

Blanca Saraí Izaguirre Lozano

National Commissioner for Human Rights of Honduras
via email

November 21, 2022

Dear Commissioner Izaguirre Lozano:

We are writing once again about the destruction of the 200-year-old Indigenous Maya Chortí cemetery and the illegal exhumation of bodies in the Azacualpa community in La Unión, Copán Department.

The cemetery is at the center of a longstanding controversy over gold mining. For several years, the Azacualpa community has been organizing to shut down the San Andrés gold mine. Like other large scale open-pit mechanized mines, its operations leach deadly chemicals such as cyanide into water sources. For at the past decade, the mining company MINOSA (Minerales de Occidente SA, the Honduran subsidiary of US- and Canada-based Aura Minerals) has expressed plans to expand the mine. To reach the gold reserves that are found under the cemetery hill, MINOSA, in conjunction with the government, has been exhuming graves and destroying the Indigenous cemetery with plans to use dynamite to better access the minerals.

We have been following the developments of the destruction process and have read reports of multiple incidents of unlawful destruction, illegal exhumation of graves, and oppression against the local community and defenders of the cemetery. Members of the community have been left with questions unanswered, and many of them have lost the ability to visit their deceased family members buried in the cemetery, not knowing where they have been moved to. The exhumation of the corpses is illegal because it was carried out based on an order issued by the Court of Santa Rosa de Copán, which is in open disobedience to the instructions of the Constitutional Chamber and the Court of Appeals of Santa Rosa de Copán that previously instructed cessation of the exhumations multiple times.

To challenge the illegal procedures carried out by MINOSA, lawyers from the organization Bufete Estudios para la Dignidad filed in early November a writ of habeas corpus, demanding from the Ministry of Health and the mining company to disclose the location of the illegally exhumed bodies. Now, the Supreme Court of Justice in Tegucigalpa has admitted the writ in favor of the community of Azacualpa. This admission is an important step in the recognition of international human rights and dignity standards and a crucial development in ending the suffering of the residents of Azacualpa.

We applaud this first step towards recognizing the dignity of the deceased. However, we are deeply troubled by the indifference with which the mining company has reacted to previous court orders and saddened by the numerous reports of violence and safety threats to the local community. **We therefore strongly urge you to:**

- guarantee that the appointed executing judges effectively locate the exhumed corpses of the Azacualpa cemetery
- support and adopt all decisions necessary to return those corpses to the cemetery in La Unión, Copán
- order an immediate retreat of the mining company MINOSA and all its affiliates, including armed forces, from the cemetery hill and the local community and revoke any outstanding mining approvals for the company

Sincerely,



Brian J. Stefan Szittai
Co-Coordinators



Christine Stonebraker-Martinez

copies: Abg. Agapito Alexander Rodríguez Escobar, Director Ejecutivo de INHGEOMIN: Instituto Hondureño de Geología y Minas ~ via email
Sr. Lucky Medina, Secretario de Recursos Naturales (MiAmbiente) ~ via email
Aura Minerals: Rodrigo Barbosa (President & CEO), Sofia Aguilar (Gen. Mgr for Community, Institutional and Legal Relations) ~ via US mail and email
MINOSA ~ via US mail
Javier Efraín Bú Soto, Ambassador of Honduras to the US ~ via email and US mail
IACHR: Carlos Bernal Pulido (Rapporteur for Honduras) and Esmeralda Arosemena de Troitiño (Rapporteur on the Rights of Indigenous Peoples) ~ via US mail and email
Isabel Albaladejo Escribano, Representative to Honduras of the Office of the UN High Commissioner for Human Rights (OACNUDH) ~ via email
Alice Shackelford, UN Resident Coordinator in Honduras, Office of the UN High Commissioner for Human Rights ~ via email
Bufete de Estudios para la Dignidad / Office of Studies for Dignity ~ via email
US Embassy in Honduras: Ambassador Laura F. Dogu and Ariel Jahner, Human Rights Officer ~ via email
US State Department: Bryan Schell, Honduras Desk Officer ~ via email
US Senators Brown & Portman and US Representatives Beatty, Brown, Gibbs, González, Johnson, Jordan, Joyce, Kaptur, Latta, Ryan ~ via email