Lic. Rolando Edgardo Argueta Pérez
Magistrado Presidente de la Corte Suprema de Honduras
via email presidencia@poderjudicial.gob.hn

January 21, 2020

Dear President Magistrate Argueta:

We are writing to express our dismay over the false criminal charges that are pending against labor leader **Moises Sánchez**. Tomorrow in court, Moises faces the possibility of 30 years in prison on four charges related to the usurpation of private land to build a community access road.

Moises is a resident of La Permuta, a small village in the municipality of Santa Ana de Yusguare, in Choluteca Deparment. In 2018, La Permuta's village assembly voted to build a road because there had been no road access; residents had to cross rivers to get to the closest city, Choluteca. The mayor of the municipality agreed and offered land that he said was public land. Nearly two years later, a private landowner came forward saying the land was hers and pressed charges for "criminal usurpation." Over a number of years, this landowner has leased other properties she owns to Fyffes, an international fruit company based in Dublin, Ireland.

The false criminal charges against Moises Sánchez appear to be in retaliation for his labor union activity on Fyffes melon farms. Moises Sánchez is the Secretary General of the STAS union (Sindicato de Trabajadores de la Agroindustria y Similares) on Fyffes farms, where he worked from 1993 until 2016, when he was blacklisted for his union activity. Fyffes and its workers have been embroiled in labor disputes for many years. When workers tried to form a union in 2016, Fyffes local management responded with a violent anti-union campaign, locking union members in offices and forcing them to resign, illegally firing workers, and psychologically and verbally harassing affiliated workers. In 2017, Moises was kidnapped, viciously attacked and threatened with death. Finally, in January 2019—after a global campaign in defense of the workers—Fyffes recognized STAS as the legitimate union representative of its melon workers and collective bargaining discussions were initiated.
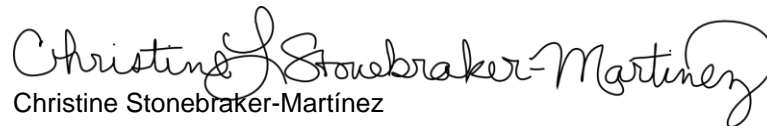
Fyffes' violations of Honduran national labor laws and international standards are so severe that they were cited in 2012 in an AFL-CIO complaint under the U.S.-Central America Free Trade Agreement and another complaint filed with the International Labor Organization (ILO). Moreover, because of its consistent disregard for labor rights, Fyffes was suspended from the Ethical Trading Initiative and de-certified by Fair Trade USA.

Moises Sánchez is not the only resident of La Permuta facing false criminal charges. Five others facing charges are members of La Permuta's elected leadership who implemented the decision to build the road. But because the municipality is providing legal defense only for those elected community leaders, Moises Sánchez is left without their legal defense.

We strongly urge you to look into the case of Moises Sánchez and the five elected leaders of the La Permuta village council and ensure that all criminal charges are dropped.

Sincerely,

Brian J. Stefan Szittai   Christine Stonebraker-Martínez
Co-Coordinators

copies: Poder Judicial de Honduras ~ via email
Lica. Karla Eugenia Cueva Aguilar, Secretary for Human Rights ~ via email
Oscar Chinchilla Banegas, Attorney General ~ via email
María Dolores Agüero, Ambassador of Honduras to the US ~ via email and US mail
US Embassy in Honduras: Colleen Hoey (Chargé d'Affaires) and Nate Rettenmayer (Political Officer) ~ via email
David Tagle, Honduras Desk, US State Dept ~ via email
OACNUDH: Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos en Honduras ~ via email
Joel Hernández, Rapporteur for Honduras, Inter-American Commission on Human Rights ~ via email and US mail
US Senators Brown & Portman and US Representatives Beatty, Fudge, Gibbs, González, Johnson, Jordan, Joyce, Kaptur, Latta, Ryan ~ via email

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The following people hereby urge you to take action on this matter as indicated in this letter: