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Honduras: Independence of the judicial system is seriously undermined as the dismissal of justice officials is confirmed

Amnesty International expressed its grave disappointment and concern as the Honduran Supreme Court yesterday confirmed the dismissal of three judges and one magistrate from their posts.

The justice officials have been removed from their posts after unfair disciplinary proceedings brought against them for their critical stance towards the 28 June 2009 *coup d'état* which resulted in the then President Zelaya being ousted from office.

“It is a sad day for the rule of law in Honduras when the very people who sought to uphold the independence of the judiciary in the wake of the June 2009 *coup d'état* are made to pay with their jobs and their careers. The notion of an independent judicial system in Honduras is severely weakened by this decision, which will have a serious impact on Honduras's efforts to regain international credibility” said Guadalupe Marengo, Deputy Americas Director at Amnesty International.

When President Porfirio Lobo's government took office in January 2010, Amnesty International urged the administration to put an end to the intimidation of those who were critical of the *coup*, including members of the judiciary who faced disciplinary proceedings. With the news that the Supreme Court has now confirmed the dismissal of Magistrate Tirza del Carmen Flores Lanza, Judge Ramón Enrique Barrios, Judge Luis Alonzo Chevez de la Rocha and Judge Guillermo López Lone, serious questions must be raised over how serious the new administration is about upholding the rule of law and building public faith in the independence of the judiciary.

Background:

Honduran President Manuel Zelaya Rosales was forced from power on 28 June 2009 and expelled from the country by a military backed group of politicians led by Roberto Micheletti, former president of the national Congress. Following the *coup d'etat* on 28 June 2009 there were closures and occupation of media outlets by military personnel, the beating and physical attack of journalists. Journalists, particularly those investigating organised criminal activity, human rights violations or speaking out about the *coup d'etat*, have been subjected to threats and intimidation.

Some judges, viewed as critical of the *coup d'etat* and the resulting *de facto* authorities, experienced a series of arbitrary transferrals and unfair disciplinary proceedings during the *de facto* governments' period in control. Members of the organization “Judges for Democracy”, which has been working to promote judicial independence and principles of fairness and transparency in legal proceedings, formed the vast majority of those targeted.

A *de facto* government headed by Roberto Micheletti remained in power until a new government led by Porfirio Lobo took office on 27 January 2010, on the same day Amnesty

International released a report titled "Honduras: Recommendations to the new Honduran government following the *coup* of June 2009" (Index number: AMR 37/003/2010) which documented violations during the *coup d'etat*.

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International Secretariat, Amnesty International, 1 Easton St., London WC1X 0DW, UK, +44 207413 5566 www.amnesty.org