICE

By Annie Bird (annie@rightsaction.org) & Karen Spring (spring.kj@gmail.com)

"It is no accident. It is no coincidence. Nothing is as it seems"
Oscar Estrada, Honduran filmmaker

Over 365 people, mostly young boys, have been reported dead in the Comayagua prison in Honduras in a fire that started at 10:50pm on February 14, 2012. The fire that burned in the Comayagua prison is the third deadly fire inside a prison in Honduras in the last 9 years. In 2004, 107 people were killed in a prison fire in San Pedro Sula and on April 5, 2003, 69 prisoners were killed in El Porvenir prison in the northern city, La Ceiba.

A legal case regarding the 2004 fire in San Pedro Sula is going to the Inter-American Court on Human Rights (case #12,680) on February 28 and 29, to hold the Honduran state responsible for the 107 deaths resulting from deficiencies the State knew about and did not correct. In that case, the San Pedro Sula jail was built to hold 800 prisoners but housed over 1,960 prisoners at the time of the fire in 2004.

Overcrowding was also the case in Comayagua where the prison was filled to over 300% of its capacity, according to some accounts.

In Comayagua, there are widespread reports that police fired live ammunition on the prisoners trying to escape the fire. Guards refused to open cells, and tear-gassed and shot at family members who rushed to the prison to help their trapped loved ones. There are reports that prison authorities refused to allow firefighters into the area for a number of hours.

Danilo Orellana, the head of the National prison police, a division of the national police force, was reportedly on the scene beginning at 1 am on February 15th, even as the abuses described above occurred. After spending more than 10 hours at the scene of the crime, he was suspended from his position along with the director of the prison, Rommel Martinez.

Danilo Orellana was also one of the key police officers that assisted in the planning and carrying out of the June 2009 military coup that ousted the democratically elected government of President Zelaya. According to the Organization of American States "Truth Commission", Orellana worked in the military coup 'crisis room' and was responsible for illegal detentions and torture of those protesting the coup. He was also the only top-ranking police officer not shifted around in the scandal that followed the police killing of the National University director's son in October 2011.

There are anonymous allegations circulating that Danilo Orellana ordered the late night release and killing of two gang members from the National Penitentiary in Tegucigalpa in October 2011. Reports say that the gang members carried out illegal activities on behalf of Orellana with involvement of other elements of the police including Jose Ramirez del Cid, the National Police Director. Reports claim that the killings were ordered by Orellana in an attempt to cover up his and other police collaboration and involvement in the illegal and criminal activities. The crime scene was allegedly altered to hide any evidence implicating these officials.

Over 8 years ago, Honduran human rights groups presented a law proposal to separate the prison police from the highly corrupt and distrusted National Police, widely recognized to be deeply involved in organized crime networks, and implement a rehabilitation strategy for prisoners. The State has not acted on this proposal.

Prisons in Central America are key spaces for coordination and recruitment of gang members and there are widespread reports of collaboration between police and gangs in extortions of stores, bus companies, taxis and businesses. In Guatemala, the head of the National Police and Interior Minister have arrest warrants pending for operating a death squad that killed prisoners, and there are accusations that they were involved in the killing of imprisoned police officers, who were pending trial for the massacre of 4 Central American parliamentarians. The murders of the imprisoned police officers were killings that are understood to have occurred to cover up the identity of the intellectual authors of the massacre of the parliamentarians, a killing that was blamed on a prison riot though reporting at the time demonstrated that the riot started well after the killing, many believe in order to cover the true 'death squad' nature of the killing.

Control of the prisons is critical in struggle for dominance between organized crime networks. Testimonies from survivors of the Comayagua prison fire have already come forward indicating that the fire was started by prison police involved in illegal activities including bribery, despite allegations by the Honduran state that the fire was started by a prisoner that set fire to a mattress.

In 2003, during the fire in the penitentiary in La Ceiba, government officials and prison police initially claimed that inmates had set fire inside their cell killing 69 alleged gang members. After investigations were carried out, it was found that 51 of the dead had been shot, stabbed, beaten or burned to death by state prison guards. One of the prison directors, Dimas Antonio Benitez among others involved, was sentenced to 1,051 years in jail in 2008 for his participation in the massacre. Suspiciously however, in

September 2010, it was reported that Benitez had been shot and killed while repairing his vehicle in a workshop in La Ceiba. Questions were raised as to how and why Benitez given the life sentence, was free in the streets and not in jail.

Violence and impunity in Honduras are deeply rooted in the corrupt security and judicial system that cannot be 'cleaned' by simply eliminating a few lower ranking police officers. As long as the US drug policy continues to be prohibition and militarization, given the enormous resources of the drug trafficking network, the justice system in Honduras and other Central American countries will always be susceptible to corruption and organized crime.

**EMERGENCY RELIEF FUNDS NEEDED
TAX-DEDUCTIBLE DONATIONS IN CANADA AND U.S.A.:**

Rights Action is asking for tax-deductible donations that will be channeled to our partner group in Honduras – CPTRT (Centre for Prevention, Treatment and Rehabilitation of Torture Victims and their Families). The CPTRT works with victims of torture, State repression and widespread societal violence. The CPTRT has long worked with prisoners and family members of prisoners in Honduras' endemically abusive jail system. Funds are being used to provide medical and food support, burial costs, emotional and legal support to the victims and their families and loved ones.

Make check payable to "Rights Action" and mail to:

- UNITED STATES: Box 50887, Washington DC, 20091-0887
- CANADA: 552 - 351 Queen St. E, Toronto ON, M5A-1T8
(* Write "CPTRT" on memo-line *)

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www.rightsaction.org

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DONATIONS OF STOCK can be made (anonymously):
info@rightsaction.org

QUESTIONS AND COMMENTS

Grahame Russell, co-director, info@rightsaction.org

Annie Bird, co-director, annie@rightsaction.org

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