

Congress of the United States
Washington, DC 20515

April 30, 2018

Deputy Secretary of State John Sullivan
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Dear Deputy Secretary of State Sullivan,

We write today, in advance of the upcoming bilateral dialogue on human rights with the Honduran government, to express our grave concerns regarding human rights abuses that took place in the wake of the November 2017 elections in Honduras. We ask the State Department to urge the Honduran government to ensure that these gross violations of human rights do not remain in impunity and to make the necessary reforms to guarantee that they do not recur.

In the aftermath of the disputed elections, widespread protests took place in many areas of Honduras. The Honduran government issued a state of emergency and curfew and deployed police, the Military Police of Public Order, and members of the Armed Forces to enforce the curfew and to remove protesters from the streets.

The Office of the United Nations High Commissioner for Human Rights (OHCHR) via its office in Honduras registered 23 people killed in the context of the post-electoral protests, including 22 civilians and one police officer. At least 16 of the victims were shot to death by the security forces, including two women and two children. Members of the security forces, particularly the Military Police, shot live ammunition into crowds. At least 10 bystanders were killed or injured by bullets fired by security forces. OHCHR observed "that the commanders of the Military Police of the Public Order and of the Armed Forces were present on site [during the protests], with their faces covered, and without identification tags." According to the OHCHR, "The analysis of the type of injuries suffered by the victims indicate that the security forces made intentional lethal use of firearms, including beyond dissuasive purpose, such as when victims were fleeing. This was illustrated in particular by the case of seven victims who died as a result of the impact of live ammunitions in the head. These cases raise serious concerns about the use of excessive lethal force and may amount to extra-judicial killings."

Nongovernmental sources documented additional abuses. The Coalition Against Impunity registered 33 killings of civilians linked to the post-electoral situation and three police officers killed between November 26, 2017 and January 23, 2018. The Committee of Relatives of the Detained and Disappeared in Honduras (COFADEH) documented 232 people wounded between November 26 and December 31, 2017. Nongovernmental organizations underscored the role of Military Police in the violence against protesters.

No charges had been brought against any member of the security forces in relation to killings and injuries that occurred during the protests or subsequent operations as of January 27, and no security force member has been suspended pending investigations, according to the OHCHR. The National Police reported that it has opened investigations into 20 deaths. However, abuses attributed to the Military Police by law must be investigated by a specialized unit within

the Attorney General's office, and little information is available regarding the status of any such investigation.

OHCHR also received credible allegations of ill-treatment during arrest or detention. We wish to highlight the treatment of 33 men arrested on December 1 on allegations of looting, who were held at the premises of the 105th Army Brigade for three days. OHCHR "collected credible and consistent testimonies indicating that several of these men were subjected to beatings and blows to the head and the body, threats and insults, from the moment of arrest and at different times during their detention." Members of the 105th Army Brigade received U.S. training in 2016 and were scheduled for training in 2017, according to the Foreign Military and DoD Engagement report.

We are concerned about the escalation of threats and attacks against human rights defenders, protest leaders, and journalists. Some of these were allegedly committed by state agents. For example, on 12 January, two journalists of UNE TV were assaulted by members of the Military Police while they were transmitting live coverage of security force actions to disperse a demonstration. The Coalition Against Impunity registered 64 attacks or threats against human rights defenders in the post-electoral period, including complaints related to threats and surveillance targeting individuals who organized or participated in protests as well as their family members. Police and Military Police are reported to have conducted warrantless searches of activists' houses. Finally, numerous people remain detained. While some were arrested for actions such as looting, there are credible reports that a number of people are held in jail in difficult conditions for their involvement in protests.

In the upcoming human rights dialogue, we ask the State Department to:

- Urge the Honduran government to accept the support of the United Nations in creating a taskforce led by the OHCHR office in Honduras to investigate the gross human rights abuses committed during the post-electoral period, issue recommendations regarding these cases, and monitor to ensure these cases are advanced in the Honduran judicial system. This should cover among other issues the killings and injuries during the protests, threats and attacks against journalists, human rights defenders, and protest leaders, and the situation of those detained.
- Urge the Honduran government to ensure that the relevant agencies suspend security force members credibly alleged to have committed gross violations of human rights.
- Urge the Honduran government to issue an order restricting the Military Police of Public Order from participating in tasks related to responding to public protests; and to advance rapidly, with a clear and public plan with accelerated timetables, in dismantling the Military Police of Public Order and ensuring that civilian police take over their law enforcement tasks.
- Urge the Honduran government to review and revise rules of engagement for all security forces in handling situations of protests and crowd control.
- Urge the Honduran executive branch to issue clear instructions to all security and law enforcement personnel to recognize the legitimate role of journalists, social communicators, human rights defenders and other civil society organizations and to prevent attacks and threats against them by such personnel.

- Urge the Honduran government to ensure the right to freedom of expression, including by preventing and punishing threats and intimidation against journalists, human rights defenders and social and political activists, and to guarantee the right to peaceful assembly.

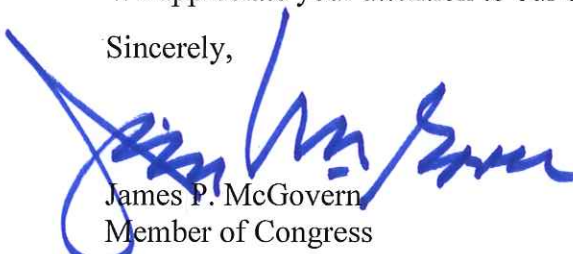
In addition, we urge the State Department to actively enforce the Leahy Law regarding training and equipment for security forces credibly alleged to have committed gross human rights violations, including investigating the allegations of abuses that took place on the premises of the 105th Infantry Brigade. We recognize that the United States does not directly fund or train the Military Police but ask the State Department to investigate whether soldiers who had received U.S. training and were subsequently transferred to the Military Police were involved in gross human rights abuses and to examine whether U.S.-made weapons or tear gas canisters were used by security force members during protests in which gross human rights violations occurred.

We appreciate the work of the State Department to encourage the Honduran judicial system to advance in investigation and prosecution of the murder of indigenous and environmental activist Berta Cáceres. We urge the State Department to press forward to encourage that all of the intellectual authors of this crime be brought to justice. This is particularly important given that environmentalists, indigenous leaders and land advocates are among the most threatened rights defenders in Honduras.

Finally, we urge the U.S. Embassy in Honduras to consistently, both in private diplomacy and publicly, express U.S. support for freedom of expression and assembly, the rights of human rights defenders and journalists, and to denounce where appropriate serious violations of these rights including by state agents.

We appreciate your attention to our concerns.

Sincerely,



James P. McGovern
Member of Congress



Mark Pocan
Member of Congress

Cc: Amb. Michael Kozak, Senior Bureau Official, Democracy, Human Rights and Labor
John Creamer, Deputy Assistant Secretary, Western Hemisphere Affairs
Heide B. Fulton, Chargé d'Affaires, U.S. Embassy in Honduras
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