

Summary of Findings
International Women's Human Rights Fact-Finding Mission
& *Observatorio de Transgresión Feminista* (Feminist Transformation Watch)
August 17-21, 2009

OVERVIEW

Background: *Honduran Feminists in Resistance* brings together women's organizations and individual feminists to coordinate a range of efforts aimed at restoring democracy and human rights to Honduras in the wake of the June 28th coup. Their strategies reflect an integrated vision and agenda for change. They collaborate across borders and link the defense of women's rights with struggles to address relevant political and social problems.

In mid August, they sponsored an international fact-finding and support mission to investigate the human rights violations occurring as a result of the coup. The mission reflected a new approach to human rights work developed in the region by feminists¹. Known as the *Feminist Transformation Watch* (*Observatorio de la Transgresion Feminista*), it offers a unique model of solidarity that combines research and documentation of abuses with support to victims and accompaniment of their struggles. The FTW taps an interdisciplinary team of women leaders who work pro bono to research and publicize both violations of rights and women's innovative strategies to address them. Using this information and women's diverse networks, the FTW provides solidarity and support to organizations and movements working to transform violence and abuse and to create more healthy, just and collaborative societies.

The Honduran FTW included a delegation from Central America, Mexico, Spain, Canada and the United States with representatives from women's organizations, non-profit institutions, communications, media and press agencies,² specialists and academics from Harvard University, University of Denver, and the University of San Carlos in Guatemala as well as a candidate for the UN Special Rapporteur on Violence against Women. Individuals from other networks and organizations also participated in the mission on line – members of women's groups, human rights agencies, environmental organizations and peace movements from around the world. The mission was organized in collaboration with the Mesoamerican feminist alliance, the Petateras³, with international women's organizations, Just Associates (JASS), Radio Feminista (FIRE), the Nobel Women's Initiative, and the Mexican Consortium for Parliamentary Dialogue and Equality.

The mission's aim was “...to accompany the *Feminists in Resistance*...showing solidarity and gathering testimonies to document women's human rights violations and place women's rights on the overall human rights agenda.”

Mission Findings: The coup has seriously affected the lives of many Hondurans. Reports include cases of sexual abuse of women, physical abuse of men and women, systematic repression in both rural and urban areas, psychological violence including torture and

¹ Developed by the Petateras, a region wide collaboration of Mesoamerican feminists, in 2006.

² CIMAC (Mexico), La Cuerda (Guatemala), SEMLAC (a Latin American Information Agency),

³ Petateras -- Formed in 2006 with the aim of promoting solidarity and common agendas among feminists in the region so they can better confront the current political context which demands more innovative, flexible forms of collective action to advance women's rights and struggles ; JASS – Formed in 2001 to support women's movement building initiatives worldwide: Radio Feminista – an international feminist radio network that broadcasts online and provides information to women around the world.

threats of bodily harm, widespread insecurity, and a generalized climate of fear, intimidation and retribution. The detention of 28 prisoners for political reasons, carried out in highly irregular circumstances, indicates the extent of control and misuse of authority by the de facto government. While some cases of sexual violence have been verified through public testimony, women's fear and mistrust of the administration of justice under this regime may undermine other victims' ability to come forward.

The delegation collected direct testimonies from women who had been sexually abused and harassed. They reported instances of being raped, beaten with police batons on different parts of their body, particularly their breasts, vaginas, and buttocks; and verbally attacked and threatened -- "Bitches, go home", "What are you doing troublemakers? Go take care of your children!"

Many of the testimonies underscored the insidious level of fear and insecurity that many women feel -- an ever present panic that they are about to be attacked and imprisoned. Some women have had to hide and have been forced to live apart from their children and families in order to protect them from potential retribution. Women reported all types of intimidation including both telephone and direct face to face threats as well as threats of aggression by the military. Given the country's military's history of torture and violence, this situation has exacerbated their concerns about being detained, violated, abused or even 'disappeared'.

There is great concern that the legislative initiative presented by coup supporters seeking the reactivation of "voluntary" military service will be tantamount to the 'forced' recruitment of women given the current level of poverty and unemployment rates. *Feminists in Resistance* are concerned about increased levels of militarization everywhere in the country and favor the abolition of the Honduran army as a step toward supporting a more peaceful and productive society.

In the midst of these threatening and disturbing circumstances, an image of courage and strength emerges as women demand dignity and respect for themselves, their communities and their country's democratic institutions. Their numbers and leadership in the ever expanding resistance movement to the coup grow and are evident in multiple ways from the halls of government to rural villages and border towns.

One case of courage is from the Honduran National Women's Institute (INAM), a government body charged with defending and advancing women's rights. Despite being fired in the aftermath of the coup by the newly appointed Minister, 25 former employees of INAM continue to speak out in favor a return to democracy. This strength and determination has been seen across the country as women raise awareness about what is happening, challenge coup supporters, and build connections between communities and movements. One 'grandma,' a 75 year old woman from Paraíso took a megaphone and told stories for 18 hours straight, using metaphors to energize the community's resistance as she faced a line of soldiers blockading the border crossing with Nicaragua in order to prevent President Zelaya from reentering the country. The images of young women challenging soldiers face-to-face, pushing back against bayonets to let the military know they cannot be intimidated also add to the picture.

The presence of long-time feminists further enrich the scene, activists working to make connections between women's rights and all other human rights efforts, forging bridges across generations, differences and movements, ensuring synergy and effective action inside the country and beyond. Feminists in Honduras are leading by example, using the

alliance building and collaboration strategy of the *Feminist Transformation Watch* to demonstrate the power of a comprehensive rights agenda and inclusive organizing approach.

Evident everywhere, the courage of these many women honors life and democratic tradition. Examples of this spirit are multiple. As women marched through the streets in one of the protest demonstrations, a woman street vendor offered them “mints so you can have a clear voice to express your resistance.”

Feminist independence and contributions: In the struggle to restore democratic institutions, women have their own special concerns as women but also share the overall democratic agenda of other sectors in the resistance movement. Feminists in particular have brought their own perspective and vision to questions of politics and strategy but also to concerns of sexual, reproductive and political rights, among others. Yet these concerns are not yet recognized by wide sectors of the resistance movement and remain as pending challenges for feminists and for members of the broader resistance efforts.

Feminists have been important voices in the ongoing resistance struggle raising key questions and issues through their actions. They denounced the Red Cross for carrying tear gas pumps and TIGO, the cellular telephone company, for giving free phone time to the military. Feminists in Resistance have documented and tracked these denunciations, as well as coordinating the gathering of other denunciations with human rights organizations and networks such as lawyers’ groups associated with the overall democracy and resistance movement.

The *Feminists in Resistance* have been a constant presence in the streets since June 28th, working to hold the coup supporters accountable and overturn the government take-over. Actions have ranged from being involved in sit-ins in front of the United Nations offices to demanding clearer responses and commitments from international authorities regarding the coup. Similarly, they sponsored a women’s march to the US Embassy to deliver a letter to President Obama requesting an investigation into the possible involvement and participation of Pentagon officers and other US officials in the coup d’état.

Activities of the Mission: Participants in the FTW mission – members of the international delegation, the wider support team and the *Feminists in Resistance* -- took part in multiple activities. These included: information gathering; interviewing victims and witnesses of violence; meetings with feminists, diplomats, delegates of the European Union and the UN system, Diakonía and the UNDP and the Interagency Gender Team (MIG) made up of international donor organization.

They also met with human rights advocacy organizations (CIPRODEH and COFADEH) and the Center for the Prevention, Treatment and Rehabilitation of Victims of Torture and their families, the Women’s Public Prosecutor, the Human Rights Prosecutor of the National Attorney’s Office, popular organizations like the Popular Front Against the Coup d’état, the constitutional Minister Doris García of INAM, the Technical Director of INAM; the dismissed workers as well as the President of the Inter-American Human Rights Commission (IAHRC) and the OAS Special Rapporteur for Women on an official mission in Honduras. To show their solidarity and document the ongoing citizen action process, they participated in marches and caravans sponsored by the resistance movement.

The aim of the interviews and meetings was fourfold: to evaluate the human rights situation, especially of Honduran women; document both abuses of women and women's strategies to ensure a return to democracy; make proposals for addressing the problems; and issue a fact-finding report for policy and public education purposes to be used in discussions with relevant bodies such as the Inter-American Commission of Human Rights, the US Congress and other donor agencies.

Additionally, they succeeded in getting findings from the delegation and the FTW inserted into the new Campaign of the UN Secretary General for the Elimination of Violence. Specifically included was information highlighting the fact that in the departments of Tegucigalpa and San Pedro Sula, the number of femicides during July reached a record number of 51, which represented an increase of 60% over previous months (data provided by the Women's Public Prosecutor of the Attorney General's Office). According to the same source, however, the number of public denunciations regarding other forms of gender-based violence have decreased. This could be a reflection of the widespread fear that currently exists in the aftermath of the coup. Experiences throughout the world indicate that whenever there are wars, coups or other irregularities associated with de facto power, violence against women increases.

Given that in 2010, Honduras will submit a UN report to CEDAW on the advancement of women, the mission's report will be a substantive part of the Honduras shadow report which draws on input from civil society. The report will also serve as a reference for specific cases in the Inter-American system of violations of women's human rights. According to international norms, some of these cases merit urgent review by the Court.

In addition to these activities, Radio Feminista, the international feminist radio network based in Costa Rica, arranged an online FT Watch activity in which the audience outside of Honduras was able to participate through webcasts and online press releases, listening and sending their solidarity messages. Likewise, more than 13 community radios from Australia, Spain, USA and several countries of Latin America and Honduras, connected with women in Honduras via phone and re-broadcasts of Radio Feminista's programs.

Similarly, a strong contingent of journalists and communicators produced daily releases, videos, photos, radio programs and written reports in English and Spanish which were disseminated worldwide through media, internet, magazines and newspapers.

At the end, members of the FTW and the delegation agreed to establish an ongoing Watch process in order to gather and disseminate information and testimony as long as necessary and to return to Honduras whenever possible.

MAIN HUMAN RIGHTS VIOLATIONS AND FTW FINDINGS

General human rights violations as well as particular women's rights abuses were substantiated by the FTW. The difference in number and nature of the violations to women's bodies and lives before and after the coup should be particularly emphasized.

- 1. Persecution of the staff of the National Women's Institute (INAM) and violation of labor rights; Undermining the role of INAM to protect women's rights**

One of the de facto government's first actions was to persecute and intimidate President Zelaya's allies in order to remove them from the government. Doris García Paredes, Minister of the INAM, was replaced by Maria Marta Díaz Velásquez, who held the same position during the government of Flores Facussé, one of the major forces behind the coup.

Feminists in Resistance claim INAM as their own – as an entity that emerged from the continued hard work and belongs to the women's movement. "In Honduras we have been part of all the efforts to create INAM, helping to write the relevant law authorizing it [as well as] the National Policy on Women, the first Plan for Equal Opportunities for Women and the second Plan for Gender Equality and Equity. All these constitute – not the full range of our dreams and aspirations – but rather the minimum platform we aspire to as women and citizens of this country".⁴

Feminists in Resistance, in coordination with those INAM personnel against the coup, conducted a peaceful takeover of the INAM on July 14th. Next day, the de facto authorities militarized the access to the building in a hostile and provocative manner, which prevented feminists and government staff from continuing their resistance efforts. The security forces attacked the protesting women, which led the coordinating body of the resistance movement to organize a vigil at the INAM building to demonstrate their concern.

When the July 15 protest was over, Mrs. Díaz stated that those employees opposed to Micheletti's government should resign.⁵ This fueled a hostile work environment and further persecution and abuse of power. During July 16th and the 17th, the new authorities searched every desk, and all files and computer equipment; and threatened to assault the family of National Institute for Women (INAM)'s Technical Director, Kenia Irías.

On July 24th, 16 employees of INAM were dismissed for their public opposition to the coup. Their salaries were not paid and no formal justification was given; additionally they were forbidden from entering the building to gather their personal belongings.⁷⁶

Not only has the arbitrary dismissal of staff affected the functions of INAM, but many of its women's support projects have been suspended. Worse, the INAM no longer serves as an oversight body to advance public policies that benefit and protect women but instead has become an institution in the service of the coup-imposed government. **No government entity or process currently exists that is dedicated to advocating and guaranteeing women's rights.**

Women interviewed by the FTW stated that the "de facto coup" inside the INAM has frozen all attempts at development that women have undertaken and supported over years through legislative and policy reforms aimed at improving the lives of women and their families. These include increases in women's political participation, the creation of safer environments for activism, eradication of violence against women, advances in sexual and reproductive health, job training, access to education, and ever greater conditions of equality.

⁴ Press Release of Feminists in Resistance from the 14th of July, 2009.

⁵ CIMAC publication, *Feminists Reject INAM Ministry appointed by coup backers*, Mexico DF, 17th of July, 2009.

⁶ On the 28th of August the Technical Director of INAM was dismissed also due to her position against the coup and for being a feminist.

2. Violation of women's right to bodily integrity

The struggle for political power has been waged on women's bodies. As observers, members of the FTW were able to confirm that violence against women has occurred in many forms under the Micheletti regime.

Furthermore, many local and international human rights organizations like the Inter-American Human Rights Commission (IAHRC) have referred to this situation as well. According to the IAHRC's preliminary report, "During its visit, the Commission received testimony stating that in the context of the demonstrations and the repression and detentions carried out by police officers and members of the military, women were especially subject to acts of violence and humiliation because of their gender. The Commission confirmed that, while they were under the direct control of members of the police and Army, many women were subject to abusive and denigrating treatment that included having their breasts and vagina groped. In other cases, the Commission received information that some of the women had had their legs spread open and their genitals touched with police truncheons."

The FTW was able to document the testimony of more than 20 women, among them Irma Villanueva, who was raped by four soldiers. For the FTW this rape represents a clear and brutal demonstration of raw power; it is directed as a warning to the women who are actively involved in the political process and is a way to flaunt coup authority and demonstrate that they are in total control.

The testimonies show that women participating in marches and public demonstrations were most affected by the violence – specifically those in Tegucigalpa, San Pedro Sula, Comayagua, Intibucá, Santa Bárbara, Tocoa and women who attempted to reach Las Manos border crossing in the last days of July – whether young or old. Several testimonies from women participating in the July 30th march in El Durazno reveal how they were physically and psychologically attacked by police and military -- beaten with batons, insulted and threatened with death.

3. Persecution of women for their political participation: punishment for supporting the "cuarta urna"- a referendum proposed by President Zelaya to ask Honduran citizens if they favor of constitutional reform.

According to the testimonies received by the FTW, political rights in Honduras have suffered a serious setback. The coup and its aftermath flagrantly violated the political rights of Honduran citizens, their democratically elected president, his administration and those legislators and community women leading and supporting the referendum for constitutional reform proposed by President Zelaya.

Some women who had been working on this citizen referendum were persecuted, intimidated and prevented from continuing in electoral politics. Such are the cases of parliamentarians Silvia Ayala Figueroa, Minister Doris García Paredes and the First Lady of the Republic, Xiomara Castro, among others. Many women were fired from their jobs or had their professional roles curtailed.

Doris García, Minister of the INAM, was removed from her post when María Marta Díaz Velásquez was named as her replacement. For safety reasons Minister Garcia went into hiding for several days after receiving news on Sunday, June 28th that the Army was looking for the referendum leaders. She was able to escape thanks to her

community who blockaded the neighborhood and prevented the army from entering the area and capturing her. Xiomara Castro, First Lady of Honduras, was repeatedly asked by the new authorities to leave the country and join her husband, President Zelaya, but she refused.

4. Women's indomitable spirit in the face of arbitrary detention

The security forces not only beat, tortured and insulted women; they also arrested them in illegal and arbitrary ways. These arrests served as another form of intimidation and punishment for their participation in marches and vigils against the coup.

The FT Watch received testimonies from several women who had been detained by the police and military and taken to police stations. When they asked why they were detained the officials' response was to insult them which underscored for the women the arrogance and disrespect that State officials hold toward the law.

María Josefina López, Coordinator of the indigenous organization, Lenca de Opatoro, La Paz, reported that on July 30th, she and eleven women colleagues from her organization attempted to go by bus to the Las Manos border crossing to welcome President Zelaya. When they passed the second checkpoint the military forced them to get off the bus and walk. They walked for two days until they reached El Paraíso, where they remained until Monday, August 3rd. When they tried to continue to the border, they were arrested. The military, wearing ski masks, threatened them with death and pointed their weapons directly at their chests.

5. Ongoing impunity, inefficiency and fear in cases of women's rights violations

Women's Special Public Prosecutor: The Women's Special Public Prosecutor is aware of family and sexual crimes against the lives and integrity of women.

The National Direction of Criminal Investigation, the Preventive Police unit in domestic violence courts, and the regional and local offices of the Attorney General receive these crime reports. It was confirmed that after the coup the number of reports diminished according to the Special Prosecutor⁷. In her opinion, the curfews have resulted in a lower number of reports to the police.

After interviewing several women, the FT Watch also believes that women have given up going to the police to file domestic violence complaints because of fear and distrust. In the aftermath of the coup, the grave violations committed by the police have harmed women's physical integrity and individual freedoms and undermined any faith they had in the security institutions. Using force, the police and the army have become extensions of the de facto government and operate with impunity. The immediate consequence of this is that domestic violence cases are not reported or denounced since women feel threatened and insecure in the presence of the police.

According to the Special Prosecutor, in Tegucigalpa alone 675 domestic violence and 278 intra family violence claims were received in June, while in July they received 561 and 268, respectively.

⁷ Interview by FT Watch with Grisel Amaya, Women's Special Public Prosecutor, the 19th of August, 2009.

Although there was a decrease in the reports of family violence since the coup, the number of women reported killed in July increased from an average of 30 to 31 a month to over 51.

Human Rights Prosecutor: This Prosecutor had knowledge of human rights violations perpetrated by public officers, by act or omission. Currently, the Human Rights Prosecutor is Sandra Ponce⁸. Since the coup, the Prosecutor has opened 30 cases⁹ in Tegucigalpa and other regions but there still is no national figure available. In these 30 cases there is a precise number of victims but it is unknown how many are women.

The main claims relate to the violation of bodily integrity and the right to life. The accused are police and military agents. Available information that disaggregates data according to the victims' gender highlights the tendency of violence perpetrated more against women than men. According to testimony, the police use their batons to club the genitals of women involved in the demonstrations. In the current context, neither the Human Rights Prosecutor nor the Attorney General is willing or able to prove that women are more vulnerable to violence. According to Prosecutor Ponce, this would be INAM's task, which under the Micheletti regime would be contrary to their interests.

Despite the fact that there is evidence that women have been targets of repression and violence by the Honduran security forces, the Human Rights Prosecutor has not reported concrete cases of female victims except for the ones mentioned above. This confirms the IAHRRC finding that "the prosecutor offices have not officially started investigations regarding the existence of groups of wounded or detained persons".

Judicial action regarding cases of violence against women is completely deficient and the courts are negligent in prosecuting the perpetrators. So, in light of IAHRRC's confirmation that a pattern of disproportionate use of public force and arbitrary detentions exists, it is clear that a system of impunity is common in cases of violence against women.

Illegal arbitrary detentions and groundless fiscal accusations: On August 12th, during a peaceful march to Congress, 24 people were illegally and arbitrarily detained by police and military. The detentions took place between noon and 2 pm. During this period, 23 people were arrested; at around 4 pm, a young Colombian man was also arrested. Among those arrested were two women: an engineer named Alba Ochoa and a teacher named Mabel Carolina López. There are videos that attest to the physical assault that Ms. Ochoa suffered at the time of her arrest.

According to the testimony of Claudia Hermannsdorfer, one of the lawyers in the defense team, all the detainees were transported in military trucks to the Las Cobras installations, a specialized force of the police. They were threatened and psychologically tortured. That night they were transferred to Core 7, a police detention centre.

6. Never ending impunity and intimidation: The Legacy of the 1980s

⁸ Interview by FT Watch with Sandra Ponce, Human Rights Prosecutor, the 20th of August, 2009.

⁹ During the 80 decade Billy Joya became one of the main executors of kidnappings, torture and assassinations in Honduras. He was certainly accused of at least eleven executions under the alias of "Doctor Arranzola." He was also accused of kidnapping and torturing 6 students.

The *Feminist Transformation Watch* wishes to highlight the plight of current female victims who have suffered political violence under the Micheletti regime and who also were victims of State violence during the 1980s.

At that time, human rights violations by government forces were excessive and included arbitrary executions, torture and forced disappearances. Some of the key violators of that

period are still active today. Billy Joya, one of the main leaders of the Intelligence Battalion 3-36, was in charge of kidnappings and forced disappearances of political opponents and was the founder of the death squads “Lince” and “Cobra¹¹¹⁰” during that period. He is now a military advisor to the coup -imposed government and was also an advisor to Micheletti during his presidential campaign.

Some women active in the current resistance efforts were victims of State violence and threats in the past. These include, for example **María Amalia Reyes¹²** who was arrested in the 1980s and transferred to the cells of the National Investigation Direction (DNI). Twenty years later, during the June coup she is again facing similar threats and is now under surveillance. On the 5th of July, a black car parked in front of her house and stayed there the entire day. There were four men inside; they left during the curfew.

“I am afraid every day. Every day I say goodbye to my family as if I were not coming back. I am afraid they will put me in jail and make me disappear because of the records from 1981. I feel impotent because of what I have seen; I wish I had a magic wand to solve everything. I am afraid. I feel the human rights bodies are not doing enough.”

The fear of María Amalia and others who were tortured during the 1980s like María Suárez is completely justifiable in light of the grave violations of the human rights two decades ago. Their perpetrators were never tried and continue to enjoy impunity . Billy Joya is a perfect example – despite his crimes, he was never brought to trial by the Honduran legal system.

III. Conclusions and Recommendations

The FT Watch reached a variety of conclusions: It confirmed the existence of a systematic pattern of human rights violations in Honduras and a total breakdown of constitutional order. The vast majority of the Honduran population lives with a lack of the most basic of human rights. Social movements are undermined by this situation as are groups collaborating in the resistance movement. All citizen engagement, social justice and development efforts are threatened and hampered by the fact that current government officials and institutions enjoy impunity.

There are gender differences in how women and men experience human rights violations. For example, women have suffered rape and other sexual abuses and attacks on their bodies that threaten their reproductive capacities and pregnancies. The growing presence of women leaders and their support for the resistance movement and Feminists in Resistance has made them targets of state violence. The coup and continuing impunity has reinforced and exacerbated the existing misogyny in Honduran society. In a situation where government is not based on the

¹⁰ See the testimony of María Suárez.

rule of law, the police forces, under the command of the military, feel free to vent their cruelty on women who participate in the public life, since they believe women's place is in the privacy of the home, being the obedient and submissive wife and mother.

Therefore, the *Feminist Transformation Watch* recommends that:

Donor aid be suspended. In the case of the relations with the European Union (EU) and Honduras, it is important to apply the democratic clause contemplated in Article 1 of the 1963 Framework Agreement of Cooperation between the EU and Central America, which provides for the suspension of cooperation in case of severe breaches of the constitutional order.

Diplomatic relations and powers be withdrawn. Abstain from diplomatic relations at the vice ministerial level with the illegitimate government as well as with the diplomatic representatives of the EU from Honduras who are supporters of the de facto government and to order their immediate expulsion from European territory.

Negotiations on key agreements be suspended. Maintain the decision to suspend negotiations for an Association Agreement between the EU and Central America until constitutional order is restored in Honduras.

Human rights defenders be protected and the distinct impacts that violations have on women be acknowledged and be integrated into policies and remedies.

Contribute to the implementation of the EU guidelines for the protection of the human rights defenders and to be aware of the distinct impact of the violations of women's human rights; and that

Women's advocacy efforts in the UN and other international bodies be supported.

With respect to international agencies and institutions, to support the efforts of women to get the United Nations Security Council to take a stand regarding the coup in Honduras. To adopt a resolution at the Human Rights Council level to establish a permanent office of the High Commission on Human Rights in Honduras; to carry out verification missions with competent special rapporteurs, particularly the Rapporteur on Violence against Women; and to ensure that the other Rapporteurs examine the situation more completely and investigate the violations of human rights and their distinct impact on women in the context of the coup.

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For more information contact JASS (Just Associates) at 202-232-1211 or visit http://www.justassociates.org/actions/honduras_action_coup.html.