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July 24, 2020

Dear Attorney General Chinchilla and Secretary Cueva:

We are disturbed to learn of the murder of **Antonio Bernárdez**, age 71, of the Garífuna (African-Caribbean descent) community of Punta Piedra in Colón Department. He disappeared on June 13 after he started towards the community of Icoteas and was last seen in the Rio Miel community of Punta Piedra. On June 19 his body was found in the area known as "the entrance to the cheese factory" with bullet wounds and signs of torture.

Antonio Bernárdez was a respected elder and leader of Punta Piedra, a community experiencing conflict since 1992 when General Castro Kabus led a settlement ("invasion") into the Rio Miel community by families of non-indigenous campesinos and cattle ranchers. The Honduran government illegally gave tracts of land to those families. Violence has plagued the community since.

The Punta Piedra case has drawn international attention. In 2015, because of continuous violence from land invaders, the Garífuna community of Punta Piedra was granted precautionary measures by the Inter-American Commission on Human Rights. Previously, in March 2013, the Inter-American Commission concluded that the State of Honduras did not provide effective protection of the community's land from third parties. In October 2013, the Inter-American Court ruled unanimously that Honduras was obligated to guarantee to the Garífuna community full and effective ownership of their disputed ancestral territory. Furthermore, the Court ordered the State of Honduras to create a collective fund of US\$1.5 million for the purposes of increasing agricultural productivity, improving the community's infrastructure, and restoring deforested areas.

The Inter-American Court has criticized the government for not adhering to its mandates to protect Garífuna ancestral lands, implement the collective fund, and adequately investigate the murders of Garífuna community leaders, such as Félix Ordóñez Suazo (June 2007), a relative of Antonio Bernárdez. The Court stated that the death of Félix Ordóñez Suazo had been motivated by the ongoing land conflict. As recently as May 2019, the Court acknowledged that Garífuna community members are still experiencing "direct death threats," "blackmail, increased robbery," and "profiling of leaders." The forced disappearance of at least four Garífuna men from Triunfo de la Cruz on July 18 is evidence of the ever-present dangers faced by the Garífuna communities along the Atlantic coast (cf our letter July 20, 2020).

This murder of Antonio Bernárdez is a reminder that your government lacks a functioning legal system that protects the rights of Garífuna and other indigenous peoples. We therefore demand that you

- carry out a comprehensive and transparent investigation into the assassination of Antonio Bernárdez, publish the results, and bring the perpetrators to justice
- develop protection mechanisms for Garífuna communities and their leaders, in strict accordance with their wishes
- adhere to all resolutions and judgements issued by the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights to protect Garífuna ancestral lands, community residents and leaders

Sincerely,

  
 Brian J. Stefan Szittai  
 Co-Coordinators

  
 Christine Stonebraker-Martinez

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 US Embassy in Honduras: Colleen Hoey, Chargé d'Affaires, and Nate Rettenmayer, Political Officer ~ via email  
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 CESPAD: Centro de Estudio para la Democracia ~ via email  
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 Honduras Solidarity Network ~ via email  
 OFRANEH: La Organización Fraternal Negra Hondureña ~ via email  
 US Senators Brown & Portman ~ via email  
 US Representatives Beatty, Fudge, Gibbs, González, Johnson, Jordan, Joyce, Kaptur, Latta, Ryan ~ via email

20 june 2020\_OFRANEH\_Honduras

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

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