

SPECIAL REPORT WITH RECOMMENDATIONS

REGARDING THE EVENTS THAT TOOK PLACE IN AHUAS, GRACIAS A DIOS, ON MAY 11TH, 2012, IN A JOINT OPERATION OF HONDURAN AUTHORITIES WITH DEA AGENTS.

On the same day of the events, CONADEH (National Human Rights Commission) found out from its Delegation in Puerto Lempira, [Department of] Gracias a Dios, and from news disseminated by the media, that in the municipality of Ahuas in that department, in the early hours of the morning of May 11th there was an operation carried out by persons aboard various helicopters and that members of the community had been injured and killed. CONADEH immediately began carrying out the relevant procedures to clarify the identity of the active and passive actors of the event.

Thus, on May 15th, 2012 the National Human Rights Commission departmental delegation in the department of Gracias a Dios opened case number 0901-2012-05-15-000008.

Having conducted the relevant procedures, CONADEH can provide the following summary of the event:

According to a CNN report, the Drug Enforcement Administration (DEA) of the government of the United States of America, through a legal mechanism that is yet to be identified, has trained and controls a group made up of police and military agents from Honduras called the Tactical Response Team (TRT) that operates in anti-drugs operations; this report is on YouTube at the following link: http://www.youtube.com/watch?v=DEjnZtGPmuo_

Said group was trained by Jim Kenney, the DEA attaché in the US embassy in Honduras, though it should be noted that the members of the TRT say they don't know him, with the exception of officials who indicate that they received instruction from him.

Consequently, we were able to establish that both the "pipante" [a motorized canoe] that left Barra Patuca with residents of Ahuas and the helicopters that left the Air Base of la Ceiba, in accordance with orders given by North Americans [Americans] of FAST [Foreign-Deployed Advisory Support Team] to Inspector H – who asserted that he was not informed of the destination that they were to travel to – left at around 7:00PM. Four helicopters that belonged to the Narcotics Affairs Section (NAS, following the English abbreviation) of the Department of State of the United States of America, piloted by foreign personnel (North Americans and members of the

Guatemalan army) and four groups made up of Honduran and American personnel, as well as personnel of other nationalities, traveled to Puerto Castilla where they set down to refuel and to wait for more precise information in order to proceed and intercept a jet plane allegedly transporting drugs.

Afterwards they flew toward a location close to the Krupunta community; where they only saw a white truck rather than a jet plane in the area where the drug is unloaded, and then proceeded to follow the small, white truck that carried the alleged drugs toward Ahuas. According to the TRT, they saw sparks which they determined to be coming from the truck and that, in their opinion of the members of the TRT, these gunshots were being fired at the helicopters. They observed that that between 30 and 100 people were transporting the alleged drugs toward the pipante located on the riverbank at the "landin" [boat landing] of Ahuas, and so the ground teams of helicopters (1) and (2) landed on the Paptalaya "landin" in Ahuas. Noting that the people who were transporting the drugs had dispersed to different points in the area, they remained on alert but on the sidelines. Then one of the members of TRT team one (1) saw a person that was approaching him from the riverbank and proceeded to detain him, placing plastic handcuffs on him. When they inspected the area where this person came from they found in an R-15 rifle and two AK-47 magazines in a pipante. Next, they found the pipante with drugs that had traveled downstream about 200 meters due to the natural effect of the current. Two Honduran TRT members and one North American from FAST got on board and, with cover provided by at least one helicopter, the FAST agent started the pipante and maneuvered it down the river until it turned off due to lack of fuel. Consequently, the members of FAST and TRT of team one, who had returned to the dock, looked for fuel to help them.

At that moment, the pipante coming from Barra Patuca appeared with the victims and their cargo (bundles of clothes and other personal items). According to the account of various TRT members, as the Barra Patuca pipante was approaching the pipante transporting the drugs, which in that moment was adrift down river, a burst of fire could be heard, supposedly coming from the boat coming from Barra Patuca causing the member from the FAST Team of the DEA to communicate by radio with the foreign pilot on helicopter number four, who proceeded to give the order to the artilleryman from Honduras who was on the same helicopter to support his teammates by opening fire on the boat with the victims that was coming from Barra Patuca. Meanwhile, two FAST members looked for a boat or a pipante to go help their teammates whom they found without a tank or fuel, leading members of the FAST team of the DEA and the TRT on the ground to steal fuel from a house on the side of the river subjecting the owner and taking the fuel by force and without payment. Furthermore, they used, without the owner's

consent, a pipante found at the dock, in order to go help their teammates who were adrift along the river and had been blown to the riverbank by the air of the helices of one of the helicopters and were waiting for their companions to arrive.

Next, they transferred the packages of drugs to the "pipante" that helped them and they went to the dock, where the drugs were loaded on to various helicopters and was transferred to the Aerial Caraccioli Moncada Base of the city of La Ceiba and then to La Ciudad de Tegucigalpa. They left the Ahuas area without, at any moment, being concerned with providing medical support or attention to the injured even though they had a medical specialist on one of the helicopters. According to the team members, they were unaware that there were injured individuals.

Relevant reports [on the incident] were requested from then Director General of the National Police, Commissioner General Ricardo Ramirez del Cid, who did not respond to the request. Subsequently, another report was requested from the new Director General of the National Police, Commissioner General Juan Carlos Bonilla, who obeyed the law and collaborated by ordering the National Director of Special Investigative Services to follow the law and make the participating TRT members available to be summoned and in turn take their testimonies of what happened in the incident where four died and six were injured in the operation that took place at the landin of Paptalaya, of the Ahuas municipality, in the department of Gracias a Dios.

Observations

1. The declarations of the police officers who participated in the operation are contradictory in various parts, both between themselves as well as with the declarations of the victims.
2. A logical and reliable explanation has not been provided as to how the pipante with the victims, coming from Barra Patuca, was able to come close to the boat with the FAST and TRT personnel and the drugs, without difficulty given that one or two helicopters were flying over the boat to protect it and provide it with preventive security.
3. There were at least three illegal detentions in the area of the Ahuas municipality.
4. A member of team one confiscated the R-15 rifle and the two AK-47 magazines in the area by the dock of the landin of the Municipality Ahuas before finding the canoe with the drugs and before the bursts of fire, which the entire TRT team refers to in their declarations.

5. According to the declarations of the Agents in charge of the operation, the pipante transporting the victims "disappeared" after hitting the pipante carrying the drugs and after the bursts of fire, given that none of them saw it again. It is pertinent to point out that the motor of the victims's pipante broke after being shot and that its splinters wounded this pipante's driver.

6. All of the Agents with the exception of two police officers who were in the operation, are part of the anti-drugs team assigned to the American Embassy, and are unaware of who James Kenney is. He is the man in the YouTube video in an interview that he voluntarily gave to CNN, in which he states that he is who has supposedly selected, approved and trained the TRT.

7. All members of the TRT have stated that they only receive orders from American superiors and that they don't report anything, neither before nor afterwards, to their legal Honduran superiors, given that they ultimately don't deal with orders or logistics of any sort. The members of the FAST Team supervise and manage everything without reporting to any Honduran authority; with the exception of Hernandez [possibly "Inspector H" referred to earlier] who said he had reported to the Director General of the National Police.

8. The only ones with radios are the members of the DEA's FAST team, which indicates that the life and integrity of the Honduran members of the TRT are put in danger without the appropriate medium of communication. Therefore, if a Honduran member of the TRT gets lost during an operation, his life is totally unprotected and he would not be able to contact the helicopters. In short, his life is practically considered dispensable by those who give him orders.

9. At no point did any member of the TRT or the FAST Team bother in the least to investigate what happened to those who died and to the injured, or even try to help even though they had with them a specialized doctor who was well equipped.

10. The Honduran authorities have not been able to interview the FAST Team members of the DEA because they are unable to identify them, even though they have made statements to CNN.

11. The last members of the TRT to be interviewed claimed that they had received assistance and fuel from a Miskito [indigenous community member] who lives in a house, in a "Claro hut", neighboring the "landin" of Paptalaya, in the Ahuas municipality. This claim is rejected given that it refers to the brother of the victim whose fuel was stolen and who, we are certain, was not in the community that night.

12. It is important to emphasize that we do not understand how this Miskito was able to come so close to the FAST and TRT members if, according to the declaration of all the TRT members in charge of periphery security, anyone who got close was subject to the security protocol of the team.

13. The officer in charge of the TRT said that he never knew any of the details regarding his operations. He would only find out about them when receiving calls from Tony, a member of the FAST Team, but that it was impossible to contact him since he had left the country and had not kept the number used to communicate with each other. This contradicts what was originally established in another part of his declaration in which he said he did not receive orders from any foreigner.

Recommendations

1. We recommend that the Attorney General's office expedite the investigations and deduce the responsibilities of those accountable for allowing the presence of foreign armed authorities in our country without proper authorization of Congress.

2. We advise the National Police and the Armed Forces to cease to allow foreigners to have direct command over our personnel again.

3. We recommend that the Executive power order a prompt and rapid opening of all files, including audio and video files of the operation, to determine whether the facts found in the recordings match or not what was established by the declarations of Honduran participants in the operation referenced in this report.

4. CONADEH - in the most respectful way- requests that the Senate Judiciary Committee of the United States and the Judicial Committee of the House of Representatives of the United States of America begin an in depth investigation of the issues raised during this operation.

5. We advise that the Executive power, with the accompaniment of this office, enter into negotiations to come to a friendly resolution of the issue of reparations for the victims.