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## **Honduras: Judge Dismissed For Overly Zealous Investigations Of Drug Trafficking; Debate Continues**

*by Deborah Tyroler*

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On June 1, the Honduran Supreme Court of Justice dismissed Miguel Izaguirre Fiallos, judge of the city of Tela, Atlantida department. The judge had gained notoriety for investigations into drug trafficking activities. In response to his dismissal, Izaguirre said that Honduras "is gradually becoming a narco-state." He accused several government officials, magistrates, and members of the national congress of involvement in the drug trade. Honduran Supreme Court president Salomon Jimenez Castro declared that Izaguirre had taken on "illegal powers" during his investigations in violation of the constitution and the penal code. "He thought of himself as a super-judge who rose up to fight against deeds committed in places outside of his jurisdiction. He was a judge for the city of Tela, not for the Republic of Honduras. At a June 1 press conference, Izaguirre said that he had relied on the support of the armed forces to denounce the extent of the drug trade as well as participation by prominent government figures. The former judge named Attorney General Ruben Zepeda Gutierrez, Supreme Court justices Roberto Perdomo Paredes and Jose Elias Calix, president of the Congress and Liberal Party presidential aspirant Carlos Orbin Montoya, and Rodolfo Irias Navas, a member of congress for the "Rafael Leonardo Callejas" Movement (a Liberal Party splinter group). Izaguirre said that the five men did not hold high positions in the drug trafficking network, most being mere couriers and influence-peddlers, i.e., keeping customs officials off the backs of drug runners. Izaguirre asserted that as of year-end 1987, 3.3 tons of pure cocaine valued at approximately \$1 billion had passed through Honduran territory. Confiscated shipments in recent months, he added, are hardly representative of the size and scale of drug trade operations in Honduras. The five individuals mentioned above and others mentioned by Izaguirre quickly responded by demanding that the former judge present proof supporting his allegations. They also claimed that Izaguirre is being manipulated by the military. Attorney General Zepeda said, "This man is being used for devious purposes aimed at drawing attention away from the real drug smugglers in the country." National Party congressional representative, Nicolas Cruz Torres, stated that Izaguirre "licks the boots of one group of people while he has never prosecuted the real drug traffickers in the country. And he has the nerve to slander those persons who have the guts to demand the expulsion of the contras and to defend democracy." President of Congress Orbin Montoya, Cruz Torres, and Irias Navas brought complaints of defamation and slander before the courts. The National Congress then approved the establishment of a special commission, headed by Orlando Gomez Cisneros, charged with investigating the Armed Forces High Command to determine whether the military supports Izaguirre's accusations. In response to this investigation, the high command replied that the armed forces cannot support Izaguirre's allegations. In a communique issued after a meeting with members of congress, the military commanders said, "Physical protection was offered (to the ex-judge) because he asked for it. Once this official leaves his position, he must look out for himself and present the evidence he has." In his travels throughout the country, Izaguirre was accompanied by bodyguards provided by the Army. He often appeared before the press, sub-machinegun in hand, declaring that he did not fear reprisals from drug runners. In contrast to the high command's statement, Major Manuel Antonio Urbina, official

spokesperson of the Public Security Force (FUSEP), remarked, "The work of Izaguirre is considered by the Armed Forces to be effective." Col. Alvaro Romero Salgado, commander of the 105th Brigade based in San Pedro Sula, said, "Drug trafficking has invaded beyond our beaches and it could be that this has influenced the decision to dismiss Izaguirre...I had given him aid as far as protection was concerned and we were arranging to continue offering it because we have a moral obligation to him." The political firestorm unleashed by Izaguirre's declarations will not likely die down in the near future. While President Jose Azcona Hoyos limits himself to demanding that the former judge present proof, the opposition National Party said that Izaguirre's allegations "are clearly aimed at destabilizing the country's democratic system." Christian Democratic Party president Ruben Palma Carrasco said that the rulings made by Izaguirre "lost their credibility by concealing high-level military involvement in drug trafficking." He added that the Party supports Izaguirre's valiant actions, but disapproves of his partiality, demonstrated by failing to name any of the military personnel involved in the drug trade. Next, according to Palma, the Supreme Court does not have sufficient moral authority to dismiss Izaguirre on the ground of violating the constitution, because the Court also acted wrongly in approving the extradition to the US last April of Matta Ballesteros. For some Hondurans, Izaguirre's declarations had the "virtue" of implicating practically all of the country's institutions in drug trafficking. As a result, no one institution appears to enjoy sufficient moral legitimacy to pass judgment on individuals allegedly involved in the drug trade. In this regard, National Party congresspersons have proposed the formation of an ad-hoc congressional commission to investigate persons named by Izaguirre, as well as the extent of the drug trade in Honduras. The commission, to be headed by a Catholic Church representative, would be comprised of delegates from all registered political parties, the Private Enterprise Council, legally recognized campesino and workers' organizations, the federation of professional organizations, Armed Forces, and the National Congress. According to advocates, such commission would make a significant impact on slowing down the drug trade in Honduras. As of June 21, the potential for the formation of such commission, much less whether it would sponsor an substantive investigation supported by prosecutions, remained unclear. [Two weeks before Izaguirre's dismissal, Col. Rigoberto Regalado Lara, the Honduran ambassador to Panama, was arrested in Miami after US Customs found 11 kg. of cocaine in his luggage. Earlier, the US press reported the findings of a congressional commission which pointed to participation by Honduran military officers in drug and gun running. Profits from the drug trade were reportedly used to purchase arms for the Nicaraguan contras. On March 13, Asst. Secretary of State for Inter-American Affairs Elliott Abrams testified before a House subcommittee that Honduras had become a major transshipment point for drugs from Colombia to the US. (Basic data from 06/21/88 report by Regional Coordination for Economic and Social Research of Central America and the Caribbean-CRIES, Managua, Nicaragua)

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