

EXTERNAL (for general distribution)

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UA 24/94 Extrajudicial execution following
"disappearance" / Fear for safety

25 January 1994

HONDURAS Juan Pablo LAGUNA CRUZ, Nicaraguan citizen
Carlos Roberto VENTURA

Amnesty International is gravely concerned about the "disappearance" and subsequent killing of Juan Pablo Laguna Cruz by Honduran police. Its concern is heightened by the senior police authorities' attempt to cover-up the involvement of the security forces. Furthermore, Amnesty International fears for the safety of eye-witness Carlos Roberto Ventura, who claims to have driven the Nicaraguan to the place where he was subsequently executed. He has reportedly been threatened by the security forces.

Juan Pablo Laguna Cruz was on a business trip from Nicaragua to El Salvador via Honduras and was carrying US\$ 15.900 in cash. He went missing after crossing the border into Honduras on 11 December 1993. His sister made enquiries at police stations, hospitals, prisons and morgues in Honduras, but found no clues as to his whereabouts.

The non-governmental *Comité para la Defensa de los Derechos Humanos en Honduras (CODEH)*, Committee for the Defence of Human Rights in Honduras, took up the case. Its investigations revealed that Juan Pablo Laguna Cruz had taken a bus from the border to the Honduran town of Choluteca, but had been detained by Honduran police who had stopped and searched the bus near the border town of El Triunfo. His detention was witnessed by local residents. Despite CODEH presenting a "habeas corpus" petition, the Honduran authorities continued to deny detaining him and claimed they had no knowledge of his whereabouts. The Head of the *Fuerza de Seguridad Pública (FUSEP)*, Public Security Force, dismissed allegations that the Nicaraguan had been "disappeared" by his forces, countering that he had probably left for the United States or been attacked and robbed by criminals.

CODEH lodged a complaint before a court in Choluteca against the police officers identified by the witnesses at the roadblock. On 19 January 1994, the Head of FUSEP admitted that six police had been responsible for the arrest and murder of Juan Pablo Laguna Cruz, whose body was found near the border.

BACKGROUND INFORMATION

Although this is the first "disappearance" under the current Honduran government, "disappearances" were widespread in the 1980s. For years the authorities, both past and current, took no steps to clarify these cases and prosecute those responsible, many of whom have remained in senior positions.

However, on 29 December 1993, a report by the government's *Comisionado Nacional para la Protección de los Derechos Humanos*, National Commissioner for the Protection of Human Rights, found former and current military and civilian

officials responsible for the "systematic, clandestine and organized" disappearance of 184 individuals throughout the 1980s. Among the officials cited in the report for their responsibility are two former presidents and the current head of the armed forces. It also states that military advisers from the United States and Argentina were involved in these crimes.

The Commissioner recommends that those named in the report be brought before the courts with a view to punishing those responsible. Furthermore the report calls for efforts to locate clandestine cemeteries where the "disappeared" are alleged to be buried, and for the disclosure of military archives relating to military counterinsurgency operations.

A new government, under President-elect Carlos Roberto Reina, is due to take office on 27 January.

RECOMMENDED ACTION: Please send telegrams, telexes, faxes and airmail letters in Spanish, English or your own language:

- expressing concern at the "disappearance", the first reported in Honduras since 1989, and subsequent killing of Juan Pablo Laguna Cruz by police agents and calling for those responsible for the killing and the cover-up to be promptly brought to justice before a civilian court;
- expressing concern for the safety of eye-witness Carlos Roberto Ventura and asking for steps to be taken to ensure his protection;
- stressing that this case demonstrates the urgent need for effective measures to prevent human rights violations and to end the impunity with which the Honduran military has been allowed to commit them;
- urging the new government of President Reina to implement the recommendation by the Comisionado de Derechos Humanos that those responsible for "disappearances" in the 1980s be held accountable before the courts, emphasising that this will serve as a preventive measure for the future.

APPEALS TO:

1) President (from 27 January 1994):

S.E. Carlos Roberto Reina
 Presidente de la República de Honduras
 Casa Presidencial
 6ª Avenida, 1ª Calle, Tegucigalpa, Honduras
Telegrams: Presidente Reina, Tegucigalpa, Honduras
Faxes: (504) 37 96 56
Telexes: 1129 MMRR HO / 1429 HO
Salutation: Sr. Presidente / Dear Mr President

2) President of the Supreme Court

Lic. Orlando Martínez Lozano
 Presidente de la Corte Suprema de Justicia
 Palacio de Justicia
 Boulevard José Cecilio del Valle, Tegucigalpa, Honduras
Telegrams: Presidente Corte Suprema, Tegucigalpa, Honduras
Faxes: (504) 31 28 66
Salutation: Sr. Presidente de la Corte Suprema / Your Honour

3) Minister of Foreign Affairs

Dr. Mario Carias Zapata
 Ministro de Relaciones Exteriores
 Edificio Atalaya
 Avenida La Paz, Tegucigalpa, Honduras

Telegrams: Ministro RREE, Tegucigalpa, Honduras

Faxes: (504) 31 00 97

Telexes: 1129 MMRR

Salutation: Sr. Ministro / Dear Minister

COPIES TO:

Dr. Leo Valladares Lanza

Comisionado Nacional de Protección de los Derechos Humanos

Barrio La Granja

Calle 29, casa 228, frente Escuela Club de Leones, Comayaguela, Honduras

Faxes: (504) 33 56 12

CODEH, Apto. Postal 3189, Tegucigalpa, Honduras

and to diplomatic representatives of Honduras accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 8 March 1994.