

PUBLIC

AI Index: AMR 37/003/2007

24 April 2007

Further Information on UA 219/06 (AMR 37/005/2006, 14 August 2006) - Fear for Safety

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

On 14 April, shots were fired at the taxi in which five members of the Afro-descendant Garifuna community of San Juan Tela were travelling. This is the third serious attack on young members of the Garifuna community of San Juan Tela, in Atlantida department, northern Honduras, in the last 14 months. Amnesty International fears that other residents may be at risk.

At around 2pm on 14 April, five girls and young women, Keydi Jorleny Marin, Yerli Isolina Ellis, Yanaira Briyed Lambert, Eusebia Guillen and Joselyn Lizet Rivas, all aged between 15 and 20 years old, were travelling back to San Juan Tela by taxi after attending college. According to reports, as the taxi entered the community, two men who had apparently been waiting nearby began shooting at the vehicle. The men had taken their shirts off and were using them to cover their faces, making it impossible to identify them. The men reportedly ran off after shooting at the vehicle. None of the five girls and young women was wounded in the attack, but at least five bullet holes could be counted in the bodywork of the taxi.

According to reports, local police have failed to visit San Juan Tela to take witness statements from the five who were travelling in the taxi, meaning that community members themselves have had to take the five to the nearest General Directorate for Criminal Investigation (*Dirección General de Investigación Criminal - DGIC*) post in order for them to give witness statements, as well as financing these journeys themselves.

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 on the Caribbean coast of Honduras 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.

Members of the Garifuna community have suffered various threats and acts of intimidation apparently linked to their struggle for land rights. The Inter-American Commission on Human Rights ordered protection measures for the San Juan Tela community in July 2006, following a series of serious incidents, but despite this, the authorities have not fully complied with the recommendations. Jessica García, a community leader, was repeatedly harassed by security guards working for a real estate company throughout March 2006, before being threatened and forced at gunpoint to sign over land belonging to the community to the real estate company on 22 June 2006. One of the young girls shot at on 14 April, Joselyn Lizet Rivas, is her daughter. 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 Garifunas' land. All his possessions were destroyed along with community documents.

There have also been a number of murders of young Garifuna members of the San Juan Tela community over the last year. On 6 August 2006, 19-year-old Mirna Isabel Santos Thomas was kidnapped by a group of unknown men who had their faces covered. She was taken from her home by the group, who were armed with AK-47 rifles, and was later found dead by the side of a road outside the community. On 25 February

2006 two young men from the Garifuna community, Epton 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 and one civilian were subsequently charged with their murder; another four officers were charged with complicity. The three officers charged with murder remain in prison (the civilian implicated in the killing is reportedly on the run). According to reports, the other officers have been conditionally released and a trial is still pending, along with the forensic report into the cause of the youths' deaths.

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

- expressing grave concern for the safety of all members of the Garifuna Community of San Juan Tela;
- calling on the authorities to take immediate steps to implement the protection measures ordered by the Inter- American Commission on Human Rights on 7 July 2006 to ensure the safety of the Garifuna Community of San Juan Tela;
- calling for a thorough, prompt and impartial investigation into the attack against Keydi Jorleny Marin, Yerli Isolina Ellis, Yanaira Briyed Lambert, Eusebia Guillen and Joselyn Lizet Rivas on 14 April at the entrance to the San Juan Tela community; for the results to be made public and for those responsible to be brought to justice;
- asking the authorities to ensure that those responsible for the killings of Epton Andrés Castillo and Gino Eligio López are brought to justice swiftly and in accordance with international fair trial standards;
- urging the authorities to take immediate measures to end the attacks on and the intimidation of indigenous people, in line with the International Convention on the Elimination of All Forms of Racial Discrimination (Article 5 b: the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution).

APPEALS TO:

President of the Republic of Honduras

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/Estimado Señor Presidente

Minister of Security

Álvaro Romero

Ministro de Seguridad Pública,

Plantel Casamata, subida al Picacho, Cuartel General de Casamata, Tegucigalpa, Honduras

Fax: +504 220 1756/ +504 220 9070

Salutation: Dear Minister/Estimado Sr. Ministro

COPIES TO:

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

Jany del Cid, Fiscal Especial de Etnias y Patrimonio Cultural, Ministerio Público

Edificio Lomas Plaza II, Lomas del Guijarro, Avenida República Dominicana, Tegucigalpa, Honduras

Fax: +504 221 5667 (direct) / +504 221 3099 extension 2123

National Commissioner for Human Rights

Dr. Ramón Custodio, Comisionado Nacional de los Derechos Humanos de Honduras

Colonia Florencia Norte, Boulevard Suyapa, Tegucigalpa, HONDURAS

Fax: +504 232 6894

Local association for the Garifuna community

Organización Fraternal Negra Hondureña, OFRANEH

Bo. Independencia, esquina opuesta Escuela Luis Landa., La Ceiba, Atlántida. Apt. 341, 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 5 June 2007.