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£HONDURAS

@Killing of Member of the Xicaque Indigenous Community

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Rutilio Matute, a member of the Xicaque indigenous community, was found dead on 31 May 1994 in wasteland near his house in the municipality of Olanchito, department of Yoro. His body showed signs of having been battered, had small injuries on the forehead and the nape of the neck and his head was covered with a plastic bag. Rutilio Matute was last seen alive on the night of 30 May.

The killing of Rutilio Matute has been denounced to the Juzgado Seccional de Letras, Sectional District Court in Olanchito. The circumstances of the killing are unclear and according to reports, there were no witnesses. However, the characteristics of the killing suggest that he may have been a victim of an extrajudicial execution ordered by regional landowners involved in land disputes with the Federación de Tribus Xicaques de Yoro (FETRIXY), Federation of Xicaque Tribes of Yoro, and with the alleged participation or complicity of members of the Honduran security forces.

Rutilio Matute was a member of FETRIXY, the organization formed in 1977 to defend indigenous rights such as the right to Xicaque lands which it charges have been illegally occupied. According to Honduras indigenous activists, he is the twentieth member of indigenous communities to have been killed since 1989 in the context of land disputes. No one has been brought to justice for any of the killings denounced in previous years nor does it appear that they have been properly investigated.

Rutilio Matute was the nephew of the indigenous leader **Vicente Matute Cruz**, President of FETRIXY who was shot dead on 30 September 1991 after he had publicly declared that civilians, members of the military and government personnel had unlawfully seized land

belonging to indigenous communities. Rutilio Matute and **Dionisio Martinez**, a leader of the indigenous tribe of Santa Rosita located in the jurisdiction of Yoro, witnessed the killing of Vicente Matute Cruz and, although they escaped unharmed on that occasion, Dionisio Martinez was killed on 7 February 1994 in circumstances yet to be clarified.

Recent reports indicate that indigenous members and activists close to Vicente Matute Cruz and his struggle to regain rights to indigenous land have been subjected to anonymous death threats. Two of them, **Mauricia Castro Garmendia** member of Consejo Asesor Hondureño para el Desarrollo de las Etnias Autóctonas (CAHDEA), Honduran Advisory Council for the Development of Autochthonous Ethnic People, and former president of FETRIXY and another activist, whose name has not been disclosed, have allegedly received several death threats and there are serious fears for their safety.

BACKGROUND

The Liberal government of President Carlos Roberto Reina, which took office in January 1994, has repeatedly pledged its commitment to uphold human rights and eradicate the impunity with which killings, "disappearances" and torture were committed under previous administrations.

In May 1994 the Honduras government ratified the International Labour Organization (ILO) Convention on Indigenous and Tribal Peoples, which specify standards for the protection of indigenous rights. In June the new Fiscalía General de la República, Attorney General Office took possession of its functions. It is responsible for investigating *de oficio* all denunciations of human rights violations and includes an office for the protection of the rights of indigenous people and ethnic minorities.

See overleaf for recommended actions and government authorities to write to

RECOMMENDED ACTIONS: Please send courteously worded letters and faxes either in Spanish or in your own language:

- ◆ expressing grave concern about the killing of Rutilio Matute, particularly as this is the latest in a series of killings of Xicaque members since 1989 which have never been properly investigated; and at the reported death threats to Mauricia Castro Garmendia;
- ◆ welcoming the recently-elected government's commitment to end impunity for human rights violations, and the steps it has taken to protect indigenous rights by setting-up an office for the protection of the rights of indigenous people and ethnic minorities within the Public Ministry and by ratifying the ILO convention on indigenous rights;
- ◆ stressing that to fulfil expectations created by the government's commitments to human rights, a thorough and independent investigation into the circumstances of Rutilio Matute's death should be conducted and that those found responsible be brought to justice;
- ◆ asking for measures to guarantee the safety of Mauricia Castro Garmendia and of other members of indigenous groups engaged in their peaceful activities to defend their land rights.

Appeals To:

President of the Republic

S.E. Carlos Roberto Reina
 President de la República de Honduras
 Casa Presidencial, 6ª Avenida, 1ª Calle
 Tegucigalpa, Honduras
 Fax: +504 378521

Attorney General

Sr. Fiscal General de la República
 Lic. Edmundo Orellana Mercado
 Fiscalía General
 Ministerio Público
 Edificio Castillo Poujol
 Cuarta Avenida, Colonia Palmira, Boulevard Morazán
 Tegucigalpa, Honduras

National Congress Commission for Ethnic People

Sr. President de la Comisión del
 Congreso Nacional para las Etnias
 Sr. Arturo Echevarria
 Palacio Legislativo
 Tegucigalpa, Honduras
 Fax: +504 386048

Copies of Appeals: Please send a copy of your appeals to the Honduras indigenous organizations listed below, with a cover letter explaining who you are and the work you are undertaking on these cases:

Federación de Tribus Xicaques de Yoro (FETRIXY)
Barrio Cabaña
Yoro, Yoro
Honduras

Consejo Asesor Hondureño para el
Desarrollo de las Etnias Autóctonas (CAHDEA)
2ª Avenida entre 1ª y 2ª Calles No. 3327
Colonia La Granja
Comayagüela
Honduras

Please send also a copy of your appeals WITHOUT INTRODUCTORY LETTER to:

National Commissioner for the Protection of Human Rights
Sr. Comisionado Nacional de
Protección para los Derechos Humanos
Lic. Leo Valladares
Barrio la Granja
Calle 29, casa 228, frente Escuela Club de Leones
Comayagüela, Honduras

and to diplomatic representatives of Honduras in your country.

This document is being sent to Honduras and CASA Coordinators for action. It is being sent to sections for information. Check with the Honduras Research Department at the International Secretariat if sending appeals after **30 September 1994**.

KEYWORDS: EXTRAJUDICIAL EXECUTION / INDIGENOUS PEOPLES / POLITICAL ACTIVISTS / HARASSMENT / IMPUNITY / LAND PROBLEMS / HUMAN RIGHTS INSTRUMENTS /

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM