

# *Another Month in Honduras...*

## Human Rights Monitor – February 2023

2023 continues to be a horrific year for human rights defender in Honduras. Two more water and land defenders, Hipólito Rivas and Benigno Maldonado, were assassinated in February. In Tegucigalpa, a trans woman, Chanel, was murdered at the beginning of the month. The Guapinol defenders also face uncertainty, after the ruling that freed them of their criminalizing charges was challenged by the MP in Tocoa. Meanwhile, the powerful can continue to rely on the courts. Rosa Elena Bonilla, wife of former president Porfirio Lobo Sosa and charged with corruption, was benefited with the change of measures that will allow her to stay at home. On a brighter side, Honduras for the first time has a Supreme Court not controlled by the National and Liberal Party allowing for some hope for better rulings in the future. Additionally, the resident coordinator of the UN in Honduras, Alice H. Shackelford, said that talks had advanced on the memorandum of understanding for the installation of the CICIH. Welcome to another month in Honduras.

In solidarity,

Daniel Langmeier

Honduras Forum Switzerland

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# Abbreviations

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

## Assassinations

The Inter-American Court on Human Rights reminded Honduras on its lack of compliance with their ruling in the Blanca Jeannette Kawas Fernández case, a environmental defender assassinated in 1995.<sup>1</sup> OFRANEH denounced this month that 25 Garífuna leaders had been assassinated in the last three years.<sup>2</sup>

On February 12, [a]nother campesino leader was killed in the Aguan Valley. Hipólito Rivas and his 15-year old son were murdered in the community of Ilanga. Rivas was part of the Gregorio Chavez campesino cooperative from the La Panama.<sup>3</sup> <sup>4</sup> OACNUDH "energetically condemns" the murder. They also call for an urgent revision of the measures in place which should protect campesino leaders.<sup>5</sup> <sup>6</sup>

Less than a week later, water and land defender Benigno Maldonado was assassinated in his home yesterday. "Maldonado was an active member of the encampment that defends Jilamito river against the construction of a hydroelectric dam by HIDROCEP".<sup>7</sup> <sup>8</sup> OACNUDH condemned the murder<sup>9</sup>, so did the EU embassy together with France, Germany and Spain.<sup>10</sup> The US embassy later followed suit.<sup>11</sup>

The Inter-American Commission on Human Rights condemned the wave of assassinations of human rights defenders in Honduras (see also last month).<sup>12</sup> MADJ wrote an open letter to president Xiomara calling her to put a stop to the killings of campesinos in the Aguán Valley.<sup>13</sup> Jared Olson reported on the assassinations. "What led to this devastating disappointment? A year ago, in January 2022, an ostensibly left-leaning Honduran president, Xiomara Castro, had come to power with the promise to undo 12 years of corruption under right-wing rule following a 2009 coup that ousted her then-president husband, Mel Zelaya. The coup was followed by years of U.S.-sponsored militarization, as the country became one of the most dangerous in the world, outside a war-zone. Embedded in Castro's inaugural speech was the promise to end violence against land and water defenders, many of whom are Indigenous or Afro-Indigenous, and who had been systematically incarcerated or gunned down while organizing their communities against the encroachments of transnational mining, tourism and agribusiness conglomerates. Castro had made a point of releasing eight members of the Guapinol water defenders movement who had been arbitrarily detained for over two years. How did a year that began with such sweeping hope end in devastating murders?"<sup>14</sup>

1 <https://www.defensoresenlinea.com/honduras-corte-idh-llama-la-atencion-al-estado-por-incumplimiento-de-medidas-en-sentencia-del-caso-kawas-fernandez/>

2 <https://radioprogreso.net/instante/unos-25-lideres-garifunas-han-sido-asesinados-en-los-ultimos-3-anos/>

3 <https://twitter.com/HondurasNow/status/1624858077873807360>

4 <https://criterio.hn/asesinato-de-lider-campesino-junto-a-su-hijo-sigue-patron-de-estigmatizacion-amenazas-e-impunidad-en-el-aguan/>

5 <https://twitter.com/OACNUDH/status/1624899799223881728>

6 <https://proceso.hn/oacnudh-pide-investigacion-de-dirigente-campesino-y-su-hijo-en-trujillo/>

7 <https://twitter.com/HondurasNow/status/1627490434699218945>

8 <https://criterio.hn/asesinan-al-octavo-defensor-del-territorio-en-honduras/>

9 <https://twitter.com/OACNUDH/status/1627404078610350085>

10 <https://proceso.hn/union-europea-se-une-a-condena-por-asesinato-de-defensor-benigno-maldonado/>

11 <https://proceso.hn/ya-muchos-asesinatos-vinculados-con-activistas-en-2023-condena-embajadora-dogu/>

12 <https://www.oas.org/es/CIDH/jsForm/?File=/es/cidh/prensa/comunicados/2023/022.asp>

13 <https://madj.org/2023/02/18/senora-presidenta-en-sus-manos-esta-la-decision-de-frenar-la-masacre-de-campesinos-en-el-aguan/>

14 <https://www.truthdig.com/articles/the-deadly-battle-over-land-and-water-in-honduras/>

"One year after the signing of the Agreement between the government, the Agrarian Platform and the Coordinator of Popular Organizations of Aguán (COPA) aimed at addressing the structural causes of the conflict in Bajo Aguán, the Office of the United Nations High Commissioner for Human Rights in Honduras (OHCHR) calls for progress with the necessary measures for the effective and comprehensive fulfillment of the Agreement."<sup>15</sup>

## Attacks, Criminalization and Harassment

"Today, February 2, 2023, the Tocoa prosecutor's office, under court order from Judge Zoe Guífarro, and accompanied by forensic experts from San Pedro Sula, is carrying out the exhumation of defenders Alí Domínguez and Jairo Bonilla, murdered on January 7, 2023 in Guapinol. There is no confidence in either the Tocoa Public Prosecutor's Office or the Tocoa Police to conduct an independent investigation in this case. They have already demonstrated their bias and are responsible for using illegal evidence to criminalize defenders in the area, including Alí, and violently evicting the Agua y Vida Camp in Guapinol."<sup>16</sup> <sup>17</sup> Worse news followed on February 10. "The ink was barely dry when the regional office of the Public Prosecutor's Office in Tocoa, Colón, in northern Honduras, filed an appeal to the Constitutional Chamber, which put an end to more than three years of persecution and criminalization against five defenders of Carlos Escaleras National Park."<sup>18</sup> On February 21, the "Municipal Committee denounces presence of drones in Guapinol community flying over or near houses of leaders Reynaldo Dominguez, Juana Zúniga & others. This is an act of intimidation against community terrorized by mining interests backed by US company Nucor Corporation".<sup>19</sup> A few days later, "[t]he Guapinol community reports live rounds were fired by the Inversiones Los Pinares mining company. No further details are known but without doubt, the shots contribute to fear in the surrounding communities especially considering the severe repression in the region".<sup>20</sup> Over 100 national and international human rights organizations called for justice and protection for the Guapinol defenders.<sup>21</sup>

Defensores en Línea denounced acts of harassment against a Zacate Grande defender. "The persecution and harassment against community leader, land and territory defender and social communicator, Fabián Ávila, continues on the part of the Honduran state security forces. The most recent incident took place on Tuesday night, January 31, when six members of the police arrived at the house where he lives with his parents to take photographs of the house and the people outside."<sup>22</sup>

Pasos de Animal Grande denounces a kidnapping attempt of ARCAH human rights defender Misael Martínez.<sup>23</sup>

<sup>15</sup> <https://oacnudh.hn/en-ocasion-del-primer-ano-de-la-firma-del-acuerdo-entre-el-gobierno-y-organizaciones-campesinas-y-populares-del-bajo-aguan-oacnudh-llama-a-su-efectivo-cumplimiento/>  
<sup>16</sup> <https://www.guapinolresiste.org/post/alert-guapinol-biased-local-authorities-carry-out-exhumation-of-defenders>  
<sup>17</sup> <https://www.guapinolresiste.org/post/alerta-guapinol-mp-de-tocoa-contin%C3%B9a-con-su-campa%C3%B1a-de-criminalizar-a-los-defensores>  
<sup>18</sup> <https://criterio.hn/fiscalia-de-tocoa-arremete-nuevamente-contra-cinco-defensores-de-guapinol/>  
<sup>19</sup> <https://twitter.com/HondurasNow/status/1628226446391971840>  
<sup>20</sup> <https://twitter.com/HondurasNow/status/1629672476039950341>  
<sup>21</sup> <https://www.guapinolresiste.org/post/100-organizaciones-de-derechos-humanos-piden-justicia-y-medidas-de-no-repetici%C3%B3n-para-guapinol>  
<sup>22</sup> <https://www.defensoresenlinea.com/continua-hostigamiento-contra-defensor-de-la-tierra-y-territorio-de-zacate-grande/>  
<sup>23</sup> <https://pasosdeanimalgrande.com/pag/index.php/articulos/amenazas/148-caso-arcas-por-que-quisieron-secuestrar-a-misael>

## Indigenous Peoples

On February 2, COPINH denounced that the Honduran Investigative Police (DPI) evicted the Nueva Esperanza community in El Eden, Conayagua in central Honduras. More than 13 families saw their crops and homes destroyed during the eviction.<sup>24</sup>

"COPINH denounces that the Sentencing court in Siguatepeque absolved military soldier Kevin Saravia for the attempted murder of COPINH member Allan Garcia [see last month]. Once again, impunity reigns in Honduras."<sup>25</sup> <sup>26</sup> The Ethnic Prosecutor's Office announced to file a cassation appeal.<sup>27</sup>

## LGBTQ

### Assassinations

On February 1, El Tiempo reported on the murder of a trans woman in Colón.<sup>28</sup> In 2022, 42 members of the LGBTIQ+ community were murdered in Tegucigalpa.<sup>29</sup>

## Violence against Women

CESPAD analyzed the first term of president Xiomara under a women's rights lens.<sup>30</sup>

OACNUDH expressed concern that two years after the murder of young nursing student Keyla Martinez in a police station, there is still no sentence.<sup>31</sup> Social movements also called for justice for Keyla.<sup>32</sup> <sup>33</sup> The MP reacted: "In September of last year, the oral and public trial for the crime of nursing student Keyla Patricia Martínez Rodríguez concluded; however, the Siguatepeque sentencing court has not yet issued a definitive ruling because the Constitutional Chamber of the Supreme Court of Justice (CSJ) has not yet resolved an action of amparo filed by the private prosecution representing the victim's family."<sup>34</sup> <sup>35</sup>

On February 18, UN Permanent Resident Coordinator Alice H. Shackelford expressed horror at the number of femicides in Honduras - over 50 women were murdered in less than two months.<sup>36</sup> <sup>37</sup>

"Being a woman or girl in Honduras is a great challenge that is faced daily, gender violence, physical and sexual violence, psychological violence and femicides are the main human rights violations against 52.0% of the population represented by women. The Women's Rights Center (CDM) reports that in 2022, 2944 complaints were filed before the Public Prosecutor's Office (MP), of sexual violence against women and girls."<sup>38</sup>

<sup>24</sup> <https://twitter.com/HondurasNow/status/1621345929960857600>

<sup>25</sup> <https://twitter.com/HondurasNow/status/1628072614630498306>

<sup>26</sup> <https://criterio.hn/denuncian-incongruencias-en-absolucion-de-militar-por-intento-de-homicidio-contra-joven-lenca/>

<sup>27</sup> [https://twitter.com/MP\\_Honduras/status/1628228298932191234](https://twitter.com/MP_Honduras/status/1628228298932191234)

<sup>28</sup> <https://tiempo.hn/matan-miembro-lgtb-en-colon/>

<sup>29</sup> <http://conexihon.hn/2023/02/09/en-tegucigalpa-y-2022-el-lugar-y-ano-mas-violento-contra-la-comunidad-lgbtqi/>

<sup>30</sup> <https://cespad.org.hn/en-su-segundo-ano-de-gobierno-las-deudas-que-arrastra-xiomara-castro-con-la-reivindicacion-de-los-derechos-de-las-mujeres/>

<sup>31</sup> <https://twitter.com/OACNUDH/status/1623128988842446849>

<sup>32</sup> <https://www.defensoresonlinea.com/dos-anos-sin-justicia-para-keyla-martinez/>

<sup>33</sup> <https://twitter.com/COPINHONDURAS/status/1623105751680942080>

<sup>34</sup> <https://www.mp.hn/publicaciones/mp-continua-a-la-espera-de-sentencia-tras-cinco-meses-de-finalizado-juicio-por-crimen-de-keyla-martinez/>

<sup>35</sup> <https://www.defensoresonlinea.com/familiares-de-joven-asesinada-en-celda-policial-claman-por-verdad-y-justicia/>

<sup>36</sup> <https://confidencialhn.com/blog/2023/02/18/horrorizada-reaccion-la-representante-de-la-onu-por-muerte-violenta-de-mujeres-en-honduras/>

<sup>37</sup> <https://twitter.com/aliceshackel/status/1626873295692873728>

<sup>38</sup> <https://criterio.hn/2944-denuncias-de-violencia-sexual-se-registraron-en-el-2022/>

## Extractive Industries

### Mining

The Municipal Committee for the Defense of Common and Public Goods of Tocoa denounced that the illegality of the mining operations by Inversiones Ecotek in the "Carlos Escaleras" National Park. "Ecotek initially received a four-month "operational" environmental license in February 2018 and, days before it expired, and failing to meet the requirements for a "functional" license, received an extension in June 2018. According to the law, extensions of this type can only be granted for half the time of the initial license - in this case, it would be two months - but the Secretary of Natural Resources granted an extension for a full year, until June 2019, despite oppositions filed by CMDBCPT on two occasions. Since its expiration in June 2019, Ecotek has operated without any environmental license. According to the law, extractive projects cannot operate in Honduras without an environmental license, but the Secretariat has refused to react, failing to comply with its national and international obligation to guarantee the human right to water and a healthy environment for the population."<sup>39</sup> <sup>40</sup> On February 24, "[t]he defenders of Carlos Escaleras National Park and the Guapinol and San Pedro rivers presented the second volume of evidence of illegalities and environmental damage caused by the mining megaproject installed in the nature reserve. This is the second dossier submitted by the communities to the Secretary of Natural Resources and Environment (Serna), after this institution shifted the burden of proof to the citizens to prove that the mining operations in the national park are being carried out outside of the law."<sup>41</sup>

### ZEDEs

"The International Centre for Settlement of Investment Disputes (ICSID) has completed its review process and has registered the request for arbitration filed by Grupo Próspera against the Republic of Honduras."<sup>42</sup> "The creation of the repealed ZEDE Prospera was never published in the Official Gazette "La Gaceta", nor approved by the National Congress of Honduras. Article 329 of the Constitution of the Republic and Article 38 of the repealed Organic Law of the ZEDE provided that these could only be created by the National Congress, explained lawyer Joaquín Mejía."<sup>43</sup>

Laurie Clarke reports for the MIT Technological Review on a previously less discussed aspect of the Próspera ZEDE in Honduras. "The advertisement—posted on Mirror, a Web3 publishing platform, in March last year—outlined an eye-catching if perhaps confusing proposal: "Access NFTs for a follistatin plasmid phase I clinical trial in Prospera ZEDE, Honduras." The ad had been posted by a biotech startup called Minicircle, which was recruiting participants for a clinical trial of gene therapy. But several details made it unusual. For one, it instructed would-be guinea pigs to purchase an NFT to take part. Upon completing the study, it promised, they would receive payment in cryptocurrency. And while it notes the geographical location of the trial, test subjects may not

<sup>39</sup> <https://www.guapinolresiste.org/post/guapinol-compelling-evidence-proves-illegal-mining-in-botaderos-mountain-for-5-years>

<sup>40</sup> <https://criterio.hn/serna-pide-a-defensores-de-guapinol-pruebas-de-ilegalidad-y-danos-ambientales/>

<sup>41</sup> <https://criterio.hn/defensores-de-guapinol-entregan-a-serna-2do-tomo-de-ilegalidades-y-danos-ambientales-a-parque-nacional-carlos-escaleras/>

<sup>42</sup> <https://www.defensoresenlinea.com/honduras-reconoce-ante-la-corteidh-la-destitucion-ilegal-de-4-magistrados/>

<sup>43</sup> <https://criterio.hn/zedes-no-pueden-existir-sin-aprobacion-del-congreso-nacional/>

have immediately understood that it would get underway in what is essentially an experimental crypto city—Próspera, Honduras."<sup>44</sup>

The State of Honduras recognized before the Inter-American Court on Human Rights the illegal destitution of four judges under the JOH regime in 2012 because they had declared the predecessors of the ZEDEs unconstitutional.<sup>45</sup>

## Corruption and Its Enemies

"At least 80 million dollars, equivalent to 1,973 million lempiras, were diverted from public institutions by high-ranking ex-officials of the last three nationalist governments, which were later used for the acquisition of goods, such as houses, shopping centers, among others, in Panama, the Dominican Republic, Nicaragua and the United States. The above is registered in a report that the National Anticorruption Council (CNA), prepared and delivered to the authorities of another country that is investigating these ex-officials for money laundering through its financial system, revealed a source."<sup>46</sup>

The former head of the ENEE, Jesús Arturo Mejía, and former FOSDEH director Mario Ricardo Cardona will face trial for corruption. Both served under JOH.<sup>47 48</sup>

## The Onslaught against the Anti-Corruption Bodies

"The Center for the Study of Democracy (CESPAD), presents the second monitoring report of the Anti-Corruption Agenda of the National Congress, which aims, precisely, to follow up on the Agenda that was structured by the Anti-Corruption Commission that was formed within the Legislative Branch in 2022."<sup>49</sup>

## De Lobo

Even after their terms had ended, the Supreme Court continued to give problematic rulings. "Rosa Elena Bonilla, wife of former president Porfirio Lobo Sosa, was benefited this Wednesday with the change of measures that will allow her to stay at home after being found guilty of the crimes of continuous fraud and misappropriation for which she was sentenced to 14 years of imprisonment."<sup>50</sup> The MP will challenge the ruling.<sup>51</sup>

## CICIH

On February 2, the resident coordinator of the UN in Honduras, Alice H. Shackelford, said that talks had advanced on the memorandum of understanding for the installation of the CICIH.<sup>52</sup> At the end

<sup>44</sup> <https://www.technologyreview.com/2023/02/13/1068330/minicircle-prospera-honduras-biohacking-follistatin-gene-therapy/>

<sup>45</sup> <https://proceso.hn/honduras-reconoce-ante-la-corteidh-destitucion-ilegal-de-4-magistrados/>

<sup>46</sup> <https://confidencialhn.com/blog/2023/02/13/mas-de-mil-900-millones-de-lempiras-desviaron-funcionarios-de-la-administracion-de-pepe-lobo-y-joh-para-lavarlos-en-el-extranjero/>

<sup>47</sup> <https://www.mp.hn/publicaciones/auto-de-formal-procesamiento-contra-jesus-mejia-y-otro-exfuncionario-de-la-enee/>

<sup>48</sup> <https://ellibertador.hn/2023/02/21/urgente-confirman-acusacion-contra-cuqui-y-funcionarios-de-joh/>

<sup>49</sup> <https://cespad.org.hn/la-demanda-ciudadana-de-la-cicih-y-su-estrecha-relacion-con-el-estancamiento-de-la-derogacion-de-los-pactos-de-impunidad-en-honduras/>

<sup>50</sup> <https://criterio.hn/envio-de-rosa-elena-bonilla-a-su-casa-desnuda-los-privilegios-del-poder/>

<sup>51</sup> <https://confidencialhn.com/blog/2023/02/16/mp-interpone-recurso-de-reposicion-tras-darle-arresto-domiciliario-a-rosa-elena-bonilla-de-lobo/>

<sup>52</sup> <https://confidencialhn.com/blog/2023/02/02/aseguran-que-han-avanzado-las-platicas-sobre-el-memorandum-para-instalacion-de-la-cicih-en-el-pais/>



of the month, she further said that the process for the arrival of the CICIH was moving forward and that the terms of reference of the memorandum of understanding signed last December were being finalized.<sup>53</sup> Transparency Minister Edmundo Orellana further announced that the agreement would be discussed (and approved) in September in Congress and that the CICIH could start its work in 2024.<sup>54</sup> Orellana further announced that the installation will be preceded by constitutional reforms.<sup>55</sup> Others fear that these constitutional reforms will only delay the installation.<sup>56</sup>

## Invest-H

"The National Fiscal Support Unit (UNAF) requested a sentence of eight years and eight months of imprisonment and a fine of more than 118 million lempiras (L. 118,188,000.00) against Marco Antonio Bográn Corrales, for fraud in the purchase of approximately 470 thousand masks during the COVID-19 pandemic within Inversión Estratégica de Honduras (INVEST-H)."<sup>57</sup> He was later sentenced to six years in prison.<sup>58</sup>

## State Security Forces

The Xiomara administration extended the state of exception by another 45 days this month extending it further to another 48 municipalities.<sup>59</sup> <sup>60</sup> OACNUDH raised concerns about a prolonged use of this measure.<sup>61</sup>

"Dozens of interviews with current and former law enforcement officials, technical experts, activists and lawyers, and an extensive review of documents and court filings obtained through Honduras' public information access law offer a detailed (if still incomplete) picture of the digital surveillance apparatus that dominated Honduras during the Hernández administration. What follows is the story of what happens when surveillance companies sell their products to a government known to be carrying out widescale human rights abuses against its people and of the potential reform to this abusive digital surveillance apparatus as it heads into year two of Xiomara Castro's administration."<sup>62</sup>

During February, staff at the MP protested on several occasions.<sup>63</sup>

## Repressions

"Environmental organizations from the community of Las Pilas were coerced on February 14, while exercising a legitimate citizen protest action with the intention of stopping two dredges loaded with timber from the Management Plan issued in the community of Llano Largo San José, in Chinacla,

53 <https://proceso.hn/se-esta-en-el-proceso-de-finalizacion-de-los-terminos-de-referencia-del-memorandum-para-la-cicih-dice-shackelford/>

54 <https://proceso.hn/convenio-llegaria-en-septiembre-al-cn-y-la-cicih-comenzara-hasta-marzo-de-2024-preve-edmundo-orellana/>

55 <https://www.elheraldo.hn/honduras/cicih-llegara-hasta-primer-semester-2024-afirma-edmundo-orellana-KH12373669>

56 <https://criterio.hn/sociedad-civil-reitera-que-reforma-constitucional-solo-retrasara-llegada-de-la-cicih/>

57 <https://www.mp.hn/publicaciones/unaf-solicita-pena-maxima-contr-exdirector-de-invest-h-por-millonario-fraude-en-compra-de-mascarillas/>

58 <https://www.mp.hn/publicaciones/a-seis-anos-de-carcel-condenan-a-exdirector-de-invest-h-por-millonario-fraude-en-compra-de-mascarillas/>

59 <https://www.laprensa.hn/honduras/honduras-extiende-por-45-dias-mas-el-estado-de-excepcion-CH12267342>

60 <https://criterio.hn/amplian-estado-de-excepcion-a-tegucigalpa-y-san-pedro-sula-e-incluyen-48-municipios-mas/>

61 <https://twitter.com/OACNUDH/status/162821313359537410>

62 <https://www.codastory.com/authoritarian-tech/honduras-surveillance-drug-trade/>

63 <https://criterio.hn/protestas-en-el-ministerio-publico-una-crisis-inducida/>

department of La Paz. As reported to C-Libre, Police Commissioner Zúñiga arrived with other agents in an abusive, repressive and intimidating manner."<sup>64</sup>

State security forces evicted the indigenous Lenca community of Marcala where 320 families reside.<sup>65</sup>

## Penitentiary System

CONADEH denounced that since 2019, 70 inmates have been murdered in Honduran prisons.<sup>66</sup> On February 14, a shootout in the Támara prison left three guards and an inmate injured.<sup>67</sup>

## International Community

"The United Kingdom will help Honduras to protect biodiversity and combat the effects of climate change in the Mosquitia, a region located in the east, facing the Caribbean, bordering Nicaragua, official sources reported Thursday. The UK cooperation was made official with the signing in Tegucigalpa of a Memorandum of Understanding between the Honduran Foreign Minister, Eduardo Enrique Reina, and the British Ambassador, Nick Whittingham."<sup>68</sup>

"Although President Xiomara Castro promised in her government plan to establish formal diplomatic and commercial relations with China, discourse and practice have shown the opposite during the first year of her administration."<sup>69</sup>

"CABEI wants to deepen its relations with the European Union (EU) in view of the "neglect" of the region by the United States and the low presence of China, which "is not seen" as much as in the rest of Latin America. This was explained by its president, Dante Mossi, in an interview with EFE in Madrid on the occasion of the opening of the Bank's first office in Spain, a country with which he wishes to continue working closely and assert its status as a "gateway" to Europe for Latin American countries."<sup>70</sup> "The Central American Bank for Economic Integration (CABEI) announced Tuesday that it has begun studies for the design, construction, equipment and start-up of a regional hospital in the department of Choluteca, in southern Honduras, which will benefit more than 165,000 people."<sup>71</sup> "The launching of a project financed by the Government of Spain and the Inter-American Development Bank (IDB) will benefit the 88 poorest municipalities of Honduras, to help them in productivity, generation of small and medium productive enterprises, announced the head of the Secretariat of Agriculture and Livestock (SAG), Laura Suazo."<sup>72</sup> With a \$77.5 million investment by the IDB, the Honduras electric grid should get an update.<sup>73</sup>

<sup>64</sup> <http://www.clibrehonduras.com/cl/index.php/portada-alertas/1578-policia-nacional-reprime-accion-de-protesta-indigena-en-la-paz>

<sup>65</sup> <https://twitter.com/COPINHONDURAS/status/1628771829836918786>

<sup>66</sup> <https://confidencialhn.com/blog/2023/02/03/desde-2019-unos-70-privados-de-libertad-perdieron-la-vida-violentamente-en-las-carceles-conadeh/>

<sup>67</sup> <https://proceso.hn/balacera-en-carcel-de-tamara-esta-tarde/>

<sup>68</sup> <https://confidencialhn.com/blog/2023/02/03/reino-unido-ayudara-a-proteger-la-biodiversidad-en-la-mosquitia-de-honduras/>

<sup>69</sup> <https://criterio.hn/gobierno-no-pretende-romper-con-taiwan-y-reconocer-diplomaticamente-a-china/>

<sup>70</sup> <https://confidencialhn.com/blog/2023/02/13/bcie-quiere-mas-relacion-con-ue-ante-descuido-de-eeuu-y-baja-presencia-china/>

<sup>71</sup> <https://proceso.hn/el-bcie-inicia-los-estudios-para-construccion-de-nuevo-hospital-en-honduras/>

<sup>72</sup> <https://confidencialhn.com/blog/2023/02/22/unos-88-municipios-seran-beneficiados-con-financiacion-de-90-millones-de-dolares-para-la-produccion/>

<sup>73</sup> <https://confidencialhn.com/blog/2023/02/22/enee-y-bid-destinaran-mas-de-1500-millones-de-lempiras-para-fortalecer-red-de-transmision-de-energia-electrica-en-el-pais/>

"With a negative track record of three condemnatory awards in the last two decades, the State of Honduras is facing three new lawsuits at the International Centre for Settlement of Investor Disputes (ICSID) involving claims for compensation of more than \$12 billion."<sup>74</sup>

## US

Karen Spring from Honduras Now published a report on "One Year of Xiomara Castro, One More Year of U.S. Intervention in Honduras".<sup>75</sup>

"The Court for the Southern District of Florida, United States, issued on Tuesday, January 31, a judgment in favor of the State of Honduras and the National Agrarian Institute (INA), for a lawsuit for more than 89 million dollars, more than 2 billion lempiras, at the current exchange rate, filed by US investors. The case is Bock Holdings LLC et al v. Republic of Honduras, informed the Attorney General's Office of the Republic (PGR) in a press release. According to the statement, some 15 US investors who invested in land in Trujillo Bay, Colon, in the Caribbean of Honduras, filed the lawsuit against the Honduran State, alleging that their investments were expropriated, causing them damages."<sup>76</sup>

"The Government refused this Friday to comply with a ruling of the Supreme Court of Justice that obliges the Honduran State to pay L 3 billion for a lawsuit that, they argue, had already been dismissed in a Federal Court in Washington, United States. The lawsuit is related to a project financed by the United States Agency for International Development in Honduras (USAID-Honduras), through the Honduran Social Investment Fund (FHIS), which was intended for the reconstruction of the country after the devastating passage of Hurricane Mitch at the end of 1998."<sup>77</sup>

"U.S. Vice President Kamala Harris announced Monday a new phase of her plan to curb immigration from Central America with new commitments to the private sector that will allow for the investment of an additional \$950 million to create opportunities in the region."<sup>78 79</sup> "The US Vice President's Special Advisor for International Economic and Development Affairs (Kamala Harris), Lindsey Zuluaga, arrived Thursday in San Pedro Sula, northern Honduras, to meet with representatives of the private sector, informed the US Ambassador in Tegucigalpa, Laura Dogu."<sup>80 81</sup>

82

"The Department of State announced on Wednesday the offer of a reward of up to USD 5 million in exchange for information leading to the arrest or capture of Yulan Adonay Archaga Carías, alias "El Porky" and also known as Alex Mendoza, for conspiracy to participate or attempt to participate in transnational organized crime."<sup>83</sup>

74 <https://www.laprensa.hn/premium/honduras-tres-nuevas-demandas-centro-internacional-arbitraje-BE12251743>

75 <https://www.hondurasnow.org/us-intervention-monitor/>

76 <https://confidencialhn.com/blog/2023/02/01/corte-de-eeuu-emite-sentencia-a-favor-del-estado-de-honduras-por-una-demanda-de-expropiacion-por-mas-de-89-millones/>

77 <https://criterio.hn/gobierno-se-niega-a-pagar-demanda-de-1-3-mil-millones-desestimada-en-corte-federal-de-ee-uu/>

78 <https://proceso.hn/eeuu-anuncia-inversion-adicional-de-950-millones-en-plan-de-desarrollo-para-centroamerica/>

79 <https://www.whitehouse.gov/briefing-room/statements-releases/2023/02/06/fact-sheet-vice-president-harris-announces-public-private-partnership-has-generated-more-than-4-2-billion-in-private-sector-commitments-for-northern-central-america/>

80 <https://proceso.hn/asesora-de-kamala-harris-llega-a-honduras-para-reunirse-con-sector-privado/>

81 <https://twitter.com/USAmbHonduras/status/1626620227608772615>

82 <https://ellibertador.hn/2023/02/17/fundacion-terra-y-meta-te-impulsan-con-certificacion-especial-para-emprendedores/>

83 <https://criterio.hn/departamento-de-estado-de-ee-uu-ofrece-usd-5-millones-por-el-porky/>

The MP signed a cooperation agreement with the FBI.<sup>84</sup>

A US delegation led by Senator Tom Carper visited Honduras.<sup>85</sup>

## EU

A German parliamentary delegation visited Honduras this month.<sup>86</sup> President Xiomara traveled to Spain to meet its president as well as the king of Spain.<sup>87</sup> During her visit to Spain, president Xiomara received a 70 million Euros loan for the construction of three hospitals.<sup>88 89 90</sup>

## Drug Trafficking

"The extradition processes in the country will not stop due to the change of magistrates in the Supreme Court of Justice; on the contrary, yesterday, in a plenary meeting, the files that were pending in the previous administration were redistributed (...) In total, 32 extradition files were reassigned to the recently appointed magistrates of the Court."<sup>91</sup>

## JOH

JOH's new attorney is attracting some heat. "The letter addressed to Judge P. Kevin Castel from Elinor L. Tarlow, dated February 10, 2023, seeks to challenge attorney Shroff for alleged conflicts of interest in the case. The challenge to the representation of the new attorney of Juan Orlando Hernandez is given according to the Prosecutor's Office because she has conflicts of interest due to her previous representation of two potential witnesses."<sup>92</sup> Nevertheless, JOH maintained her on his legal staff.<sup>93</sup> In a second case linked to JOH, the former mayor of Yoro, Arnaldo Urbina Soto, appeared in a US court on February 10. His next hearing date was set for June 9.<sup>94</sup> Just a day later, ConfidencialHN reported: "The U.S. Attorney's Office said on Friday that the Rosenthal family bribed former Honduran President Juan Orlando Hernández during his administration with commercial contracts to launder money."<sup>95</sup> Also this month, in the case against JOH's brother Tony Hernández, the judge denied a request to have his attorney changed.<sup>96</sup> His legal team also requested his life in prison penalty to be annulled.<sup>97</sup> The former police chief in prison in the US accused of drug trafficking, Juan Carlos "El Tigre" Bonilla, wants his trial to be separated from the one by JOH.<sup>98</sup>

84 <https://confidencialhn.com/blog/2023/02/10/mp-firma-acuerdo-de-cooperacion-con-el-fbi/>

85 <https://twitter.com/usembassyhn/status/1628838293834956805>

86 <https://proceso.hn/parlamentarios-alemanes-inician-el-miercoles-visita-a-honduras/>

87 <https://confidencialhn.com/blog/2023/02/19/xiomara-castro-viaja-a-espana-para-fortalecer-relaciones-bilaterales/>

88 <https://www.elheraldo.hn/honduras/xiomara-castro-gestionara-en-espana-un-prestamo-de-70-millones-para-construir-tres-hospitales-BE12250881>

89 <https://twitter.com/XiomaraCastroZ/status/1628437393496743936>

90 <https://confidencialhn.com/blog/2023/02/22/espana-y-honduras-mejoraran-la-cooperacion-en-el-pais-centroamericano-2/>

91 <https://www.laprensa.hn/honduras/nueva-corte-reasigna-32-expedientes-extradiciones-honduras-IH12377852>

92 <https://confidencialhn.com/blog/2023/02/10/fiscalia-de-nueva-york-solicita-audiencia-para-impugnar-a-abogada-de-juan-orlando-hermandez/>

93 <https://confidencialhn.com/blog/2023/02/14/joh-mantendra-a-sabrina-shroff-como-su-abogada-pese-a-impugnacion-por-conflicto-de-intereses/>

94 <https://proceso.hn/arnaldo-urbina-soto-comparece-ante-juez-en-eeuu-y-le-fijan-proxima-audiencia-para-9-de-junio/>

95 <https://confidencialhn.com/blog/2023/02/11/juan-orlando-hermandez-recibio-sobornos-de-la-familia-rosenthal-senala-la-fiscalia-de-los-ee-uu/>

96 <https://confidencialhn.com/blog/2023/02/14/juez-kevin-castel-niega-solicitud-de-un-nuevo-abogado-para-tony-hermandez/>

97 <https://www.laprensa.hn/honduras/abogados-tony-hermandez-solicitan-anular-cadena-perpetua-narcotrafico-honduras-FC12236254>

98 <https://confidencialhn.com/blog/2023/02/23/defensa-legal-de-juan-carlos-el-tigre-bonilla-pide-separar-su-juicio-de-joh-y-su-primo-mauricio-hermandez/>

## Varia

### Supreme Court Election

February started with the Supreme Court election still up in the air.<sup>99</sup> While the political parties were still discussing the power sharing, some worrisome news made the rounds. "The Association of Judges for Democracy (AJD) publicly demanded a halt to the uncontrolled appointments made by the highest authorities of the Judiciary. "We have seen with deep concern how in recent days the Supreme Court of Justice (CSJ), through its president Rolando Argueta, has been indiscriminately making a high number of appointments of judges and magistrates of Courts of Appeals, with the clear purpose of placing professionals in courts and tribunals," they detailed in an official letter."<sup>100</sup>

<sup>101</sup> CESPAD portrayed the six Supreme Court judges seeking reelection focusing on how they have repeatedly violated the constitution.<sup>102</sup> On February 11, the outgoing judges had their last day in office; they went with a "parting gift". "A few hours before vacating the Supreme Court of Justice (CSJ), concerned employees denounce that the current president of the Judiciary, Rolando Argueta, rescinded the contract that guaranteed life insurance and hospital medical insurance, while in previous days, an increase of US\$10,000 was approved for medical expenses for the benefit of the magistrates."<sup>103</sup>

By February 11, there were already three rounds in Congress to elect a new Supreme Court, all three failed.<sup>104</sup> <sup>105</sup> The same day, the G-16, the 16 biggest donor countries and institutions, published a joint statement calling for a transparent Supreme Court election.<sup>106</sup> On February 13, congressional president Luis Redondo claimed that the political parties came to an agreement on the Supreme Court election and the vote would take place two days later.<sup>107</sup> A day before the election, a list made the rounds of the 15 consensus candidates of the National, Liberal and Libre Party. It was a disappointment as it included several candidates denounced by civil society actors as corrupt and with links to drug trafficking.<sup>108</sup> On February 15, the announced consensus among the Liberal, National and Libre party did not materialize. The National Party claimed that Libre somehow wants to impose candidates on the Liberal Party.<sup>109</sup> The disputed Attorney General and Supreme Court candidate Daniel Sibrián was the reason of this dispute.<sup>110</sup> El Heraldo reported that the Liberal Party had replaced Sibrián with another candidate.<sup>111</sup>

And then, on February 16, Congress elected a new Supreme Court. It consists of 6 Libre, 5 Nationalist and 4 Liberal judges.<sup>112</sup> <sup>113</sup> <sup>114</sup> Rebeca Lizette Ráquel Obando was elected as the new

99 <https://contracorriente.red/2023/02/04/asi-resolvio-la-junta-nominadora-las-tachas-de-candidatos-a-la-corte-suprema-de-justicia/>

100 <https://ellibertador.hn/2023/02/03/jueces-denuncian-abuso-y-sabotaje-de-argueta-a-nueva-corte/>

101 <https://www.elheraldo.hn/honduras/denuncian-festin-entrega-plazas-poder-judicial-honduras-BA12030809>

102 <https://cespad.org.hn/la-perniciosa-colaboracion-de-los-magistrados-que-aspiraban-a-una-reeleccion/>

103 <https://criterio.hn/magistrados-se-aprueban-gastos-medicos-de-10-mil-mientras-cancelan-seguros-medicos-y-de-vida-a-empleados-del-poder-judicial/>

104 <https://contracorriente.red/2023/02/11/presidente-del-congreso-nacional-cierra-sesion-sin-nueva-corte-nombrando-a-la-actual-como-de-facto/>

105 <https://radioprogreso.hn.net/joaquin-mejia/donde-estamos-con-la-eleccion-de-la-nueva-corte-suprema-de-justicia/>

106 <https://proceso.hn/alcancen-un-acuerdo-constitucional-claman-la-onu-y-paises-cooperantes/>

107 <https://radioprogreso.hn.net/aplicacion-movil/va-hay-acuerdo-para-elegir-corte-se-hara-el-miercoles-presidente-del-congreso-nacional/>

108 <https://criterio.hn/magistrados-y-magistradas-nominados-por-el-tripartidismo-tienen-pecas-y-manchas/8>

109 <https://radioprogreso.hn.net/aplicacion-movil/partido-nacional-pone-en-la-cuerda-floja-eleccion-de-la-corte/>

110 <https://criterio.hn/daniel-sibrian-el-senalado-fiscal-adjunto-se-convierte-en-la-manzana-de-la-discordia-en-eleccion-de-la-corte/>

111 <https://www.elheraldo.hn/honduras/liberales-felipe-rene-speer-en-lugar-daniel-sibrian-corte-suprema-de-justicia-FL12191501>

112 <https://twitter.com/HondurasNow/status/1626438530892193793>

113 <https://confidencial.hn.com/blog/2023/02/17/parlamento-de-honduras-elige-a-15-nuevos-magistrados-de-la-corte-suprema-de-justicia/>

114 <https://confidencial.hn.com/blog/2023/02/17/asi-quedan-conformadas-las-salas-de-la-corte-suprema-de-justicia/>

president of the court.<sup>115</sup> The new court also decided to implement the controversial figure of the "magistrados integrantes".<sup>116</sup> The Anti-Corruption Bar Association announced to file a complaint against the newly created "magistrados integrantes".<sup>117</sup> The International Observation Mission published a press release on the election. "We recognize the great effort made from the Nominating Board to have first class jurists. We note that the political decision was manifested through a selection that, in part, was based on the distribution of quotas and there was insufficient debate on the merits."<sup>118</sup> CESPAD highlighted some of the new aspects of the court as well as some of the things that remained the same.<sup>119</sup> ConfidencialHN later published the agreement signed by the National, Liberal and Libre Party which allowed for the election of the Supreme Court judges.<sup>120</sup>

On February 21, there was a first hopeful action by the new Supreme Court. "Through an official letter, the new president of the Supreme Court of Justice, Rebeca Lizeth Ráquel Obando, will surely this February 20, 2023, remove from the headquarters of the Armed Forces of Honduras, the Court of Letters with National Territorial Jurisdiction in Criminal Matters, which for several years operated illegally in Fort Cabañas of the Armed Forces of Honduras, during the dictatorship of former President Juan Orlando Hernández."<sup>121 122</sup>

## Poverty

Remittances sent to Honduras rose by over 16% this January compared to last year.<sup>123</sup>

"The Humanitarian Country Team (HCT) launched a new humanitarian aid plan for Honduras to assist 2.1 million people in need, for which it needs US\$280 million. The objective of the so-called "Humanitarian Response Plan 2023" is to expand, strengthen and complement the response efforts promoted by the Honduran government in the most vulnerable regions and where the most severe needs converge, the UN said in a statement."<sup>124 125</sup>

Consumer protection organizations denounced that the prices of basic goods rose by 300 Lempiras in January.<sup>126</sup> "According to the National Institute of Statistics (INE), for Hondurans who are 73% poor and 53% extremely poor, it is becoming more difficult every day to acquire the basic products of the family basket."<sup>127</sup>

## Tax Code

CESPAD commented on the announced tax reform plans by the Xiomara administration in January. "For the moment, in Honduras, three lines of action could be possible to advance in the fight against inequality. The first is to review and redesign the tax exoneration regime, as proposed by President

115 <https://confidencialhn.com/blog/2023/02/17/rebeca-lizette-raquel-obando-presidenta-de-la-nueva-corte-suprema-de-justicia/>

116 <https://criterio.hn/magistrados-integrantes-la-nueva-figura-de-la-corte-suprema-de-justicia-de-honduras/>

117 <https://confidencialhn.com/blog/2023/02/22/barra-de-abogados-interpone-recurso-de-amparo-en-contra-de-la-figura-de-los-nuevos-magistrados-suplentes/>

118 <https://confidencialhn.com/blog/2023/02/17/mision-internacional-de-observacion-saluda-eleccion-de-nueva-csj-en-honduras/>

119 <https://cespad.org.hn/analisis-semanal-entre-lo-viejo-y-lo-nuevo-honduras-elige-una-corte-suprema-de-transicion/>

120 <https://confidencialhn.com/blog/2023/02/20/vea-aqui-el-acuerdo-tripartito-entre-los-partidos-libre-nacional-y-liberal-para-elegir-la-nueva-csj/>

121 <https://pasosdeanimalgrande.com/pag/index.php/articulos/monitoreo/150-sacar-la-justicia-de-los-cuarteles-ordena-presidenta-de-la-csj>

122 <https://ellibertador.hn/2023/02/20/el-juez-de-la-dictadura-intocable-posee-mas-de-50-denuncias-por-abuso-y-violacion-a-derechos-humanos/>

123 <https://confidencialhn.com/blog/2023/02/20/las-remesas-en-honduras-subieron-16-6-en-enero-2023/>

124 <https://confidencialhn.com/blog/2023/02/03/honduras-requiere-280-millones-de-dolares-para-plan-humanitario-en-2023-onu/>

125 <https://reliefweb.int/report/honduras/humanitarians-need-505-million-assist-49-million-people-el-salvador-guatemala-and-honduras-2023>

126 <https://confidencialhn.com/blog/2023/02/13/precio-de-la-canasta-basica-ha-incrementado-al-menos-300-lempiras-este-ano/>

127 <https://criterio.hn/reajuste-salarial-se-queda-corto-ante-aumento-de-la-canasta-basica/>

Castro, so that the State increases its monetary income and does not continue to subsidize a business sector that has lived off the disproportionate protection of the State. The second is to review and restructure public spending, reducing as much as possible unproductive expenditures (including military spending), nepotism practices, and to advance in the structuring of a Social State that promotes and protects economic, social, political, cultural and environmental rights. And third, to advance in the issuance of a new generation of public policies that ensure historically excluded sectors access to productive assets, especially in terms of property rights over land, natural resources, access to credit and other factors of production. Likewise, the recognition of the rights of women, youth, rural populations and indigenous peoples in their just dimension."<sup>128</sup>

## Labor Rights

"The Government, private enterprise and the working class achieved this Wednesday an adjustment to the minimum wage of 9.8 % in all economic activities, announced in a press conference."<sup>129</sup>

## Migration

According to DINAF, 762 minors have been deported to Honduras in the first five weeks of 2023.<sup>130</sup> In a new CID-Gallup poll, 48% of Honduras surveyed expressed some intention to migrate.<sup>131</sup>

## And Light at the End of a Month

COFADEH's Bertha Oliva was awarded with the international human rights award Emilio F. Mignone in Argentina.<sup>132</sup>

<sup>128</sup> <https://cespad.org.hn/analisis-semanal-la-revision-del-regimen-de-exoneraciones-punto-de-entrada-para-la-reforma-social-sustantiva-en-honduras/>

<sup>129</sup> <https://confidencialhn.com/blog/2023/02/09/gobierno-empresarios-y-trabajadores-acuerdan-un-ajuste-al-salario-minimo-de-un-98/>

<sup>130</sup> <https://criterio.hn/dinaf-reporta-762-menores-retornados-en-2023/>

<sup>131</sup> <https://confidencialhn.com/blog/2023/02/22/hondurenos-y-colombianos-los-latinoamericanos-con-mas-intencion-de-emigrar/>

<sup>132</sup> <https://www.defensoresenlinea.com/bertha-oliva-galardonada-con-el-premio-emilio-mignone/>



### **Another Month at the Honduras Forum Switzerland**

Past Activities:

-

Upcoming Activities:

-

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