

Organizational sign-on letter

## **SUNLA investigation into forced disappearance of Garifuna land defenders by US & Canadian-backed Honduran regime**

<https://mailchi.mp/rightsaction/sunla-investigation-into-disappearance-of-garifuna-land-defenders>



\*\*\*\*\*

Statement by human rights organizations advocating for the integration of the SUNLA in the process of investigation and search for the Garifuna victims of forced disappearance from the village of Triunfo de la Cruz

Signatures from local, national and international movements and organizations

- **Deadline:** Friday, May 21, 2021
- **To sign:**  
[https://docs.google.com/forms/d/e/1FAIpQLScqIE9Q3FjVeRDBxiOu4fYEI5iVJfXtC\\_pjXVNggOjNR1ZgA/viewform](https://docs.google.com/forms/d/e/1FAIpQLScqIE9Q3FjVeRDBxiOu4fYEI5iVJfXtC_pjXVNggOjNR1ZgA/viewform)

### **Letter addressed to:**

- JUAN ORLANDO HERNADEZ ALVARADO, President of the Republic of Honduras
- MAURICIO OLIVA, President of the National Congress of the Republic of Honduras
- ROLANDO ARGUETA PÉREZ, President of the Supreme Court of Justice of Honduras
- LIDIA ESTELA CARDONA, Attorney General of the Republic of Honduras
- OSCAR CHINCHILLA, Fiscal General of the Republic of Honduras
- JACKELINE ANCHETA, Secretary of State for the Office of Human Rights
- BLANCA IZAGUIRRE, National Commissioner for Human Rights Honduras
- MICHELLE BACHELET, United Nations High Commissioner for Human Rights
- GIOVANNI SASSOLI, President of the European Parliament

- NANCY PELOSI, Speaker of the U.S. House of Representatives

#### TO THE INTERNATIONAL COMMUNITY & GENERAL PUBLIC

On July 18, 2020, around 5:00 a.m., a group of approximately 30 heavily armed men wearing Police Investigation Directorate (DPI) uniforms and vests, identifying themselves as belonging to the latter, entered the Garífuna community of Triunfo de la Cruz, in the department of Atlántida, Honduras. The purpose of the raid was an alleged search and seizure operation.

According to community witnesses, the objective of the operation was to capture the president of the patronage of Triunfo de la Cruz, Alberth Sneider Centeno, who, along with Milton Joel Martínez Álvarez, Suami Aparicio Mejía García and Gerardo Misael Trochez Calix, was arrested after they entered his house in a violent manner.

Since then, their whereabouts are unknown.

Ten months after the disappearance, the authorities have not carried out a diligent and effective investigation to establish the whereabouts of the missing persons, nor have they identified those responsible for these events or determined the motive for the crime.

Consequently, and at the request of relatives of the victims of forced disappearance, the Assembly of the Garífuna people approved the formation of the SUNLA – the Committee for the Search and Investigation of the Disappeared of Triunfo de la Cruz - under the protection of the principle of self-determination of local communities, enshrined, among other instruments, in the United Nations Declaration on the Rights of Indigenous Peoples.

The SUNLA is responsible for the investigation and search of the victims of forced disappearance of Triunfo de la Cruz.

Considering the impunity that prevails in Honduras (1) and the importance of this fact in the historical systematic violation of human rights that the Garífuna people have experienced, SUNLA's objective is to observe the investigation process carried out by the State of Honduras.

Simultaneously, SUNLA's aim is to develop a competent, independent, and autonomous investigation based on the traditional-ancestral and proper ways of the Garífuna people, allowing an independent, objective, and impartial analysis of the facts. Moreover, it should enable identifying the actual happenings and giving an adequate response to the demand for justice of the families of the disappeared young leaders and their communities.

On March 26, 2021, the State of Honduras denied the integration of SUNLA in the investigations through the Office of the Attorney General of the Republic, disregarding that the events above constitute a severe violation of human rights that would enable public action. In the State's report to the Inter-American Court of Human Rights on the provisional measures granted in favor of the Garífuna communities of Triunfo de la Cruz and Punta Piedra (2), it argued that the

inclusion of SUNLA in the investigative process would violate the principles of public international law regarding sovereignty and non-intervention in the State's internal affairs.

We affirm that contrary to what has been stated by the Honduran State, the incorporation of SUNLA and external persons that could be part of the investigation does neither intend to substitute the State in its attributions and obligations nor violate it the indicated principles. Far from constituting a form of foreign interference, it is an initiative born from the Garífuna people to exercise their self-determination cultural and linguistically differentiated. Much to the contrary, its integration would demonstrate the State's commitment to respect the Garífuna people's rights and work on a joint investigation strategy to ensure transparency, efficiency, and independence in the investigations.

The incorporation of SUNLA in the investigation process is not only justified by the respect for the rights of the Garífuna people, but also by rights recognized to the victims of forced disappearance (3), and the possibilities granted by domestic law to be incorporated as private prosecutor(4) in cases of human rights violations by public officials.

Therefore, the incorporation of SUNLA is a vital mechanism to guarantee the legitimate right of victims, relatives and representatives to accompany and participate in the investigation and search process and to ensure that it is exhaustive and independent.

Thus, we, the undersigned organizations in defense of Human Rights,

**DEMAND:**

- The immediate incorporation of SUNLA in the investigation and search process for the Garífuna adolescents who disappeared on July 18, 2020.
- The uncompromising respect for the right of the victims, family members and representatives to join and participate in the investigation process and to ensure that it is thorough and independent;
- The cessation of persecution, criminalization, harassment and intimidation by the State against the Garífuna People;

**Footnotes**

(1) Honduras is the country with the second highest impunity rate worldwide, according to the Global Impunity Index 2020 Report.

(2) Official document DNDDHH-LI-256-2021, by which a report is submitted in relation to point six of the Resolution of September 02, 2020.

(3) The International Convention for the Protection of All Persons from Enforced Disappearance states in Article 24 that "every victim has the right to know the truth about the circumstances of the enforced disappearance, the progress and results of the investigation and the fate of the disappeared person as well as the right of the victims, their legal representatives, their counsel or persons authorized by them, as well as any person, association or organization with a legitimate interest to participate in the search, as set out in the Directive Principles on the Search for Disappeared Persons, adopted in 2019.

(4) Code of Criminal Procedure. Article 96. The private prosecutor and crimes of public action. In crimes of public action, the victim or his legal representative may initiate the criminal prosecution with the assistance of a duly licensed legal professional in the full exercise of his profession, or intervene in the prosecution already initiated by

the Public Prosecutor's Office, with all the rights and faculties conferred by the Constitution of the Republic, the present Code and special laws. When the victim proves that he/she lacks sufficient economic means to exercise the private action, he/she shall be represented by the Public Prosecutor's Office. The same right shall have any person, natural or juridical, against public officials or employees who, in the exercise of their functions or on occasion thereof, have violated human rights. The participation of the victim as accuser shall neither prevent the Public Prosecutor's Office from fulfilling the functions attributed to it by this Code or its respective law, nor shall it exempt it from its responsibilities. The provisions of this article shall be understood without prejudice to the provisions of Article 230 of the Constitution of the Republic.

Signatures from local, national and international movements and organizations

- **Deadline:** Friday, May 21, 2021
- **To sign:**  
[https://docs.google.com/forms/d/e/1FAIpQLScqIE9Q3FjVeRDBxiOu4fYEI5iVJfXtC\\_pjCXVNggOjNR1ZgA/viewform](https://docs.google.com/forms/d/e/1FAIpQLScqIE9Q3FjVeRDBxiOu4fYEI5iVJfXtC_pjCXVNggOjNR1ZgA/viewform)

\*\*\*\*\*

### **Background: July 18, 2020 forced disappearance of Garifuna land defenders**

- Canadian gov't Twitter hypocrisy. The Cdn gov't – that fully supports the corrupt, repressive Honduran regime - should delete its “International Day of the Disappeared” tweet:  
<https://mailchi.mprightsaction/canada-stands-with-honduran-regime-doing-the-forced-disappearances>
- 5 Black Men Kidnapped by 'Police' in Honduras Are Still Missing, by [Jared Olson](#), August 21, 2020, [https://www.vice.com/en\\_us/article/v7gjp3/5-black-men-kidnapped-by-police-in-honduras-are-still-missing](https://www.vice.com/en_us/article/v7gjp3/5-black-men-kidnapped-by-police-in-honduras-are-still-missing)
- Minority Group Fears ‘Genocide’ in Trump-Backed Honduras, by [Jeremy Kryt](#), August 10, 2020, <https://www.thedailybeast.com/garifuna-minority-group-fears-genocide-in-trump-backed-honduras>
- Indigenous men in Honduras are being abducted. Are the police to blame?, by [Jackie McVicar](#), August 5, 2020, <https://www.americamagazine.org/politics-society/2020/08/05/indigenous-men-honduras-are-being-abducted-are-police-blame>
- 21 days since Garifuna land defenders disappeared by Honduran regime – Statement by OFRANEH (Black Fraternal Organization of Honduras), <https://mailchi.mprightsaction/21-days-since-garifuna-land-defenders-disappeared-by-honduran-regime>

### **Archives – OFRANEH (Organizacion Fraternal Negra Hondureña)**

Articles, reports, films & urgent actions related to OFRANEH's work & struggle in defense of Garifuna territory & rights: <https://rightsaction.org/ofraneh>

### **More information**

- OFRANEH: [@ofraneh](#), [garifuna@ofraneh.org](mailto:garifuna@ofraneh.org), [www.ofraneh.org](http://www.ofraneh.org), <http://www.ofraneh.wordpress.com>
- Karen Spring, [spring.kj@gmail.com](mailto:spring.kj@gmail.com)
- Grahame Russell, [info@rightsaction.org](mailto:info@rightsaction.org), [@RightsAction](#), [www.rightsaction.org](http://www.rightsaction.org)

\*\*\*\*\*

## **Funds needed – OFRANEH and other community defense struggles in Honduras and Guatemala**

Make check to "Rights Action" and mail to:

- U.S.: Box 50887, Washington DC, 20091-0887
- Canada: (Box 552) 351 Queen St. E, Toronto ON, M5A-1T8

Credit-Card Donations: <http://rightsaction.org/donate/>

Donations of securities in Canada and the U.S.? Write to: [info@rightsaction.org](mailto:info@rightsaction.org)

Bank-to-bank transfers? Write to: [info@rightsaction.org](mailto:info@rightsaction.org)

Please share and repost this information

More information: [info@rightsaction.org](mailto:info@rightsaction.org), [www.rightsaction.org](http://www.rightsaction.org)

Subscribe to e-Newsletter: [www.rightsaction.org](http://www.rightsaction.org)

Facebook: [www.facebook.com/RightsAction.org](http://www.facebook.com/RightsAction.org)

Twitter: @RightsAction

Instagram: <https://www.instagram.com/rightsaction/>

Youtube: <https://www.youtube.com/user/rightsaction>