

PUBLIC

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07 October 2003

UA 287/03 Fear for safety/death threats

**HONDURAS** **Bertha Oliva de Nativí (f), coordinator of *Comité de Familiares de Detenidos-Desaparecidos en Honduras*, COFADEH (Committee of Relatives of the Disappeared in Honduras)**  
**Bertha Marcela Palacios (f), aged 9, her daughter**

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Bertha Oliva de Nativí, Coordinator of *Comité de Familiares de Detenidos- Desaparecidos en Honduras*, COFADEH (Committee of Relatives of the Disappeared in Honduras) and a prominent human rights defender, has reportedly received several threatening phone calls. Her nine-year-old daughter, Bertha Marcela Palacios, has also been threatened with death. Amnesty International is concerned for the safety of Bertha Oliva de Nativí and her family.

Amnesty International has recently learned that on 26 September, Bertha Oliva de Nativí reportedly received a number of threatening telephone calls from unidentified individuals, both on her private land line at her home in the capital Tegucigalpa and on her mobile phone. One of the telephone calls was from an anonymous male caller, who said, "*Doña Bertha, hoy le matamos a su hija*" ("Ms. Bertha, today we will kill your daughter"). The caller then started to laugh before hanging up. Bertha Oliva de Nativí immediately reported the threats to the Attorney General's Office; to Amnesty International's knowledge, no investigation has been undertaken and the family are not receiving any form of protection.

The threats may be linked to COFADEH's public opposition to an amendment to article 332 of the Penal Code, which increases punishments administered to gang members (*mareros*). The reform, known as the *Ley Antimaras* (Anti-Gang Law) was approved by the Honduran Congress in August 2003. On 22 September, COFADEH lodged a legal complaint with the Supreme Court of Justice (*recurso de inconstitucionalidad*) against the reform, on the basis that it permits the illegal detention of alleged gang members and violates the principle, among others, that people should be presumed innocent.

#### **BACKGROUND INFORMATION**

COFADEH has been active in the defence of human rights in Honduras for many years, often coming into conflict with the authorities because of its complaints against violations allegedly committed by the state security forces. COFADEH and other non-governmental organizations have been particularly active on behalf of some 184 people who "disappeared" while in the custody of the Honduran military in the early 1980s. The organization has also been working on behalf of environmentalists who have received death threats on account of their activism in Olancho department. Members of COFADEH have long been the target of harassment and intimidation as a result of their activities in the defence of human rights.

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

- expressing concern for the safety of Bertha Oliva de Nativí and her daughter, Bertha Marcela Palacios, following recent anonymous threats made against them;
- calling for a prompt and thorough investigation into the threats, for the results to be made public and for those found to be responsible to be brought to justice;
- urging the authorities to take immediate measures to guarantee the safety of Bertha Oliva de Nativí and her daughter, Bertha Marcela Palacios, in accordance with their wishes;
- reminding the authorities of the right of human rights defenders to carry out their activities without any restrictions or fear of reprisals, as set out in Declarations from the United Nations and the Organization of American States.

**APPEALS TO: (Please note that fax machines may be switched off outside office hours, seven hours behind GMT)**

Minister of the Interior and Justice

Dr. Ramón Hernández Acerro.  
Ministro de Gobernación y Justicia  
Ministerio de Gobernación y Justicia  
Residencial La Hacienda, Calle La Estancia  
Media Cuadra al Oeste de Ferretería Sami  
Tegucigalpa, Honduras

**Telegram: Ministro de Gobernación y Justicia, Tegucigalpa, Honduras**

**Fax: + 504 232 0226**

**Salutation: Dear Minister/Señor Ministro**

Attorney General

Dr. Roy Edmundo Medina  
Fiscal General de la República  
Fiscalía General de la República  
Colonia Loma del Guijaro, Tegucigalpa, Honduras

**Telegram: Fiscal General de la República, Tegucigalpa, Honduras**

**Fax: + 504 221 5666**

**Salutation: Dear Attorney General/ Señor Fiscal General**

Minister of Security

Dr. Oscar Alvarez  
Ministro de Seguridad Pública  
Ministerio de Seguridad Pública  
Edificio Poujol, 4o piso  
Col. Palmira (Blvd. Morazán), Tegucigalpa, Honduras

**Telegram: Ministro de Seguridad, Tegucigalpa, Honduras**

**Fax: + 504 220 4352**

**Salutation: Dear Minister/Señor Ministro**

**COPIES TO:**

President of Honduras

Lic. Ricardo Maduro, Presidente de la República de Honduras, Casa Presidencial, Boulevard Juan Pablo Segundo, Palacio José Cecilio del Valle, Tegucigalpa, Honduras

**Fax: + 504 221 4552**

National Commissioner for the Protection of Human Rights

Comisionado Nacional de Protección de los Derechos Humanos  
Ramón Custodio López  
Avda. La Paz No. 2444, Contiguo a Galerías La Paz  
Tegucigalpa, Honduras

**Fax: + 504 232 6894**

Committee of Relatives of the Disappeared in Honduras

Comité de Familiares de Desaparecidos de Honduras (COFADEH)  
Apartado Postal 1243, Barrio La Plazuela, Ave. Cervantes, Casa 1301, a la par de JM Stereo,  
Tegucigalpa, Honduras

**Fax: + 504 220 5280 (if someone answers ask for the fax: "me da tono de fax, por favor")**

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 18 November 2003.