

Congress of the United States
House of Representatives
Washington, DC 20515-3215

September 10, 2026

The Honorable Marco Rubio
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

Dear Secretary Rubio:

I write to express grave concern regarding the July 6, 2026 eviction of the Garífuna community of San Juan in Tela, Atlántida, Honduras, and the criminal prosecution of five community members that followed. I urge the Department to press the Government of Honduras to ensure that these proceedings are resolved consistent with due process and Honduras's international obligations, to guarantee the safety of the affected families, and to comply with the binding judgments of the Inter-American Court of Human Rights concerning Garífuna ancestral territory.

On July 6, 2026, a contingent of more than 200 Honduran National Police officers entered the San Juan community to carry out an eviction. According to press reports and human rights organizations, officers deployed tear gas and live ammunition, and five people were arrested. Police cited recently enacted legislation protecting agro-industrial and tourism land, and the property is reportedly claimed by a local hotel development. The five community members, all members of the Black Fraternal Organization of Honduras (OFRANEH), were released within hours but remain charged with aggravated usurpation of land within what they identify as their ancestral territory, the subject of the Inter-American Court's 2023 judgment in the community's favor.

The five are Deinor Osmany Mejía Arzu, Irbin René López Cortes, Carlos Enrique Fernández Guzmán, Onil Rigoberto Hernández Zelaya, and Sara Abigail Acosta. On July 14, 2026, the trial court in Tela declined jurisdiction and transferred the case to the Juzgado de Letras con Competencia Territorial Nacional en Materia de Criminalidad Organizada in San Pedro Sula, reasoning that the San Juan community constituted an organized criminal structure. According to Honduran press reports, that court has since declared the proceedings null and void and returned the case to Tela, where, as of mid-August, no judge had been assigned to hear it. Two features of this case warrant the Department's immediate attention.

First, the operation appears to contravene the Honduran government's own directive. Circular DGPN-(S/D)-No. 009-2026, reportedly issued by the National Police Directorate, instructs officers to act against illegal occupations but expressly exempts Indigenous and Tribal lands as defined under ILO Convention 169. San Juan is a Garífuna community whose collective property rights the Inter-American Court affirmed in 2023, and Decree 107-2026 itself provides in Article 1 that its provisions do not apply in

recognized Indigenous and Tribal territories absent free, prior, and informed consultation under ILO Convention 169. I am not aware of any indication that such consultation took place before the eviction.

Second, the eviction and prosecutions raise serious questions about Honduras's compliance with rulings of the Inter-American Court of Human Rights. In its judgment of August 29, 2023, in *Comunidad Garífuna de San Juan y sus miembros vs. Honduras*, the Court found Honduras responsible for violating the community's right to collective property and ordered specific reparations. Honduras has not fully implemented multiple Court judgments in favor of Garífuna communities, and in March 2026 the Court announced a fourth such judgment, in the case of Cayos Cochinos. These are binding obligations, not aspirational commitments.

I am further concerned that these prosecutions form part of a broader pattern. Decree 84-2026, in force since May 22, 2026, amended Article 587 of the Honduran Penal Code to broaden the definition of terrorist association to include organizations that engage in territorial control or social dominance over communities through violence, intimidation, or coercion, even where the organization has a lawful purpose. Decree 107-2026, the Law for the Strengthening and Protection of the Agro-industrial Sector, Energy Projects, Tourism, Livestock, and Small Agricultural Producers, signed June 10, 2026 and published June 26, 2026, declares registered lands designated for those sectors immune from agrarian reform and other legal claims. The latter law also directs the Public Ministry and National Police to act immediately, including through evictions, against occupations of protected lands, and Honduran peasant organizations have denounced it as legalizing land dispossession. Applied together, these measures risk converting land rights disputes into criminal matters and placing community leaders at direct physical risk.

This is a matter of direct concern to my constituents. New York's 15th Congressional District is home to one of the largest Garífuna diaspora communities in the United States, many of whom maintain family ties to San Juan, Triunfo de la Cruz, and neighboring communities.

I respectfully request that the Department:

1. Urge the Government of Honduras to ensure that the criminal proceedings against the five San Juan community members named above respect due process and Honduras's international obligations, and to review whether usurpation charges are appropriate against residents of a community whose collective land rights the Inter-American Court has affirmed.
2. Raise directly with Honduran authorities the apparent inconsistency between the July 6 operation and both Circular DGPN-(S/D)-No. 009-2026 and Article 1 of Decree 107-2026, and seek assurances that no further evictions of Indigenous and Tribal territories will proceed without the consultation those provisions require.
3. Encourage the Government of Honduras to fully implement the Inter-American Court judgments concerning Garífuna land rights, including San Juan, Triunfo de la Cruz, Punta Piedra, and Cayos Cochinos.
4. Confirm whether any Honduran security unit involved in the July 6 operation has received United States assistance, training, or equipment, and describe what vetting has been conducted consistent with applicable law.

5. Provide a briefing to my office on the security situation facing Garífuna land defenders and on Embassy engagement to date.

I appreciate your attention to this urgent matter and request a response within 30 days.

Sincerely,

A handwritten signature in black ink, appearing to read "Ritchie Torres", followed by a long, sweeping horizontal line.

Ritchie Torres
Member of Congress