

A Daughter's Cry for Justice

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My father's name was José Eduardo López; he was a human rights activist, journalist, and the vice-president of CODEH (Comite de Derechos Humanos de Honduras), a local human rights organization in Honduras. He was a principled man who believed that everyone should be able to live with dignity, food, shelter, education and health care. He was killed for those ideals. This is the first time since my father's kidnapping, torture and murder that I have been asked for my opinion. What was my childhood like? How was I imprisoned? How did my experience shape my perception of justice?

Childhood ended for me at the age of seven. It was August 10, 1981 and my father was on his way home from school when he was abducted and taken to the Directorate of National Investigations (DNI) headquarters by death squad members better known as "Batallón 316". A witness had the courage to contact my mother with information on my father's whereabouts the next morning.

He was held captive at the DNI headquarters for five days. In those five days of barbaric interrogation he endured countless torture techniques including sleep deprivation, being hung by his feet while men pistol whipped him, having a bucket tied to his testicles while men threw rocks and pebbles into it, being held in a cage-like room where he could neither sit nor stand, having his head held in a bucket full of urine and feces, and being suffocated by the famous "capucha" – a rubber mask used to replicate the sensation of drowning. During his capture, he lost a total of fifteen pounds. My father was released on my mother's birthday on August 14, 1981. After the abduction, he fled Honduras; my brother was just over a year old and my mother was two months pregnant with my second brother. The day my father left to live illegally in the United States my heart broke. I knew something was wrong, but exactly why he had to flee I simply could not understand. I remember looking, waving and crying as the airplane took off.

My father lived illegally in the U.S. for fourteen months. My mother visited him shortly after giving birth to my brother and she realized that they could not provide a good future for us living illegally in a foreign country. So the next step was to look into another safe haven. To my father, that safe haven was Canada. Unfortunately, he was denied refugee status at the Canadian consulate in Atlanta, Georgia. Despite the right-wing military rule and my father's own experience, the officials stated that he did not have enough proof that the death threats were real and that his life was in danger. Honduras at that time was not considered by the

Immigration and Refugee Board of Canada to be a country with sufficient political turmoil to be a 'refugee producing' nation. The rejection of refugee status compounded my family's painful sense of injustice as it later on proved to be fatal for my father.¹ I remember the fear I felt as a young child when our hopes for safety were crushed.

After his refugee claim was denied, my father chose to return to Honduras to his wife and children. He decided that if he was to be killed, he wanted to at least meet his youngest son and spend some time with his family. The last time I saw him was the morning of Christmas Eve 1984. I was supposed to go with my father to pick up his paycheck that morning. I remember that he approached my bunk bed where I was sleeping and since I was still tired, he told me to stay. Before he left, he kissed me goodbye and told me to look after my mother and my brothers, and I fell back asleep. My father never returned home.

After my father's disappearance, we fled Honduras to Costa Rica. Our time waiting to be sponsored by the Canadian government was daunting and was perhaps when I became acutely aware of the tremendous impact that this experience would have on my life. In November 1985, we boarded a plane from San Jose, Costa Rica to our new refuge in Canada. As the plane took off, tears began to roll down my cheeks as I sang the Honduran national anthem and braced myself for what was to come. That day I took another step away from my childhood, and left everything behind – our family, friends, culture, language, climate, country, and most of all, my dad. While I felt safer in Canada, I still felt confined at the beginning because I was torn away from everything I knew. I was constrained by language and cultural barriers, and my family was also imprisoned in poverty that we did not experience prior to coming to Canada. We were held captive inside our circumstances.

I would be imprisoned emotionally for years to come. I was consumed by the guilt that I felt for not being at my father's side on that fateful day. I have always thought that if they had seen him with a little girl, they might have had pity on him and not have taken him. I still struggle with the self-blame, although I know rationally that the responsibility lies with the torturers. I experienced insomnia, recurring dreams, vivid night terrors, self-isolation and difficulty establishing trust. I can still recall a recurring dream that played out vividly in my mind for years. Every time the phone rang or every time there was a knock at our door, my brothers and I, and even my mother would run. Each time we all held our breath thinking that it might be him at the other end. My father's disappearance also deprived me of the childhood joys of Christmas. I have never been able to celebrate that holiday because of the deep pain, guilt and despair that I feel at the time of year my father disappeared.² I wonder if the

torturers ever think about how they ruined a little girl's Christmas not only on that fateful night, but for her entire lifetime.

Even when my mother remarried, we all asked "but mom what will you do when daddy comes back?" As you can imagine we had an extremely difficult time adjusting to a stepfather. We had difficulty moving forward and in a sense we were victims of emotional torture. We were prisoners locked in our hopes and dreams. We felt locked and forgotten in limbo. How can anyone move forward with life when there is no closure?

In 1994, when I was 19 years old, *The Facts Speak for Themselves* was released. It was authored by Leo Valladares Lanza and translated by the Center for Justice and International Law (CEJIL) and Human Rights Watch / Americas. This was a preliminary report on the disappearances by the National Commissioner for the Protection on Human Rights in Honduras. The following is an excerpt from *The Facts Speak for Themselves* that outlines my father's execution:

Murder of Eduardo López:

Mario Asdrubal Quiñones captured and interrogated López in the National Investigations Directorate (DNI) in San Pedro Sula, but López had to be transferred to the house in the Guamalito neighbourhood since he was recognized by another prisoner in the Directorate's offices. In the house in Guamalito, the declarant interrogated López over five days, at the end of which he was executed by Manuel Robles (alias "La Mole") and by Maj. Antúnez Pagoada ("Miron Socado"); the motorist on that occasion was Cristobal Lainez ("El Loco Hogman"). When these men returned at two in the morning, Pagoada's shirt was bloodied, which prompted the declarant to ask if the detainee had resisted, to which they responded no and that he had stained the shirt dragging López's body.³

Although we finally had some concrete answers, it was difficult to read how my father was tortured, killed and dumped like a piece of meaningless trash. The phrase "time heals all wounds" has been relevant in my journey because I have slowly released myself of the anger and hate that imprisoned me for years.

In March 2009, I traveled back to Honduras after living in exile for twenty-four years. I have been struggling since my return from Honduras because in preparing this journal article, I had wanted to share all the reasons why I believed that justice does not exist. After all, Jose Barrera Martinez, a member of "Battalion 3-16" and one of my father's torturers

was granted asylum in Canada, yet my father, the victim, had been turned away. I have never understood or reconciled how unjust the immigration system had been in my father's case. I also did not think it was fair that I had to grow up without a father simply because he spoke up against injustice and sought to protect the human rights of his fellow Hondurans. Although we were grateful for it, the shiny new furniture that the Canadian government bought for us when we got our apartment was not worth my father's life.

Nevertheless, the truth is that the recent journey back to my homeland has given me new hope and understanding because I no longer feel alone in my sorrow, in my struggle to seek justice and closure. There is an abundant amount of optimism to be found in this new realization. I have worked hard to break free from the feelings that have imprisoned me prior to going to Honduras. This trip simply unleashed a new sense of fight within me. It gave me the boost I needed in order to see that my father died because he strongly believed in human rights for all, just like I believe in seeking justice for him and for us, his family.

For years, I felt that my brothers and I were damaged goods of some sort. I knew that the three of us were different and everyone around us seemed to know it too. It was a great source of comfort for me to read a study⁴ that was done by Debora Munczek Soler (1996) which outlines the psychological impact of the children of the disappeared in Honduras. This study revealed all the psychological trials and tribulations that my brothers and I experienced growing up, and it 'normalized' our experience. Munczek Soler's study revealed that the children impacted by disappeared parents experienced regression, sleep-walking and talking, the loss of the ability to perform newly acquired skills, extreme attachment, separation, recurring dreams, insomnia, difficulty developing trust and vivid night terrors – only a few of the side effects that haunted our childhood. My brothers and I struggled differently with our emotions. Since I was older and had the privilege of knowing my father longer, my grief was at least comforted by my memories of a loving father, although sometimes those same memories reinforced how much I had lost and made the pain worse. But my younger brothers experienced frustration because as much as they lost their father, they also struggled to remember him given that they were so little at the time of his disappearance. The anger they experience due to their struggles to remember our father has been extremely hard on them.

In Honduras this past March, I connected with a woman; she⁵ is also the daughter of a human rights activist who disappeared in Honduras. Our communication helps us to express our common sorrow and struggles. She has become yet another reason for me to see that there is purpose behind my fight. I feel comforted in being able to share with someone

who has gone through a similar experience. Our solidarity and mutual understanding has also helped me feel more liberated from the emotional prison that has confined me for so long.

I have come to realize that it is never too late to seek justice and closure. In late 2008, the then Honduran President Mel Zelaya apologized for the deaths and forced disappearances of hundreds of left-winged opponents at the hands of U.S. trained military during the 1980's. This was the first time that the Honduran government officially and publicly acknowledged its responsibility in my father's death. The apology was a confirmation to the world that what we had been through was not a lie, because for years after my father's disappearance, the rumours in Honduras were that my father was alive and well living here in Canada with his family. Overall, my family was relieved and pleased about the apology. Although this apology came twenty-five years after my father's disappearance, I feel that there may be hope for justice in the near future and what I ultimately seek is concrete official justice. The apology is not justice enough for me and it never will be. The justice I seek is judicial and I want all the men involved, regardless of social status or rank, to be held accountable for their wrong-doing. Out of hundreds of people who were tortured and kidnapped, 184 were never seen again, my father included. Although thirty Honduran army officials have been found guilty, only one has been sentenced. Impunity is alive and strong in Honduras, but I have hope that, with enough perseverance, my family will get the justice we deserve through the court system.

Despite my journey towards healing, many matters remain unsettled. The high ranking officials inside "Battalion 316" were the brains behind the operation, and everyone else was trained to carry out kidnapping, torturing, interrogating, murdering and disposing of bodies so they would never be found, therefore erasing all evidence. These high-ranking officials continue to be involved in Honduran politics, armed forces and business. Although my father's case has been well documented in *The Facts Speak for Themselves*, a report which recounts the kidnapping, torture, and ultimate murder of over a 120 men and women, the people responsible have never been held accountable.

Alvaro Flores Ponce is a man who lives an affluent life as the owner of a security company in the capital city Tegucigalpa, Honduras. He was the head of the DNI in Honduras at the time of my father's death. He still has many powerful connections and continues to be unaccountable for his role in the disappearances. The man who tortured my father for five days after his kidnapping and who ultimately murdered him, allegedly died when the bridge he was crossing during Hurricane Mitch in 1998 collapsed. Another man, Jose Barrera Martinez, who I reported

to the RCMP when *The Facts Speak from Themselves* was released, was eventually deported from Canada for his involvement in my father's torture. It took many years for Barrera Martinez's deportation to happen, because he argued that he deserved clemency for the testimony he gave in *The Facts Speak for Themselves*. A while after his deportation he was apparently killed in Honduras by someone riding a motorcycle in plain daylight. Although these men will never be made to stand trial for their roles in my father's torture and death, I feel somewhat safer and partially redeemed in knowing that they are no longer on this planet.

I am hopeful that our "justice" will come the day we see Alvaro Flores Ponce, Mario Asdrubal Quinones, Manuel Robles, Mayro Antunez Pagoda and Cristobal Lainez stand trial through the Inter-American Court or other international courts. The day these men admit to, and are prosecuted for their well-documented involvement in my father's murder, and are sentenced for their lack of humanity and respect for human life, will be the day that I will be able to breath a deep sigh of relief. I am aware that my words are expressing what some may perceive as retributive justice and that in some ways I appear to be saying that the perpetrators' imprisonment will liberate me from my own confinement. I know that the situation is more complicated than that and I acknowledge that I am reflecting on this matter from my perspective as the devastated daughter of a beloved man who was brutally tortured and stolen from my life.

As I edit my reflection, my hope for justice has since faded since President Mel Zelaya was ousted in a military coup on June 28, 2009 and Honduras returned to a military style rule under right wing leadership. After the military coup, the 1980's founder of "Batallón 316" was appointed as an advisor in the interim government. As a result, what little progress was made in Honduras since the 1980's may be lost. These changes are frightening and paralyzing because they are halting the search for justice for past wrongs, and worse, they are creating the conditions for further human rights violations, including torture and disappearances. I hope that the international community and the Honduran people can help to restore authentic democracy so that justice and peace will prevail for all.

Notwithstanding the Honduran government's apology in 2008, our search for formal criminal justice for the detention, torture and murder of my father has come up empty, and for that, my family remains frustrated. However, I recognize that my father's case has received important and meaningful attention from social justice groups. It is in the area of social justice that my father's case has progressed the most and where our family has felt comfort, peace, hope and healing. It has been social justice supporters who have helped to free us, if only partially, from our emotional imprisonment.

It should be noted that my quest for ‘criminal’ justice mentioned above does not consume me, and it is often both calmed and contradicted by my father’s own perspective on his experience. Upon his release after his first detention and torture, my mother asked my father how he felt about his torturers. He responded by explaining that he could not hate his torturers because they were just a product of the corrupt society and system that we lived in, and that they were trying to put food on the table for their children. My father’s perspective was admirable and it leans on the side of forgiveness. I do try so hard to adopt my father’s approach as it is a sense of justice that reconciles rather than seeks revenge. But admittedly, it is a struggle and that struggle is sometimes even complicated by my own anger at my father who chose to risk his life for the human rights of others,⁶ and consequently left his family behind to suffer such a deep and life-long loss. Nevertheless, on most days when I feel confident and strong, I try to side with my father’s admirable explanation of the context of his own suffering. But I also struggle with our family’s right to hold his torturers accountable. As you can see, my search for justice has not been down one particular path. It has been complicated by a variety of personal emotions and rationalizations that have caused me to flip flop between and criss-cross within different options of justice. I realize that imprisoning the bodies of my father’s torturers may not automatically free me from my emotional prison, but I do feel that there is a need for responsibility to be taken. That responsibility may never be in the form of the physical confinement of my father’s torturers, but a public admission of their wrong-doing and a genuinely remorseful apology would go some way to holding them accountable.

As part of this accountability, another void that I expect the Honduran state to fill is to identify the whereabouts of my father’s body. My father has been missing for twenty-five years now. I no longer dream of the day that we will find his body and be able to give him the burial he deserves because this will most likely never happen. Out of fear of disappointment, I prefer to not dream of the day that I will be able to lay flowers upon his grave, but I will think about the day that my brothers and I have the courage to build a memorial in his honour. He deserves at least that and we deserve closure. In this sense, justice means more than accountability; it is also about respecting the dignity of the victim, in this case my father and his family.

I feel a great sense of satisfaction in knowing that my father’s memory and legacy will never be forgotten thanks to organizations like Amnesty International and Acceso International, which have created global awareness about torture and human rights, and have established educational memorials in his name. Most importantly, his memory will

never be forgotten by us, his children. Our father will live in our hearts and minds forever.

ENDNOTES

- ¹ Since I was frustrated with the impact of the Canadian immigration system, as a teenager, I researched more about the process and I learned that there were many innocent people whose lives were in danger but who were turned away. My father's life and later his death were in the hands of a fragmented immigration system with judges who seemed ill-informed about the real dangers in other countries.
- ² Christmas 2008 was the first time since my father's disappearance that I have felt able to prepare and celebrate the holiday. It was part of my effort to take back the power that the torturers had stripped from me and to move forward.
- ³ Excerpt from page 197 of Valladeres Lanza, Leo (1994) *The Facts Speak for Themselves: The Preliminary Report on Disappearances of the National Commissioner for the Protection of Human Rights in Honduras*, Washington (DC): Center for Justice and International Law (CEJIL) and Human Rights Watch / Americas.
- ⁴ It was a study by COFADEH (Comite de Familiares Detenidos-Desaparecidos en Honduras) and the National Commission on Human Rights. It was published in September 1996 and translated by Daniel Matamoros Batson.
- ⁵ The woman's name has been withheld to protect her safety.
- ⁶ I know that my father's fight for human rights was also to make our country a better place for his own children and not just for fellow Hondurans.

ABOUT THE AUTHOR

Osiris López has been working in a community health centre in Canada for almost a decade. Osiris has also been an active volunteer with a local sexual assault centre since 2006, assisting with the crisis support line, the board of directors and the fundraising committee. She was part of the International Youth for Peace and Justice Tour at the age of thirteen and has recently restarted her public speaking about the situation in Honduras. She ultimately hopes to complete a degree in Social Work and plans to continue to be an active voice for human rights in her community.