

Another Month in Honduras...

Human Rights Monitor – December 2022

December saw several attacks on human rights defenders in Honduras and at least one campesino defender was murdered in the Aguán. The situation with the ZEDEs made a turn to the worse as ZEDE Próspera filed a complaint at the International Centre for Settlement of Investment Disputes (ICSID). An appeals court dropped the charges against two corrupt officials of the former JOH regime, highlighting again the need for a new Judicial Power. The election of the Supreme Court judges made further progress this month, but there are problems with the candidates. Out of the remaining 101, 69 had over 140 complaints filled against them this month. December was also the month, in which the Xiomara administration declared a state of exception to fight organized crime. While human rights organizations denounced the infringement of rights, state security bodies claimed that as a first result, the number of extortion decreased by 40%. On a more positive note, the Constitutional Chamber confirmed an appeal in favor of COPINH and the Río Blanco community in the Gualcarque Fraud case. The Xiomara administration also signed an important memorandum of understanding with the UN regarding the installation of the CICIH. Welcome to another month in Honduras.

In solidarity,

Daniel Langmeier

Honduras Forum Switzerland

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Abbreviations

| | |
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| ASJ | Association for a More Just Society |
| ATIC | Technical Bureau for Criminal Investigation |
| BID | Inter-American Development Bank |
| CABEI | Central American Bank for Economic Integration |
| CDM | Center for Women's Rights |
| CIPRODEH | Center for Human Rights Research and Promotion |
| CMH | Medical Association Honduras |
| CNA | National Anti-Corruption Council |
| COFADEH | Committee of Families of the Detained-Disappeared in Honduras |
| COIPRODEN | Coordination of Private Institutions for Children's Rights |
| CONADEH | National Human Rights Commission |
| COPINH | Council of Popular and Indigenous Organizations of Honduras |
| FEPRODDHH | Special Public Prosecutor Unit for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Operators |
| FOSDEH | Social Forum on the External Debt of Honduras |
| 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 |
| MADJ | Broad Movement for Dignity and Justice |
| MP | Attorney General's Office |
| OACNUDH | UN Human Rights Office in Honduras |
| TSC | Supreme Audit Court |
| UFERCO | Special Prosecuting Unit against Corruption Networks |
| UNAH | National Autonomous University of Honduras |
| ZEDE | Zone for Employment and Economic Development |

Human Rights and Their Defenders

The EU and France, Germany and Spain awarded the "Europe Prize for Human Rights 2022" to human rights defender María Felicita López. She is the coordinator of MILPAH.¹

Assassinations

Journalist Jared Olson sent out an alert. "Mauricio Esquivel, a member of the Tranvío farm cooperative, challenging land with the Dinant Corporation in Honduras' Aguán Valley, was murdered last night. He left for the town of Quebrada de Arena, and his body was dumped, death squad style, on the road this morning."²

Attacks, Criminalization and Harassment

The National Women Human Rights Defender Network documented 1466 attacks against women human rights defender in 2021 and the first six months of 2022.^{3 4}

On December 15, COPINH denounced an attempted assassination of COPINH member Nery Alexander Gonzalez from Achiotal, Siguatepeque. "Last Sunday night Nery was attacked by an unknown person, receiving a bullet in the head while entering his house. Nery is one of the leaders of the Achiotal community, who are in the process of recovering land for the planting of food crops."⁵

"The National Front of Popular Resistance, FNRP, denounced through a public statement this December 5, 2022, that the journalist and human rights defender Alba Lopez, suffered a criminal attempt on her life on December 3, 2022, and demands that the entities in charge conduct an investigation into the facts. López is a member of this space in the Central District and in the department of Francisco Morazán of the FNRP and was run over by an unknown vehicle that fled, and according to social networks she suffered blows to her face for which she had to undergo surgery at the Hospital Escuela of the capital, where she is still in the process of recovery."⁶

On December 8, defenders from Guapinol sent out an alert. "We alert to the monitoring and surveillance in vehicles without license plates by armed groups linked to the mining company Inversiones Los Pinares of recognized defenders of the Municipal Committee for the Defense of the Common and Public Goods of Tocoa and the communities of Guapinol and Sector San Pedro who have been intercepted to threaten them with "eliminating one by one since they do not let them work peacefully"; at the same time expressing names with whom they were going to start."⁷

"The Special Rapporteur on the situation of human rights defenders, Mary Lawlor, expressed via Twitter her concern about the reports received from Honduras indicating that the investigation

1 <https://elpulso.hn/2022/12/06/la-union-europea-otorga-el-premio-europa-de-ddhh-en-honduras-a-la-defensora-maria-felicita-lopez/>

2 <https://twitter.com/jolson321/status/1605964170779844610>

3 <https://ellibertador.hn/2022/12/14/casi-1500-agresiones-a-defensoras-sociales-entre-2021-y-2022/>

4 <https://drive.google.com/file/d/11-n2AyGtzrLqzF2S5DlnxR4Rbiuj5Twy/view>

5 <https://twitter.com/COPINHONDURAS/status/1602759041050091521>

6 <https://pasosdeanimalgrande.com/pag/index.php/articulos/denuncia/130-fnrp-denuncia-atentado-criminal-contra-periodista-y-defensora-de-derechos-humanos-alba-lopez>

7 <https://www.guapinolresiste.org/posti/alerta-urgente-ante-ola-de-amenazas-de-muerte-vigilancia-y-campa%C3%B1as-de-estigmatizaci%C3%B3n-en-l%C3%A9nea>

against the coordinator of the Black Honduran Fraternal Organization (Ofraneh), Miriam Miranda, and the lawyer of the Justice for the Peoples Law Firm, Edy Tábora, is still open."⁸

Indigenous Peoples

"Representatives Cori Bush (MO-01), Ilhan Omar (MN-05), Jesus "Chuy" García (IL-04), Jan Schakowsky (IL-09), and Jamaal Bowman Ed.D. (NY-16) introduced a resolution that affirms the rights of the Afro-Indigenous Garífuna people in Honduras. The Inter-American Court of Human Rights and Inter-American Commission on Human Rights have determined that the Garífuna community's rights have repeatedly been violated by the Honduran government, yet little has changed regarding their treatment. This resolution condemns the violence toward the Garífuna people while calling for accountability from the Honduran government and other international institutions for their role in these abuses. The lawmakers worked closely with partner organizations and the Garífuna community to author this resolution following a March 2021 congressional delegation trip to Honduras."⁹

"The Special Prosecutor's Office for the Protection of Ethnic Groups and Cultural Heritage (FEP-ETNIAS/PC) recently conducted an inspection in Cayos Cochinos to investigate alleged environmental damage. Specifically in the smaller cay, prosecutors and investigators accompanied by leaders of the indigenous peoples of Nueva Armenia and Sambo Creek, went to the cays to inspect the environmental damage that has allegedly been caused. The investigations are carried out as a result of a complaint filed by the Black Fraternal Organization of Honduras (OFRANEH) before this Special Prosecutor's Office, where they denounced that they observed smoke screens in the vicinity of the smaller key. The archipelago called Cayos Cochinos was declared a Natural Marine Monument in 2013."^{10 11}

"The "Wagueira Lee" camp of the Garífuna community is located in the Roatán area of Honduras. It is a community recovery of ancestral lands that is part of the process of cultural survival and defense of the Garífuna territories against the advance of the destruction of nature and life. Interview with Miriam Miranda, Human Rights Defender and leader of the Honduran Black Fraternal Organization (OFRANEH)."¹² On December 11, OFRANEH's Miriam Miranda denounced a racial hate campaign against the San Juan Garífuna community in Tela with the purpose of dismissing an important case before the Inter-American Court of Human Rights.¹³

On December 15, MADJ informed that "[t]he Prosecutor's Office of Ethnic Groups has filed two prosecutorial requests for the crime of illegal exploitation of forest products to the detriment of the environment and the Ojo de Agua and Lagunitas Tolupán tribe in Yoro".¹⁴ The case was also brought to the IACHR.^{15 16}

8 <https://criterio.hn/laman-a-presidenta-de-honduras-a-garantizar-integridad-fisica-de-defensores-del-parque-nacional-carlos-escaleras/>

9 <https://bush.house.gov/media/press-releases/representatives-bush-omar-garcia-schakowsky-and-bowman-introduce-resolution-to-affirm-rights-of-honduras-garifuna-people>

10 <https://proceso.hn/fiscalia-de-las-etnias-y-patrimonio-cultural-investiga-danos-ambientales-en-cayos-cochinos/>

11 <https://twitter.com/ofraneh/status/1599833520125677568>

12 <https://www.biodiversidadla.org/Agencia-de-Noticias-Biodiversidadla/Miriam-Miranda-Estamos-construyendo-autonomia-y-autogestion-comunitaria-frente-al-capitalismo-voraz-que-destruye-la-naturaleza>

13 <https://twitter.com/baraudawaguchu/status/1601656401373593600>

14 <https://twitter.com/MovAmplioHn/status/1603441475207204864>

15 <https://criterio.hn/instalacion-de-minera-recrudece-violencia-contra-tribu-tolupan-denuncian-ante-la-cidh/>

16 <https://cejil.org/comunicado-de-prensa/amenazas-y-violencia-en-contra-de-la-tribu-tolupan-de-san-francisco-de-locomapa-se-recrudecen-ante-la-instalacion-de-empresa-minera/>

The Case of Berta Cáceres

On December 1, "[t]he national and international organizations that make up the Qualified Observation Mission in the Berta Cáceres Case, call on the Constitutional Chamber of the Supreme Court of Justice to promptly decide the consultation on the amparo action that suspends the oral trial in the process for corruption in the concession of the Gualcarque River."¹⁷ On December 15, COPINH informed that the Constitutional Chamber confirmed an appeal in favor of COPINH and the Río Blanco community in the Gualcarque Fraud case. The Corruption Sentencing Court must reconvene hearings and finalize the trial in the case to guarantee the rights of the indigenous community of Rio Blanco.¹⁸ The Qualified Observation Mission on the Berta Cáceres Case welcomed the resolution.¹⁹

LGBTIQ+

"Since early hours of this Monday, different organizations of the trans community presented themselves in front of the Presidential House to demand President Xiomara Castro to receive them community in her office and at the same time demand the fulfillment of campaign promises. In the public position of the trans organizations of Honduras, they demand the State to comply with international recommendations on human rights and compliance with the judgment of the case of Vicky Hernandez and others versus the State of Honduras towards the recognition of the gender identity of trans people."²⁰

LGBTQI+ organization SOMOS-CDC denounced cyber attacks against them.²¹

Assassinations

OACNUDH documented 41 murders of people from the LGBTIQ+ community.²² LGBTIQ+ community organizations counted at least 46 murders.²³

Freedom of Expression and Journalists

Honduras remains among the 15 deadliest countries for journalists.²⁴

"Serious death threats against journalist Gilda Silvestrucci and her minor daughter were made on her social networks and through phone calls by unknown persons after she published satires and journalistic criticism of former President Juan Orlando Hernández."²⁵ "The journalist and human rights defender, Dina Meza, publicly denounced on her social networks the surveillance and monitoring of her and her family by alleged members of the National Police."²⁶

17 <https://www.observacionbertacaceres.org/post/honduras-retraso-judicial-vulnera-acceso-a-la-justicia-en-caso-fraude-sobre-el-gualcarque>

18 <https://twitter.com/COPINHONDURAS/status/1603517924412629007>

19 <https://twitter.com/MisionCaso/status/1603746768029507585>

20 <https://criterio.hn/frente-a-casa-presidencial-comunidad-trans-exige-cumplimiento-de-promesas-de-presidenta-xiomara-castro/>

21 <https://pasosdeanimalgrande.com/pag/index.php/articulos/denuncia/136-ataques-ciberneticos-contrasomos-cdc-dejo-fuera-del-aire-por-varios-dias-la-cuenta-de-facebook-de-esta-organizacion>

22 <https://confidencialhn.com/blog/2022/12/12/onu-registra-252-mujeres-muertas-de-manera-violenta-en-honduras-en-2022/>

23 <https://confidencialhn.com/blog/2022/12/29/colectivo-lgbt-desprotegido-ante-violencia-en-honduras-denuncian-activistas>

24 <https://proceso.hn/rsf-denuncia-que-han-muerto-de-media-80-reporteros-al-ano-desde-2003/>

25 <http://www.clibrehonduras.com/cl/index.php/portada-alertas/1560-mp-debe-retomar-denuncia-por-acoso-contra-periodista-hondurena>

26 <http://www.clibrehonduras.com/cl/index.php/portada-alertas/1564-periodista-dina-meza-denuncia-vigilancia-de-su-vivienda>

Violence against Women

According to OACNUDH, at least 252 women were murdered in Honduras as of October. The number rose to 273 in November according to UNAH's Violence Observatory.²⁷ By the end of the year, over 300 women had violently died in Honduras with an impunity rate of 95%.²⁸

Jeff Ernst reports for the Guardian on the hopes of women's rights organizations in Honduras for the Xiomara administration and their disappointments. "I believe that at some point [Castro] will possibly fulfil some of the things, but the reality is that 20% of her term has already passed, and at least in terms of reproductive rights we do not see any substantive change in women's lives up to now." The Guardian spoke with 10 activists in Honduras, nearly all of whom expressed a similar sentiment. Their main grievance was the failure to fulfil a campaign promise to legalise emergency contraceptives without restrictions.²⁹

On December 9, UN Permanent Resident Coordinator Alice H. Shackelford welcomed the protocol to attend victims of s. violence signed by the Minister of Health, José Manuel Matheu Amaya. This would lead to, although only partial, reintroduction of the emergency contraceptive pill.³⁰

Political Prisoners

Political prisoners Edwin Espinal and Raúl Álvarez were meant to hear the full, written judicial decision yesterday absolving them of all charges related to 2017 electoral crisis. But for the second time, the Attorney General successfully canceled the hearing. Honduras Now denounces: "How long do Edwin & Raul have to wait for their case to be closed? Meanwhile, they can't leave the country & have to sign at courthouse every 2 weeks despite being absolved over a year ago".³¹

Extractive Industries

Criterio denounced that the Honduran Geological and Mining Institute (Inhgeomin) is going after them for an article on Inhgeomin's failure to cancel the Guapinol concession.³²

"For now, the progress of the Additional Exploration Period, within which - according to the oil concession contract - an exploration and exploitation well would have to be drilled in the Miskito Cays of Honduras, is unknown. Erick Tejada, Minister of Energy, argues that violating this contract could result in lawsuits with damages for the State, even though the project began to be executed without carrying out a free and informed prior consultation with the native peoples living in this area of the Moskitia."³³

27 <https://confidencialhn.com/blog/2022/12/12/onu-registra-252-mujeres-muertas-de-manera-violenta-en-honduras-en-2022/>

28 <https://confidencialhn.com/blog/2022/12/27/onu-registra-cerca-de-300-mujeres-muertas-de-manera-violenta-en-honduras-en-2022/>

29 <https://www.theguardian.com/world/2022/dec/02/xiomara-castro-honduras-womens-rights-activists>

30 <https://twitter.com/aliceshackel/status/1601350665963380737>

31 <https://twitter.com/HondurasNow/status/1603618132920340483>

32 <https://twitter.com/criteriohn/status/1599902020055474186>

33 <https://contracorriente.red/2022/12/07/concesion-petrolera-en-la-mosquitia-de-honduras-avanza-sin-transparencia-ni-consulta/>

ZEDES

According to Economic Development Minister Pedro Banquero, the Xiomara administration has not come to an agreement with ZEDE Próspera. He further explained that the government is willing to reach an agreement with them to avoid international arbitration.³⁴ On December 15, ZEDE Próspera again threatened the State of Honduras with an international lawsuit.³⁵ Banquero reacted by stating that they have no fear that ZEDE Próspera would opt to go to international arbitration to sue the State of Honduras.³⁶ But on December 20, the following news broke. ZEDE Próspera filed claims with the International Centre for Settlement of Investment Disputes (ICSID). According to them, the repeal of the ZEDes law would lose them up to \$10.7 billion.³⁷ The Xiomara administration denounced that ZEDE Próspera had no real intentions to negotiate with them.³⁸ "Javier Sandoval, a law professional, stated this Wednesday that the Public Prosecutor's Office (MP) should file a tax injunction against the persons who approved the Employment and Economic Development Zones (ZEDE), because the crime of treason is not subject to the statute of limitations."³⁹

"Created as a regulatory body for the repealed Employment and Economic Development Zones (ZEDE), the Committee for the Adoption of Best Practices (CAMP) remains shrouded in mystery, especially as to who is or was a member of it."⁴⁰ On December 26, ZEDE Ciudad Morazán also reappeared in the headlines claiming that they petitioned the Xiomara administration to have their legal state changed from a ZEDE to a "Residential Free Zone (ZOLI)".⁴⁰

Agriculture

"On November 17, 2021, the Constitutional Chamber of the Supreme Court of Justice (CSJ) declared unconstitutional the Law for the Protection of Plant Varieties, better known as the "Monsanto Law". Peasant organizations fought for ten years against this legislation that not only threatened the free cultivation of native and creole species in Honduras and obeyed a billionaire food industry, but also threatened the ancestral knowledge of native peoples who are increasingly facing droughts, floods and other effects derived from the climate crisis."⁴¹

Radio Progreso published an article on the situation in the Aguán. "The agreement that the peasants, businessmen and government signed last April 22, to seek a peaceful solution to the situation of violence, threats and harassment caused by the agrarian crisis in the department of Colón, has reached an impasse. For the social organizations of Aguán, the current administration does not want to move forward with the agreement to investigate the murders and human rights violations that have been committed in the unjust distribution of land, because it has been the businessmen in collusion with the military and police who have been responsible for such acts."⁴²

34 <https://confidencialhn.com/blog/2022/12/12/zede-prospera-y-gobierno-aun-sin-acuerdo-confirma-pedro-barquero/>

35 <https://criterio.hn/zede-prospera-declina-demanda-y-anuncia-arbitraje-contr-el-estado-de-honduras/>

36 <https://proceso.hn/no-tememos-ir-a-un-arbitraje-internacional-por-las-zede-dice-ministro-hondureno-de-economia/>

37 <https://proceso.hn/prospera-presenta-demanda-por-10775-millones-de-dolares-contr-el-gobierno-de-honduras/>

38 <https://confidencialhn.com/blog/2022/12/21/honduras-prospera-no-tuvo-ninguna-intencion-de-negociar-nos-defenderemos-ministro-pedro-barquero/>

39 <https://confidencialhn.com/blog/2022/12/28/subrayan-que-el-mp-deberia-presentar-requerimiento-fiscal-contr-las-personas-que-aprobaron-las-zedes/>

40 <https://proceso.hn/ciudad-morazan-se-queja-de-no-tener-respuesta-de-gobierno-a-propuesta-para-implementacion-de-una-zoli/>

41 <https://contracorriente.red/2022/12/19/la-resiliencia-de-un-pueblo-que-estuvo-a-punto-de-perder-sus-semillas/>

42 <https://radioprogreso.hn.net/aplicacion-movil/familias-facusse-morales-y-canales-siguen-generando-conflictividad-agraria-en-el-aguan/>

Corruption and Its Enemies

"The Center for the Study of Democracy (CESPAD), presents the first report of the monitoring of the Anti-Corruption Agenda of the National Congress, a document that aims to analyze the progress, setbacks and challenges in the fight against corruption and impunity, and offer recommendations to contribute to the dismantling of criminal networks that have permeated the State of Honduras[1]."⁴³

ConexiHon reports on what still needs to be done after the repeal of the Secrecy Law some months ago. "Almost all governments in the world have used the law on official secrets in an abusive manner, restricting people's right to access information. The recent repeal of this law in Honduras is described as a positive step taken by the country. But, has all the information been completely declassified? No. There are still several traps and walls that prevent true transparency in the access to information."⁴⁴

On December 3, PSH Congressman Carlo Umaña announced to tackle corruption at hospitals with a new bill. "Our proposal is to remove from the administrators the power to buy medicines, because they have made a mess and turned the hospitals into a piñata of corruption", he declared. (...) "The hospitals have been considered a gold mine by the administrators. That is why hospital purchases should be centralized while the public servant career is created", he assured."⁴⁵

"The director of the Administrative Office of Seized Assets (OABI), Jorge Gonzáles, announced that he has proposed to the Government the liquidation of this institution. According to Gonzáles, this decision has been taken due to the economic damage of more than one billion lempiras caused by past administrations. In this sense, he expressed that "the corresponding authorities have to deduct the responsibilities that the case deserves". He added that the situation of OABI is unsustainable and it should be liquidated."⁴⁶

CICIH

On December 3. "Foreign Minister Eduardo Enrique Reina informed (...) that the memorandum of understanding with the United Nations (UN) to set up the International Commission against Corruption and Impunity in Honduras (CICIH) is ready."⁴⁷ Reina reiterated that the Xiomara administration will keep its electoral promise to bring the CICIH to Honduras.⁴⁸ At the same time, Reina also announced that president Xiomara would travel to the UN to discuss the installation of the CICIH.⁴⁹ She then flew to New York on December 11⁵⁰ and good news followed a few days later. On December 15, the Xiomara administration and the UN signed the memorandum of understanding⁵¹ for the installation of the CICIH.⁵² The installation will take place in two phases.

43 <https://cespad.org/hn/el-cumplimiento-de-la-agenda-estrategica-legislativa-2022-2025-para-enfrentar-la-corrupcion-y-la-impunidad-en-honduras/>

44 <http://www.conexihon.hn/index.php/investigaciones/2032-la-trampas-o-muros-que-quedan-tras-la-derogacion-de-la-ley-de-secretos>

45 <https://elpulso.hn/2022/12/03/piden-que-quitara-facultad-de-compra-a-administradores-hospitalarios-para-evitar-ilicitos/>

46 <https://elpulso.hn/2022/12/09/director-de-oabi-plantea-liquidar-esa-oficina-por-perjuicio-multimillonario/>

47 <https://proceso.hn/memorandum-de-entendimiento-de-la-cicih-esta-listo-garantiza-canciller-reina/>

48 <https://proceso.hn/texto-sobre-la-cicih-esta-finiquitado-faltan-temas-especificos-con-secretario-de-onu-dice-canciller/>

49 <https://twitter.com/HondurasNow/status/1599979206066442240>

50 <https://confidencialhn.com/blog/2022/12/12/presidenta-castro-viaja-a-la-onu-para-concretar-la-llegada-de-una-mision-anticorrupcion-a-honduras/>

51 <https://confidencialhn.com/blog/2022/12/16/memorandum-de-entendimiento-para-el-establecimiento-de-una-cicih-imparcial-e-independiente-en-honduras-documento/>

52 <https://twitter.com/XiomaraCastroZ/status/1603509195126497280>

During the first phase, various legal reforms will be needed. The finance of the CICIH will be discussed in the second phase.⁵³

CESPAD laid out the further steps needed after the signature of the memorandum of understanding until the CICIH could start its work in Honduras.⁵⁴ "The phased approach to the implementation of this process obliges Honduran institutions to commit to a reform agenda. In the final Memorandum, the commitments are the following:

Reforms to the regulatory framework governing the crime of illicit enrichment and money laundering.

Abrogation of Decree 116-2019 that limits the functions of the Public Prosecutor's Office.

Amendments to the normative regulations of the National Banking and Insurance Commission, and others that allow the lifting of secrecy concerning the situation of money laundering and trusts.

The approval of the necessary instruments for the establishment of the figure of effective collaboration and those instruments that are necessary for the independent exercise of the public criminal action.

These reforms are key in the efforts to dismantle the model of macro corruption inherited from the previous regime, and the National Congress is the political center of gravity to ensure these actions, to the extent that these reforms are a responsibility of the legislative branch. This situation poses the enormous challenge for the governing party to deploy the maximum political talent to build the necessary correlations of forces to make this agenda of changes in the national legislation effective. (...) In the various instruments exchanged between the UN and the Castro administration, civil society organizations and social movements have been largely absent, as there has been no mention of their role in this process."⁵⁵

Congresswoman Fátima Mena presented an initiative to reform the Code of Criminal Procedure to grant the CICIH the status of private prosecutor.⁵⁶ "The president commissioner of the National Banking and Insurance Commission (CNBS), Marcio Sierra, said Monday that money laundering occurs in all countries of the world, but that they are trying to combat it, that is why they are reviewing the reforms to the Money Laundering Law that "protects former officials who have fled the country".⁵⁷

On December 21, US Senator Patrick Leahy published a press release on the CICIH. "President Xiomara Castro traveled to New York to personally oversee the negotiation and signing, which was a strong signal to the Honduran people and the international community of the importance she places on her campaign promise to establish a CICIH. I commend her for doing so. As encouraging as the new MOU is, however, it is not a binding legal document and therefore cannot be used to install a CICIH in Honduras. Only a Convenio signed by President Castro and the UN Secretary

53 <https://criterio.hn/memorando-cicoh-primer-fase-pide-reformas-legales-financiamiento-se-establecera-en-segunda-fase/>

54 <https://cespad.org.hn/negociaciones-en-nueva-york-entre-funcionarios-hondurenos-y-la-onu-marcen-el-primer-paso-formal-hacia-la-instalacion-de-la-cicoh/>

55 <https://cespad.org.hn/analisis-semanal-honduras-ya-se-firmo-el-memorandum-de-entendimiento-hacia-la-instalacion-de-la-cicoh-y-ahora-que-sigue/>

56 <https://radioprogreso.hn/aplicacion-movil/presentan-reforma-para-que-la-cicoh-sea-acusador-privado/>

57 <https://confidencial.hn.com/blog/2022/12/20/cnbs-revisa-las-reformas-a-la-ley-de-lavado-de-activos-que-protege-a-exfuncionarios/>

General can accomplish that. So the focus should now turn promptly to negotiations for a Convenio to prevent any further delays in making the CICIH a reality."⁵⁸

The Onslaught against the Anti-Corruption Bodies

An appeals court dropped the charges against two corrupt officials of the former JOH regime at the beginning of the month.⁵⁹ This highlighted once more that impunity is still a huge problem in Honduras.⁶⁰ The MP announced to challenge the decision.⁶¹ A day later, three former Soptravi public officials also had the corruption charges against them dropped.⁶² The need for new judges (see below) was again made apparent in another ruling. "The Constitutional Chamber of the Supreme Court of Justice (CSJ) granted by unanimous vote on Monday an injunction in favor of the former mayor of the Central District, Nasry 'Tito' Asfura, for investigation of the Specialized Prosecutor Unit Against Corruption Networks (Uferco) against him for alleged corruption. (...) With the result of the ruling, the Uferco is prevented from promoting the criminal action it intended".⁶³

Congressional Network

"The Specialized Unit Against Corruption Networks (UFERCO) was notified of the resolution of the Designated Court of Appeals confirming the formal indictment against seven persons named in the "Red de Diputados" case, who allegedly illegally appropriated public funds destined for social projects that were diverted for personal use."⁶⁴

State Security Forces

The state of exception remained a point of contention in December. "For public security analyst Mirna Flores, the "Integral Plan for the Treatment of Extortion and Related Crimes" is a reactive and hasty measure because, in addition to limiting freedoms, "it is stigmatizing poverty". Flores adds that extortion is not only a problem of gangs: "I find an infinity of actors that do not live in those neighborhoods, they live in the middle class sectors, on the other hand, those who are going to be invaded with military forces and National Police are the most vulnerable neighborhoods that should be attended with social policies".⁶⁵ OACNUDH called on the Xiomara administration to adopt comprehensive responses to combat violence and crime based on a human rights approach.⁶⁶

On December 6, the state of exception was implemented in 162 neighborhoods in Tegucigalpa and San Pedro Sula.⁶⁷ ⁶⁸ "Security Minister Ramón Antonio Sabillón argued that the state of emergency is aimed at suspending the rights of members of criminal groups, not those of honest people who are dedicated to working and doing good (...) He asked not to compare the measures taken by Honduras

58 <https://www.leahy.senate.gov/press/statement-by-us-senator-patrick-leahy-d-vt-and-senate-president-pro-tempore-on-corruption-and-impunity-in-honduras>

59 <https://ellibertador.hn/2022/12/03/cuando-la-ley-desprecia-la-vida-libres-funcionarios-de-joh-juzgados-por-muertes-covid/>

60 <https://criterio.hn/impunidad-para-corrupcion-de-la-pandemia-vuelve-a-evidenciar-un-sistema-de-injusticia/>

61 <https://www.mp.hn/publicaciones/mp-presenta-recurso-contra-cartas-de-libertad-otorgadas-a-exfuncionarios-gabriel-rubi-y-nery-cerrato/>

62 <https://confidencialhn.com/blog/2022/12/07/dictan-sobreseimiento-definitivo-a-tres-exfuncionarios-de-la-extinta-soptravi/>

63 <https://confidencialhn.com/blog/2022/12/27/sala-constitucional-de-la-csj-otorga-amparo-a-exalcalde-de-tegucigalpa-nasry-asfura-y-frena-antejuicio-en-su-contra/>

64 <https://www.mp.hn/publicaciones/confirman-auto-de-formal-procesamiento-a-los-siete-implicados-en-el-caso-red-de-diputados/>

65 <https://radioprogreso.hn.net/aplicacion-movil/estado-de-excepcion-discrimina-y-estigmatiza-la-pobreza-en-honduras/>

66 <https://oacnudh.hn/oacnudh-llama-a-adaptar-respuestas-integrales-de-combate-a-la-violencia-y-criminalidad-organizada-a-partir-de-un-enfoque-de-derechos-humanos/>

67 <https://ellibertador.hn/2022/12/05/feliz-navidad-vea-si-en-su-colonia-hay-estado-de-sitio/>

68 <https://www.theguardian.com/world/2022/dec/06/honduras-partially-suspends-constitutional-rights-extortion>

with what is currently happening in El Salvador, where President Nayib Bukele has declared "war" on the maras and gangs. "The objectives are similar, but there are some differences, especially because of the legal system there," he reinforced.⁶⁹ The Ministry of Security further claimed that the residents of the affected neighborhoods will not require a safe-conduct for free circulation.⁷⁰ At the same time, there was also more reporting on how the state of exception is criminalizing poverty.^{71 72}

By mid-December, the Minister of Security, Ramón Sabillón, claimed that extortion in the country had decreased by 40 percent since the implementation of the state of exception.⁷³ They repeated the number at the end of the month.⁷⁴ According to state authorities, more than 570 alleged gang members were detained since the implementation of the state of exception on December 6.⁷⁵

"A total of 3,397 people were murdered in Honduras in 2022, 12.9% below the figures for 2021 (3,900), the National Police reported Thursday."⁷⁶ "The Citizens' Roundtable, in a communiqué entitled Insecurity, Extortion and Government Action, points out that state action should not be limited to the capture of alleged extortionists because the initiative would be incomplete. In the control of extortion it is necessary to confront gangs and organized crime, but it is also necessary to dismantle the network of complicity that exists in police, military, banking and community institutions, says the communiqué."⁷⁷

Post-Electoral Human Rights Violations

"Human rights organizations, which are part of the Coalition Against Impunity, held a commemorative act in the López Arellano sector of the municipality of Choloma, Cortés, in northern Honduras, demanding justice for 33 fatalities resulting from the repression by public security forces during the post-electoral fraud protests of 2017."⁷⁸

Assassinations

A court suspended the hearing against Military Police member Josué Noé Alvarado Girón accused of murdering Marvin Rolando Alvarado Santiago in 2020.⁷⁹

Militarization

CESPAD published a report on the increasing budget for security forces and the lack of a demilitarization strategy.⁸⁰

69 <https://proceso.hn/inicia-estado-de-excepcion-parcial-con-miras-a-contener-criminalidad/>

70 <https://proceso.hn/policia-nacional-confirma-que-personas-residentes-en-colonias-bajo-estado-de-excepcion-no-requeriran-salvoconducto/>

71 <https://pasosdeanimalgrande.com/pag/index.php/articulos/monitoreo/129-segun-decreto-de-estado-de-excepcion-aprobado-por-la-presidenta-xiomara-castro-la-policia-tendra-poderes-extraordinarios-para-determinar-a-quien-detiene>

72 <https://criterio.hn/suspension-de-garantias-constitucionales-afectara-a-los-barrios-mas-pobres/>

73 <https://confidencialhn.com/blog/2022/12/13/secretaria-de-seguridad-extorsion-disminuyo-un-40-desde-inicio-de-estado-de-excepcion/>

74 <https://tiempo.hn/denuncias-de-extorsion-habrian-reducido/>

75 <https://proceso.hn/mas-de-570-miembros-de-maras-y-pandillas-detenido-durante-estado-de-excepcion-en-honduras/>

76 <https://confidencialhn.com/blog/2022/12/30/honduras-acumula-3-397-homicidios-en-2022-un-129-menos-que-en-2021/>

77 <https://criterio.hn/para-atacar-la-extorsion-tambien-debe-desarticularse-red-de-complicidad-de-militares-policias-y-bancos-mesa-ciudadana/>

78 <https://radioprogreso.hn.net/portada/justicia-exigen-para-victimas-mortales-de-fraude-electoral-de-2017/>

79 <https://www.defensoresenlinea.com/la-justicia-no-llega-para-marvin-alvarado-asesinado-por-la-pmop/>

80 <https://cespad.org.hn/mayor-presupuesto-y-poder-para-los-militares-en-el-gobierno-de-xiomara-castro-y-la-apuesta-a-la-desmilitarizacion-y-de-politicas-no-mano-dura/>

"In May 2022, Honduran President Xiomara Castro announced the creation of three green battalions "to protect protected areas and forest reserves, combat drug trafficking, stop illegal logging, fishing and mining. Also to provide security to the inhabitants". While it is necessary to urgently address the socio-environmental conflicts whose origin lies in the indiscriminate concession of extractive projects - by state institutions - in areas of biological wealth, it is also true that the military has been the armed wing of extractive interests (...) After the announcement last week of the installation of the Third Green Environmental Protection Battalion in Pinalejo, Santa Barbara, defenders of the commons from the Twitter account Libertad para el río Guapinol responded: "Enough of militarizing our communities! Protect and support communities defending their territories and water for the common good. For the recovery and protection of natural resources, cancel mining projects in Carlos Escaleras National Park".⁸¹

International Community

"The Inter-American Development Bank (IDB) approved on Thursday two loans for Honduras totaling US\$125.9 million that will help strengthen the social protection system and increase customs collection."⁸² "The president of the Central American Bank for Economic Integration (CABEI), Dante Mossi, announced that next year it will make available US\$80 million to invest in the Dry Corridor."⁸³ CABEI approved \$760.5 million for the Honduran energy sector between 2015 and 2021. The total estimated cost is over \$5.2 billion.⁸⁴ On December 14, CABEI disbursed US\$250 million to the government of Honduras as part of the Development Policy Operations Program (OPD) in Support of Strengthening the Energy Sector and Climate Action.⁸⁵

EU

"Honduras and the European Union (EU) signed (...) two agreements for 19.4 million dollars to fight climate change, strengthen institutions and public diplomacy in the Central American country, informed a diplomatic source."⁸⁶

"Spain has in the process of being approved two loans for Honduras that will be destined to the areas of health and rural development, said Thursday the ambassador of the European country in Tegucigalpa, Diego Nuño García. One loan for US\$70 million is for the construction of hospitals, while the other for US\$35 million is for rural development projects to be invested in the Central American country's so-called dry corridor, the Spanish diplomat told EFE."⁸⁷

Drug Trafficking

Honduran security forces seized 7 tons of cocaine this year, 10 less than in 2021.⁸⁸

81 <https://criterio.hn/defensores-del-territorio-rechazan-militarizacion-de-proteccion-del-medio-ambiente/>

82 <https://proceso.hn/el-bid-aprueba-dos-prestamos-para-honduras-por-1259-millones-de-dolares/>

83 <https://confidencialhn.com/blog/2022/12/09/bcie-anuncia-que-pondra-a-disposicion-80-millones-de-dolares-para-invertir-en-el-corredor-seco/>

84 <https://confidencialhn.com/blog/2022/12/12/bcie-estima-una-inversion-de-5253-millones-en-el-sector-electrico-del-pais/>

85 <https://proceso.hn/bcie-desembolsa-250-millones-al-gobierno-para-impulsar-al-sector-energetico-y-la-accion-climatica/>

86 <https://proceso.hn/honduras-y-ue-firman-dos-acuerdos-de-cooperacion-por-19-5-millones-de-dolares/>

87 <https://proceso.hn/en-proceso-2-prestamos-de-espana-a-honduras-para-desarrollo-rural-y-salud/>

88 <https://proceso.hn/honduras-incauta-siete-toneladas-de-cocaina-este-ano-10-menos-que-en-2021/>

On December 3, the police captured former Honduran congressman Midence Oquelí Martínez Turcios. "In July 2018, the U.S. Attorney's Office for the Southern District of New York announced charges against former Honduran liberal congressman Midence Oquelí Martínez Turcios, accused of conspiring to import cocaine into the United States, as well as weapons-related crimes involving the use and possession of machine guns and destructive devices."⁸⁹

In mid-December, the Supreme Court of Justice confirmed that the extradition process for the ex-mayor of Yoro, Arnaldo Urbina Soto, has begun, a former JOH-ally.⁹⁰ "The Honduran national, Herlinda Ramos Bobadilla, extradited to the United States in July of this year, pleaded guilty to drug trafficking charges in a Virginia court."⁹¹

Varia

Supreme Court Election

CESPAD published a report on the current state of the Supreme Court election. "In this sense, this first monitoring report focuses on the selection of the magistrates that will make up the Supreme Court of Justice that will serve between 2023 and 2030. This document is based on the main events that have taken place since the approval of the new Law of the Nominating Board, until the events of November."⁹² The International Observation Mission (MIO) also continued to urge the Nomination Board to publish the files of all the candidates. On December 12, the Nomination Board claimed that the applications of the Supreme Court candidates were accessible at the online portal of the Institute for Access to Public Information (IAIP).⁹³

This month, "[t]he selection process of the new Supreme Court of Justice of Honduras is "on the verge" of entering the stages of challenges and complaints, and public hearings. Society hopes that these stages and their results will become the differentiating elements of the current process and that they will allow, in the end, the selection of a new Supreme Court isolated from political influence and accusations of corruption".⁹⁴ On December 11, the Nominating Board approved the protocol to address the challenges and complaints of the candidates to integrate the Judiciary of Honduras.⁹⁵

On December 15, the MIO held a press conference presenting their report "Process for the Election of Judges of the Supreme Court of Honduras: Initial Stage of Selection by the Nominating Board".⁹⁶ "According to the report, "a special request for information should be made to the Specialized Prosecutorial Unit against Corruption Networks (UFERCO), in order to ensure that, with the information obtained, a proper evaluation of the requirements of integrity, professional ethics and suitability for the position of all applicants can be developed".⁹⁷ CESPAD, meanwhile, sent out an alert warning that the Nomination Board had decided to discuss in a behind closed doors the

89 <https://proceso.hn/detenido-exdiputado-midence-oueli-pedido-en-extradicion-por-eeuu/>

90 <https://confidencialhn.com/blog/2022/12/15/dictan-sobreseimiento-para-excalde-de-yoro-arnaldo-urbina-en-caso-de-lavado-de-activos-e-inician-proceso-de-extradicion/>

91 <https://www.elheraldo.hn/honduras/hondurena-herlinda-bobadilla-declara-culpable-narcotrafico-virginia-estados-unidos-clan-drogas-GF11500699>

92 <https://cespad.org.hn/la-eleccion-de-las-y-los-magistrados-de-la-corte-suprema-de-justicia-2023-2030-avances-y-obstaculos/>

93 <https://elpulso.hn/2022/12/12/junta-nominadora-anuncia-que-expediente-de-candidatos-a-magistrados-son-publicos/>

94 <https://cespad.org.hn/tachas-denuncias-y-entrevistas-publicas-etapas-que-siguen-en-la-seleccion-de-aspirantes-a-magistrados-de-la-nueva-corte-suprema-de-justicia/>

95 <https://proceso.hn/junta-nominadora-aprueba-protocolo-para-atender-denuncia-y-tacha-a-postulantes-a-magistrados-de-la-csj/>

96 <https://criterio.hn/mio-honduras-llama-a-diputados-que-tienen-cuentas-pendientes-con-la-justicia-a-no-votar-por-la-nueva-csj/>

97 <https://cespad.org.hn/mio-honduras-reconoce-trabajo-de-jn-y-demanda-evaluar-con-rigor-tachas-y-denuncias-contra-autopostulantes/>

information on the applicants provided by the Revenue Administration Service (SAR) and the National Banking and Insurance Commission (CNBS).⁹⁸

By December 16, 101 out of the 105 Supreme Court candidates had made it to the next round⁹⁹, in which the Nomination Board started to receive complaints against the candidates.¹⁰⁰ By December 26, they had received 48 complaints.^{101 102} The National Anti-Corruption Council (CNA) published a report profiling the Supreme Court candidates. They found that 47 of them have been involved in irregular acts or were linked to corruption.¹⁰³ The Coalition against Impunity also presented 16 complaints against 13 candidates. "Kenia Oliva, lawyer of Bufete de Justicia para los Pueblos and member of the Coalición contra la Impunidad, explained that the complaints and accusations respond to lack of suitability, competence and diligence, and lack of judicial independence in the resolutions in cases involving magistrates of the Supreme Court of Justice, sentencing judges or magistrates of courts of appeals throughout the country."¹⁰⁴ "Three candidates for the Supreme Court are relatives of Mario Cáliz's (MC), an accused drug trafficker by US justice department. Erika Yolanda Cáliz Hernández is MC's sister, Carlos Roberto Cáliz Hernández is MC's cousin & Aida Estela Romero Reyes is MC's sister-in-law."¹⁰⁵ The head of UFERCO, Luis Santos, also presented complaints against three candidates.¹⁰⁶

The total number of complaints received by the Nomination Board reached 140 at the end of the deadline.¹⁰⁷ Out of the 101 candidates, 69 had complaints filed against them.¹⁰⁸ On December 30, The Nomination Board made public a list of all Supreme Court candidates and the amounts of complaints they had received.¹⁰⁹ Congress president Luis Redondo announced that Congress would not elect any Supreme Court judge with links to corruption.¹¹⁰

Education

"Six of the members of the current Board of Directors of the National Autonomous University of Honduras (UNAH) are seeking reelection in a process that has been described by students and teachers as "illegal and illegitimate". At the same time, there has been an increase in reports of political violence, harassment and bullying against women within the student body. Given the lack of consensus, the possibility of a larger scale crisis for the control of the UNAH seems ever closer."¹¹¹

"The Secretary of Education, Daniel Sponda, assured that under his administration, three educational centers have been repaired every day. In addition, the official described 2022 as a

98 <https://cespad.org/hn/alerta-junta-nominadora-decide-analizar-informacion-de-postulantes-a-puertas-cerradas/>

99 <https://criterio.hn/tras-fase-de-investigacion-solo-101-postulantes-siguen-activos-en-carrera-para-la-csj/>

100 <https://contracorriente.red/2022/12/21/honduras-inicia-etapa-de-tachas-y-denuncias-contra-aspirantes-a-la-corte-suprema-de-justicia/>

101 <https://elpulso.hn/2022/12/22/mas-de-34-denuncias-contra-aspirantes-a-magistrados-ha-recibido-la-nominadora/>

102 <https://proceso.hn/un-total-de-38-denuncias-ha-recibido-la-jn-contra-aspirantes-a-la-csj/>

103 <https://criterio.hn/cna-perfila-a-49-aspirantes-a-la-csj-con-hallazgos-importantes/>

104 <https://criterio.hn/magistrados-de-la-csj-y-funcionarios-judiciales-predominan-entre-aspirantes-tachados-por-la-coalicion-contra-la-impunidad/>

105 <https://twitter.com/HondurasNow/status/16077777352167424>

106 <https://proceso.hn/fiscal-santos-presento-tachas-contra-tres-postulantes-a-magistrados-de-la-csj/>

107 <https://tiempo.hn/140-tachas-y-denuncias-contra-postulantes/>

108 <https://proceso.hn/junta-nominadora-registra-128-denuncias-y-tachas-contra-postulantes-a-magistrados/>

109 <https://radioprogreso.hn/aplicacion-movil/junta-nominadora-publica-listado-de-postulantes-tachados-y-denunciados/>

110 <https://elpulso.hn/2022/12/28/redondo-garantiza-que-personas-vinculadas-corrupcion-no-llegaran-a-la-corte/>

111 <https://contracorriente.red/2022/12/05/irregularidades-marcen-los-dos-intentos-de-eleccion-de-autoridades-de-la-unah/>

successful year for the Honduran educational system, since the free enrollment and school feeding programs have been reactivated."¹¹²

Migration

Almost 92'000 Hondurans have been deported this year, 29.2% more than in 2021.¹¹³

Jeff Ernst reported for The Guardian on the economic impact of transit migration in Central America.¹¹⁴ OACNUDH published a info bulletin on the human rights of Mexican and Central American migrants.¹¹⁵ Congress approved the Law for the Prevention, Attention and Protection of Internally Displaced Persons.¹¹⁶ This was widely welcomed.¹¹⁷ ¹¹⁸ According to the UNHCR, there are more than 247'000 Hondurans internally displaced by violence.¹¹⁹

Poverty

On December 1, "[i]n a press conference, the head of the Secretariat of Economic Development (SDE), Pedro Barquero, announced that the price of at least 40 products of the basic food basket will be stabilized due to the increase as of the second week of October 2022."¹²⁰ The private business lobby COHEP was not amused.¹²¹ In mid-December, the president of the Association for the Defense of the Basic Food Basket of Honduras (Adecabah), Adalid Irías, denounced that the price freeze was not being respected.¹²² A basket of basic goods had his price risen this year by 1900 Lempiras, from 9500 to 11'400 Lempiras.¹²³

Remittances sent to Honduras reached a new record high with over \$8.3 billion.¹²⁴ At the end of the year, Honduras counted with 3.5 million unemployed people.¹²⁵

Agriculture

"With a salary of less than 2,000 lempiras, more than 135,000 women in Honduras work in agriculture, according to data from the National Institute of Statistics (INE). For Wendy Cruz, coordinator of Via Campesina, these thousands of women remain in disadvantaged conditions, reaching the point of exclusion and inequality."¹²⁶

And Light at the End of a Month

On BBC's list of 100 inspiring and influential women from around the world for 2022, we can find the Honduran activist Sandy Cabrera Arteaga. "Philosophy student, writer and feminist activist,

112 <https://elpulso.hn/2022/12/28/hemos-reparado-a-una-velocidad-de-casi-tres-centros-educativos-por-dia/>

113 <https://confidencialhn.com/blog/2022/12/21/deportacion-de-migrantes-hondurenos-se-eleva-un-292-en-2022-hasta-91951/>

114 <https://www.theguardian.com/global-development/2022/dec/13/central-america-migration-transformation-honduras-guatemala-nicaragua>

115 <https://oacnudh.hn/boletin-trimestral-no-4-los-derechos-humanos-de-las-personas-migrantes-en-mexico-y-america-central-sept-dic-2022/>

116 https://twitter.com/Congreso_HND/status/1605755747454705664

117 <https://www.unhcr.org/news/press/2022/12/63a487e44/unhcr-welcomes-new-legislation-address-internal-displacement-honduras.html>

118 <https://criterio.hn/honduras-ya-cuenta-con-ley-de-proteccion-a-personas-desplazadas/>

119 <https://criterio.hn/desplazamiento-forzado-la-amenaza-que-mantiene-en-vilo-a-los-hondurenos-y-hondurenas/>

120 <https://confidencialhn.com/blog/2022/12/02/gobierno-determina-estabilizar-el-precio-de-40-productos-de-la-canasta-basica/>

121 <https://elpulso.hn/2022/12/05/cohep-pide-al-gobierno-derogar-decreto-que-congela-productos-de-canasta-basica/>

122 <https://proceso.hn/poblacion-aun-sin-recibir-beneficios-de-congelamiento-de-precios-de-canasta-basica/>

123 <https://www.laprensa.hn/sanpedro/canasta-basica-cierra-2022-alza-economia-honduras-CC11570112>

124 <https://confidencialhn.com/blog/2022/12/27/honduras-cerrara-2022-con-un-nuevo-record-en-envio-de-remesas/>

125 <https://confidencialhn.com/blog/2022/12/28/honduras-cerrara-el-2022-con-3-5-millones-de-desempleados/>

126 <https://confidencialhn.com/blog/2022/12/14/miles-de-mujeres-campesinas-en-honduras-viven-en-situacion-precaria-por-la-falta-de-atencion-gubernamental/>



Sandy Cabrera Arteaga is a defender of sexual and reproductive rights. She teaches workshops about the morning-after pill and is a spokesperson for 'Hablemos lo que es' (Let's talk about what it is) - an educational campaign and digital platform about emergency contraception. She also works for Acción Joven (Youth Action) which focuses on young people's human, sexual and reproductive rights. She is fluent in Honduran sign language and, as the only daughter of a single mother who is deaf, she is proud of her inclusive upbringing."¹²⁷

127 <https://www.bbc.co.uk/news/resources/idt-75af095e-21f7-41b0-9c5f-a96a5e0615c1>

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