



International Release

28 May 2014

INTERNATIONAL ORGANISATIONS REQUEST ENDING TO EVICTIONS AND TO VIOLENCE IN BAJO AGUÁN, HONDURAS

The undersigned international organisations express our deep concern regarding the new acts of violence and repression against *campesino* communities in Bajo Aguán.

According to information verified by local and national human rights organisations, on May 21st, at dawn, a contingent of 315 soldiers and policemen and around 40 private security officers participated in the forced eviction of *campesino* communities in Trinidad and El Despertar by using tear gas, pepper spray and shooting into the air in order to displace families who were living in these places. In both cases the authorities refused to show the corresponding eviction orders, and in the case of Trinidad they proceeded to violent eviction without giving any explanation.

In El Despertar the violent actions resulted in two injured farmers who are still in hospital; 14 farmers were captured, 5 of them minors (already released from jail); the remaining 9 detainees (4 of them women, one of them pregnant) were detained during several days¹. It is important to mention that among the detainees are Jaime Adaly Cabrera Del Cid, President of the Plataforma Regional Agraria, and Walter Ernesto Cárcamo Lezama, President of the Movimiento Auténtico Reivindicador Campesino del Aguán (MARCA), who have

¹ The detainees were: Jaime Adaly Cabrera Del Cid.; Walter Ernesto Cárcamo Lezama; Silverio Orellana Hernández; Carlos Omar Espinoza Velásquez; Berta Alicia Argueta Ramos; Ceyda Xiomara Alemán Mejía; José Luis Chávez Vásquez; Nolvía Lizeth Berrios Lezama; Yenis Sulay Rodríguez Velásquez.

precautionary measures granted by the Inter-American Commission on Human Rights on May 8, 2014. Upon their release from jail, the judges dictated legal measures against them (*medidas sustitutivas*), as a way of criminalising them, thus making it more difficult for them to defend land rights, particularly for the two *campesino* leaders.

After the evictions were carried out, they put a military and police cordon around the two farms, preventing the farmers from getting their family belongings and their equipment. It was only after mediation by national and international human rights institutions, that police and army allowed farmers to get their personal belongings.

Through an international verification commission that was created in March 2011², we have been constantly monitoring the human rights situation in the Bajo Aguán valley. We had also a thematic audience in the Inter American Commission of Human Rights, in October 2011, an international public audience on human rights that was held in Tocoa, Colón, on May 28, 2012,³ and several actions to support the enquiries carried out by the *Compliance Advisor Ombudsman* of the World Bank's International Financial Corporation, in 2013 and 2014⁴. Several of the undersigned organisations have given a permanent follow up to the human rights situation and to the agrarian conflict in the Bajo Aguán for longer than a decade.

In the case of the San Isidro, La Trinidad and El Despertar farms, judicial decisions from 2012 established the restitution of these lands to MARCA members, which happened in June 2012, after an 18-year legal process. . The judicial decisions confirmed that the acquisition of these three land plots by Miguel Facussé and by René Morales was not legal, and that the *campesino* community members of MARCA were illegally evicted in 1994.⁵

It is important to recall that the *campesinos'* lawyer, Antonio Trejo Cabrera, who had successfully worked to obtain the judicial decision, was assassinated on September 22, 2012. The Inter- American Commission on Human Rights⁶, the UN High Commissioner on Human Rights⁷, three UN special rapporteurs⁸, the European Union⁹, and other institutions condemned Antonio Trejo Cabrera's assassination and recognised that he had received death threats that he had denounced to authorities. In his written and verbal communications with international human rights organisations in 2012, Antonio Trejo indicated that according to his information, the death threats were directly related to his work in favour of the *campesino* communities in Bajo Aguán.

The common denominator linking all violent evictions that happened on May 21, 2014 with the previously documented human rights violations affecting *campesino* communities in the Bajo Aguán continues to be the same: instead of finding a just and sustainable solution to the problems related with land tenancy, coherent with the right to food and all other human rights, there is an attempt to stop the *campesino* struggle by using violence and repression. And for lack of investigation, these crimes remain in total impunity¹⁰.

We hope that the withdrawal of the armed weapons used by the private security guards in Bajo Aguán, announced by Corporación Dinant on May 22¹¹, will help to reduce violence in the region. With this measure, the company is responding to international pressure and implicitly admits their guards participated in previous violent acts. At the same time, it is concerning that Dinant announced that they are building houses to accommodate soldiers from the Xatruch operation in the Paso Aguán farm, thus confusing roles of the role of the state and that of a private corporation.

² Read: <http://www.fidh.org/IMG/pdf/honduras573ang.pdf>

³ Read: <http://www.lawg.org/storage/documents/Honduras/declaration%20international%20public%20hearing%20bajo%20aguan.pdf>

⁴ Read: <http://www.oxfam.org/es/dc/node/35412>

⁵ Read: http://www.fian.org/fileadmin/media/publications/2012.07.12_Joint_Statement_Honduras_Must_Guarantee_Judicial_Independence_SP.pdf

⁶ Read: http://www.oas.org/en/iachr/media_center/PReleases/2012/121.asp

⁷ Read: <http://www.ohchr.org/RU/NewsEvents/Pages/DisplayNews.aspx?NewsID=12581&LangID=E>

⁸ Read: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12612&LangID=E>

⁹ Read: http://eeas.europa.eu/delegations/honduras/press_corner/all_news/news/2012/20120927_es.htm

¹⁰ Read: <http://www.hrw.org/es/news/2014/02/12/honduras-sin-justicia-en-la-ola-de-homicidios-vinculados-conflictos-por-la-tierra>

¹¹ Communiqué from *Corporación Dinant*, Dinant Removes Firearms from Plantation Security Staff, 22nd of May 2014

In relation to the events of May 21st, the undersigned organisations request the immediate withdrawal of the legal measures that were dictated against *campesinas* and *campesinos* who were detained; an effective and thorough investigation of the eviction and the prosecution of those responsible; and the guarantee of impartial justice in relation to the restoration of the three farms of San Isidro, La Trinidad and El Despertar, in favour of the *Movimiento Auténtico Reivindicativo Campesino del Aguán (MARCA)*'s members.

In relation with the general situation in Bajo Aguán, we reiterate what we already expressed two years ago, when we held the International Public Audience on human rights in Tocoa, Bajo Aguán, on May 28, 2012:

For the Honduras government:

- Investigate and prosecute in a serious and prompt way all the crimes and other human rights violations committed in Bajo Aguán, including the intellectual and material authors of these acts.
- Cease immediately the repression, harassment and violence directed at *campesino* community members.
- Adopt effective measures to protect people who are at risk.
- Do not undertake more forced evictions.
- Seek a comprehensive, just, peaceful and sustainable solution to the *campesinos*' demands by fulfilling the legal obligations and political commitments made in agreements with *campesino* organisations.
- Regulate properly the operation of private security firms in order to guarantee full respect for human rights.

To international community:

- Ensure that bilateral and multilateral international aid and loans to the Honduran government and to private companies is not contributing to human rights violations, and that such assistance is conditioned upon full respect for human rights. Review the existing international and multilateral financial cooperation agreements established with the public and private security services that are allegedly participating in violence, harassment and violation of human rights in the region.
- Promote a framework for aid and cooperation, particularly for that provided by the United States and the European Union, which includes a concept of security based in promoting justice and the full respect of human rights.
- Suspend international cooperation that is promoting militarisation and that is worsening the human rights situation, in particular the military assistance from the United States.

These demands continue to be valid. The international organisations will continue monitoring the situation in Bajo Aguán. This agrarian conflict is the most serious such situation, in terms of the degree of violence against the *campesino* communities, that has emerged in the last 15 years in Central America.