

ILEANA ROS-LEHTINEN, FLORIDA
CHAIRMAN

CHRISTOPHER H. SMITH, NEW JERSEY
DAN BURTON, INDIANA
ELTON GALLEGLY, CALIFORNIA
DANA ROHRBACHER, CALIFORNIA
DONALD A. MANZULLO, ILLINOIS
EDWARD R. ROYCE, CALIFORNIA
STEVE CHABOT, OHIO
RON PAUL, TEXAS
MIKE PENCE, INDIANA
JOE WILSON, SOUTH CAROLINA
CONNIE MACK, FLORIDA
JEFF FORTENBERRY, NEBRASKA
MICHAEL T. MCCAUL, TEXAS
TED POE, TEXAS
GUS M. BILIRAKIS, FLORIDA
JEAN SCHMIDT, OHIO
BILL JOHNSON, OHIO
DAVID RIVERA, FLORIDA
MIKE KELLY, PENNSYLVANIA
TIM GRIFFIN, ARKANSAS
TOM MARINO, PENNSYLVANIA
JEFF DUNCAN, SOUTH CAROLINA
ANN MARIE BUERKLE, NEW YORK
RENEE ELLMERS, NORTH CAROLINA

YLEEM D.S. POBLETE
STAFF DIRECTOR



One Hundred Twelfth Congress
U.S. House of Representatives
Committee on Foreign Affairs
2170 Rayburn House Office Building
Washington, DC 20515
www.hcfa.house.gov

November 28, 2011

HOWARD L. BERMAN, CALIFORNIA
RANKING DEMOCRATIC MEMBER

GARY L. ACKERMAN, NEW YORK
ENI F.H. FALEOMAVAEGA, AMERICAN SAMOA
DONALD M. PAYNE, NEW JERSEY
BRAD SHERMAN, CALIFORNIA
ELIOT L. ENGEL, NEW YORK
GREGORY W. MEEKS, NEW YORK
RUSS CARNAHAN, MISSOURI
ALBIO SIRE, NEW JERSEY
GERALD E. CONNOLLY, VIRGINIA
THEODORE E. DEUTCH, FLORIDA
DENNIS CARDOZA, CALIFORNIA
BEN CHANDLER, KENTUCKY
BRIAN HIGGINS, NEW YORK
ALLYSON SCHWARTZ, PENNSYLVANIA
CHRISTOPHER S. MURPHY, CONNECTICUT
FREDERICA WILSON, FLORIDA
KAREN BASS, CALIFORNIA
WILLIAM KEATING, MASSACHUSETTS
DAVID CICILLINE, RHODE ISLAND

RICHARD J. KESSLER
DEMOCRATIC STAFF DIRECTOR

The Honorable Hillary Clinton
Secretary of State
Department of State
Washington, D.C. 20520

Dear Madam Secretary:

I am writing to express my grave concern regarding the current human rights situation in Honduras, and in particular the role of Honduran state security forces in human rights abuses, which in the past two months has reached a distressing pitch.

United States assistance continues to flow to police and military forces in Honduras and we cooperate in training programs and joint military installations. At the same time, there are increasingly frequent reports of widespread police and military corruption and of participation by state security forces in violent evictions, assassinations, kidnappings, and torture--amid what is widely acknowledged to be a climate of near-complete judicial impunity. It appears a pattern of police and military complicity in violence is disproportionately being visited on those who were politically opposed to the 2009 coup d'etat in that country, or alternatively, those who oppose President Lobo's government.

In evaluating the continuation of U.S. funds for the Honduran police and military, I am most immediately concerned with the escalating scandal regarding the role of the Tegucigalpa police in the October 22 killings of Carlos David Pineda and Alejandro Vargas Castellanos, the son of Julietta Castellanos, the head of a prominent Honduran university. Castellanos, as you know, was a member of the Truth and Reconciliation Commission that concluded that the events surrounding the June 28, 2009 ouster of President Zelaya constituted a coup d'etat. Even a high profile case such as this appears to be stymied by political considerations. It seems that both the Minister of Government and head of the Preventative Police failed to promptly issue the order to detain the four officers allegedly responsible for the killings. And if concrete measures have been taken to investigate, detain, and prosecute those responsible for the October 22 killing, it has not been made public.

The Honorable Hillary Clinton
November 28, 2011
Page Two

I am told about the supposed police "cleanup" of the infamous La Granja police force where the four officers worked. A police spokesman claimed that 176 members of La Granja – with alleged "links to drug gangs" -- have been arrested. Subsequent reports claim that 114 had merely been transferred to other districts. As of this writing it appears that no one has been charged, despite overwhelming evidence of police responsibility for the Pineda and Castellanos killings, and we are left with evidence suggesting that very high-ranking officers and officials in the Ministry of Security and National Police may have been responsible for the failure to detain the alleged culprits. This follows on a more general concern regarding a pattern of continued appointments at the topmost levels of police administration of individuals who themselves bring compromised records of human rights violations or ineffective law enforcement. The list is long, but most recently, Pompeyo Bonilla, the new Minister of Security, has openly celebrated his role supporting the illegal military coup of 2009, and his efforts in his former capacity as director of telecommunications, attempting to remove the licenses of low-wattage radio stations essential to the basic freedom of speech of Hondurans.

More broadly, the highly respected human rights group COFADEH reports that the killing of Alejandro Castellanos was not an isolated incident, but the tip of an enormous iceberg. It reports that 10,000 legal protests have been filed in Honduras in the past two years regarding human rights abuses by the police and military, including killings and torture, and that no action has been taken on any of them. José Miguel Vivanco, Americas Director at Human Rights Watch, recently concluded: "Victims of human rights abuses committed after the coup have been unable to find justice in the Honduran judicial system."

There are important outstanding questions related to reports of widespread involvement of the Honduran police in drug trafficking and organized crime. For example: What measures are being taken by the Honduran government to investigate and successfully prosecute those responsible for the disappearance of a large cache of weapons on October 31? Vice President of the Honduran Congress Marvin Ponce alleged on July 19, 2011, that "40% of the National Police are involved in organized crime," and yet no measures appear have been taken at the time to address his concerns. Former police commissioner María Luisa Borjas reiterated on November 4 that since 2002 she has been continually denouncing "death squads" among the Honduras police, but to no effect.

Numerous human rights groups throughout the world have underscored, moreover, the dramatic ongoing human rights crisis in the Lower Aguán Valley, where Honduran security forces are reported to have participated in killings, torture, and violent evictions of members of the campesino movement, at least 46 of whom have been killed. Have these troops received USG training or assistance? What actions is the U.S. undertaking to ensure that President Lobo's government is prosecuting members of the military and police responsible for these crimes, including members of the XVth Battalion and the forces deployed as Operación Xatruch II? To give just two examples: no

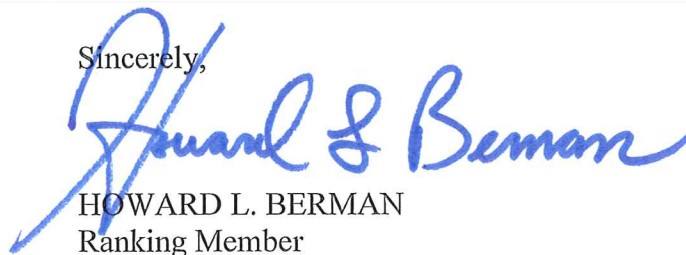
The Honorable Hillary Clinton
November 28, 2011
Page Three

measures appear to have been taken to detain and prosecute the more than 75 police officers responsible for the June 24, 2011 violent eviction and near-complete destruction of the community of Rigos; nor have measures apparently been taken to prosecute the Tocoa police allegedly responsible for the kidnapping and torture of Walter Neilin Sabillón Yanos, a campesino activist, on October 6. What is the Honduran government's response to reports of repeated joint actions of police and military in the Bajo Aguán with the private security forces of Miguel Facussé, about whom there are significant allegations of drug trafficking? Mr. Facussé does not deny that his security guards killed five campesino activists at El Tumbador on December 15, 2010, and yet no measures have apparently been taken to investigate or prosecute Mr. Facussé or his guards in relation to this crime and others allegedly committed by his security forces. Are these security forces that have received USG training and or assistance?

As the Honduran government seeks to combat rising crime and drug trafficking, President Lobo's administration has counted on the increasing merger of Honduran police and military functions. In any society, this is a dangerous intrusion of the military into basic police functions. It is even more so in Honduras due to the lack of institutional checks and balances. What measures are being taken to investigate and punish those responsible for the death threats to Professor Helen Umaña, for example, who has just been forced into exile because of her prominent role as a member of the non-governmental Truth Commission? Is the September 7 murder of opposition activist Mahadeo Roopchand "Emo" Sadloo, allegedly by police agents, being investigated to the fullest extent possible? How is the government ensuring the protection of Arnulfo Arguilar, the owner of Radio Uno, against ongoing threats, and to bringing to justice those responsible for the deaths of at least 19 journalists in the past two years?

Madam Secretary, the most chilling aspect of this rather gruesome set of problems is that U.S. government assistance is flowing into the thick of it. I have asked a series of questions in this letter, and I hope the answers will help clarify what we should do regarding future U.S. assistance to Honduras. Ms. Castellanos has pointedly called on governments that assist the Honduran police, to "stop feeding this beast." We owe it to her and all Hondurans, as well as to U.S. taxpayers, to evaluate immediately United States assistance to ensure that we are not, in fact, feeding a beast.

Sincerely,



HOWARD L. BERMAN
Ranking Member