

**PUBLIC**

**AI Index: AMR 37/005/2006**

**14 August 2006**

**UA 219/06**      **Fear for safety**

**HONDURAS**      **Jessica García (f), community leader and human rights defender  
Members of the Garifuna Community of San Juan Tela**

**Killed:**              **Mirna Isabel Santos Thomas (f), aged 19**

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Jessica García, a leader of the Afro-descendant Garifuna community in the village of San Juan Tela, Atlantida department, northern Honduras, has been threatened and forced at gunpoint to sign over land belonging to the community to a real estate company. Jessica García, and other leaders and members of the Garifuna community in San Juan Tela are in danger as the company continues its attempts to acquire the community's land.

Jessica García has been subjected to a campaign of harassment in an apparent attempt to force her to hand over land that the Garifuna community has inhabited for generations to a real estate company, which has proposed to build a tourist resort in the area.

On a number of occasions in March, security guards working for the real estate company reportedly visited her home and threatened her, leading Jessica García to send her children to live elsewhere because she was concerned for their safety. On 22 June, an unidentified man approached Jessica García and reportedly offered her money if she signed a document stating that community land belonged to the owner of the real estate company. When she refused he threatened to kill her and her children, and produced a gun. Jessica García signed the document, but it is feared that she will continue to be targeted as the real estate company try to obtain more of the community's land.

Concerns have been heightened by the kidnap and murder of a member of the Garifuna community of San Juan Tela, 19-year-old Mirna Isabel Santos Thomas, on 6 August. She was reportedly taken from her house by a group of men who had their faces covered and were carrying AK-47 rifles. Her body was found by the side of a road outside the village. To date, nobody has been arrested for her kidnap and murder.

On 7 July the Inter American Commission on Human Rights called for the Honduran government to put protection measures in place on behalf of the Garifuna Community of San Juan Tela, including for Jessica García. According to reports, the authorities have not taken action to ensure the community's safety.

#### **BACKGROUND INFORMATION**

Indigenous groups in Honduras, including the Afro-descendant Garifuna community, have struggled for years to assert their right to the land they have inhabited for generations. National and international companies have been exploiting lands for their natural resources, including timber. The land inhabited by the Garifuna community is coveted by companies seeking to build tourism complexes which would damage or destroy the Garifuna's traditions, culture and way of life, as well as their environment. The proposed construction of a resort, including an 18-hole golf course in Garifuna land, is seen as a danger to the environment and would put a heavy demand on local water resources.

On 25 February 2006 two young men from the Garifuna community, Epon Andrés Castillo and Gino Eligio López, were reportedly detained by members of the security forces in a nearby town. Their bodies were found the next day. Three members of the security forces were charged with their murder, but they have not yet been tried. The publication of a forensic report into the cause of the youths' death is still pending.

In November 2005 an arson attack destroyed the property of Wilfredo Guerrero, a human rights defender and leader of the San Juan Tela community who had opposed the attempts of companies to acquire the Garifuna's land. All his possessions were destroyed along with community documents.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:**

- expressing grave concern for the safety of Jessica García and other members of the Garifuna Community of San Juan;
- calling on the authorities to take immediate steps to implement the protection measures ordered by the Inter- American Commission on Human Rights to ensure the safety of the Garifuna Community of San Juan;
- calling for a thorough, prompt and impartial investigation on the threats and harassment against Jessica García and other members of the San Juan Tela community, to make the results public and to bring those responsible to justice;
- calling for a thorough, prompt and impartial investigation on the kidnap and murder of Mirna Isabel Santos Thomas; to make the results public and to bring those responsible to justice;
- reminding the authorities that the UN Declaration on the Rights and Responsibilities of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Liberties recognizes the legitimacy of the activities of human rights defenders and their right to carry out their activities without any restrictions or fear of reprisals;
- urging the authorities to take immediate measures to end the intimidation of indigenous people.

**APPEALS TO:**

President of the Honduras Republic

Manuel Zelaya

Presidente de la República de Honduras

Casa Presidencial

Boulevard Juan Pablo Segundo

Palacio José Cecilio del Valle

Tegucigalpa, Honduras

**Fax: + 504 235 7700**

**Salutation: Dear President/Señor Presidente**

Minister of Security

General (R) Alvaro Romero

Ministerio de Seguridad Pública

Cuartel Casa Mata

Tegucigalpa, Honduras

**Fax: + 504 220 4352**

**Salutation: Dear Minister/Estimado Señor Ministro**

**COPIES TO:**

Special Prosecutor for Ethnic Affairs in the Attorney General=s Office

Licda Jany del Cid

Fiscal Especial de las Etnias

Edificio Castillo Pujol, 4a Avda, Colonia Palmira, Boulevard Morazán, Tegucigalpa, Honduras

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Local association for the Garifuna community

Organización Fraternal Negra Hondureña, OFRANEH

Bo. Independencia, esquina opuesta Escuela Luis Landa.

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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 25 September 2006.