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# *amnesty international*

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## £HONDURAS

### @Possible "disappearance"

NOVEMBER 1994

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On 16 September 1994, **Orlando Jiménez Antúnez** was taken away from his home in the village of Elixir, Department of Colón, by a group of men wearing civilian clothes and carrying weapons of restricted use by the Honduran Armed Forces. According to reports, Orlando Jiménez Antúnez, a bar manager, was forced into a pick-up vehicle driven by the unidentified assailants. Since then, his whereabouts are unknown.

Following a writ of habeas corpus filed on behalf of Orlando Jiménez Antúnez in the morning of 19 September to the Appeals Court, the local police authorities denied having him in detention. However, it has been alleged that the processing of the habeas corpus was delayed without a satisfactory explanation, in clear contradiction of Article 182 (2) of the Honduras Constitution, which establishes that "Judges or magistrates can not reject a habeas corpus writ and have the unavoidable obligation to process it immediately to stop the violation of freedom or personal safety" (Los jueces o magistrados no podrán desechar la acción de Habeas Corpus y tienen la obligación ineludible de proceder de inmediato para hacer cesar la violación a la libertad o a la seguridad personales.")

There is concern for the physical safety of Orlando Jiménez Antúnez and founded concern based on the type of arms carried by the armed men, that members of the Honduran security forces Fuerza de Seguridad Pública (F.S.P) might have been implicated in his alleged abduction. The human rights organization Comité para la Defensa de los Derechos Humanos de Honduras (CODEH), has expressed its concern for the safety of five witnesses to the incident, including a sergeant of the FSP.

## **AI CONCERNS**

Although there are no apparent political motives in connection with Orlando Jiménez Antúnez's possible "disappearance", Amnesty International is gravely concerned at the likelihood that members of the security forces might have been involved in his abduction. Furthermore, Amnesty International is concerned at the apparent delay of the judiciary in processing the habeas corpus writ filed on behalf of Orlando Jiménez Antúnez and that over a month after the denunciation of his abduction, he remains "disappeared". Moreover, the organization is concerned at allegations that witnesses of the incident are in fear of becoming victims of harassment, threats, or improper pressure to influence their testimony.

## **BACKGROUND INFORMATION**

In December 1993 the report of the Human Rights Commissioner, Dr Leo Valladares, Los Hechos Hablan por sí Mismos, documented human rights violations including "disappearances" that took place during the 1980s, calling for those responsible to be prosecuted and making wide-ranging recommendations to clarify them and stop them in the future. The report was the first official acknowledgement that "disappearances" had been systematically used in the past as a technique to eliminate perceived government opponents. The report emphasized the institutional deficiencies of the police, army and judiciary proposing a number of reforms. Members of the new government of President Carlos Roberto Reina which took office in January 1994, and key figures in Congress and the judiciary have expressed their commitment to the implementation of those recommendations, making human rights a priority of the administration. The setting up of the Public Ministry, which started functioning in June 1994 is expected to play a crucial role in the protection of human rights, investigating de oficio all denunciations of human rights violations.

The possible "disappearance" of Orlando Jiménez Antúnez is the first to be denounced since the government of President Carlos Roberto Reina took office. While many of the recommendations made by the Human Rights Commissioner and proposed measures by the new government are still to be implemented, Amnesty International believes that the authorities should demonstrate their commitment to the future respect of human rights in the country by conducting a thorough and independent investigation, guaranteeing the safety of the witnesses, disclosing the whereabouts of Orlando Jiménez Antúnez and bringing to justice those found guilty of his illegal detention.

**KEYWORDS:** DISAPPEARANCES / MANAGERS / WITNESSES / WITNESSES / MILITARY /

**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:

- ◆ requesting information on the progress of any investigation initiated into the possible "disappearance" of Orlando Jiménez Antúnez, possibly at the hands of members of the security forces;
- ◆ expressing concern about the delay in processing the habeas corpus and asking for an explanation;
- ◆ while recognizing that there is no current pattern of "disappearances" in Honduras, remind the authorities of their obligation to investigate thoroughly and impartially any individual case where government forces are suspected of having committed human rights violations. This is particularly important to fulfil expectations of the government's commitment to prevent human rights violations in the future;
- ◆ asking for guarantees for all witnesses of the event;
- ◆ asking for those found responsible to be brought to justice;
- ◆ asking that, if evidence emerges that members of the security forces are implicated in the "disappearance" of Orlando Jiménez Antúnez, they be suspended from any position of authority pending investigation of the allegations against them;
- ◆ requesting that a clear, unequivocal message be sent to members of the security forces, including those based in rural areas, that human rights violations will not be tolerated.

Appeals to:

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

President of the Republic

Sra. Fiscal Especial de Derechos Humanos  
Lic. Sonia Marlyna Dubón de Flores  
Fiscalía General, Ministerio Público  
Colonia Palmira, Edificio Castillo y Poujol  
contiguo a la Casa de la Enfermera  
Tegucigalpa, Honduras  
Fax: +504 39 3697/8

Attorney for Human Rights

Copies of Appeals

National Commissioner for the Protection of Human Rights

Sr. Comisionado Nacional para la Protección de los Derechos Humanos  
Lic. Leo Valladares  
Edificio Las Cumbres  
5° Piso, Avenida Cervantes  
Tegucigalpa, Honduras

Human Rights Organization

Comité para la Defensa de los  
Derechos Humanos en Honduras (CODEH)  
Apdo Postal 3189  
Tegucigalpa, Honduras

and to diplomatic representatives of Honduras in your country.

**This document is being sent to Honduras and CASA Coordinators for immediate action as CASA 07/94. It is being sent to Section for information. Please Check with the Honduras Research Team at the International Secretariat if sending appeals after 31 January 1995.**

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