

Honduran Impunity and Corruption in Favour of Canadian Businessman Randy “Porn King” Jorgensen: Article by Dina Meza

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The Honduran Judiciary Tolerates Canadian “Porn King’s” Disobedience

August 25 2016, by [Dina Meza](#)

<http://www.pasosdeanimalgrande.com/index.php/en/contexto/item/1482-ministerio-publico-y-poder-judicial-toleran-la-desobediencia-del-rey-del-porno-que-no-les-hace-caso>

The Office of the Prosecution and the Judiciary turn a blind eye to the defiant actions of the Canadian businessman Randy Jorgensen (known as the Porn King). Miriam Miranda, the Coordinator of the Black Fraternal Organization of Honduras, OFRANEH, denounced that Jorgensen failed to appear in court despite a summons, which constitutes contempt of court.

In common language it could be defined as a “compadre hablado” [an off-the-record agreement] meaning a deal of sorts between this Canadian man and Honduran Authorities, in which he would fail to appear in court and authorities act like they did not know anything about it. These actions foster impunity, and according to high level Honduran authorities, impunity already exists in more than 96% of all cases.

Article 346 of the reformed Penal Code sets out one to three years of imprisonment as the penalty for those committing an act of disobedience against the authorities by refusing to comply with sentences, resolutions or judicial mandates.

OFRANEH denounced that Jorgenson illegally appropriated the communities of Guadalupe, Santa Fe and, in the city of Trujillo, part of the Rio Negro community, all with the unconditional support of the of the municipality of Trujillo.

Canadian Porn King on Trial for Tourism Projects in Honduras

- Watch 8 minute report: <https://www.youtube.com/watch?v=wWqoB5GTfm8>. On November 13th, 2015, Canadian tourism developer Randy Jorgensen, aka “The Porn King”, appeared in court on charges of illegally appropriating ancestral Garifuna lands. The court ruled partially in Jorgensen’s favour, choosing not to go to a full trial for the time being, but local communities smell corruption and vow to appeal this ruling in Honduran courts and keep on fighting all the way to international tribunals, meaning that Jorgensen’s and others’ investments remain in legal limbo and could still be in jeopardy.

Miranda explained: “We believe it very important to continue to strengthen the resistance. We have five or six communities that are reoccupying their territories: Barra Vieja, Santander, Nueva Armenia, in the Trujillo area, where the people chose to reoccupy.

“This has led to greater tension, because there is repression. The municipal corporations made decisions over territories that belonged to the communities. Community leaders are criminalized, facing accusations of invading their own territories”, she added.

Miranda also explained, “this is a judicial system that persecutes the communities instead of taking actions against those who come in to cause damage to the communities. They only go after the communities. For example, the Porn King was ordered to attend legal hearings and never showed up. He has the privilege of not attending, showing that the judiciary only looks to take legal action against the true owners of the territories.”

“If a compañera doesn’t get to court, when summoned, she receives a compulsory summons, which is what happened with Carolina Castillo who is constantly being called to appear in court. If she failed to appear they call the police and put her into prison. She has been accused five or six times, and they say she is an invader.”

A Bit of Background: What is Happening with the Porn King?

OFRANEH released a statement informing that the Office of the Prosecution for the Ethnic groups filed suit in December 2011, accusing the Porn King – nickname with which the businessman is known in his country, Canada - in regard to the usurpation of Garifuna lands. On these lands, he constructed one of his luxury resorts in an area of high ecological vulnerability that is also part of the buffer zone of the Capiro and Calentura National Park.

After failing to appear in court many times, Jorgensen finally showed up to a hearing at the Trujillo civil court on November 3, 2015, and received a partial acquittal. An appeal was then presented by OFRANEH to the La Ceiba Appeals court on November 20, 2015, and in March 2016, this court resolved to revoke the partial acquittal and call for a new hearing, that was to take place on May 2, 2016. Once again, Jorgensen did not appear in court - his lawyer claimed he was not in the country.

The Porn King, with the support of the municipal government as well as the backing of Mr. Ramon Lobo and his famous family clan, was able to take control over a good portion of the Garifuna Communities in Trujillo Bay. One should remember that in Santa Fe, the

“businessman” even received an award from Ex-President Porfirio Lobo [Rights Action edit: put in power after the 2009 US- and Canadian-backed military coup], accompanied by his “afro-condescending” ministers”.

At the time this happened, Honduras was facing the most violent moment of its history following the 2009 coup, while state institutions were bled dry and coopted and destroyed by those in power.

Apparently Ramón Lobo sold two mining concessions to Randy Jorgensen to exploit iron oxide. One of them, called Montecristo, which is registered under the name Vision of Life (Visión de Vida), is located within the title of the Cristales and Rio Negro community, comprised of 600 hectares.

We should also remember that Ramón Lobo appeared as the owner of a concession called Punta Piedras II, on behalf of the Punta Caxina Company, a corporate entity that the Inter-American Human Rights Court addressed specifically in their ruling on the Case Punta Piedras versus Honduras. This ruling indicates the need to follow Convention 169 of the ILO in regard to the right to Free, Prior Informed Consultation (FPIC) and the compulsory nature of carrying out consultation prior to exploration. This sentence and the right to the FPIC are part of the current Mining Law which stipulates that consultation should be carried out prior to exploitation.

The Honduran government has incurred in countless legal aberrations in detriment to the indigenous peoples of the country, including with regard to the violation of the right to FPIC. In the specific case of the Porn King, the state violated the FPIC through the destruction of Rio Negro, where instead of carrying out the respective consultation they simply went ahead, alongside the Trujillo Municipality, and threatened the Rio Negro community with the implementation of the 1913 Law of Forced Expropriation, taking advantage of the dictatorship of Roberto Micheletti [immediately after the June 27, 2009 military coup] and the conditions of the Mafia Republic, concludes OFRANEH’s statement.

The following videos detail the Porn King’s appropriation of Garifuna Lands, see HERE:

- The Canadian ‘Porn King’ on trial for Usurpation of Garifuna Lands in Honduras, <https://www.youtube.com/watch?v=MN9ruYKjful>
- The Banana Coast and the eviction of the Garifuna people from Trujillo Bay, <https://www.youtube.com/watch?v=6PhVwV-RvCc>

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