

Another Month in Honduras...

Human Rights Monitor – July 2018

This is the month the Pandora corruption case finally went to the court. It began initially as a sign of hope that current congresswo/men are not untouchable. But it became just another instance of Honduras' Judicial System not being up for the task as a judge lowered the charges against almost all of the accused. At least there was some hope coming from the streets when a strike by the transport sector spread to the public at large demanding lower fuel prices. In the end, backroom dealings led to the same outcome as usual: a small elite profiting while the public loses out. Welcome to another month in Honduras.

In solidarity,

Daniel Langmeier

Honduras Forum Switzerland

Executive Summary

Honduras Judicial System did not shine this month. While a judge lowered the charges against all except one accused in the Pandora corruption case, another court sentenced an indigenous Lenca campesino to four years in prison for sowing maize on a field supposedly dedicated to being a forest area. Human rights organizations rightly denounced it as the criminalization of ancient practices of Honduras' indigenous peoples. On June 26, a court dropped the charges against a group of men linked to the hydroelectric company DESA having attacked three indigenous Lenca defenders in March 2014. And if this were not enough for one month, another hearing in the assassination case of Berta Cáceres was postponed, while the MP continued to ignore court orders to share evidence with COPINH and Berta's family's legal team.

Even though it was the month containing the day of the cameraperson and photographer, there was nothing to celebrate for the journalistic profession. As last month, journalists were illegally detained for doing their work or they are threatened until they stop covering undesirable topics. In one occasion, it led to journalist Leisy Flores leaving Honduras this month. This and further instances have shown once more that the protection mechanism does not work. In the case of the journalist Jairo López part of the persecution may even come directly from the National Police.

Corruption continued to make headlines with new cases, e.g. a National Party activist accused of stealing public money for JOH's campaign, and cases that have accompanied us for a while, such as the Pandora case which went to court this month. A new bill approved in the US which forces the Secretary of State to share the identities of corrupt government officials Honduras may keep the pressure up, but so far it has failed to lead to meaningful convictions.

The month ended with a five-day visit by the IACHR which brought some important topics back on the table, such as the post-electoral human rights violations. But as the visit only started on July 30, this will be the topic of next month's report.

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Abbreviations

ATIC	Criminal Investigation Technical Agency
CNA	National Anti-Corruption Council
CONADEH	National Human Rights Ombudsman
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
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
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
TSE	Supreme Electoral Tribunal
UNAH	National Autonomous University of Honduras
UFECIC	Anti-Corruption Unit of the Attorney General's Office

Human Rights and Their Defenders

26 years ago this July, Juan Humberto Sánchez was illegally arrested by the Honduran Armed Forces and has never been seen again since then. In 2003, the Inter-American Court of Human Rights (IACtHR) condemned the Honduran State for this crime and presented several demands such as the establishment of a registry of detained persons and the investigation of the case to avoid repetition. The Honduran State so far failed to comply with the sentence as several human rights organizations made public this month.¹ The JOH regime is about to receive even more demands and recommendations by the Inter-American Human Rights System as their human rights commission (IACHR) started on July 30 a five-day visit to Honduras.² We will report next month about their findings.

The Case of Berta Cáceres

On September 10, the public trial will start against the material authors of the murder of Berta Cáceres. Already this month, a first hearing was supposed to take place in which the MP, as well as the defense lawyers and the lawyers of Berta's family and COPINH would present the evidence they intend to use in the trial³. Fear by Berta's family and COPINH that the MP once more would fail to produce any evidence, therefore, violating court orders came to be true once more as the trial was postponed to August 23 and 24.⁴ In the initial minutes of the hearing, before it was postponed, their defense team demanded that COPINH be included in the list of victims given the great suffering the organization has suffered due to the murder of its general coordinator.⁵

The month ended with an open letter by the president of the Spanish Advocates and the vice-president of the International Observatory of Lawyers at Risk Victoria Ortega. She wrote to the president of the Honduran Supreme Court, Rolando Edgardo Argueta Pérez, expressing her concerns about the safety of Berta's family and the lawyers representing them.⁶

Assassinations

Global Witness published this month its yearly report on the murder of environmental defenders. It documents five murders in Honduras for 2017, less than in 2016, while at the same time highlighting that the “repression of civil society in general worsened”.⁷

1 <http://defensoresenlinea.com/honduras-continua-sin-cumplir-sentencia-de-la-corte-idh-en-el-caso-juan-humberto-sanchez/>

2 <http://defensoresenlinea.com/cidh-realiza-visita-in-loco-a-honduras/>

3 <http://www.pasosdeanimalgrande.com/index.php/en/contexto/item/2225-gobierno-hondureno-debe-tener-presion-mundial-para-investigar-crimen-de-berta-caceres-y-ataques-contra-defensores-del-ambiente>

4 <https://criterio.hn/2018/07/28/reprograman-audiencia-de-proposicion-de-pruebas-en-caso-berta-caceres-para-el-23-y-24-de-agosto/>

5 <http://www.pasosdeanimalgrande.com/index.php/en/contexto/item/2229-abogados-de-la-familia-de-berta-caceres-solicitan-que-copinh-sea-incluido-como-victima>

6 <http://defensoresenlinea.com/la-abogacia-espanola-pide-proteccion-para-familia-y-abogados-de-berta-caceres/>

7 <https://www.globalwitness.org/en/press-releases/deadliest-year-record-land-and-environmental-defenders-agribusiness-shown-be-industry-most-linked-killings/>

Journalists and Social Communicators

On July 2, the 33-year old cameraman Josué Armador Romero was found dead in his home in Comayagüela. The police announced that they would investigate his death, the reason of which they called “undetermined”.⁸ There was no update on this throughout the rest of the month.

Lawyers

On July 12, the lawyer Rafael Humberto Gonzáles was shot dead in Tegucigalpa.⁹ Already last month, a lawyer was murdered and since 2010, over 130 lawyers have violently lost their lives in Honduras.

Attacks, Criminalization and Harassment

Several national women's rights organization together with OACNUDH and UN Women denounced this month the enduring violence in Honduras "affecting the physical, psychological, work and political integrity of women".¹⁰ In the south of Honduras tensions grew around a geothermic project in the Siria Valley¹¹. Two HRDs of the Environmental Committee of the Siria Valley filed complaints at the MP against threats received by the businessman Herman Ritchel.¹² In Santa Bárbara, the campesino organization ANACH denounced that they are being evicted from the land they have worked on for the last 18 years.¹³

Indigenous Peoples

Honduras indigenous peoples suffered two more recent blows by Honduras' courts. On March 5, 2014, three indigenous Lenca defenders Santos Domínguez, Pablo Domínguez and María Domínguez were attacked by people close to the hydroelectric company DESA, which is also held responsible for the murder of Berta Cáceres. On June 26, a court dropped the charges against one group of attackers and only sentenced a second group with the bare minimum. MADJ and COPINH fear that this further incentives attacks against HRDs.¹⁴

The month ended with an indigenous Lenca campesino sentenced to four years in prison for sowing maize on a field supposedly dedicated to being a forest area. The 66-year old campesino is a member of COPINH and MADJ, which legally accompanies the case. They denounced it as the criminalization of ancient practices of Honduras' indigenous peoples.¹⁵

8 <http://www.elheraldo.hn/sucesos/1193788-466/misteriosa-muerte-de-camar%C3%B3grafo-de-televisi%C3%B3n-en-la-zapote-centro-de-la>

9 <http://www.proceso.hn/actualidad/7-actualidad/acribillan-a-abogado-en-valle-de-amarateca.html>

10 <http://www.web.ellibertador.hn/index.php/noticias/nacionales/2904-honduras-no-quiero-ser-la-forense-de-oro-dice-directora-de-medicina-forense>

11 <http://defensoresenlinea.com/geotermica-activa-las-alarmas-ambientales-en-el-valle-de-siria/>

12 <http://defensoresenlinea.com/defensores-de-valle-de-siria-de-nuevo-son-amenazados-por-defender-el-ambiente-y-su-territorio/>

13 <http://defensoresenlinea.com/perdidas-millonarias-causaria-desalojo-a-campesinos-en-quimistan-santa-barbara/>

14 <https://copinh.org/2018/07/la-violencia-del-extractivismo-impacta-directamente-en-nuestras-vidas-y-cuerpos/>

15 <https://criterio.hn/2018/07/30/condenan-a-cuatro-anos-de-carcel-a-indigena-lenca-por-sembrar-maiz-en-tierra-forestal/>

FPIC

Since February 2018, when the JOH regime started its newest attempt to force through their interpretation of free, prior and informed consent (FPIC), Honduras' indigenous organizations have raised the alarm. This month, internal documents of the ILO were published which help explain their worrisome turnaround on how the ILO Convention 169 should be interpreted highlighting the nefarious role of the ILO itself in this development.¹⁶

LGBTI

This year alone, the LGBTI organization Arcoiris had their offices broken into once and there were two further robbery attempts against them. They denounce that the MP so far has failed to properly investigate.¹⁷ But Honduras' LGBTI organizations are not only in the defensive. Reinvigorated by the IACtHR ruling at the beginning of this year, they presented a constitutional challenge against Article 112 which prohibits same-sex marriage. To quite some surprise, the challenge was accepted.¹⁸

Freedom of Expression and Journalists

Before the month even started, on the evening of June 30, the National Police detained the journalist Javier Edgardo Rodríguez. Before his arrest, he reported on the violent arrest of various citizens by the police. He was kept in custody for several hours and then released at 1 am on July 1.¹⁹ The next week, the Security Secretariat reacted with a press release in which, according to the journalist, they lied about the circumstances of the arrest. Furthermore, CONADEH so far has failed to act on a complaint by Rodríguez.²⁰ On July 8, the lawyer Omar Menjívar made public that police officials tried to make go away the accusations by Rodríguez solely by asking for forgiveness. Menjívar rightly highlighted that a conciliation process needs, at a minimum, the MP and a court involved.²¹
²² As it is already the third time in a bit more than six months that the police has illegally detained journalists, one could speak of a worrisome pattern.

On other occasions, police agents do not go as far as arresting journalist, but they still stop them from doing their work. On July 7, a police agent, with face mask, stopped the journalist Mai Ling Coto from reporting Potrerillos, Cortés.²³ The Journalists Association Honduras (CPH) reacted by denouncing "the constant abuses by the National Police against journalists."²⁴

16 <https://avispa.org/documento-obtenido-por-avispa-de-vela-la-postura-de-la-oit-sobre-la-consulta-indigena/>

17 <http://www.pasosdeanimalgrande.com/index.php/en/denuncias/item/2195-negligencia-del-estado-de-honduras-para-investigar-intentos-de-saqueo-en-la-organizacion-arcoiris>

18 <http://elpulso.hn/en-medio-de-la-violencia-la-lucha-por-el-matrimonio-igualitario-en-honduras/>

19 <http://www.pasosdeanimalgrande.com/index.php/en/amenazas-a-la-libertad-de-expresion/item/2194-policia-golpea-y-mete-presos-al-periodista-javier-rodriguez-en-olanchito-yoro>

20 <http://www.pasosdeanimalgrande.com/index.php/en/amenazas-a-la-libertad-de-expresion/item/2199-conadeh-sin-accionar-aclaracion-de-la-policia-no-convence-a-periodista-edgardo-rodriguez>

21 <http://www.pasosdeanimalgrande.com/index.php/en/amenazas-a-la-libertad-de-expresion/item/2206-abogado-omar-menjivar-disculpas-policiales-no-desaparecen-delitos-cometidos-contr-periodista>

22 <http://www.pasosdeanimalgrande.com/index.php/en/amenazas-a-la-libertad-de-expresion/item/2205-quieren-negociar-impunidad-despues-de-detenerlo-y-golpearlo-jefes-de-policia-se-disculpan-con-periodista>

23 <http://www.cibrehonduras.com/index.php/alertas/agresion-fisica/874-a-empujones-policia-con-pasamontanas-obstruye-labor-informativa-de-periodista>

24 <https://tiempo.hn/colegio-de-periodistas-de-honduras-denuncia-el-abuso-policial-en-contra-de-reporteros/>

To help improve the situation for journalists and social communicators in Honduras, the international community made various recommendations during the Universal Periodic Review (UPR) at the UN. Pasos de Animal Grande highlighted this month in a special report that the JOH regime so far failed to implement them.²⁵ One reaction to the international criticism was the establishment of the protection mechanism. As we have shown in previous months, the mechanism has serious flaws. One problem came to light this month again as the journalist Jairo López continued to be persecuted even though he should benefit from protection. Even worse, part of the persecution may come directly from the National Police.²⁶

In some cases, the failure to act by the protection mechanism forces journalists to leave the country. After suffering a tear gas attack at home and constantly receiving threatening calls, the journalist Leisy Flores left Honduras this month.²⁷ In other cases, their answers are just purely cynical. After the MP informed the journalist Dassaev Aguilar that they had lost his files documenting the attacks against him, the protection mechanism just told him not to run any risks and that they couldn't do anything for him.²⁸

This month, Honduras commemorated the day of the cameraperson and photographer. C-Libre and the Honduran Press Association (APH) reacted by reminding us in a joint press conference that since 2017, at least 15 of them suffered violent attacks.²⁹ As to help visualizing part of the source of this aggression, anti-riot police agents attacked the cameraman Engel Padilla and destroyed his equipment on July 23, two days before the commemoration. Padilla was covering the violent repression of a protest in the San Miguel neighborhood in Tegucigalpa yesterday.³⁰

Protection Mechanism

We have covered the failings of the protection mechanisms already in the last two monthly reports and they are also mentioned in the section above on freedom of expression. Sometimes during debates about the mechanism, it is forgotten that it should have been accompanied by the creation of the Special Public Prosecutor Unit for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Operators (FEPRODDHH). The JOH regime announced four months ago in Geneva at the UN that FEPRODDHH had been established but when COFADEH sought it out this month, they were told that it is not functioning.³¹

Further problems with the protection mechanism came to light this month. According to the coordinator of the human rights organization Joprodeh, Jorge Jiménez, Lesby Castro, the

25 <http://www.pasosdeanimalgrande.com/index.php/en/monitoreo-de-compromisos-internacionales/item/2216-la-mora-del-estado-de-honduras-ante-las-recomendaciones-del-epu-sobre-libertad-de-expresion>

26 <http://www.pasosdeanimalgrande.com/index.php/en/amenazas-a-la-libertad-de-expresion/item/2202-medidas-de-proteccion-u-hostigamiento-a-quien-le-interesa-fastidiar-al-periodista-jairo-lopez>

27 <http://www.pasosdeanimalgrande.com/index.php/en/amenazas-a-la-libertad-de-expresion/item/2218-estado-de-honduras-no-investigando-amenazas-contr-periodista-y-fue-obligada-a-irse-al-exilio>

28 www.pasosdeanimalgrande.com/index.php/en/amenazas-a-la-libertad-de-expresion/item/2222-periodista-denuncia-que-el-mp-perdio-su-expediente-y-el-mecanismo-de-proteccion-le-dijo-que-no-corre-riesgo

29 <http://www.conexihon.hn/index.php/libertad-de-expresion/737-honduras-15-agresiones-contr-camarografos-desde-el-2017>

30 <http://www.clibrehonduras.com/index.php/alertas/detencion-arbitraria/876-antimotines-detienen-y-danan-equipo-de-trabajo-de-camarografo>

31 <http://defensoresenlinea.com/a-cuatro-meses-de-su-creacion-feproddhh-sigue-sin-atender-denuncias/>

representative of the Security Secretariat at the mechanism, is actively intimidating police agents offering protection to HRDs and he himself is denigrating HRDs.³²

The JOH regime, meanwhile, continues to claim success. In an interview, the Human Rights Secretary, Karla Cueva, claimed that the mechanism benefited 800 people so far.³³ Two days later, Pasos de Animal Grande, whose founder is representing civil society organizations at the mechanism, published an overview of the activities of the mechanism. They document 325 requests made to it of which 250 were admitted.³⁴ That is far off of Cueva's 800.

Political Prisoners

There still remain five political prisoners in Honduras: Edwin Espinal and Raúl Álvarez in the La Tolva maximum security prison in the El Paraíso department; Edy Gonzalo in the El Pozo maximum security prison in the Santa Bárbara department; and Gustavo Cáceres and José Godinez in El Progreso, Yoro.³⁵ The former presidential candidate for the Opposition Alliance against the Dictatorship, Salvador Nasralla demanded the release of them this month as a precondition of a national dialogue.³⁶ The release would only be a first step as the charges against them also must be dropped. A special report by Radio Progreso focuses on the continuously difficult situation of three conditionally released political prisoners: Lourdes Gómez, Melvin Chávez and Francisco Gómez.³⁷

Extractive Industries

Extractivism continues to be a main source of conflict in Honduras. To get an overview of the problem, OACNUDH announced this month that it started a mapping of all the conflicts in Honduras resulting from extractive industry projects.³⁸ But rather than diminishing the potential for conflict, the JOH regime goes full throttle ahead as shown by the next two sections.

First, MADJ wrote an open letter to the heads of the political parties in Congress expressing its great concern about the possible approbation of 24 new concessions for hydroelectric projects.³⁹ MADJ is well versed in the possible problems caused by hydroelectric dams. This month they denounced an increase of health issues in Pajuiles near Tela, Atlántida due to the contamination of the water by HIDROCEP's construction of a hydroelectric plant.⁴⁰

32 <http://www.pasosdeanimalgrande.com/index.php/en/denuncias/item/2209-defensor-de-ddhh-denuncia-a-subcomisaria-de-policia-porque-amedrenta-escoltas-y-estigmatiza-a-defensores>

33 <https://confidencialhn.com/unas-800-personas-habrian-sido-protegidas-por-unidad-estatal-de-ddhh/>

34 <http://www.pasosdeanimalgrande.com/index.php/en/investigaciones/item/2230-fiscalia-de-proteccion-no-investigara-ni-judicializara-casos-de-periodistas-asesinados>

35 https://freedwinespinallibertad.blogspot.com/2018/07/edwin-espinal-has-been-political_19.html

36 <https://tiempo.hn/nasralla-exige-al-gobierno-cumplir-con-requerimientos-minimos-para-retomar-dialogo-nacional/>

37 <http://wp.radioprogreso.hn/cuando-un-proceso-electoral-arrebata-el-derecho-a-elegir-y-encarcela-a-quienes-lo-defienden/>

38 <https://criterio.hn/2018/07/09/oacnudh-mapea-zonas-con-conflictos-extractivistas-en-honduras/>

39 <https://www.movimientoamplio.org/single-post/2018/07/05/MADJ-increpa-al-CN-sobre-24-posibles-nuevos-proyectos-hidroel%C3%A9ctricos>

40 <https://www.movimientoamplio.org/single-post/2018/07/12/Aumentan-enfermedades-en-Pajuiles-por-agua-contamida-por-HIDROCEP>

Second, for the fourth year in a row, the JOH regime and mining companies organized the three-day International Mining Congress in Honduras.⁴¹ Communities affected by mining projects or fearing projects being forced upon them traveled to Tegucigalpa to protest the congress.^{42 43}

When the executive and legislative power sometimes will not listen, there is still the judicial power. In Honduras, it rarely comes to the rescue, but on June 27, there was some hope. A court in San Pedro Sula reiterated in a second ruling that the mining company MINOSA had to immediately stop the exhumation of graves in order to expand its mining activities in Azacualpa, Copán. One month later, the positive results on the ground have not yet materialized. Even worse, MINOSA started a smear campaign against the human rights organizations accompanying the case. Accordingly, MADJ called on both CONADEH and the UN Human Rights Office to intervene.⁴⁴

Corruption and Its Enemies

In July, the Pandora corruption case made the most headlines again (see below), while there was no noteworthy news in the IHSS case nor in the case against the former First Lady. Additionally, we saw reports on new corruption cases involving once more JOH's election campaign⁴⁵, the public health and the construction sector⁴⁶, as well the use of fake companies by congresswo/men and their family members to steal public money⁴⁷. In a very worrisome instance this month, Congress granted its Nationalist president Mauricio Oliva some 200 million Lempiras to manage without much oversight.⁴⁸

Corruption has many faces in Honduras and one has the form of the Supreme Electoral Tribunal (TSE). Violating the Honduran constitution, it ratified Roy Dagoberto Cruz Pérez as a Nationalist congressman even though his cousin is the president of the Supreme Court, Rolando Argueta Pérez. In article 199, it says that "spouse and relatives within fourth degree of consanguinity" of Supreme Court magistrates cannot be congresswo/men.⁴⁹

The month ended with some unexpected good news, at least if the ruling is forced through. A higher court revoked the alternative measures to imprisonment for the former members of the Judiciary Council and ordered they preventive imprisonment. They are accused of corruption and abuse of authority.^{50 51}

41 <http://wp.radioprogreso.hn/congreso-minerogobierno-sigue-politica-entreguista-pretende-seguir-entregando-el-territorio-a-empresarios-a-traves-de-congreso-minero/>

42 <https://criterio.hn/2018/07/18/no-queremos-mineros-en-honduras-gritan-pobladores-en-tegucigalpa/>

43 <http://wp.radioprogreso.hn/congreso-minero-duro-golpe-a-las-comunidades-que-resisten-a-la-industria/>

44 <https://www.movimientoamplio.org/single-post/2018/07/27/Juzgado-ordena-por-segunda-vez-suspender-exhumaciones-en-cementerio-de-Azacualpa>

45 <https://tiempo.hn/denuncian-que-activistas-del-pn-drenaron-mas-de-89-millones-de-lempiras-del-banco-de-los-trabajadores/>

46 <http://www.proceso.hn/actualidad/7-actualidad/investigaciones-por-corrupcion-en-hospitales-y-obras-de-infraestructura-anuncia-cna-para-proximos-dias.html>

47 <https://confidencial.hn.com/?p=57416>

48 <https://confidencial.hn.com/?p=58408>

49 <https://criterio.hn/2018/07/10/tse-viola-nuevamente-la-constitucion-al-declarar-diputado-a-primo-del-presidente-de-la-csj/>

50 <https://tiempo.hn/ordenan-prision-preventiva-contr-exmiembros-del-consejo-de-la-judicatura/>

51 <http://elpulso.hn/prision-preventiva-para-exmiembros-del-consejo-de-la-judicatura/>

The Onslaught against the Anti-Corruption Bodies

The last two reports dedicated a lot of space to the attacks against the two main bodies fighting corruption in Honduras, the MACCIH and the MP's anti-corruption body UFEVIC. An article published in the New York Times this month summarizes well what has happened in Honduras these last weeks: "In a Corruption Battle in Honduras, the Elites Hit Back". Furthermore, the article also sheds some light on the role of the US and why it fails to put real pressure on the JOH regime: "The Honduran government knows the Trump administration cares a lot more about immigration and drug trafficking than it cares about corruption."⁵²

The US Congress may counterbalance this, at least a bit. "On July 26, the US House and Senate approved a bill that will require the Secretary of State to share the identities of government officials in Central America's Northern Triangle countries who are involved in corruption and drug trafficking with Congress. The bill specifies that the secretary must submit a report that includes "the names of senior government officials in Honduras, Guatemala, and El Salvador who are known to have committed or facilitated acts of grand corruption or narcotics trafficking." (...) The congressional committees must receive the report within 180 days of the amendment's publication."⁵³

July also has shown that the battle will continue – on both sides. While the MACCIH welcomed two new employees⁵⁴, Congress discussed new reforms to the Penal Code which could further weaken the fight against corruption.⁵⁵ Furthermore, it approved a problematic bill to reform article 82 of its organic law. This gives congresswo/men the possibility to make changes to already approved decrees and bills "to correct errors". This seems to be directly linked to a recent case in which two congressmen were accused of changing a bill to favor corrupt congresswo/men. They later claimed it was by mistake and this new law would now allow correcting these "errors".⁵⁶

Pandora Case

As this month began, many observers feared that the Pandora corruption case would be stalled by the JOH regime.^{57 58} This went so far to force the CNA's chief investigator Odir Fernández to demand that the Pandora case goes to court and that the authorities stop delaying the process.⁵⁹ Then finally, on July 21, the Judicial Power emitted arrest warrants against the 38 accused.⁶⁰ The arrest warrants were accompanied by notifications to the migration alert system as well as ordered to seize goods and properties.⁶¹ By the next day, four of the accused had been arrested, among them a

52 <https://www.nytimes.com/2018/07/01/world/americas/honduras-corruption-hernandez.html>

53 <https://www.insightcrime.org/news/brief/us-dept-state-create-central-america-corruption-blacklist/>

54 <https://confidencialhn.com/honduras-dos-funcionarios-anticorupcion-se-suman-a-la-maccih/>

55 <http://www.elheraldo.hn/pais/1196510-466/advierten-sobre-reforma-al-art%C3%ADculo-181-del-procesal-penal-en-el-congreso>

56 <https://tiempo.hn/congreso-nacional-aprueba-reforma-para-modificar-decretos-y-elimina-la-fe-de-errata/>

57 <http://wp.radioprogreso.hn.net/lentitud-de-jueces-sobresale-en-caso-pandora/>

58 <http://www.proceso.hn/politica-nacional/36-proceso-elector/136-no-esperemos-a-que-la-csj-se-pronuncie-sobre-articulo-184-para-continuar-con-el-caso-pandora-juan-barahona.html>

59 <http://www.proceso.hn/nacionales/9-nacionales/cna-lamenta-parsimonia-en-caso-pandora-y-alerta-de-algunos-imputados-ya-no-estran-en-el-pais.html>

60 <https://criterio.hn/2018/07/21/emiten-ordenes-de-captura-contra-implicados-en-caso-pandora/>

61 <https://tiempo.hn/libran-orden-de-captura-caso-pandora/>

deputy congressman of UD.⁶² Many high-profile accused presented themselves voluntarily at the court to avoid being publicly arrested.⁶³

On June 23, the first hearing took place and 20 out of the 38 accused appeared.⁶⁴ 19 of the 20 had to remain in custody after the hearing.⁶⁵ The one exception was Velkis Rosibel. She got house arrest because she has a newborn baby.⁶⁶ Apparently not familiar with the separation of power, the vice-president Ricardo Álvarez publicly claimed that most of the accused were innocent and therefore questioning the work of the MACCIH and UFEVIC.⁶⁷ In the following days, eight more accused in the Pandora corruption case presented themselves to court and six of them had to await trial in prison.⁶⁸

The political analyst Raúl Pineda Alvarado reacted to the detentions with a somber analysis. He claimed that the pre-trial detention served mainly as a superficial show of force and that the accused would be free again after the initial hearing.⁶⁹ He was proven right shortly afterwards. The official trial started on July 25 and the main line of defense by the accused was that they did not know the origin of the money they were spending and could, therefore, not be accused of money laundering.⁷⁰ As laughable as this defense may sound to a neutral observer, the sitting judge thought otherwise. On July 30, judge Lidia Álvarez Sagastume changed the charges against 26 out of the 29 accused who turned up (9 are still on the run, 3 have already been acquitted and 1 died) from money laundering to concealment ("encubrimiento").⁷¹ This allowed them to be released from preventive imprisonment.⁷² Just one, Jacobo Regalado, the former Agriculture and Livestock Minister, had to remain in prison.⁷³

An article by ContraCorriente claimed that family members of the accused had known already about their release before the ruling became public, some saying that everything had been resolved the day before "through the use of bank accounts".⁷⁴ CNA's director Gabriela Castellanos felt vindicated regarding her previous warnings about a possible manipulation of the case by the Honduran Justice System.⁷⁵ UFEVIC chose a more neutral approach. They announced that they respect the judge's decision, but they did not share it and would take the corresponding measures to challenge it.⁷⁷ The Coalition against Impunity released a press communique on the Pandora

62 <https://confidencialhn.com/?p=58971>

63 <https://criterio.hn/2018/07/22/imputados-en-caso-pandora-con-alto-perfil-evitaran-la-verguenza-de-ser-capturados/>

64 <http://elpulso.hn/la-manana-de-pandora/>

65 <https://criterio.hn/2018/07/23/remiten-a-prision-a-19-imputados-en-el-caso-pandora/>

66 <https://tiempo.hn/trasciende-que-diputados-implicados-en-caso-pandora-son-trasladados-al-primer-batallon-de-infanteria/>

67 <https://criterio.hn/2018/07/23/varios-senalados-en-caso-pandora-son-inocentes-ricardo-alvarez/>

68 <https://criterio.hn/2018/07/24/jueza-dicta-detencion-judicial-a-seis-personas-mas-por-caso-pandora/>

69 <https://criterio.hn/2018/07/24/implicados-en-caso-pandora-manana-podrian-quedar-en-libertad-raul-pineda-alvarado/>

70 <http://elpulso.hn/audiencia-inicial-caso-pandora/>

71 <https://criterio.hn/2018/07/28/conozca-la-resolucion-del-caso-pandora/>

72 <http://elpulso.hn/jueza-deja-libres-a-los-acusados-en-el-caso-pandora/>

73 <https://criterio.hn/2018/07/28/jacobo-regalado-el-unico-que-ha-quedado-presos-por-el-caso-pandora/>

74 <https://contracorriente.red/2018/07/28/la-caja-de-corrupcion-que-nunca-se-cierra/>

75 <https://criterio.hn/2018/07/28/la-caja-de-pandora-fue-un-cuento-mal-contado-gabriela-castellanos/>

76 <http://www.web.ellibertador.hn/index.php/noticias/nacionales/2925-pandora-perdonen-las-cuatro-noches>

77 <http://www.proceso.hn/actualidad/7-actualidad/ufecic-se-pronuncia-en-contra-de-la-resolucion-del-juez-en-caso-pandora.html>

corruption case. "The first chapter of the Pandora case has concluded and the balance for justice is negative. Once again the expectations of the citizens have been circumvented by the Supreme Court of Justice, which demonstrated its lack of independence when it comes to judging the members of the political and economic elites."⁷⁸

The month ended with rumors that the MP, based on work by the MACCIH and UFECIC, will present legal actions against no less than 54 current and former congresswo/men as an expansion of the Pandora case, dubbed Pandora II. It would affect 31 National Party, 12 Liberal Party, 8 Libre, 2 UD and 1 DC congresswo/man.⁷⁹ We have to await next month to find out if these rumors materialize.

Election of Attorney General

Even though the illegal reelection of the Attorney General Óscar Fernando Chinchilla was forced through already in June, July still brought forward some important reactions and pieces of analysis⁸⁰ worth sharing. ConexiHon printed a screenshot from a Tweet of Chinchilla from March 5, 2018, in which he wrote "I am not looking to be reelected. (...) I am convinced that good candidates for the position of the Attorney General will appear for the National Congress to chose from."⁸¹

For some newer observers of the situation in Honduras, the recent re-election of the Attorney General Óscar Chinchilla may have shown some procedural weaknesses, but they still might think it is for the greater good. They probably don't know that this was already the second time he had been elected illegally.⁸² Back in 2012, the then Attorney General and his deputy resigned and instead of nominating a replacement for them until the end of their term in March 2014, JOH as president of Congress and the Lobo administration illegally and unconstitutionally held election for a new Attorney General for a five years term - fearing the power may shift in the November 2013 election with Libre's appearance. Even worse, out of the 37 candidates, 13 were selected for their qualifications and Chinchilla wasn't one of them. But as JOH wanted him, more rules got broken to have him elected.

The Coalition against Impunity called the illegal reelection a demonstration that "the factual powers entrenched in Honduras with international interests, seek to shamelessly share among themselves public positions to guarantee impunity and hinder the fight against corruption".⁸³ InSight Crime wondered if the re-election is a mere "Pyrrhic Victory for the Status Quo?".⁸⁴ Radio Progreso criticized the role of the US in it. Once more, the candidate of their choice (this time not even being a candidate) had won.⁸⁵ The Due Process of Law Foundation (DPLf) published a thorough analysis of the process concluding: "There is no way to whitewash what happened: Chinchilla's appointment

78 <https://criterio.hn/2018/07/31/las-paradojas-de-la-justicia-hondurena-y-el-caso-la-caja-de-pandora/>

79 <http://elpulso.hn/54-requerimientos-para-pandora-ii/>

80 <http://www.conexihon.hn/index.php/transparencia/720-embajada-estadounidense-fijo-linea-al-bipartidismo-para-reeleccion-de-chinchilla>

81 <http://www.conexihon.hn/index.php/transparencia/712-no-que-no-aspiraba-oscar-chinchilla-es-reelecto-como-fiscal-general>

82 <http://wp.radioprogreso.hn/historico-dos-veces-elegido-ilegalmente-fiscal-general/>

83 <http://www.conexihon.hn/index.php/transparencia/717-sellada-de-ilegalidad-reeleccion-de-chinchilla-denuncia-coalicion-contrala-impunidad>

84 <https://www.insightcrime.org/news/analysis/honduras-attorney-general-reelection-pyrrhic-victory-status-quo/>

85 <http://wp.radioprogreso.hn/un-comentario-inutil-04-julio-2018/>

was the product of an ad hoc legislative procedure that violates the law, the Constitution, international law, and, above all, the credibility of the institution charged with criminal prosecution in the country."⁸⁶

State Security Forces

Last month, Sherill Yubissa Hernández Mancía, a departmental head of the ATIC, was found dead. Since then, her death has been in the headlines as ATIC claimed she took her own life while the Forensic Medicine department challenged this and spoke of murder.⁸⁷ This led to the director of Forensic Medicine as well as some of her staff receiving threats.⁸⁸ As further voices joined in denouncing a possible cover-up⁸⁹, the MP reacted with launching a special investigative unit.⁹⁰ ConfidencialHN claims that she was murdered by an ATIC colleague⁹¹, while El Heraldo thinks that it is linked to her investigating a high police official.⁹²

The Military Police also made negative headlines this month. A fight broke out after a soccer game in Catacamas, Olancho, but when the Military Police was called to calm down the situation, one of them "preventively" shot one of the players. Fortunately, he was only hit in the arm.⁹³ Libre councillors in Las Vegas, Santa Bárbara, denounced the local Nationalist mayor Tona Pineda Castellanos uses among other things the Military Police to threaten and silence the political opposition.⁹⁴

There were some structural and organizational changes with Honduras state security forces this month. The first director for the Bureau of Disciplinary Police Affairs (Didapol), Allan Edgardo Argeñal Pinto, was elected. Didapol was created as a consequence of the new Organic Law of the National Police and it substitutes the former Bureau for the Investigation and Evaluation of the Police (DIECP).⁹⁵ Back in June JOH promised a new special force against Maras and Pandillas. This month, he backtracked a bit by announcing that the already existing National Anti-Corruption Force (FNA) will be upgraded to an Anti-Mara and Pandilla Unit.⁹⁶ They are called National Anti-Mara and Pandillas Force (Fnamp) and they get support from the FBI.⁹⁷ Their members consist of members of the National Police, the Military Police and prosecutors from the MP.⁹⁸

86 <http://www.dplf.org/en/resources/search-attorney-general-honduras-chronicle-reelection-un-foretold>

87 <https://criterio.hn/2018/07/17/que-se-esconde-detras-de-la-muerte-de-la-jefa-regional-de-la-atic/>

88 <https://tiempo.hn/directora-de-medicina-forense-denuncia-conadeh/>

89 <https://confidencialhn.com/?p=57768>

90 <https://confidencialhn.com/?p=57681>

91 <https://confidencialhn.com/?p=58536>

92 <http://www.elheraldo.hn/sucesos/1198732-466/investigaci%C3%B3n-contr%C3%ADa-polic%C3%ADa-habr%C3%ADa-motivado-crimen-de-jefa-de-la-atic>

93 <https://tiempo.hn/militar-hiere-a-jugador-en-olancho/>

94 <http://www.pasosdeanimalgrande.com/index.php/en/contexto/item/2214-regidores-de-las-vegas-santa-barbara-amenazados-por-no-firmar-actas-ilegales>

95 <https://tiempo.hn/juramentan-al-abogado-allan-edgardo-argenal-pinto-como-rector-de-la-didapol/>

96 <http://www.latribuna.hn/2018/07/02/anuncian-fna-se-convertira-unidad-maras-pandillas/>

97 <http://www.elheraldo.hn/pais/1200134-466/fbi-dar%C3%A1-capacitaci%C3%B3n-a-fnamp-para-fortalecer-las-capacidades>

98 <http://www.elheraldo.hn/pais/1197182-466/caen-24-criminales-durante-operativos-de-la-fuerza-nacional-antimaras-y-pandillas>

Post-Electoral Human Rights Violations

The month started without still any formal requests for indictment related to the human rights violations taking place in the aftermath of the electoral fraud in November 2017.⁹⁹ Defensores en Línea continued this month to give faces to the victims and their family members.^{100 101} On July 23, the National Human Rights Board held a press conference to demand that the illegal JOH regime would take up its responsibility for the post-electoral human rights violations. The press conference served to prepare a visit by the IACHR which was about to take place from July 30 to August 3.¹⁰² Next month's report will cover their visit and recommendation.

Repressions

State security forces were involved in various violent repressions this month all linked to the strike by the transport sector (see Varia section).¹⁰³

International Community

US

Even though there have been rumors for months, only on July 3, US president Donald Trump announced his intention to nominate Francisco Luis Palmieri as the new US ambassador to Honduras.^{104 105} COFADEH dedicated a large share of its weekly editorial to the new US ambassador, "whom we recognize as a representative of the US military policy".¹⁰⁶

EU

The EU ambassador to Honduras, Alessandro Palmero met with the Human Rights Minister Karla Cueva to present their new Project in Support of Human Rights and Democracy in Honduras (ProDerechos).¹⁰⁷ This month, Honduras further signed a 10 million Euro cooperation agreement with Germany to improve school infrastructure.¹⁰⁸ But there are still some national European parliamentarians who question their governments' collaboration with the JOH regime. A group of Spanish parliamentarians requested answers regarding the Spanish cooperation in Honduras, especially its support for the construction of the Palmerola airport.¹⁰⁹ The businessman behind the construction is no other than Lenir Pérez, the son-in-law of the deceased palm oil magnate Miguel

99 <https://criterio.hn/2018/07/09/fiscalia-de-honduras-sigue-sin-presentar-requerimientos-por-crmenes-de-crisis-post-electoral/>

100 <http://defensoresenlinea.com/padre-clama-justicia-por-asesinato-politico-de-su-hijo/>

101 <http://defensoresenlinea.com/asesinatos-de-la-crisis-post-electoral-siguen-en-la-impunidad/>

102 <http://www.pasosdeanimalgrande.com/index.php/en/contexto/item/2221-mesa-de-derechos-humanos-presentara-ante-la-cidh-la-situacion-de-derechos-fundamentales-en-honduras>

103 <http://www.clibrehonduras.com/index.php/alertas/criminalizacion-de-la-proteta-publica/877-represion-y-hostilidad-militar-durante-jornada-de-proteta-de-transportistas>

104 <https://www.whitehouse.gov/presidential-actions/president-donald-j-trump-announces-intent-nominate-personnel-key-administration-posts-51/>

105 <https://criterio.hn/2018/07/03/ee-uu-designa-a-francisco-luis-palmieri-como-embajador-en-honduras/>

106 <http://defensoresenlinea.com/al-embajador-del-pentagono/>

107 <http://www.latribuna.hn/2018/07/02/la-union-europea-presenta-nuevo-proyecto-proderechos/>

108 <http://radiohrn.hn/2018/07/06/honduras-y-alemania-firman-convenio-para-mejorar-infraestructura-escolar/>

109 <http://www.hondurastierralibre.com/2018/07/espana-quien-es-lenir-perez-el.html>

Facussé. Pérez made negative headlines in 2013 when a mining company belonging to him was accused of intimidation and attacks against inhabitants of Nueva Esperanza, Altántida, as well as priests, national and international HRDs accompanying them.

Drug Trafficking

On July 17, the DEA and the Public Prosecutor Office in Manhattan, New York charged the Liberal Honduran congressman Midence Oquelí Martínez Turcios with drug trafficking. They additionally charged the Urbina Soto brothers, two Nationalist leaders from Yoro.¹¹⁰ InSight Crime cited it as further evidence of “how the Cachiros criminal organization integrated politicians into its modus operandi.”¹¹¹ InSight Crime also questioned recent proclamations of success by the JOH regime against drug trafficking. “Honduran security officials have claimed to have nearly eliminated aerial drug trafficking in the country thanks in large part to the use of radar systems, fly-over surveillance and demolitions of landing strips. However, those assertions are undermined by the continued discovery of aircraft and landing sites suspected of being used for drug flights.”¹¹²

Varia

Forced Displacement

The month started with an impressive photo essay on forced displacement in Honduras by ContraCorriente.¹¹³ The Norwegian Refugee Council urges the Honduran government to put in place protection mechanism for forcefully displaced Honduras. According to them, more than 190'000 Hondurans had to abandon their houses due to violence.¹¹⁴ A shockingly high number of last year high school students think about leaving the country, 63%.¹¹⁵ In comparison to urban areas, government-promoted extractive projects are the main source of forced displacement in rural areas.¹¹⁶ Lastly, a growing source of forced displacement is climate change.¹¹⁷

Public Health

The Medical Association of Honduras (CMH) denounced this month that the Health Secretariat bought cheap and bad quality medical material and drugs.¹¹⁸ A further source of inadequate health services in Honduras is privatization. Since 2012, patients suffering from kidney failure need to seek out the private company Diálisis de Honduras S.A. de C.V. for their dialysis. Because the

110 <https://criterio.hn/2018/07/17/ee-uu-acusa-por-trafico-de-drogas-a-diputado-hondureno-y-a-otros-tres-politicos/>

111 <https://www.insightcrime.org/news/analysis/why-cachiros-liked-working-honduras-politicians/>

112 <https://www.insightcrime.org/news/brief/honduras-losing-fight-aerial-drug-trafficking/>

113 <https://contracorriente.red/2018/07/01/desterrados-al-valle-de-las-sombras/>

114 <http://www.proceso.hn/portadas/10-portada/mas-de-190-000-hondurenos-desplazados-por-violencia-segun-el-consejo-noruego.html>

115 <https://confidencialhn.com/escalada-de-violencia-obliga-a-jovenes-largarse-de-honduras/>

116 <https://confidencialhn.com/proyectos-extractivistas-en-zonas-rurales-generan-desplazamientos-forzados/>

117 <https://contracorriente.red/2018/07/26/cambio-climatico-otra-guerra-de-la-que-huyen-los-hondurenos/>

118 <https://criterio.hn/2018/07/02/medicamentos-que-adquiere-el-gobierno-son-de-muy-baja-calidad-colegio-medico-hondureno/>

government had some late payments, the company threatened this month to reduce its services.^{119 120} The Medical Association Honduras (CMH) challenged the Honduran State to take up its responsibility and not leave such vital services in the hands of private business.¹²¹

Transport Sector

The main headlines this month came from the transport sector. It all started with an announcement of a steep increase in the vehicle tax benefiting the Nationalist mayoralty of the Central District.¹²² Tegucigalpa's cab driver reacted with the announcement of a strike¹²³, which took place on July 6.¹²⁴ The strike was suspended after one day, as the JOH regime offered talks.¹²⁵ As they led nowhere, strike actions were taken up again.¹²⁶ Soon more topics became part of the discussion, such as the price of public transport as well as fuel prices.¹²⁷ As a consequence, more sectors joined in the strike actions and Honduras became partly paralyzed.¹²⁸ The student body supported the strike by blocking the road outside the university. They were violently repressed by the Military Police using tear gas.¹²⁹ On July 23, the JOH regime presented a new proposal¹³⁰, which left to the suspension of the strike actions.¹³¹ First it seemed, that the transport sector would reject the proposal and some protests flared up again, once more repressed by state security forces.¹³² But then the JOH regime changed to a divide and conquer strategy and started offering different deals to different sectors. "The illegitimate regime used a ruse to come to an agreement with sectors close to the National Party to avoid protest actions."¹³³

The result of the discussions between the regime and the transport sector was in total opposition to the public interest. Honduras citizens initially supported the call for lower fuel prices, as they hoped for price decreases for basic goods, but the transport sector betrayed them. Rather than a fuel price decrease, it was decided that the fare prices for transport would rise.¹³⁴

Poverty

The World Bank recognized this month that the basket of basic goods in Honduras is much higher than they had previously thought.¹³⁵

119 <https://criterio.hn/2018/07/04/el-negocio-que-pone-en-riesgo-la-vida-de-los-pacientes-renales-en-honduras/>

120 <https://contracorriente.red/2018/07/15/la-eterna-deuda-con-los-pacientes-renales-en-honduras/>

121 <https://confidencialhn.com/?p=57647>

122 <https://confidencialhn.com/?p=57531>

123 <https://criterio.hn/2018/07/05/taxistas-de-tegucigalpa-anuncian-paro-general-y-cierre-de-la-ciudad/>

124 <https://criterio.hn/2018/07/06/taxistas-paralizan-tegucigalpa-exigiendo-que-se-elimine-el-aumento-a-la-tasa-municipal/>

125 <https://tiempo.hn/temporalmente-los-taxistas-suspenderan-protetas-contrala-el-aumento-de-la-tasa-vial-municipal/>

126 <http://wp.radioprogreso.hn.net/descontento-causa-aumento-a-la-tasa-vial-en-el-distrito-central/>

127 <http://wp.radioprogreso.hn.net/con-paro-nacional-transportistas-buscan-rebaja-en-los-precios-de-los-combustibles/>

128 <https://contracorriente.red/2018/07/19/transportistas-paralizan-honduras/>

129 <http://www.web.eliberador.hn/index.php/noticias/nacionales/2914-paro-de-transporte-paraliza-economia-14-mil-millones-por-ano-dejan-combustibles-al-gobierno>

130 <https://tiempo.hn/gobierno-presento-nueva-contrapropuesta-a-la-dirigencia-del-sector-transporte/>

131 <http://www.elheraldo.hn/pais/1200429-466/transportistas-suspenden-el-paro-por-48-horas-tras-tregua-con-el-gobierno>

132 <https://tiempo.hn/crisis-del-transporte-con-gas-lacrimogeno-y-disparos-la-policia-reprime-a-ciudadanos-en-villanueva/>

133 <http://wp.radioprogreso.hn.net/gobierno-divide-a-transportistas-y-logra-acuerdo-para-aplicar-trancazo-a-la-ciudadania/>

134 <https://criterio.hn/2018/07/31/transportistas-se-burlan-del-pueblo-y-junto-al-gobierno-asestan-incrementos-en-sus-tarifas/>

135 <https://tiempo.hn/en-al-menos-cinco-mil-lempiras-aumento-la-canasta-basica-hondurena-segun-el-bm/>

Congress

Some months back, there was a controversy about a pay-rise for congresswo/men. El Heraldo got access to the new salaries of the members of Congress and their staff The president of Congress, for example, got an over 50% pay rise this year.¹³⁶

And Light at the End of a Month

Exactly on the first day of the IACHR visit to Honduras (see more on this next month), the Human Rights Prosecutor presented charges against 11 police agents and officials as well as soldiers for the post-electoral human rights violations.¹³⁷ There wasn't any more news coverage of this since then, so it is not clear, if this is already good news, but it shows us that outside pressure is still needed.

¹³⁶ <http://www.elheraldo.hn/pais/1202950-466/m%C3%A1s-de-100000-lempiras-gana-la-mayor%C3%ADa-de-los-directivos-del-congreso>

¹³⁷ <http://www.proceso.hn/nacionales/9-nacionales/presentan-11-requerimientos-fiscales-contra-policias-y-militares-por-excesos-en-sus-funciones.html>



Another Month at the Honduras Forum Switzerland

Past Activities:

On July 31, the Honduras Forum Switzerland together with some 20 Honduran and international human rights organizations send an open letter to the IACHR in preparation of their visit to Honduras.

Upcoming Activities:

Every August, the Honduras Forum Switzerland will meet with the Swiss ambassador to Honduras (with seat in Guatemala) to discuss the human rights situation in the country. The meeting is organized by KOFF and takes place on August 27, 3pm in Bern, Switzerland.

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