

Another Month in Honduras...

Human Rights Monitor – June 2018

Honduras indigenous' peoples have decades of experience struggling for their rights in Honduras. A new law regulating the right to consultation introduced in Congress intends to make their struggle even more difficult. At the same time, the laws to go after the corrupt elite are further weakened, and the Honduran president Juan Orlando Hernández got another vital victory in saving himself from corruption investigation by making the election process for the Attorney General a show of absurdity. Welcome to another month in Honduras.

In solidarity,

Daniel Langmeier

Honduras Forum Switzerland

Executive Summary

The situation of human rights defenders (HRDs) was under national and international scrutiny this month. COFADEH published a diagnostic on the dangers Honduran HRDs face, ISHR published a report focusing on the harassment HRDs suffer when they collaborate with UN bodies, and the ILO's Rules Committee criticized Honduras for grave human rights violations and a lack of protection for HRDs. The Honduran human rights situation was further scrutinized this month thanks to an international delegation composed of experts and members of human rights organizations coming from Argentina, Guatemala and Switzerland.

Indigenous HRDs were especially targeted this month, and both Garífuna and Tolupán leaders suffered from new attempts of criminalization and physical attacks. Furthermore, they fear the imposition of a disputed free, prior and informed consent bill by the Juan Orlando Hernández (JOH) regime.

There was some minor progress in the murder case of Berta Cáceres, as the judicial system informed about the date of the upcoming trial dates against the eight material authors. The trial will take place from September 10 to 28. A letter of support from 50 members of the European Parliament shows that international support is still strong which is especially important when it comes to the investigation into the intellectual authorship.

Journalists suffered from various attacks throughout the months, from illegal detention to a physical attack by the police using a water tank. Furthermore, an online investigative news outlet was the target of a denigrating campaign after it had informed about sexual misconduct by two Military Police agent at a Honduran school.

Like last month, corruption cases and the bodies investigating them made the most headlines. Several new corruption cases erupted, but only one was continuously talked about throughout the month. The OAS' Support Mission against Corruption and Impunity in Honduras (MACCIH) revealed a new 282 million Lempiras corruption case on June 13. The case, dubbed The Box of Pandora, involves no less than 38 public officials, among them several current congresswo/men mainly from the ruling National Party. Furthermore, at least some of the public money stolen was diverted to the 2013 presidential campaign of JOH.

Already in the past two years of its existence in Honduras, the MACCIH made public impressive corruption cases, but so far no arrests of people close to JOH followed. This is partly explained by the weak mandate of the MACCIH, but also by attempts of the corrupt elite to hinder the work of the MACCIH and its national counterpart, UFECIC. This was highlighted in last month's report. This month, JOH and his allies tried to guarantee their impunity by gaining control of the electoral process for the Attorney General. They succeeded to force through the illegal re-election of the current Attorney General Óscar Fernando Chinchilla. He is a close ally of JOH and has in his first five years not dared to go after cases close to JOH. This month also saw the nomination of the new spokesperson for the MACCIH, but the non-transparent way Luiz Antonio Guimarães was nominated by JOH and OAS' Secretary General Luis Almagro does not leave much room for hope.

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Abbreviations

CABEI	Central American Bank for Economic Integration
CNA	National Anti-Corruption Council
CONADEH	National Human Rights Ombudsman
FPIC	Free, Prior and Informed Consent
HRDs	Human Rights Defenders
IACHR	Inter-American Commission on Human Rights
IACtHR	Inter-American Court of Human Rights
ILO	International Labor Organization
ISHR	International Service for Human Rights
MACCIH	Support Mission against Corruption and Impunity in Honduras
MP	Attorney General's Office
OACNUDH	UN Human Rights Office in Honduras
TSC	Supreme Audit Court
UNAH	National Autonomous University of Honduras
UFECIC	Anti-Corruption Unit of the Attorney General's Office
ZEDE	Zone for Employment and Economic Development

Human Rights and Their Defenders

A new report¹ by COFADEH published this month brings to our attention once more the problematic situation HRDs face in Honduras; it is a real “David against Goliath”-like situation. The report highlights seven main threats for HRDs: i) the extractive threat, ii) the divine threat, iii) the media threat, iv) the legal threat, v) the militarization threat, vi) the populist threat, and vii) the international threat. These threats are exacerbated by various Honduran laws, such as the Secrecy Law or the new Penal Code.²

Two international bodies confirmed this picture. ISHR showed in a new report how HRDs cooperating with UN bodies often suffer reprisals as a consequence. The report mentions several cases from Honduras, e.g. the case of Hedme Castro, General Coordinator of ACI-Participa, who “was arbitrarily detained by three security guards, including one from their criminal investigation department, at the airport in Tegucigalpa. This happened as she was about to board a plane to Geneva to take part in a side-event of the UN Human Rights Council.”³ On June 4, the ILO's Rules Committee criticized for grave human rights violations, a lack of protection for HRDs as well as a lack of investigations and reports regarding the murder of more than 20 teachers and indigenous, labor, environmental and campesino leaders.⁴

Assassinations

Lawyers

The 27-year old lawyer Norma Saráí Romero was shot in front of her father and son on June 5.⁵ At least five lawyers have violently lost their lives so far in 2018. According to CONADEH, about 130 lawyers have been murdered in Honduras since 2010.⁶ On June 25, another lawyer was shot and transported to the emergency room. No media outlet reported if he survived. At the place of crime, a photo of him was found, and witnesses reported that the shooter used it to identify the lawyer.⁷

Attacks, Criminalization and Harassment

The human rights organization ADEPZA has suffered attacks by state and non-state forces for years. This month, they denounced a new wave of **attacks** against their members as well as their community radio La Voz de Zacate Grande by local landowners. The attacks are exacerbated by constant harassment by locally stationed soldiers.⁸

An almost one-year-long case of **criminalization** found an unexpected happy ending this month. As part of last year's student protests, dozens of students were banned from the university. National and international protests did not seem to sway the university authorities, and on just last month, the

1 <http://defensoresenlinea.com/wp-content/uploads/2018/06/Diagnostico-David-contra-Goliat.pdf>

2 <http://defensoresenlinea.com/defensores-se-empoderan-para-enfrentar-a-la-triple-aaa-y-sus-siete-espadas/>

3 https://www.ishr.ch/sites/default/files/documents/final_for_web_ishr_submission_to_sg_reprisals_report_06_05_2018_0.pdf

4 <https://criterio.hn/2018/06/09/honduras-nuevamente-senalada-por-la-oit-por-violaciones-laborales-y-los-derechos-humanos/>

5 <http://www.proceso.hn/caliente/12-caliente/asesinan-a-una-abogada-en-el-interior-de-vehiculo-en-comayagueela.html>

6 <http://www.proceso.hn/mas-noticias/32-m%C3%A1s-noticias/al-menos-150-abogados-muertos-violentamente-en-honduras-desde-2002.html>

7 <http://www.laprensa.hn/sucesos/1191226-410/con-foto-en-mano-sicario-le-dispara-a-abogado-en-tegucigalpa>

University Council decided against the reintegration of 24 students to UNAH.⁹ On June 7, the Constitutional Chamber of the Supreme Court ordered UNAH to reintegrate them. This ruling was greeted by Honduran human rights organizations, but Radio Progreso rightly highlighted that two main demands are still unmet: i) a public apology by the then dean Julieta Castellanos which includes reparations of the damage suffered by the students; and ii) a revision of the UNAH's internal regulation to get rid of any part violating the right to education.¹⁰

One especially egregious case of criminalization also came to an end this month. On April 8, 2015, Donatilo Jiménez Euceda, a union leader at the CURLA university in La Ceiba, was last seen. His family and human rights organizations are convinced that he was forcefully disappeared and as a response to their quest for answers and justice, the CURLA university accused Donatilo's wife of defamation. On June 1, a judge in La Ceiba decided that demanding justice is not equal to defamation and he dropped the charges.¹¹

Indigenous Peoples

Throughout the month, Honduras indigenous peoples suffered various attacks, physically but also legally with a new attempt to force through a disputed consultation bill. On June 3, Hermin Lopez, a Lenca HRDs and member of MILPAH, had his bike, his only mode of transport, destroyed during a meeting. The human rights network REDHIL-PAZ denounced it as a clear sign of persecution of a HRD.¹² In an interview with Defensores en Línea, Nely Georgina Reyes of REDHIL-PAZ explains how they face constant "persecution, threats, intimidation and discrimination".¹³

Indigenous Lencas have been protesting since 2015 against a hydroelectric project by PROGELSA and SERMACO in Reitoca, Francisco Morazán. This January, they were attacked by the Military Police, leaving two wounded with gun wounds in their feet and hands.¹⁴ Since then, the situation has hardly improved and this month, the mayor Marlon Osorto drove armed men to the site of protest to repress them.¹⁵ According to the protesters, the approval of the environmental license for the project was illegal, and the project itself violates ILO Convention 169 because there was no consultation process. The case also has a political dimension, as SERMACO belongs to the head of the Liberal Party in Congress, Elvin Ernesto Santos.¹⁶ This month, he has been accused of being part of the Box of Pandora corruption case (see in the Corruption section).

Malvin Norales, a Garífuna community leader, was detained by the police on June 6. OFRANEH linked his arrest to his struggle to defend their ancestral land in Puerto Castilla.¹⁷ This struggle has gained renewed attention with the fear of a ZEDE there. It has to be feared that more cases of criminalization will follow. This is especially worrisome, as the Honduran State has already been sentenced by the IACtHR for violating the rights of the Garífuna communities El Triunfo de la Cruz

8 <http://defensoresenlinea.com/terratenientes-amenazan-la-libertad-de-expresion-en-zacate-grande/>

9 <http://www.pasosdeanimalgrande.com/index.php/en/contexto/item/2153-oidos-sordos-a-la-ley-autoridades-de-la-unah-se-resisten-a-reintegrar-a-clases-a-24-estudiantes-expulsados-por-5-anos>

10 <http://wp.radioprogreso.net/una-sentencia-que-da-la-razon-al-estudiantado-universitario-12-junio-2018/>

11 <http://defensoresenlinea.com/buscar-justicia-no-es-difamacion/>

12 <http://defensoresenlinea.com/redhil-paz-denuncia-atentado-contradefensor-de-derechos-humanos/>

13 <http://defensoresenlinea.com/en-la-paz-se-discrimina-a-defensores-de-ddhh-y-se-criminaliza-a-campesinos-que-demanan-tierras/>

14 <http://www.web.ellibertador.hn/index.php/noticias/nacionales/2687-militares-disparan-contrambientalistas-opuestos-a-hidroelectrica-en-honduras>

15 <http://www.pasosdeanimalgrande.com/index.php/en/denuncias/item/2158-alcaldede-reitoca-llego-con-personas-armadas-de-machetes-y-pistolas-para-atacar-protesta-pacifica-contrahidroelectrica>

16 <http://defensoresenlinea.com/lencas-de-reitoca-rechazan-proyecto-hidroelectrico/>

17 <https://ofraneh.wordpress.com/2018/06/06/detencion-de-lider-garifuna-malvin-norales-y-las-presiones-de-las-zede-ciudades-modelo-en-puerto-castilla/>

and Punta Piedra. The JOH regime has so far not complied with the sentence.¹⁸ Nevertheless, the Garífuna people have one important tool at their disposal - their community radios.¹⁹

In San Francisco de Locomapa, the indigenous Tolupan leader and MADJ member Ramón Matute suffered an attack with a machete.²⁰ MADJ links the attack to the timber company INMARE who allegedly bought off the leadership of the Tolupan organization FETRIXY to promote the theft of the natural resources belonging to the Tolupan people.²¹

This month we also had to say goodbye to a long-standing human rights defender and founding member of COPINH, José Asunción Martínez. He died on June 7 from natural causes.²²

The Case of Berta Cáceres

This month, we finally were informed about the upcoming trial dates against the eight material authors of Berta Cáceres' assassination in March 2016. The trial will take place from September 10 to 28.²³ COPINH asked for international accompaniment during the trial and as a preparation, they offer a webinar on July 10.²⁴ A first sign of support came from 50 members of the European Parliament demanding a "full and thorough investigation" into the murder of Berta Cáceres and "to review (...) and if needed, to revoke, any concession, contract, licence or any other benefit granted to the Agua Zarca project for violating their duty to undergo a free and informed prior consultation."²⁵

Shortly after the announcement of the trial dates, a homepage by the Association for a More Just Society (ASJ) dedicated to the case of Berta went online. COPINH immediately denounced this: "It is public knowledge that the work of the ASJ has never shared the principles of struggle of Berta Cáceres and COPINH, on the contrary, its desire to whitewash the image of the illegitimate government of JOH, during which they murdered our companion, and its loyal promotion of the measures promoted by US interference in Honduras are clear examples of the position diametrically opposed to the position of a popular and belligerent organization such as COPINH. (...) We publicly disavow the use of the name and image of our Berta Cáceres by the ASJ and its media Revistazo..."²⁶ Instead of listening to COPINH, ASJ doubled down on social media (mis)using Berta's elderly mother as legitimization for their actions.²⁷

FPIC

Already last month, the news made the round that the JOH regime started a new attempt to force through their own FPIC bill. As a reaction to this, OFRANEH accused both the Honduran regime and the UNDP of willfully ignoring or not knowing the 2016 report by the UN Special Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli Corpuz, on the Honduran FPIC draft bill.²⁸ A

18 <http://wp.radioprogressohn.net/estado-sigue-incumpliendo-sentencia-a-favor-de-comunidades-garifunas/>

19 <https://news.mongabay.com/2018/06/honduras-indigenous-garifuna-use-radio-to-fight-for-their-land/>

20 <https://www.movimientoamplio.org/single-post/2018/06/14/Tribu-tolupana-ante-inminente-desgracia-frente-al-silencio-institucional>

21 <https://www.movimientoamplio.org/single-post/2018/06/15/MADJ-%C2%BFHasta-cu%C3%A1ndo-la-violencia-en-contra-del-sector-honesto-del-pueblo-tolup%C3%A1n>

22 <https://copinh.org/2018/06/companero-asuncion-presente/>

23 <https://criterio.hn/2018/06/19/juicio-oral-y-publico-de-los-autores-materiales-del-crimen-de-berta-caceres-sera-en-septiembre/>

24 <https://copinh.org/2018/06/copinh-invita-al-siguiente-webinar/>

25 <https://copinh.org/2018/06/parlamentarixs-europexs-se-pronuncian-sobre-el-caso-de-berta-caceres/>

26 <https://copinh.org/2018/06/desautorizamos-la-utilizacion-de-berta-caceres-por-parte-de-la-asj-y-revistazo/>

27 <https://twitter.com/asjhn1/status/1009499060909330432/photo/1>

28 <http://unsr.vtaulicorpuz.org/site/images/docs/special/2016-honduras-unsr-comentarios-anteproyecto-lev-consulta-sp.pdf>

further source of worry is a comment by the ILO itself. Reacting to the Honduran draft bill, it wrote that “consultation does not imply a right to veto”, therefore, challenging the ILO Convention 169. OFRANEH points out that the jurisprudence of the IACtHR has upheld the people's right to self-determination on various occasions.²⁹³⁰

On a national level, OFRANEH and other indigenous organizations held protests against the introduction of the disputed bill in Congress.³¹ Furthermore, they organized community gatherings where they discussed the bill and voted to reject it as indigenous peoples of Honduras.³² COPINH also published their version of an FPIC bill.³³ These efforts got international support as Oxfam took up the topic in an article.³⁴

LGBTI

Back in 2014, the trans-woman Mónica Shakira was attacked on the street by a man while a group of soldiers just stood by. Even worse, one soldier joined in the beating. Now, four years later, a court in San Pedro Sula found the six soldiers guilty of breach of the duties of public servants.³⁵ This attack is part of the explanation why at least 267'000 Central-American members of the LGBTI community currently live in the US.³⁶

Freedom of Expression and Journalists

Last month ended with some good news regarding the freedom of expression. After months of national and international pressure, Congress' president Mauricio Oliva announced the derogation of the controversial Article 335-B of the new Penal Code. On June 5, Congress followed a motion by Libre congresswoman Scherly Arriaga and derogated the article.³⁷ ConexiHon celebrated this, but rightly pointed out that there are still other problematic laws in place, such as the Cybersecurity Law or the Secrecy Law.³⁸ Furthermore, Article 335-A of the Penal Code also violates freedom of expression by criminalizing social protests. Even though the Penal Code is not yet in place, some observers still believe that its problematic parts are already applied, e.g. in the case of the political prisoners.

Next to legal threats, journalists also face physical attacks. César Silva has a story to tell about this. Last February, someone tried to stab him during a live coverage outside a hospital. A month before, he was hit by soldiers during another live coverage of a protest. Instead of investigating these cases, the MP called him this month asking him to re-do a statement because they had lost it.³⁹ The JOH regime does not only fail to protect journalists, but it also attacks them directly. Nancy Perdomo covered a Libre protest on June 1, when the police attacked her using the police water tank to shot

29 <https://ofraneh.wordpress.com/2018/06/02/la-oit-derecho-a-veto-y-la-libre-determinacion-de-los-pueblos/>

30 <https://ofraneh.wordpress.com/2018/06/20/honduras-honduras-tiene-sentido-efectuar-consultas-sino-tenemos-derecho-a-decidir-sobre-nuestros-territorios/>

31 <http://www.pasosdeanimalgrande.com/index.php/en/contexto/item/2159-marchas-de-protesta-anuncian-los-pueblos-indigenas-y-garifuna-contra-ley-de-consulta-previa>

32 <https://avispa.org/estado-de-honduras-lleva-a-votacion-proyecto-de-ley-de-consulta-que-niega-derecho-a-veto-de-los-pueblos-con-respaldo-de-la-oit/>

33 <https://copinh.org/2018/06/anteproyecto-de-ley-de-consulta-libre-previa-e-informada-cpli-version-popular/>

34 <https://politicsofpoverty.oxfamamerica.org/2018/06/is-this-the-last-chance-for-honduras-to-protect-indigenous-consultation-rights/>

35 <http://www.pasosdeanimalgrande.com/index.php/en/contexto/item/2181-madj-logra-condena-contra-militares-que-agredieron-a-integrante-de-la-comunidad-lgbti>

36 <http://www.proceso.hn/actualidad/7-actualidad/unas-267-000-personas-lgbti-de-centroamerica-viven-en-eeuu-por-la-violencia.html>

37 <https://criterio.hn/2018/06/05/congreso-nacional-deroga-el-articulo-335-b/>

38 <http://www.conexihon.hn/index.php/libertad-de-expresion/687-al-fin-derogado-el-articulo-335-b>

39 <http://www.pasosdeanimalgrande.com/index.php/en/amenazas-a-la-libertad-de-expresion/item/2160-quien-quiere-que-maten-a-cesar-silva>

straight at her.⁴⁰ The social communicator Fabio Hernán Vallecillo, meanwhile, was detained by the police for 24 hours. Just before, he had covered a police operation witnessing the rough-handling of a group of youth.⁴¹

Vallecillo's case shows one way of silencing protest against state security forces. Another way is to denigrate the news outlets. The digital newspaper Reporteros de Investigación had their logo misused inking them with organized crime. Pasos de Animal Grande highlighted that this attempt started just hours after a publication by them on the sexual misconduct by two Military Police agents at a Honduran school.⁴² Criminalization is a third tool. In the case of the journalist Carlos Martínez, this failed though. Brenda Flores, a regional director at the Pension and Retirement for Public Officials Institute (Injupemp), had to withdraw a complaint against him. Martínez uncovered that she had asked employees for financial support for activities by JOH.⁴³

The month ended with journalists being attacked by family members of Juan Carlos Madariaga. After covering his sentencing in the IHSS corruption case, a group of journalists was first threatened and then physically assaulted by his family members.⁴⁴

Protection Mechanism

Another month, further bad headlines for the National Protection Mechanism for HRDs, Journalists and Justice Operators. The Journalists Association Honduras (CPH) and the Honduran Press Association (APH) held a press conference highlighting the various deficiencies of the mechanism.⁴⁵

Torture

The word torture appeared in several Honduran headlines this month. This had two main reasons, an international expert delegation and the annual report of the Honduran human rights organization CPTRT.

On June 18, an international delegation composed of experts and members of human rights organizations coming from Argentina, Guatemala and Switzerland arrived in Honduras for a four-day visit.⁴⁶ In a press conference, they reported of "blows, dry or wet asphyxia, threats, sensory deprivation, sexual abuse and long periods of incommunication" in Military Police custody and in Honduras' prisons.⁴⁷ In their mission report presented a day later in Geneva, they further reported of "multiple and consistent allegations of acts that could constitute torture or cruel, inhuman or degrading treatment or punishment".⁴⁸

40 <https://tiempo.hn/tanqueta-policial-agredio-a-periodista-hondurena-que-cubria-protesta-de-libre/>

41 <http://www.clibrehonduras.com/index.php/alertas/detencion-arbitraria/869-policia-nacional-detiene-a-periodista-que-realizaba-cobertura-informativa-a-operativo>

42 <http://www.pasosdeanimalgrande.com/index.php/en/amenazas-a-la-libertad-de-expresion/item/2168-falsos-positivos-se-estarian-activando-contra-periodico-digital-reporterosdeinvestigacion-com>

43 <https://confidencialhn.com/2018/06/12/archivan-querrela-contra-periodista-interpuesto-por-directora-regional-de-injupemp/>

44 <http://www.clibrehonduras.com/index.php/alertas/amenazas/872-en-sala-de-juicio-oral-y-publico-familiares-de-imputado-amenazan-y-agranden-a-periodistas>

45 <http://www.pasosdeanimalgrande.com/index.php/en/monitoreo-de-compromisos-internacionales/item/2182-gremios-de-periodistas-senalan-que-no-observan-interes-del-estado-hondureno-en-fortalecer-el-mecanismo-de-proteccion>

46 <http://www.pasosdeanimalgrande.com/index.php/en/component/k2/item/2176-mision-internacional-verificara-practicas-constitutivas-de-tortura-o-malos-tratos-en-honduras>

47 <http://www.pasosdeanimalgrande.com/index.php/en/denuncias/item/2180-conclusiones-preliminares-de-mision-internacional-autoridades-estran-escondiendo-la-informacion-sobre-la-practica-de-tortura-en-honduras>

48 <http://www.omct.org/es/monitoring-protection-mechanisms/statements/honduras/2018/06/d24945/>

On June 26, the United Nations International Day in Support of Victims of Torture, CPTRT presented their annual report. From May 2017 to May 2018, they received 95 complaints of torture, mostly from inmates.⁴⁹ CPTRT speaks of a strategy of state terror and torture against the Honduran society through the hands of its security forces.⁵⁰

Political Prisoners

In order to support the political prisoners in Honduras, civil society organizations formed the National Committee for the Liberation of the Political Prisoners. Together with family members, they held a protest outside the MP on June 18.⁵¹ They are supported by national and international organizations. The Platform of Social and Popular Movement of Honduras published a press release demanding their release⁵² and the Canadian section of Amnesty International also reported on their situation.⁵³

On June 28, the ninth anniversary of the coup d'état, the US-Canadian Honduras Solidarity Network⁵⁴ as well as a group of European solidarity organizations⁵⁵ published statements including demands to release the political prisoners and for exhaustive and independent investigations of the human rights violations during the post-electoral crisis of 2017.

Extractive Industries

The Siria Valley has suffered the grave consequences of a mining project even years after its closure. If this weren't enough, they now fear the imposition of a geothermic project, again without being consulted.⁵⁶ A further industry causing a lot of harm in Honduras is the agri-industrial palm oil sector. Even though they spent sums of money on PR, especially Dinant, a new report by Forest Heroes straightened out their rosy picture. In a score card of the Latin American palm oil sector, Honduras' industry fares especially badly. Dinant is one of only six completely failing Latin American palm oil companies with the fourth worst score.⁵⁷

Mining

One widely used instrument by Honduran social movements against mining projects is to hold public gatherings to declare their community free of mining. Facing the threat of no less than five mining concessions in their area, the inhabitants of Olanchito, Yoro made use of this instrument.⁵⁸ The same thing was planned in Tocoa, Colón. But the local mayoralty denied holding a town hall meeting and so the inhabitants started to occupy the town hall.⁵⁹ The mayoralty and the mining company reacted by buying off journalists so that they would not cover the local resistance against

49 <https://criterio.hn/2018/06/26/honduras-cptrt-ha-recibido-95-denuncias-de-torturas-contra-privados-de-libertad/>

50 <http://www.pasosdeanimalgrande.com/index.php/en/contexto/item/2184-segun-cptrt-hay-una-estrategia-de-tortura-y-terror-del-estado-contra-a-la-sociedad-hondurena>

51 <http://defensoresenlinea.com/familiares-de-los-presos-politicos-exigen-cese-a-la-persecucion-politica-y-libertad-para-sus-parientes/>

52 <http://www.hondurastierralibre.com/2018/06/honduras-golpe-electoral-y-presos.html>

53 <http://www.amnesty.ca/blog/courage-protest-and-man-called-edwin>

54 <http://www.hondurassolidarity.org/2018/06/28/honduras-nine-years-of-resistance-and-repression/>

55 https://www.facebook.com/cadeho.alemania/media_set?set=a.765616746974320.1073741866.100005780044194&type=3

56 <http://defensoresenlinea.com/valle-de-siria-enfrenta-amenaza-de-un-nuevo-proyecto-de-muerte/>

57 <http://www.forestheroes.org/wp-content/uploads/2018/06/Behind-the-Global-Curve-A-Scorecard-of-the-Latin-American-Palm-Oil-Sector.pdf>

58 <http://wp.radioprogreso.hn/olanchito-se-une-a-los-municipios-libre-de-mineria/>

59 <https://criterio.hn/2018/06/12/pobladores-de-tocoa-colon-siguen-esperando-a-la-corporacion-para-declarar-el-municipio-libre-de-mineria/>

the mining projects.⁶⁰ They mayor Adán Funez also tried to hinder the work of the departmental CONADEH representative.⁶¹ After 11 days of peaceful occupation, the protesters succeeded to bring the local authorities to the table.⁶²

On June 16, a mine in El Retiro, Olancho collapsed leading to the death of four miners.⁶³

Hydroelectricity

Shortly after the coup d'état in 2009, which had its ninth anniversary on June 28, Congress pushed through various hydroelectric projects. One of them is Aurora I in San José, La Paz. This month, Defensores en Línea visited the area to report on the ongoing opposition against the now built dam.⁶⁴ The former vice-minister of the Natural Resources and Environment Secretariat, Marco Jonathan Laínez, is being accused of abuse of authority for illegally granting a license to a similar project, Aurora II in Guajiquiro, La Paz.⁶⁵

Corruption and Its Enemies

Ten years ago, in June 2008, four public prosecutors started a 38-day hunger strike to highlight their difficult situation investigating corruption cases.⁶⁶ Luis Javier Santos was one of them. After an almost deadly attack against him and years in exile, he returned to Honduras to continue his struggle against corruption and now coordinates UFECIC, the anti-corruption body of the MP. According to Radio Progreso, his life and the lives of his team are anew in danger due to their work.⁶⁷ This is part of the ongoing attacks against all bodies daring to confront corruption in Honduras (see further below).

Another of the participants of the 2008 hunger strike was Víctor Fernández who went on to found with his brother the human rights organization MADJ. On June 26, they held a rally outside the offices of UFECIC. MADJ, itself celebrating its tenth anniversary, wanted to show public support for the work by UFECIC. MADJ also demanded that UFECIC would open investigations into the "enormous corruption" promoted by the Concessions Law as well as the "chain of corruption" set in motion for the illegal reelection of JOH.⁶⁸

Before we delve into the main corruption cases making headlines this month, it is worth mentioning the various "smaller" corruption cases made public in the last thirty days. One case involves current Honduran Cardinal Óscar Andrés Rodríguez. For weeks now he has been accused of corruption by Martha Alegría Reichmann, the widow of the former Honduran ambassador to the Vatican.^{69 70} But the main press continues to ignore these accusations. Further proof was published this month that

60 <http://www.pasosdeanimalgrande.com/index.php/en/denuncias/item/2169-partida-presupuestaria-para-periodistas-silencia-el-tema-de-la-mineria-en-tocoa-colon>
61 <http://www.pasosdeanimalgrande.com/index.php/en/contexto/item/2172-estrategias-de-ablandamiento-contra-toma-de-alcaldia-vigilancia-y-obstaculizacion-del-trabajo-de-delegado-de-conadeh>
62 <http://www.pasosdeanimalgrande.com/index.php/en/contexto/item/2174-termina-toma-en-toca-presion-ciudadana-logra-sentar-a-autoridades-locales-para-hablar-de-cierre-de-mineras>
63 <http://www.elheraldo.hn/sucesos/1188297-466/derrumbe-en-una-mina-deja-cuatro-muertos-y-cinco-heridos-en-olancho>
64 <http://defensoresenlinea.com/el-modelo-extractivista-del-actual-regimen-generator-de-division-zozobra-y-riesgo/>
65 <http://www.proceso.hn/actualidad/7-actualidad/ordenan-revocar-medidas-sustitutivas-por-prision-preventiva-a-exfuncionario-de-serma.html>
66 <http://elpulso.hn/huelga-de-fiscales-de-2008-el-inicio-de-10-anos-de-crisis-politica/>
67 <http://wp.radioprogreso.hn.net/luis-javier-santos-el-fiscal/>
68 <https://www.movimientoamplio.org/single-post/2018/06/27/A-10-a%C3%B1os-de-lucha-El-MADJ-respalda-el-trabajo-de-la-UFECIC-y-exige-m%C3%A1s-avances-en-la-investigaci%C3%B3n-de-los-principales-corrup%C3%A7os-del-pa%C3%ADs>
69 <https://reporterosdeinvestigacion.com/2018/06/01/si-me-matan-que-no-quede-impune-como-el-caso-del-chofer-del-cardenal-oscar-andres-rodriguez/>
70 <https://criterio.hn/2018/06/18/otra-caja-de-pandora-podria-abrirse-en-la-iglesia-catolica-de-honduras/>

Dagoberto Rodríguez, the president of the Journalist Pension Fund (IPP), broke the law by not transferring state funds to the IPP.⁷¹ In a further corruption case involving the Health Secretariat, twelve people were arrested, among them the former Nationalist congressional candidate Karla "Karlita" Alfaro.⁷² Last but not least, further public officials were arrested in a corruption case involving the National Supplier of Basic Goods (Banasupro).⁷³

Honduran corruption cases often have an international dimension. This was highlighted this month by a Guatemalan investigative news portal reporting on the links of the Honduran bank Ficohsa to corrupt projects financed by the World Bank and its private financing body IFC.⁷⁴ The president of the Economists Association Honduras guesses that Honduras loses some 20 billion Lempiras per year due to corruption.⁷⁵

For those seeking a deeper understanding of corruption in Honduras and who can spend some time during the coming days, I recommend the new report by Marvin Barahona called "Elites, networks of power and the political regime in Honduras, 1990-2017".⁷⁶ The report was supported by Oxfam and Radio Progreso and the latter has already published two articles picking up central themes of the report.^{77 78}

The Onslaught against the Anti-Corruption Bodies

Last month left us with a lot of uncertainty regarding Honduras' the anti-corruption bodies. With 30 additional days of news, it still seems that the statement on June 1 by the head of investigations at the CNA on summarizes the situation best: "In the fight against corruption, which has not made great progress, the ruling of the Constitutional Chamber on the MACCIH actually means that we have regressed light years".⁷⁹ On June 3, the former Attorney General Edmundo Orellana explained that the initial intention of the Constitutional Chamber had been to declare the MACCIH unconstitutional. Because this would have caused too much of an international backlash, they changed tactics and went after UFECIC. After a Tweet by US chargé d'affaires, they backtracked once more. The result is a verdict full of "patchwork arguments distorting legal institutions and ignoring fundamental principles of the rule of law". He went on to say that the real impact of the verdict would depend on the new Attorney General and that corrupt elite was about to turn their attention to their selection now.⁸⁰ The remaining days of June would give him right (see section on the election of the Attorney General).

Further observers agreed with Orellana's observations. The lawyer Rasel Tomé called the ruling absurd and a result of US pressure.⁸¹ The former UNAH dean Julieta Castellanos told Proceso Digital that the ruling puts in doubt Honduras' anti-corruption effort.⁸² The lawyer Adán Tomé even

71 <https://criterio.hn/2018/06/04/presidente-de-periodistas-quebranta-la-ley-del-instituto-de-pensiones/>
72 <https://criterio.hn/2018/06/14/en-libertad-de-defendera-excandidata-a-diputada-nacionalista-involucrada-en-pago-irregular-de-becas/>
73 <https://criterio.hn/2018/06/13/capturan-a-exgerente-y-a-otros-exfuncionarios-de-banasupro-acusados-de-corrupcion/>
74 <https://www.no-ficcion.com/project/banco-mundial-y-su-financiera-ifc-han-apoyado-la-corrupcion-en-centroamerica>
75 <https://confidencialhn.com/2018/06/21/corrupcion-en-honduras-deja-perdidas-por-20-mil-millones-de-lempiras/>
76 <http://wp.radioprogreso.hn/redes-y-lealtades-detras-del-poder-2018/>
77 <http://wp.radioprogreso.hn/los-dinosaurios-del-congreso-nacional-y-las-elites-de-poder-en-honduras/>
78 <http://wp.radioprogreso.hn/redes-de-poder-maximizan-sus-ganancias-privatizando-servicios-publicos-y-concesionando-bienes-naturales/>
79 <https://criterio.hn/2018/06/01/fallo-sala-constitucional-sobre-la-maccih-en-realidad-hemos-retrocedido-anos-luz-en-el-combate-de-la-corrupcion/>
80 <https://criterio.hn/2018/06/03/sentencia-forzada/>
81 <https://confidencialhn.com/2018/06/04/exdiputado-acusa-al-partido-nacional-de-querer-liquidar-la-maccih/>
82 <http://www.proceso.hn/actualidad/7-actualidad/pronunciamiento-de-sala-constitucional-baja-credibilidad-en-lucha-anticorrupcion-castellanos.html>

claimed that the judges overstepped their boundaries.⁸³ This was taken up by the CNA, which announced that they would file a complaint against the five magistrates at the Constitutional Chamber for breach of legal duty ("prevaricato").⁸⁴ The court itself may have given the CNA a valid case. On February 13, the CNA presented an action of unconstitutionality against the Impunity Pact, and the court denied their "direct, personal, and legitimate interest" in the legislation. Nevertheless, just weeks later, they approved a complaint by three citizens against the MACCIH leading to the ruling mentioned above.

Almost two weeks after the ruling, Radio Progreso found the right words about the ruling: "All sectors of the country committed to the fight against corruption and impunity have spoken with much consternation of the resolution of the Constitutional Chamber of the Supreme Court, a resolution, which according to lawyers and jurists, has no substance ["no tiene ni pies ni cabeza"] but is a clear political message that the corrupt and unpunished are not willing to give up their position which offers them great benefits at the expense of corruption."⁸⁵

The Election of the Attorney General

As has been highlighted above by the former Attorney General Edmundo Orellana, the election of the new Attorney General is closely linked to the attack on the anti-corruption bodies in Honduras, and it makes sense to treat it here.

The election process started already last month with the nomination of 24 candidates by a selection committee. By June 4, six had already dropped out, and among the remaining 18, there were also some candidates with open complaints against them⁸⁶, two for alleged links to drug trafficking.⁸⁷ ContraCorriente split the candidates into two groups: those who currently face legal charges and those who are very close to people in power. Of the 18 remaining candidates, nine voted for the National Party in the 2017 primary elections, four for the Liberal Party and the remaining five did not turn up in the census.⁸⁸

The UN special rapporteur on the independence of judges and lawyers, Diego García-Sayán, expressed his concern about the participation of suspected corrupt officials and he denounced that civil society had been excluded from the process.⁸⁹ But his concerns, as well as further concerns raised by the IACHR⁹⁰ and OACNUDH⁹¹, were ignored. Accordingly, Radio Progreso summarized the election for the Attorney General the following way: "The next election of the Attorney General of the State will be remembered as the most questioned and illegitimate in the history of the country due to the evident interests at stake and the movements, negotiations and manipulations of the institutionality to place at the head of the MP someone who does not represent a threat to power."⁹²

83 <https://confidencialhn.com/2018/06/04/piden-procesar-a-miembros-de-sala-constitucional/>

84 <https://criterio.hn/2018/06/05/denunciaran-por-prevaricato-a-los-magistrados-de-la-sala-constitucional-gabriela-castellanos-video/>

85 <http://radioprogreso.hn/multimedia/NuestraPalabra/2018/Junio/09/Index.html>

86 <http://www.elheraldo.hn/pais/1187012-466/al-banquillo-nueve-aspirantes-a-fiscal-por-denuncias-en-el-ministerio-p%C3%BABlico>

87 <https://confidencialhn.com/2018/06/06/directora-del-cna-reafirma-nexos-de-2-candidatos-a-fiscal-con-el-crimen/>

88 <https://contracorriente.red/2018/06/22/la-eleccion-del-fiscal-entre-la-bruma-de-la-corrupcion/>

89 <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23207&LangID=E>

90 <http://defensoresenlinea.com/cidh-urge-a-honduras-a-garantizar-los-estandares-internacionales-de-independencia-e-imparcialidad-en-la-seleccion-de-fiscal-general-de-la-republica/>

91 <https://criterio.hn/2018/06/26/naciones-unidas-preocupada-porque-algunos-procesados-por-corrupcion-examinaran-la-nomina-de-candidatos-a-fiscal/>

92 <http://wp.radioprogreso.hn/la-eleccion-del-fiscal-general-y-el-conflicto-de-intereses/>

A further challenge for the legitimacy of the election was the fact that many congresswo/men responsible for electing the final candidate face themselves corruption charges by the MP. This was recognized by the main opposition parties, and they announced that they would not participate in the election.^{93 94} By the end of the month, though, the Liberal Parry seemed to have forgotten this and its participation enabled the election to take place.

A week before, the selection committee first presented its list of the five final candidates and it did not bode well. Lidia Estela Cardona, Daniel Sibrián Bueso, Hermes Moncada, Carlos Cálix and Abraham Alvarenga. As in the past, these were not the best candidates according to the ranking by FiscaLeaks.⁹⁵ They are on the following positions (out of 24): 15, 5, 17, 16 and 19. But there were further problems regarding their eligibility. Cardona: She is a two times magistrate at the Supreme Court and helped pave the way for the illegal reelection of JOH. Sibrián Bueso: He is the one closest to the current Attorney General, but he lacks experience in penal and penal procedures measures. Moncada: She is the personal assistant of the president of the Supreme Court, Rolando Edgardo Argueta Pérez, who is also the president of the selection committee for the new Attorney General. No one seemed to have cared about the conflict of interest. Cálix: He is a close friend of Rolando Edgardo Argueta Pérez, and he has close ties to the National Party leadership. Alvarenga: He was a congressman from 2006-2010 and the deputy congressman of no other than JOH from 2010-2014. OACNUDH reacted once more with a press release expressing its concern about the lack of publicity in the selection of the five final candidates.⁹⁶ Even worse, CNA made public that three of the five candidates faces various charges, most of them for corruption.⁹⁷

Instead of taking up the concerns raised by OACNUDH and CNA, Congress forced through an election, even though they had until the end of August to elect a replacement. Nevertheless, Congress failed to get any candidates elected, as only 63 voted in favor of Hermes Omar Moncada as Attorney General and Daniel Sibrian Buezo as Deputy Attorney General (a successful election would have needed a two-thirds majority).⁹⁸ Moments later, news broke that the Liberal Party and the National Party agreed to reelect Chinchilla and one of the five final candidates would become his deputy.⁹⁹ Already back in April, some observers claimed that JOH's plan was to have his close ally Óscar Fernando Chinchilla reelected as Attorney General, but once Chinchilla denied and did not let himself be presented as a candidate, this scenario lost traction.

In a night session on June 28, Congress re-elected him without the votes of Libre and PINU, and JOH's initial plan seemed to have worked out once more.¹⁰⁰ It was only possible because the old bipartisan system made a return.¹⁰¹ Human rights organizations immediately denounced the reelection as illegal, and they also see it as the result of US pressure.¹⁰² The law, as well as the constitution, states that the Attorney General and their Deputy must be elected from a list of five

93 <https://confidencialhn.com/2018/06/22/libre-reitera-que-no-participaran-en-la-escogencia-del-fiscal-general/>

94 <http://www.proceso.hn/actualidad/7-actualidad/no-es-el-momento-para-que-el-congreso-nombre-un-nuevo-fiscal-general-diputado-villafranca.html>

95 <http://fiscaleaks.com/>

96 <https://criterio.hn/2018/06/26/naciones-unidas-preocupada-porque-algunos-procesados-por-corrupcion-examinaran-la-nomina-de-candidatos-a-fiscal/>

97 <http://www.proceso.hn/actualidad/7-actualidad/cna-advierte-que-tres-aspirantes-a-fiscal-general-tienen-sendas-denuncias-en-mp.html>

98 <https://confidencialhn.com/2018/06/28/jugada-bipartidista-quema-a-los-dos-primeros-aspirantes-a-fiscal-chinchilla-por-otros-5-anos/>

99 <https://tiempo.hn/partido-nacional-propondra-reeleccion-del-actual-fiscal-general-oscar-chinchilla/>

100 <http://www.pasosdeanimalgrande.com/index.php/en/contexto/item/2190-a-pesar-de-la-gestion-desastrosa-bipartidismo-y-sectores-oscuros-reeligen-a-fiscal-general>

101 <https://criterio.hn/2018/06/29/oscar-chinchilla-es-reelecto-en-el-congreso-mediante-un-violatorio-proceso/>

102 <http://wp.radioprogreso.hn/congreso-reelige-a-oscar-fernando-chinchilla-por-cinco-anos-de-forma-ilegal/>

candidates proposed by a selection committee, as explained above, this was not the case for Chinchilla. Legal scholar Joaquín Mejía lists three further reasons why Chinchilla should not have been reelected: a constitutional-law reason, an international-law reason and a moral reason.¹⁰³

MACCIH

While Chinchilla is used to work with the MACCIH (and so far failed to go after JOH or close allies of his), he now has to deal with a new spokesperson. In one of many visits to the US by JOH, he was asked by US Secretary Pompeo to nominate a new spokesperson for the MACCIH.¹⁰⁴ Just hours later, on June 18, Luiz Antonio Guimarães, a former Brazilian public prosecutor and General Procurator in São Paulo, was presented as the new MACCIH spokesperson.¹⁰⁵ Guimarães had already been proposed earlier this year by OAS' Secretary General Luis Almagro, but only some behind the scenes agreement between JOH and Almagro as well as US pressure¹⁰⁶ made him a viable candidate for JOH. According to Criterio, Almagro seemed to have intended with the agreement to calm the Honduran government, while at the same time further limiting the space for the MACCIH and silencing its spokesperson.¹⁰⁷ On June 21, the MACCIH announced the employment of two more international prosecutors and five more investigators.¹⁰⁸

The MACCIH also made headlines this month because the Center for Latin American and Latino Studies (CLALS) presented their findings on the first two years of the MACCIH in Honduras.¹⁰⁹ Chuck Call, the director of CLALS, did not mince words, when he wrote: "Especially since elections last November – whose process and outcome were widely questioned – the government and political elites have redoubled efforts to clip MACCIH's wings in multiple underhanded ways. (...) President Hernández is part of the whole-of-government campaign to undermine MACCIH."¹¹⁰ InSight Crime also took up the report by CLALS and concluded: "The MACCIH cannot win. Between the meddling by the government and the OAS, congressional and courtroom manipulation, and the impossible standard set by its cousin, the CICIG, the mission has been set up to fail. That is not to say it has not had success. (...) And as the report says, the MACCIH has actually gotten more convictions than the CICIG had in its first two years. But therein lies the trap. The Hondurans who clamored for the MACCIH want the mission to do cases, and they won't be satisfied with just anyone in jail. Trying to meet that expectation is a recipe for failure every time, especially with all the inherent obstacles in Honduras. The challenge for the MACCIH is not just to dodge efforts to get rid of it or debilitate it, but to shift expectations away from big, splashy cases and get down to the hard work of building resilient independent judicial institutions that can do the work when it eventually leaves."¹¹¹

103 <https://reporterosdeinvestigacion.com/2018/06/29/razones-ante-la-eleccion-reeleccion-del-fiscal-general/>

104 <https://criterio.hn/2018/06/18/departamento-de-estado-urge-a-hernandez-nombre-vocero-de-la-maccih/>

105 <http://www.elheraldo.hn/pais/1189086-466/luiz-antonio-guimar%C3%A3es-es-el-nuevo-vocero-de-la-maccih>

106 <https://confidencialhn.com/2018/06/19/mientras-tengamos-gobernantes-corruptos-sin-dignidad-eeuu-seguira-decidiendo-por-honduras/>

107 <https://criterio.hn/2018/06/19/con-el-addendum-parece-que-se-quiere-silenciar-al-nuevo-vocero-de-la-maccih/>

108 <http://www.proceso.hn/actualidad/7-actualidad/maccih-anuncia-la-llegada-de-dos-fiscales-internacionales-y-cinco-investigadores-mas.html>

109 https://www.american.edu/centers/latin-american-latino-studies/upload/MACCIH_Spanish_final.pdf

110 <https://aualablog.net/2018/06/21/honduras-maccih-at-two-years/>

111 <https://www.insightcrime.org/news/analysis/how-honduras-maccih-loses-even-when-it-wins/>

The Box of Pandora Case

While the two sections above let us rather doubt the benefit of the MACCIH, the anti-corruption body also showed its potential this month by revealing a new corruption case, dubbed Box of Pandora. It began in a quite unspectacular manner when on June 11, the TSC requested the investigation of two functionaries of the JOH regime linked to the Agriculture and Livestock Secretary (SAG).¹¹² The next day, the MP followed with arrest warrants against them as well as the directors of two foundations, Dibattista and Todos Somos Honduras.¹¹³ Initially, the MP announced that they were accused of stealing 100 million Lempiras. On June 13, the MACCIH revealed that the arrests were linked to their newest corruption investigation and that it goes beyond the SAG. They accused no less than 38 public officials and the total sum lost due to corruption reached 282 million Lempiras.^{114 115} The case made immediately international headlines because at least part of the money was used to fund political parties, "including the 2013 campaign of President Juan Orlando Hernandez".^{116 117}

Over the coming days, more news broke. Out of the 38 public officials, one is a current Liberal congressman, and four are Nationalist congresswo/men.¹¹⁸ ConfidencialHN explained how they used the two above-mentioned foundations to divert money for political campaigns.¹¹⁹ In both affected parties, the corruption charges caused some internal disputes. The Liberal Party announced an emergency meeting¹²⁰, the National Party made use of the bad apples argument.¹²¹ While political observers immediately spoke of "a box of corruption close to the president"¹²² and "the circle of corruption close to the president"¹²³, the days after the revelation showed once more that JOH seemed to have successfully saved his skin. This explains why he had a great interest to keep Chinchilla on as the Attorney General (see section above), as the later has proven in his first five years that he won't go after JOH. Accordingly, InSight Crime cited various experts raising doubts if these newest revelations would lead to any meaningful results.¹²⁴ This fear was further nourished by the nomination of Lidia Álvarez Sagastume as the judge to try to case. As with previous corruption cases, she is close to the National Party, and she was recommended by the Evangelical Confraternity, a close ally of JOH.¹²⁵

The accused congresswo/men had their legal teams attempt to declare an article of the Penal Code unconstitutional. Back in 2013, mostly the same congresswo/men changed Article 184 of the Penal Code prohibiting alternative measures to imprisonment in various cases such as extortion, homicide,

112 <https://confidencialhn.com/2018/06/11/tribunal-de-cuentas-solicita-investigar-a-dos-funcionarios-de-joh/>

113 <https://confidencialhn.com/2018/06/12/emiten-requerimiento-fiscal-contra-exsecretario-de-agricultura-y-complices-por-corrupcion/>

114 <http://elpulso.hn/38-funcionarios-vinculados-al-caso-pandora/>

115 <https://www.movimientoamplio.org/single-post/2018/06/14/Caja-Pandora-Con-saqueo-a-fondos-de-la-SAG-se-financi%C3%B3-el-partido-nacional>

116 <https://apnews.com/1edcfa750d8f4cf2b09f035b4e1ad149>

117 <https://confidencialhn.com/2018/06/13/caso-pandora-vinculan-38-funcionarios-en-multimillonario-saqueo/>

118 <http://www.web.ellibertador.hn/index.php/noticias/nacionales/2878-elvin-santos-padre-e-hijo-destacan-en-la-lista-de-corrupcion-del-caso-pandora>

119 <https://confidencialhn.com/2018/06/13/asi-fue-el-robo-de-dinero-de-agricultura-y-ganaderia-por-oeneges/>

120 <https://criterio.hn/2018/06/13/partido-liberal-convoca-a-reunion-de-emergencia-para-discutir-denuncia-de-la-macch-h-y-anuncia-su-colaboracion/>

121 <https://criterio.hn/2018/06/13/ante-caso-pandora-partido-nacional-dice-que-rechaza-cualquier-acto-de-corrupcion/>

122 <https://contracorriente.red/2018/06/15/se-abrio-otra-caja-de-corrupcion-cercana-al-presidente/>

123 Ibid.

124 <https://www.insightcrime.org/news/analysis/honduras-anti-corruption-probe-implicates-president-opposition/>

125 <http://www.web.ellibertador.hn/index.php/noticias/nacionales/2889-caso-pandora-sera-juzgado-por-magistrada-que-aprobo-reeleccion-de-joh>

money laundering, terrorism and crimes against the state. This now came back to haunt them.^{126 127} This attempt became known as a second impunity pact (see next section for the first one).¹²⁸

Impunity Pact

Last month, the Supreme Court nominated a (Nationalist) judge to try the case of two Nationalist congressmen involved in the so-called Impunity Pact. With it, Congress stopped an investigation into their misuse of funds meant for departmental social programs. Tomás Zambrano who also is Congress' Secretary and Román Villeda Aguilar were accused of falsifying documents and abuse of authority to push through the Impunity Pact.¹²⁹ They claimed that they changed the law favoring them by accident. It was already a bad sign that the two congressmen were not suspended from their work at Congress for the trial.¹³⁰ Accordingly, on June 27, the Nationalist judge dropped all the charges against Tomás Zambrano while maintaining them against Román Villeda Aguilar.¹³¹ Of course, it is especially cynical that the judge ruled that Zambrano whose duty as Congress' Secretary is to oversee its business did not participate in the re-writing of the law.

The IHSS Case

June brought some advancements in the IHSS corruption case of 2013. The brother of the former IHSS director Mario Zelaya, Carlos Zelaya, declared himself guilty of money laundering in the IHSS case in a US court.¹³² In Honduras, a court found Mario Zelaya, Ramón Bertetty and Juan Carlos Maradiaga Ortiz guilty¹³³ and in a second trial, José David Cardona Gómez was sentenced to six and a half years in prison.¹³⁴

State Security Forces

Honduras state security forces continue to work without much supervision, and especially their funding remains a black box. FOSDEH's director challenged JOH to have the security spending audited, especially the use of the funds coming from the tasa de seguridad.¹³⁵ But the lack of oversight does not only concern funding. Reporteros de Investigación (RI) reported on sexual violence by the Military Police at Honduras' schools¹³⁶ – so far the only consequence has been a defamatory attack against RI. Over the month, several police agents have been accused of kidnapping,^{137 138} and a former police commissioner had a trial opened against him for corruption.¹³⁹ The month ended accordingly, with the publication of a report highlighting that Honduras only

126 <http://wp.radioprogreso.hn/diputados-y-exfuncionarios-acusados-comienzan-a-dilatar-proceso-del-caso-pandora/>
 127 <http://www.proceso.hn/actualidad/7-actualidad/lluvia-de-recursos-contras-184-del-codigo-procesal-penal-para-evitar-prision-preventiva.html>
 128 <https://criterio.hn/2018/06/25/corte-podria-retrasar-fallo-sobre-articulo-184-para-adormecer-casos-de-corrupcion/>
 129 <http://www.web.ellibertador.hn/index.php/noticias/nacionales/2847-diputados-nacionalistas-acusados-por-mision-anticorrupcion-de-honduras>
 130 <https://criterio.hn/2018/06/09/en-libertad-y-sin-suspension-de-sus-cargos-se-defenderan-diputados-acusados-en-el-pacto-de-impunidad/>
 131 <https://criterio.hn/2018/06/27/juez-exonera-a-tomas-zambrano-y-ratifica-medidas-cautelares-a-roman-villeda/>
 132 <https://tiempo.hn/hermano-de-mario-zelaya-culpable-lavado/>
 133 <https://tiempo.hn/condenan-a-mario-zelaya-y-dos-imputados-mas-en-el-caso-jc-maradiaga-ihss/>
 134 <https://confidencial.hn.com/2018/06/29/condenan-a-seis-anos-de-carcel-a-implicado-en-mega fraude-al-ihss/>
 135 <https://confidencial.hn.com/2018/06/05/piden-revisar-el-uso-correcto-del-presupuesto-en-la-tasa-de-seguridad/>
 136 <https://reporterosdeinvestigacion.com/2018/06/08/asi-comete-delitos-sexuales-la-policia-militar/>
 137 <http://www.elheraldo.hn/sucesos/1187322-466/capturan-a-polic%C3%ADa-hondure%C3%B1o-presuntamente-vinculado-a-secuestro>
 138 <https://tiempo.hn/caen-policias-delito-de-secuestro/>
 139 <https://criterio.hn/2018/06/15/auto-de-formal-procesamiento-contras-excomisionado-barralaga-y-la-pareja-de-wilter-blanco/>

destroyed 7'000 out of 13'000 decommissioned fire arms between 2011 and 2016. The current location of the 6'000 fire arms is unknown.¹⁴⁰

Post-Electoral Human Rights Violations

Another month passed without any meaningful progress in the investigation of the post-electoral human rights violations. OACNUDH felt compelled to publish another press release exhorting "fast, impartial, independent and transparent" investigations and to include the victims in the process. Furthermore, OACNUDH expressed concerns regarding complaints of harassment by victims seeking justice.¹⁴¹ Similar demands were voiced by the Bishops of the Episcopal Conference. They held a general assembly on June 8 expressing their concern about the state of the country and warned of the fallacy that Honduras has returned to "normal" since the electoral fraud. Rather, they said, public dissatisfaction increased day by day while trust in the public institutions and its leaders decreased.¹⁴²

The urgent need of investigations was further highlighted by a report by Amnesty International on the use of force and arbitrary detentions to suppress dissent.¹⁴³ Interestingly, even the US spoke up on this topic again. US Secretary Pompeo emphasized in a meeting with JOH the "need to hold security forces accountable for alleged human rights abuses, particularly in the aftermath of the November 2017 elections".¹⁴⁴ But these US demands have little credibility as long as they continue to send millions of US Dollars to Honduras in the form of security assistance. One incident last month showed especially well the lack of political will in Honduras to investigate these crimes. A police agent was allegedly arrested for kidnapping, but according to ConfidencialHN, his arrest was a punishment for leading the protests against the post-electoral violence inside the National Police Force.¹⁴⁵

Repressions

As long as past repression remains unpunished, it is no wonder that new cases of state repression are observed every month in Honduras. On June 12, the National Police violently repressed a peaceful protest by the transport sector against the high fuel and toll costs. All in all, the police arrested 13 protesters, and another protester had to be brought to the emergency room after having been beaten by the police.¹⁴⁶ State security forces also reacted with repression to manifestations on the ninth anniversary of the coup d'état.¹⁴⁷

UNAH, September 2017

May ended with a court dismissing the charges against police officials held responsible by human rights organizations for an attack against four HRDs and eight students on the UNAH campus in

¹⁴⁰ <http://www.elheraldo.hn/pais/1193172-466/honduras-decomis%C3%B3-13-mil-armas-y-destruy%C3%B3-solo-7-mil-entre-2011>

¹⁴¹ <https://criterio.hn/2018/06/04/autoridades-deben-incorporar-a-las-victimas-en-las-investigaciones-a-las-violaciones-de-derechos-humanos-oacnudh/>

¹⁴² <http://www.web.ellibertador.hn/index.php/noticias/nacionales/2868-iglesia-catolica-exige-dialogo-y-recuperacion-del-estado-en-honduras>

¹⁴³ <https://www.amnesty.org/en/latest/news/2018/06/honduras-authorities-are-denying-due-process-to-people-arrested-during-post-election-protests/>

¹⁴⁴ <https://www.state.gov/r/pa/prs/ps/2018/06/283310.htm>

¹⁴⁵ <https://confidencialhn.com/2018/06/15/venganza-arrestan-a-exguardaespalda-de-exjefe-policial-ramon-sabillon/>

¹⁴⁶ <http://www.clibrehonduras.com/index.php/alertas/criminalizacion-de-la-protesta-publica/870-desalojo-violento-a-protesta-de-transportistas-deja-13-detenedos-y-un-herido>

¹⁴⁷ <http://defensoresenlinea.com/policias-atacan-a-manifestantes-en-el-noveno-aniversario-del-golpe-de-estado/>

September 2017. This month, we saw some reactions to this ruling. ASOPODEHU warns that this ruling further endangers the work of HRDs in Honduras.¹⁴⁸ One of the attacked HRDs, Carlos del Cid, denounced that the police and the armed forces are untouchable because they represent JOH's power base.¹⁴⁹ On June 5, the National Human Rights Board presented a complaint against the responsible judge at the Supreme Court for abuse of authority and breach of the duties of public servants.¹⁵⁰

Assassinations

The murder of three Miskitu men by soldiers last May continued to make headlines this month. The local indigenous organization MASTA together with family members traveled to Tegucigalpa to protest outside the MP.¹⁵¹ At the same time, ConexiHon published a detailed article on how the armed forces tried to cover up the murders.¹⁵² On June 29, a court ordered one of the accused soldiers to await trial from prison.¹⁵³ The murder of the three men had some similarities to the infamous Ahuas case, in which DEA agents together with Honduran security forces murdered four people in 2012. This month, a Honduran court acquitted the only remaining Honduran police officer accused in the case.¹⁵⁴

Militarization

The term militarization may sometimes feel a bit abstract and fails to explain what it means for the people suffering from it. A new ethnographic piece of journalism by ContraCorriente and Colectivo Línea84 may help. Their article looks at the violent consequences for everyday Hondurans of militarized state action against organized crime. "Specifically, at the end of 2016, through a series of three operations called Typhoon, the Hernández government conducted more than 100 raids, arrests, seizures and captures throughout the country. The operatives were declared a success. However, this success was accompanied by death squads, enforced disappearances, assassinations, torture and exile."¹⁵⁵

Penitentiary System

On June 2, various news outlets reported of 200 intoxicated inmates in the prison of Choluteca.¹⁵⁶ Some of them were later diagnosed with Dengue¹⁵⁷ while the majority seemed to have suffered from a stomach virus.¹⁵⁸ This was a reminder of the horrible conditions of Honduras' prisons. More than 19'000 persons are currently incarcerated in Honduras, and a substantial part of them lacks basic living conditions such as access to drinking water.¹⁵⁹

148 <http://www.pasosdeanimalgrande.com/index.php/en/denuncias/item/2155-peligrosa-resolucion-de-jueza-coloca-en-mas-peligro-a-los-defensores-y-defensoras-de-derechos-humanos-en-honduras>

149 <https://criterio.hn/2018/06/01/en-honduras-los-policias-y-militares-son-intocables-porque-sostienen-el-regimen-de-joh-carlos-del-cid/>

150 <http://www.pasosdeanimalgrande.com/index.php/en/denuncias/item/2162-mesa-de-derechos-humanos-denuncia-a-jueza-que-absolvio-a-oficiales-de-policia-que-torturaron-a-defensores>

151 <http://elpulso.hn/familiares-de-victimas-de-warunta-reclaman-justicia-ante-fiscalia-de-las-etnias/>

152 <http://www.conexihon.hn/index.php/dh/57-pueblos-indigenas/692-el-silencio-de-warunta-militares-encubrieron-asesinatos-de-tres-misquitos>

153 <http://www.proceso.hn/mas-noticias/32-m%C3%A1s-noticias/detencion-judicial-para-militar-acusado-de-asesinar-a-tres-misquitos.html>

154 <https://contracorriente.red/2018/06/29/absuelven-a-unico-policia-acusado-por-asesinatos-en-operativo-con-la-dea-en-ahuas/>

155 <https://contracorriente.red/2018/06/28/hijo-del-tifon/>

156 <http://www.elheraldo.hn/sucesos/1183991-466/200-reos-se-intoxicacion-en-una-penitenciar%C3%ADa-en-choluteca-al-sur-de>

157 <https://tiempo.hn/reos-con-dengue-fueron-internados-en-el-hospital-regional-del-sur/>

158 <http://www.proceso.hn/actualidad/7-actualidad/problemas-gastricos-y-no-dengue-presentaban-reos-de-penal-de-choluteca.html>

159 <http://elpulso.hn/carceles-de-maxima-seguridad-la-toiva-y-el-pozo-son-abastecidas-de-agua-en-bolsas/>

International Community

Apart from OACNUDH, the international community failed to make positive headlines in Honduras this month. On the ninth anniversary of the coup d'état, Radio Progreso challenged them for giving legitimacy to the JOH regime. While they try to hide behind technicalities regarding the veracity of electoral fraud during the November 26 elections, "nobody can justify without falling into irresponsibility and cynicism that the main fraud is still the re-election of a president when the Constitution, so widely violated, continues to establish that under no circumstances someone who has been president may be for a second term."¹⁶⁰ The IMF played an especially negative role this month. Just days after the Box of Pandora case broke (see Corruption section), it gave JOH a platform to laud his anti-corruption efforts.¹⁶¹

US

Already in May, the US Congress demanded a list of corrupt Central Americans.¹⁶² A possible follow-up on this may have been this month's announcement to withdraw the visas of various Honduran congresswo/men.^{163 164} While some observers greeted this, the historian Edgar Soriano believes that "[t]he [US] State Department has a plan to safeguard the institutional structure in the eyes of the public and restructure the political landscape..."¹⁶⁵ The US influence was further present in the nomination of the new MACCIH spokesperson as well as the reelection of Attorney General.¹⁶⁶

EU

As part of the debt conversion program with Spain (administered by CABEI), Honduras got four child care centers in the Central District.¹⁶⁷

Varia

Femicide

Women's rights and feminist organizations denounce a "culture of death" in Honduras¹⁶⁸. Already 160 women lost their lives violently in the first five months of 2018, and 96% of the cases rest unpunished.¹⁶⁹ One source of the violence is the State's failure to act on complaints of domestic violence.¹⁷⁰

¹⁶⁰ <http://wp.radioprogreso.hn.net/reeleccion-sigue-siendo-el-gran-problema-a-resolver-27-junio-2018/>

¹⁶¹ <http://www.proceso.hn/actualidad/7-actualidad/lucha-contra-la-corrupcion-en-honduras-contara-con-el-apoyo-del-fmi.html>

¹⁶² <https://confidencialhn.com/2018/06/08/las-acciones-de-congresistas-estadounidenses-preocupan-a-corruptos-hondurenos-victor-meza/>

¹⁶³ <https://criterio.hn/2018/06/18/juan-herandez-viaja-a-washington-en-medio-de-noticias-de-desvisados/>

¹⁶⁴ <http://www.web.elibertador.hn/index.php/noticias/nacionales/2893-honduras-desvisado-elvin-santos-y-37-mas-de-caso-pandora>

¹⁶⁵ <https://confidencialhn.com/2018/06/19/preven-sacrificios-de-peones-para-salvaguardar-intereses-de-eeuu/>

¹⁶⁶ <https://contracorriente.red/2018/06/07/la-voz-que-decide-en-honduras/>

¹⁶⁷ <http://www.latribuna.hn/2018/06/24/espana-entrega-cuatro-centros-cuidado-infantil/>

¹⁶⁸ <http://derechosdelamujer.org/desde-la-desobediencia-pronunciamiento-contra-la-cultura-de-muerte-en-honduras/>

¹⁶⁹ <https://tiempo.hn/segun-visitacion-padilla-el-96-de-los-femicidios-están-en-la-impunidad/>

¹⁷⁰ <http://wp.radioprogreso.hn.net/veni-otra-victima-del-estado-de-honduras/>

Forced Displacement

Always in June, the world commemorates the World Refugee Day. COFADEH dedicated it to the topic of forced displacement, a main driver of migration from Honduras. On the occasion, they spoke with Nubia Velásquez, the grandmother of the student Eduardo Urbina, who had to flee to Costa Rica for facing threats in Honduras.¹⁷¹ Eduardo also wrote an article about his situation.¹⁷² A further threat of forced displacement can be found in the ZEDEs. In the south of Honduras, inhabitants of the Exposición Island already received notification of expulsion last year.¹⁷³

National Dialogue and Electoral Reforms

The National Dialogue failed to make any substantial progress this month as JOH continued to deny its binding character. The National Party rather intended to circumvent the dialogue further. Presidential Secretary Ebal Díaz presented to Congress a bill regulating the presidential reelection.¹⁷⁴ The constitutional lawyer Ramón Barrios believes that Ebal Díaz's attempt to regulate the reelection is a ruse by the National Party to white-wash the illegal reelection of JOH.¹⁷⁵

Global Peace Index

Honduras lost twelve positions in the Global Peace Index.¹⁷⁶

Labor Rights

The International Trade Union Confederation ranked Honduras once more in the worst category "No guarantee of rights".¹⁷⁷ Nevertheless, this information has not arrived yet in all places. Due to numerous complaints about labor rights violations in Honduras and Costa Rica, the transnational fruit and fresh produce company Fyffes got suspended from the Ethical Trading Initiative (ETI) in May 2017. This did not stop Fair Trade USA to awarded the fair trade certificate to Fyffes' Honduran subsidiary Suragroh.¹⁷⁸

Deportation

The International Migrants Observatory in Honduras (OMIH) reported this month that the number of deported Hondurans has increased by 50% so far this year.¹⁷⁹

Poverty

Last month, a dispute erupted regarding the amount of poverty in Honduras. A new study financed by the Spanish cooperation agency AECID and conducted by CEM-H, Las Hormigas, CESPAD and

171 <http://defensoresenlinea.com/los-desplazamientos-forzados-y-refugios-es-una-epidemia-en-honduras/>

172 <http://defensoresenlinea.com/dia-mundial-de-la-persona-refugiada/>

173 <http://defensoresenlinea.com/la-zona-sur-de-honduras-es-un-reflejo-del-pais-portatil-de-ruben-blades/>

174 <http://www.web.ellibertador.hn/index.php/noticias/nacionales/2858-presidente-herandez-termina-en-esta-ocasion-y-no-va-aspirar-a-otra-candidatura-ebal-diaz>

175 <http://wp.radioprogreso.hn/reglamentar-reeleccion-es-lavar-la-presidencia-ilegal-de-joh-dice-analista/>

176 <http://www.proceso.hn/actualidad/7-actualidad/honduras-baja-12-puntos-revela-el-indice-de-paz-global-2018.html>

177 <https://www.ituc-csi.org/ituc-global-rights-index-2018>

178 <https://www.alainet.org/es/articulo/193381>

179 <https://confidencialhn.com/2018/06/27/sube-en-un-50-por-ciento-el-numero-de-deportados-a-honduras/>

Oxfam found that poverty in Honduras increased by 1.5% even though the JOH regime spent \$174 million for its social benefit program Bono Vida Mejor.¹⁸⁰ The program has already been criticized for its highly partisan spending, i.e. mostly Nationalist activists benefit. The study additionally showed how it negatively affects women by cementing antiquated role models and by increasing their workload.¹⁸¹ Another sign of the high poverty levels in Honduras is the staggering number of child labor. According to World Vision Honduras, about 400'000 children work in different sectors in Honduras, the majority (54%) in agriculture.¹⁸²

Poverty is further exacerbated by the widespread use of tax exemption for business actors in Honduras. According to the Secretary of Finance, Rocío Tábora, Honduras forgoes about 6% of its GDP as a consequence of this.¹⁸³ Between 2012 and 2016, the Maquiladora industry benefited from over 8.5 billion Lempiras in tax exemptions and the agro-industrial sector from more than 1.5 billion Lempiras.¹⁸⁴

And Light at the End of a Month

Let us end this month with two pieces of good news. Radio Progreso presented a successful implementation of a community-based renewable energy project in Camagüey, Atlántida¹⁸⁵ and the Women's Movement for Peace “Visitación Padilla” was awarded the Georg Fritze prize by a German protestant church.¹⁸⁶

180 <http://cespad.org.hn/wp-content/uploads/2018/06/Bono-Vida-Mejor-VERSION-4-WEB.pdf>

181 <http://www.pasosdeanimalgrande.com/index.php/en/contexto/item/2187-gobierno-ha-utilizado-el-bono-vida-mejor-para-someter-mas-a-las-mujeres-y-favorecer-a-sus-activistas-politicos>

182 <https://confidencialhn.com/2018/06/12/alertan-sobre-uso-de-mano-de-obra-infantil-en-honduras/>

183 <https://confidencialhn.com/2018/06/01/perdon-de-impuestos-a-grandes-empresas-consume-el-seis-por-ciento-de-la-produccion-nacional/>

184 <http://wp.radioprogressohn.net/exoneraciones-fiscales-una-practica-abusiva-que-impide-una-recaudacion-tributaria-equitativa/>

185 <http://wp.radioprogressohn.net/comunidad-camaguey-en-atlantida-un-ejemplo-de-soberania-territorial/>

186 <http://www.conexihon.hn/index.php/dh/35-mujeres/690-un-premio-y-una-sonrisa-en-cumpleaños-de-gladys-lanza-reconocen-internacionalmente-trayectoria-de-movimiento-de-mujeres-visitacion-padilla>



Another Month at the Honduras Forum Switzerland

Past Activities:

The Honduras Forum participated in a gathering of European solidarity organizations with Honduras in Berlin this month. Over 50 participants from six European countries as well as guests from the US and Honduras spent a weekend discussing the situation of Honduras and our role in supporting local struggles. The gathering ended with the formation of a European solidarity network which will shortly be presented to the public.

Upcoming Activities:

-

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