

**PUBLIC**

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To: Health Professional Network  
From: Health and Human Rights Team,  
Date: 29 July 2005

## **Medical action**

### **Honduras**

#### **Health concern: Feliciano Pineda and Marcelino Miranda, indigenous community leaders**

Amnesty International is concerned for the health of Feliciano Pineda and Marcelino Miranda, indigenous community leaders, held at the prison in Gracias, Lempira Department, Honduras. Feliciano Pineda was attacked and seriously injured on 5 June 2005, by four men with machetes, reportedly linked to a powerful local landowning family. Marcelino Miranda reportedly is suffering from Chagas' disease. Amnesty International calls for immediate access to medical care for both men and for their release, unless clear and substantive evidence can be produced against them.

#### **Background information**

##### *Feliciano Pineda*

On 5 June Feliciano Pineda, while in the company of his wife Maria Angela Bejarano and his 10-year-old son Israel Pineda Bejarano, was attacked by three men. He was hit with a machete on his back, face, arms and hands.

Following the attack Feliciano Pineda's wife took him to the hospital in La Esperanza, requiring approximately two hours' drive and three hours' walk, and then to a hospital in the capital Tegucigalpa. His right hand reportedly was particularly badly injured. Feliciano Pineda stated that hospital staff had considered amputation.

Police officers arrested him at the hospital and took him to prison. Fellow prisoners Marcelino and Leonardo Miranda looked after him on his arrival, bathed and fed him.

He experiences loss of sensation at the back of the head, headaches and pain in his face. He cannot move his right hand and has difficulty moving his right arm. As he is right-handed he

is seriously affected in his ability to carry out his normal activities. Fellow prisoners help him to bath, go to the toilet, eat and move around.

Amnesty International calls for Feliciano Pineda to be given access to appropriate medical treatment. Amnesty International also believes the charges against him, which include murder, are fabricated and asks for his release, unless there is substantive evidence against him.

#### *Marcelino Miranda*

Marcelino Miranda is suffering from Chagas' disease (American trypanosomiasis). His symptoms have reportedly worsened to include inflammation of parts of the heart. He has been allowed to go to hospital on a few occasions, but there usually are long delays in obtaining approval from the prison authorities.

Marcelino and his brother Leonardo were arrested on 8 January 2003. According to reports the two men were tortured in front of their relatives, who were also threatened, and the torture continued in the prison in Gracias. On 16 December 2003, they were sentenced to 25 years in prison for the murder of Juan Reyes Gómez. In June 2004, the Appeals Court in Santa Rosa de Copán ratified the 25-year sentence. On 11 November 2004, the Supreme Court issued its decision upholding the appeal. The Supreme Court found serious problems in the judicial process and sent its decision to the Appeals Court in Santa Rosa de Copán. Amnesty International is concerned that the charges against the Miranda brothers were politically motivated and that they were not given a fair trial.

#### *Pattern of abuse and arbitrary detention*

For many years Amnesty International has been concerned about abuses against indigenous people in Honduras and the failure of the authorities to investigate the abuses and bring those responsible to justice. According to information Amnesty International has received, much of the abuse and arbitrary detention against indigenous people has apparently been intended to obstruct the efforts of indigenous leaders to secure recognition of their community's land rights. Feliciano Pineda and the Miranda brothers are community leaders at the Montaña Verde communities.

### **Recommendations**

Please write to the authorities:

- expressing concern for the health of Feliciano Pineda and Marcelino Miranda held in prison in Gracias;
- calling on the authorities to ensure that the two men are given immediate access to appropriate medical care;
- calling for an immediate investigation into the 5 June attack on Feliciano Pineda and his arrest that day, for the results to be made public and for those responsible to be brought to justice;
- calling for the two men to be released, unless there is clear and substantive evidence against them.

## **Addresses**

### **Minister of Security**

Dr. Oscar Alvarez  
Ministro de Seguridad, Ministerio de Seguridad Pública  
Edificio Poujol, 4o piso, Col. Palmira (Blvd. Morazán)  
Tegucigalpa, Honduras  
Fax: + 504 220 4479  
+ 504 220 4352 (please keep trying)  
Salutation: Dear Minister/Estimado Señor Ministro

### **Attorney General of the Republic**

Sr. Ramón Ovidio Navarro Duarte  
Fiscal General de la República, Colonia Loma del Guijaro  
Tegucigalpa, Honduras  
Fax: + 504 221 5667  
Salutation: Dear Attorney General/Estimado Fiscal General

### **President of the Supreme Court**

Lic. Vilma Cecilia Morales  
Presidente de la Corte Suprema de Justicia  
Colonia Miraflores, Boulevard de las Fuerzas Armadas  
Palacio de Justicia, Tegucigalpa, Honduras  
Fax: +504 233 8089  
+504 233 6784  
Salutation: Dear President/Estimada Sra. Presidenta

## **Copies to:**

### **Human rights organisation**

Consejo Cívico de Organizaciones Populares e Indígenas (COPINH)  
Barrio Lempira, La Esperanza, Intibucá, Honduras  
Fax: +504 783 0817 (if someone answers ask for the fax: “me da tono de fax, por favor”)  
Email: [copinhonduras@yahoo.es](mailto:copinhonduras@yahoo.es)

### **Special Prosecutor for Ethnic Affairs**

Licda Jany del Cid  
Fiscal Especial de las Etnias, Edificio Castillo Poujol, 4a Avda,  
Colonia Palmira, Boulevard Morazán, Tegucigalpa, Honduras  
Fax: +504 221 5620 (if someone answers ask: “me da tono de fax, por favor”)

Please also write to diplomatic representatives of Honduras accredited to your country.

If you receive no reply within six weeks of sending your letter, please send a follow-up letter seeking a response. Please send copies of any letters you receive to the International Secretariat, attention of Health and Human Rights Team.