

The Struggle for Human Rights and Transformation in Honduras:

A Faith Delegation's Observations



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EXECUTIVE SUMMARY

In May 2018, a 13-member delegation of faith leaders and human rights advocates journeyed to Honduras to observe alleged human rights abuses in the Central American nation. Honduran journalists and human rights defenders from Radio Progreso/Equipo de Reflexión, Investigación y Comunicación (RP/ERIC) were returning to the country from the United States and accompanied the delegation and served as guides and issue experts.

The observations of this delegation reaffirmed the severity of human rights abuses in Honduras—particularly given increased political unrest since the November 2017 national elections. The disputed results of those elections sparked widespread protest, violence, and government repression throughout the nation. As citizens and residents of the United States, the delegation noted the need for the U.S. government to radically alter its foreign and immigration policies with Honduras to protect those fleeing violence and persecution and ensure their rights.

Key Observations

- The Honduran government is corrupt and is committing human rights abuses against its civilian population with impunity
- The U.S. government is actively fueling and funding these human rights violations through its support for the Honduran government and its military
- Violence, including high rates of femicide, are a key contributor to the forced migration of Honduran civilians; U.S. immigration policies that restrict access to asylum are therefore returning people to harm's way

Key Recommendations

(Note: A full list of recommendations is at the end of this report)

- Reinstate Temporary Protected Status (TPS) for Honduran citizens
- Suspend security aid to Honduras until human rights abuses are satisfactorily addressed
- Withhold or reduce funds for U.S. immigration enforcement agencies that have been involved in the violation of the human rights of asylum-seekers, including the policies of “zero tolerance,” family separation, and arbitrary detention

BACKGROUND

In the Central American nation of Honduras, disputed elections in November 2017 have worsened an already dramatic human rights crisis. Events leading up to the vote led many Hondurans to question the integrity of the political process—including a 2015 Honduran Supreme Court ruling that illegally altered the Honduran constitution's term limits, enabling current President Juan Orlando Hernández to run for reelection. The members of the Supreme Court who issued this ruling were appointed after Hernández himself—then leader of the Honduran Congress—unseated four of their predecessors in 2012—a move the government's internal human rights monitor condemned at the time as illegal.¹

When the election results were announced and incumbent Hernández returned to power, protests erupted around the country. The Honduran government responded with a far-reaching crackdown on the rights to assembly and expression, declaring a state of emergency and imposing a 10-day curfew. According to UN sources, this curfew resulted in the mass arrest of at least 1,351 people.²

In clashes with protesters or attempts to break up public gatherings since the election, Honduran security forces committed severe human rights violations—including beatings, ill-treatment, and the unjustified use of deadly force. According to the U.N. High Commissioner for Human Rights (OHCHR), at least 16 people were killed by security forces in the context of post-election protests, including two women and two children. Sixty people



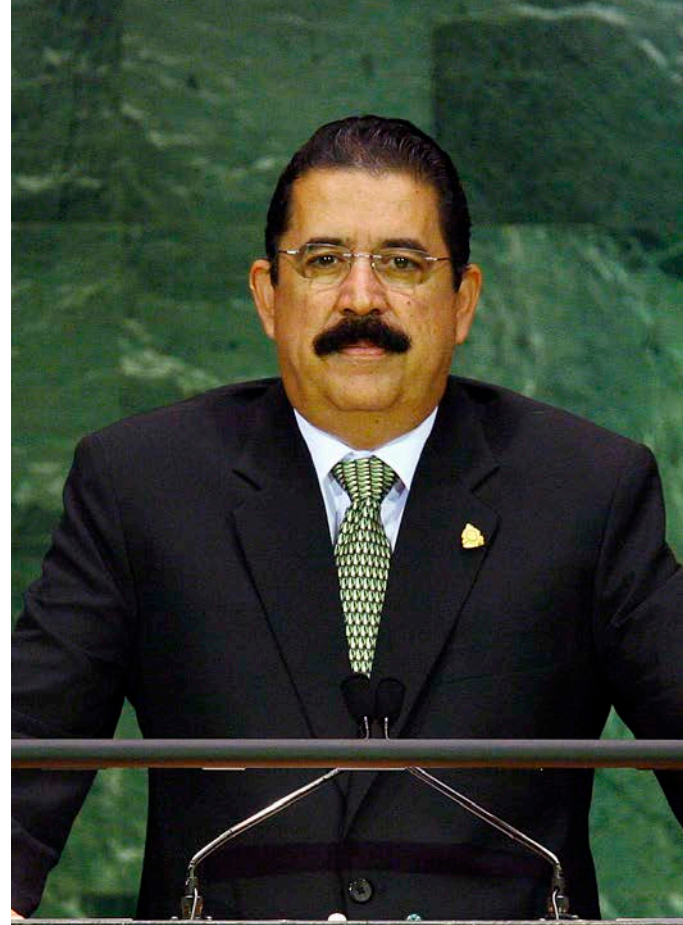
Honduran President Juan Orlando Hernández;
Credit: UN Photo/Rick Bajornas

were injured. OHCHR documented cases of Honduran military and police units shooting people who were fleeing, and discharging live ammunition—whether accidentally or otherwise—at bystanders.³

This ongoing crisis has been layered on top of existing political instability and human rights abuses in Honduras – problems in which the United States has long played a role. In the 1980s, the United States used the country as a staging ground for participation in civil conflicts and paramilitary activity in the region. This included funding and training a military death squad in Honduras called Battalion 316, which was responsible for the killing or disappearance of at least 140 people.⁴

In 2009, the left-of-center Honduran President Jose Manuel Zelaya was forced from power in a coup d'état. While the United States originally condemned the ouster, the Obama administration reversed course in September 2009, backing away from the demand that authorities reinstate Zelaya.⁵ In the years since, the United States has continued to provide significant military assistance and security funding to the Honduran government. This funding comes despite the Honduran government's failure to reckon with the legacy of the coup or end persistent human rights abuses, including the assassination and intimidation of activists, journalists, and Indigenous leaders and human rights defenders. Some of these abuses were credibly linked to Honduran security forces even before the most recent political violence.⁶

Since the 2017 election, the United States has consistently maintained close ties to the Honduran government, even as human rights violations have intensified. While Congress places strict limits on



Former Honduran President Jose Manuel Zelaya;
Credit: UN Photo/Marco Castro



Credit: Mark Coplan



funding to foreign governments implicated in gross violations, the State Department nevertheless certified Honduras as meeting human rights conditions on November 28, 2017 in the midst of the electoral crisis.⁷ Ambassador to the United Nations Nikki Haley, prior to announcing her resignation in early October, recently visited Honduras to praise the government for siding with the Trump administration in a controversial UN vote.⁸

These events prompted Honduran civilians to reach out to partners abroad to request international solidarity with human rights defenders in Honduras. The SHARE Foundation, a binational organization with offices in the United States and El Salvador and a decades-long history of solidarity work in Central America, was among the organizations that responded to this call by convening two delegations of faith leaders and human rights observers to Honduras. The first delegation was in January 2018 and the second in May 2018.

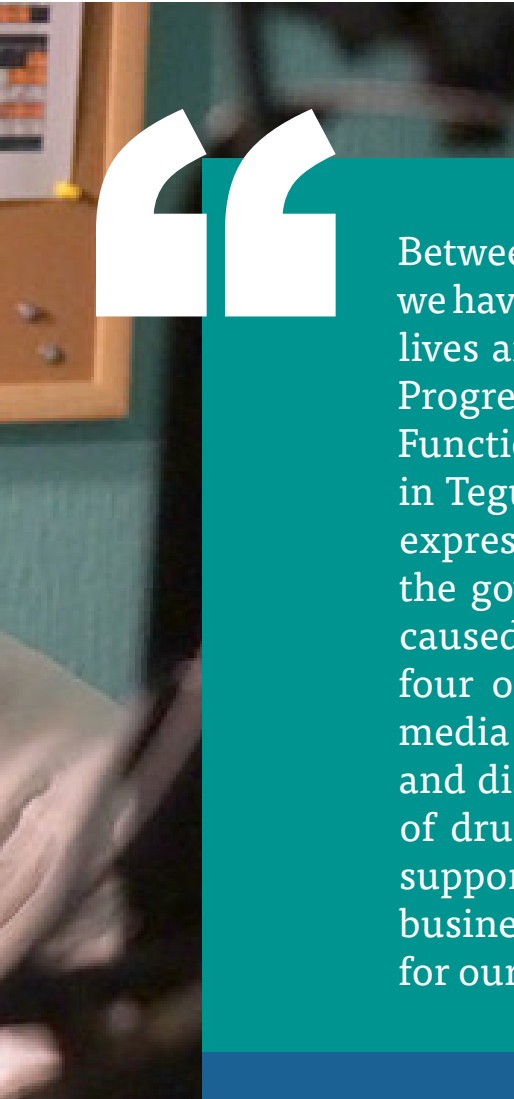
The two-fold purpose was to raise the visibility of Honduran human rights defenders globally in an effort to prevent the threat of future retaliation and to report on the reality of the human rights crisis in Honduras and spur international action. The findings of the first delegation have already been published.⁹ This report presents the findings of the second.



THE SECOND DELEGATION

The second delegation initially joined staff members of RP/ERIC as they visited a number of U.S. cities to raise awareness about Honduran civil rights abuses. This mid-May speaking tour culminated in testimony before the Tom Lantos Human Rights Commission in the U.S. House of Representatives. On May 19, RP/ERIC staff returned to San Pedro Sula accompanied by the U.S. delegation.

In retaliation for their honest reporting on the post-election crisis in Honduras, RP/ERIC staff experienced direct and implied threats to their lives and the security of their organization during the months preceding their U.S. visit. Threats included the sabotage of an RP/ERIC radio tower and, in the northwest region of the country, circulation of threatening posters conveying portraits of Radio Progreso staff members set against a wall of flames and a web of lines showing alleged ties to the members of left-wing parties and leaders in the region (links to left-wing groups have served as a pretext for political violence in the region since the Cold War era). In a country deemed by the UN as one of the most dangerous in the world for human rights defenders,¹⁰ such threats are not to be taken idly.



Father Ismael Moreno, S.J., a Jesuit priest and the General Director of RP/ERIC, detailed these threats in testimony before the Tom Lantos Commission on May 18:

“Between December 2017 and January and February of this year, we have been the victims of numerous actions that threaten our lives and work. A transmission tower and antenna for Radio Progreso installed in the capital of the Republic was sabotaged. Functionaries for the Human Rights Office in the U.S. Embassy in Tegucigalpa, rather than pressing for an investigation and expressing solidarity with us, tried to justify the events and the government’s assertion that it was an error or had been caused by weather...[In] the same time period, on at least four occasions I received flyers and was accused on social media networks of being an instigator of violence, trafficking and distributing weapons to carry out violence, of being part of drug trafficking and money laundering rings in order to support the Honduran left. I was also accused of having burnt businesses in my city, El Progreso, the principal headquarters for our social apostolate platform.”

Moreno, also known as Padre Melo, went on to describe the true purpose of his apostolic work in contrast to the lurid accusations that have been leveled against him and his organization:

Over the following week in Honduras, Padre Melo and the other RP/ERIC staff members hosted and guided the delegation through efforts to understand the human rights crisis facing the country.



My life is a testimony to the search for human and social transformation, freedom of expression via radio and written analysis, defense of human rights with only the weapons of the spoken and written word and diverse actions on the part of citizens rooted in the mysticism of active non-violence. I give testimony to the search for human and social transformation motivated by my Christian faith as a Jesuit. I am not a member nor have I worked for any political party, though I respect and value political party participation when it is honest and committed to the search for the common good.”



FINDINGS

During its seven days in Honduras, the delegation listened to community leaders, human rights defenders, journalists, and Honduran civilians who had led or participated in struggles to protect human rights during and before the protests following the disputed national elections. Many faced arrest and detention by security forces or threats and intimidation from unknown actors as retaliation for their work.

These interviews and interactions reinforced the findings of other experts and observers who have recently spent time in Honduras¹¹; mainly: **the human rights situation in the country is untenable; the Honduran government actively commits rights violations—with impunity—against its own people; and it fails to protect its citizens from human rights abuses, or to provide justice for unlawful acts committed against them.**

Among the abuses and violations alleged in the testimonies we received were instances of torture, beatings and ill treatment, arbitrary arrest and detention, and systematic impunity for abuses committed against women and indigenous and Afro-Honduran people. The perpetrators identified included Honduran security forces and other agents of the state, as well as third parties acting under unknown auspices.

These interviews likewise presented new evidence of an old truth: **current U.S. foreign policy is undermining the human rights of the Honduran people, rather than promoting them.** The security forces identified in the interviews as responsible for human rights violations included agencies that have received significant funding and training from the U.S. government in recent years. These reports, combined with those of other human rights observers, strongly suggest that U.S. security and military assistance to Honduras is contributing to the militarization of the country and the breakdown of the rule of law, rather than its fortification.

Likewise, the delegation heard reports from communities that have experienced mass migration to the United States, some whose members have received Temporary Protected Status (TPS) in this country. In these cases, community leaders linked the migration to the rights abuses committed against them or sanctioned by the government in Honduras. In one case, a Garifuna (Afro-



Credit: Mark Coplan

Honduran) community leader noted that some members of their community who had received TPS in the United States have since been deprived of their land in Honduras due to forced displacement linked to coastal development projects.

Such testimonies are indicative of a cycle of violence and displacement that is plaguing rural and coastal regions of Honduras. As described in greater detail below, this cycle begins with the arrival of foreign-financed development projects, which often trigger the dislocation of indigenous communities from their ancestral lands. This leads to an exodus from the affected communities to the United States, and culminates when migrants are deported back to the very countries responsible for the initial displacement.

These testimonies also reinforce the message that the Trump administration's decision to cancel TPS for Honduras is dangerously misguided. A country with a government that violates and fails to protect the human rights of its people is not a safe destination for returned migrants, and civilian testimonies confirm that Honduras is not equipped to safely accommodate a large influx of deported people.



Credit: Mark Coplan

Finally, the reality of the human rights situation in Honduras underlines the basic inhumanity of all immigration policies that seek to deter and penalize people seeking asylum. Such policies include family separation, the long-term detention of asylum-seekers, and criminal prosecutions of asylum-seekers who cross the U.S. border between ports of entry.

In particular, evidence collected by the delegation suggests that much of the persecution that drives people to flee Honduras takes the form of structural impunity for abuses committed by non-state actors¹²—including domestic partners and private criminal networks—against women and indigenous and Afro-Honduran people. Attorney General Jeff Sessions' recent decisions to restrict avenues for seeking asylum on the basis of persecution by non-state actors threaten to return many survivors of this violence to the hands of their persecutors.

The testimonies we heard in Honduras confirm that many individuals' most fundamental rights—including the right to life—are in danger. To deny protection to people who have fled this reality, or to return others to it through policies of mass deportation, is a betrayal of human values and the principles of international law.



Human rights violations committed by Honduran security forces in the aftermath of the November 2017 elections

On Wednesday, May 23, the delegation met with seven individuals in the town of Pimienta who were arrested and spent time in prison in the wake of the November 2017 elections. The town was the site of protests following the disputed elections, in the course of which a police station was reportedly burned down. On December 20, 2017, four police officers in Pimienta were reportedly assaulted by protestors and had their weapons and uniforms taken from them.¹³

The former prisoners gave accounts of being arrested without cause or warrant in the middle of the night and subjected to severe ill treatment—including in some cases beatings and torture. The harrowing events they describe began on the night of December 26, six days after the alleged assault of the police officers in Pimienta.

Taken together, these testimonies provide credible evidence that Honduran security forces engaged in unlawful and politically-motivated arrests as a form of collective punishment for the protests and the burning of the police station. These arrests apparently swept up both peaceful protestors and total bystanders, were made without cause or reasonable suspicion, and categorically violated the most basic human rights, in particular the rights to liberty and security and the right not to be subjected to torture or to cruel, inhumane, or degrading treatment or punishment.¹⁴

The Arrests

Twenty-one-year-old **Jonathan Ricardo Perla** gave the following account of his arrest in the dead of night:



I have a daughter. I'm a father, a welder by trade. I was involved in the protests. But [...] we weren't hurting anybody. When the police station was burned down, that day I was working, so it couldn't have been me. [...] The day they arrested me, they came into my house at two in the morning without any arrest warrant. They turned my house upside down. I turned on the light and opened the door, knowing that they could do something. I was scared; I got up. They took me outside at two in the morning. I was outside in the rain until six in the morning. The police came, the DPI [Dirección Policial de Investigaciones, a sub-unit of the Honduran National Police]; they didn't want to show me any warrant even though I'm the owner of the [property]. They accused me of looting, of being in the marches[.]”



Credit: Mark Coplan

Daniel Ordoñez, 23 years old, gave a similar account—one consistent with the theory that police targeted individuals involved in nonviolent protests against the government as a form of unlawful retaliation:

“ We were detained on the 26 of December. I was sleeping. The police came into my room. My little brother who’s 12 years old was staying with me in my room. They pointed their guns at us and started going through our things at our house. They said where is your brother? He lives at another house with his wife. They said they would take both me and my little brother away.”

The experience of Wilfredo Caceres was also similar, being awoken and arrested in the middle of the night:

“I am the father of three children. I was arrested at four in the morning in my home. I could see them outside at 3 am but they came in my house at 4 am. My wife had only been home [a short time],

had a 10-day-old infant, I was nude in my bed, they threw me to the floor, they took me naked outside the house with my children and my 10-day-old son, it was raining. I said to them let my children go in, they can do anything to me but let them go back inside. They beat me because of what I was asking. They said where’s everything that you stole/looted, where are all the drugs? They searched throughout my house and of course they did not find anything. [...] I didn’t know why they had arrested/captured me. I was in two marches.”

The testimony of José Orlando Ordoñez suggests that these arrests may not have been limited to peaceful protestors, but may have involved complete bystanders in the town as well:

“The difference with me is that me and my brother Daniel were not involved in protests. [...] The police said we’re not looking for who’s guilty, we’re looking for people to pay the penalty for the damage that was done. I think the police are very unjust. I’m a taxi driver in this area. I think because the police knew me and they were looking for someone to pay, they wanted to bring me into it all, because they didn’t have anybody that they’d found was guilty. So I think that’s how they found me. They weren’t looking for the guilty ones, they were just looking to be heroes and to say that they were the ones who arrested the guilty ones. I don’t think any of the people from our group were involved in the things

they are accusing us of, including the burning of the police station which happened at night...

The abuse and beatings these men describe, as well as the apparently arbitrary nature of the arrests, are consistent with the accounts of police treatment of protesters that have been given by other human rights observers.

For instance, in testimony before the Tom Lantos Human Rights Commission in the U.S. House of Representatives on May 18, 2018, Radio Progreso's staff reported similar incidents. **Ely Castro Rosales**, a commentator and organizer with RP/ERIC, testified on that occasion:



Credit: Mark Coplan



Journalists from Radio Progreso and others have been mistreated, beaten and followed while exercising their profession during protests. Radio Progreso has presented formal denunciations to the Public Ministry, especially to the Special Prosecutor for Human Rights, but there has been no investigation. Authorities at the highest level within the Ministry of Security have repeatedly expressed that journalists get what they deserve for supporting violent actions in the streets. Across many parts of the country, such as the Aguán, the department of La Paz, and Tela, Atlántida, community leaders and correspondents [...] have received death threats. [...] Halfway through last year, a couple of months before the election, 30 students were accused and given legal proceedings for protesting in favor of public education, demanding their right to organize and against the re-election of Juan Orlando; three of which have been convicted but [are] not yet in prison, 24 students were expelled from the Autonomous University for the same reason.”

Rev. Kathleen McTigue, director of the Unitarian Universalist College of Social Justice, reported a similar incident. While participating in the earlier faith leader delegation to Honduras in January 2018, Rev. McTigue was an eye-witness to an attack on the family home of two members of RP/ERIC's team when uniformed police broke into their home and assaulted a member of their family.¹⁵

The expulsion of the students from the Autonomous University for political reasons and other forms of illegitimate retaliation for dissent have also been described by other organizations such as Centro Presente, Alianza Americas, and the Lawyers Committee for Human Rights in a recent report from Honduras.¹⁶

Violations in Police Custody



Credit: aluxum (stock image)



“The prisons aren’t what we thought they were. They are killing people inside little by little. I’m sure there are people there who have made mistakes. But they shouldn’t treat them like that. They too are humans just like us.”

— Roque Jacinto Alvarenga Corea, Pimienta, May 23, 2018

After being taken into police custody without cause, the seven individuals described being beaten, tortured, subjected to humiliating and degrading treatment, and made to sign false confessions.

Francisco Gomez described what happened after he was arrested:

“They took our clothes off, cut our hair, shaved our heads, placed us into solitary confinement for 16 days. In cells meant for one person, they put seven

people. We didn’t have any light for 16 days. We couldn’t see the light of day. We couldn’t shower. It was very cold, and we were sleeping on the floor—no blanket, no mattress. They were trying to get to us mentally, psychologically every day. Because we couldn’t see the light of day in the morning, the guards would say ‘good evening,’ and in the night they would say ‘good morning.’”

Roque Libarez likewise described being held in solitary confinement for 16 days:

“We were segregated in a punishment cell for 16 days. They didn’t give us access to showers. Nothing in terms of personal hygiene. No underwear. And they would threaten us that they would kill us. They would spray pepper spray into the cell. They would give us electric shocks. They said we were the scourge of society and we didn’t deserve to live. It was a terrible experience. It was completely inhuman what they did to us.”

Daniel Ordoñez and Jonathan Ricardo Perla also testified to having been held in solitary confinement for 16 days under similar conditions. The following is Perla’s testimony.

“When we got there, they put us in solitary confinement. We were there without any clothes for 16 days, without any toilet paper, without any toothbrush, toothpaste, we went for 16 days without showering. One of my friends suffered a heart attack during this time. They didn’t want to give him medical attention. We were pounding on the doors because he was dying. They later took him, telling us why did they bother them so much.”

Odoñez described the experience as follows:

“We were all naked and placed in a cold area. We were completely naked for 16 days. They are cultivating false witnesses. So they sent us to prison. [...] they gave us ‘rice and beans’ but it was actually rat feces and stones.”

Similar horrific experiences were described by three other former prisoners who met with the delegation a day earlier, at the offices of Radio Progreso. One described the abuse he suffered during his arrest:

“They captured me in the neighborhood of... captured me while I was playing pool at 7 pm December 25. They began to beat all of my friends. [...] They were beating [one man] on the back of his head and his neck. They were smashing me against the back of the police car. I tried to defend myself by batting their hands away, and they started kicking me.”

Two men described being taken to a cane field by Honduran security forces and threatened with extrajudicial execution:

“They were going through the streets dispersing crowds. The protestors ran, so the police came into

my neighborhood. I was inside with my wife and child and they came right into my house. So they threw me. I said, what have I done, what have I done? They came back and ransacked the house. They exploded a canister of tear gas inside my house. My wife had to leave the house. They took me to the police station. Supposedly they had found an illegal weapon and a police shield...I don’t know how to use a weapon, I’ve never been in trouble, all I want to do is work and support my family. They told me to rot in jail. They took me straight to jail that same day. I’d never been in trouble and never been to jail. They took me to a cane field. They said what we could do is that we could say you tried to escape and we had to kill you.”

The second account of a death threat in the cane field was as follows:

“When they came to arrest me I was at work. I’m a bus driver and they took me out of the bus. They took me to the cane fields and put a black bag over my head. They sprayed it with pepper spray and put it back over my head to drown/asphyxiate me. They said to me you’re the one [...] that killed the police. They said tell us the truth or we’ll kill you. I said I can’t tell you because I didn’t do it. They took me to the police station and beat me all over. They said I had killed the police and that if I didn’t say this they would kill me.”

The testimonies of these individuals are consistent with prior reports of human rights violations committed by Honduran security forces during the post-election crisis; they also shed new light on the role U.S. policy has played in exacerbating the crisis. While several individuals identified the Honduran Military Police as a responsible party for their arrest and torture, which does not directly receive U.S. funding, it was not the only agency they identified. Among the other security forces alleged to be responsible was a unit that receives U.S. funding as well as units that have received U.S. training.

Five of the former prisoners—the majority of individuals the delegation interviewed in Pimienta—specifically identified the Dirección Policial de Investigaciones (DPI) as the first law enforcement agency to which they were taken after their arrest. The DPI is a sub-unit of the

Honduran National Police, which receives funding from the United States.¹⁷

Several individuals identified other Honduran security forces as responsible for their arrest and torture, including the TIGRES, a special forces unit that has received training from the U.S. military¹⁸, and the COBRAS, a special unit of the Honduran National Police that has also received U.S. support.¹⁹

Lourda Gomez, one of the individuals arrested in Pimienta on December 26, testified as follows:

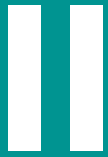
“They arrested every one of the 11 members at exactly the same time, the same day...so it was clearly coordinated. They were members of the National Police, Military Police, DPI, and Cobras.”

Roque Libarez gave the following harrowing account:

“I am one of the 11 detained on the 26th of December. [...] I was beaten by the National Police, by the

Tigres, by the Cobras [...] In my house, they would beat my feet with a broom, they would beat the soles of my feet with a mop. They asked me about a gun that went missing while they beat me. They said to tell them who had burned down the police station. I didn't know anything. They put a white hood on my head. They kicked me in my ribs. Then they filled the hood with a substance and then put it over my head. They beat me around the head for 20 minutes. The left side of my body hurt from the beating. [...] We were brought to the center of San Pedro Sula. The DPI. [...] They said that it was I who had burned down the police station. They searched my house without my permission. They forced me to sign a paper. They read me my rights while beating me at the same time with the butt of a gun. They beat my hands. They said they would throw me in jail for 30 days because I had committed the crimes of 'terrorism' and 'kidnapping' and 'attempt to kill a police officer.' And of course I never did any of those things.”





Structural impunity for human rights abuses committed against women, human rights defenders, and indigenous and Afro-Honduran community leaders

Evidence of human rights abuses were not confined to acts perpetrated by security forces. Several of the human rights defenders and community leaders whom the delegation met described facing violence or threats from non-state actors, as well as from shadowy third parties that may or may not have connections to the Honduran state.

Even when abuses are not directly committed by agents of the state, however, they are frequently met with impunity and non-responsiveness from the Honduran government, according to the leaders we interviewed, providing further evidence of a systemic disregard of human rights.

On Monday, May 21, the delegation met with the leadership of Foro de Mujeres por la Vida (Foro), a platform of 16 women's organizations documenting and combatting the prevalence of gender-based violence, femicide, and impunity for crimes against women in Honduras.

The leaders of Foro described their observations, the internal and external repercussions, and the impunity for crimes that they routinely witness:

“Women face violence from partners and ex-partners, gangs, organized crime, police and military. [...] The police would threaten protesters with rape and murder during the protests. At the protests it's a threat, but in some parts of the countryside that are so militarized, these rapes are carried out. Oftentimes women do not denounce this violence. Women are less likely to report because of the shame, they won't be believed. In the militarized zones, young women stop going to school because they have to walk by the military posts and risk rape, so instead of chancing that they stay home. [...] Added to this impunity is the absence of any kind of investigation. For example, the government is saying right now that it is the gangs and narcos who commit these crimes. But we have documented cases where the responsibility is the military. The government does not recognize this. [...]”

Foro reported to the delegation that roughly 95% of acts of violence against women and femicide in Honduras go unpunished. The UN Special Rapporteur on Violence Against Women reported the same finding of a 95% impunity rate,



What we do is we love each other and we take care of each other. We grow together. We hold in our minds those who have been murdered and disappeared because they give us the example of their struggle and their sacrifice, their martyrdom inspires us to continue so they will not be forgotten.”

— Carolina Sierra, Executive Coordinator, Foro de Mujeres por la Vida, San Pedro Sula, May 21, 2018.

according to civil society observers in Honduras, in 2014.²⁰

In many cases, according to Foro, women have no safe official channels to report these violations, because the police are directly implicated in the abuse.

“This regime claims there are no human rights violations, except to blame it on organized crime. [...] Police, military, gangs are interconnected. There are cases of women who have gone to denounce their rapes, and found their own rapists [there] when they go to place their denunciation. [...]”

In addition to sexual violence, a common form of violence that Foro documents is femicide – that is, the killing of women, often at the hands of their spouse or partner.

In one specific case of femicide Foro has documented, Yeni Ferrera was murdered by her partner after previously lodging three complaints of domestic violence and one complaint of intrafamilial violence against him, with no response from the police. In July 2018, the man was finally convicted, after months of strenuous advocacy from Foro de Mujeres.

The Femicide of Yeni Ferrera: An Emblematic Case of Violence and Impunity

Foro issued the following online petition²¹ concerning Yeni’s case (translation by UUSC):



Yeni Carolina Ferrera;
Credit: Radio Progreso

Why is it important to have a conviction in the case of the femicide of the Honduran woman Yeni Carolina Ferrera?

Yeni was a child when she first met Oscar Humberto Velásquez, who was 57 years old at the time. When she was

19, she went to live with him. This is a situation all too common in Honduras, where the majority of victims of femicide, forced disappearance, and other types of violence are young women.

While she was living with him, Yeni brought three complaints of domestic violence, and one of intra-familial violence, against Oscar Humberto Velásquez. Despite these denunciations, the state did nothing to protect Yeni.

At present in the field of international human rights law, domestic violence is recognized as a form of torture. Domestic and intra-family violence is also the second most frequently reported crime in Honduras, coming only after robbery, and is the single most common form of violence against women. However, most women faced with these crimes never receive protection from the State.

Since the government of Honduras would not take action in response to Yeni’s complaints, she had no choice but to remain at her family’s house, which would later be the site of her murder. On March 20, 2016, the femicidal violence of Oscar Velásquez reached its ultimate expression. Yeni was assassinated in her home in front of her children.

According to official sources, from January 2002 to May 2018, more than 6,028 women have lost their lives to violence, and 96% of these cases of femicide are met with impunity. This, in a country of no more than nine million inhabitants, where 52% of the population are women.

It is presumed that Oscar Velásquez murdered Yeni with a weapon that he carried illegally. The Honduran Attorney General requested a sentence of three to six years for Oscar Velásquez for illicit possession of firearms.

In Honduras, 70% of cases of femicide are committed with guns. Even so, the Congress of Honduras still refuses to reform laws related to the carrying of firearms.

Yeni’s daughters, who lived through the violence and were present when the crime was committed, as well as her family who have sought justice, are likewise victims. They have been through a heart-

wrenching process without any support from the state – indeed, far from that, they have been re-victimized by the very authorities who are charged with providing justice and protection.

The public trial and oral argument in the case of Yeni's femicide have been made possible through the marshalling of witnesses, experts, and other evidence, all of which have led the Public Prosecutor's Office to accuse Oscar Velásquez of the crime known in the Penal Code as femicide, carrying a sentence of 30-40 years in prison.

Yeni's family is afraid, however, that the case will result in impunity. Oscar Velásquez is a well-known businessman in the city of El Progreso, in the department of Yoro. For the past two years and three months, the trial has not advanced as desired, and now it is presumed that the entire

judicial process may start over from the beginning, running the risk of losing the testimonies of people who will not be willing to testify a second time out of fear.

Moreover, Oscar Velásquez has connections with powerful groups in the country:

He is the first cousin of the former deputy police director, Héctor Iván Mejía.

During his trial, National Congress Deputy Dennis Castro Bobadilla appeared as a witness for the defense. He is part of the Patriotic Alliance Party, led by General Romeo Vásquez Velásquez, who was part of the coup d'état against former President Manuel Zelaya...

The pattern of impunity extends to crimes against women human rights defenders as well. According to Foro:

“Many women colleagues have been threatened. Especially the environmental defenders. There is a double threat to them – from the business elite and these companies and also by the state, especially the government. [...] Sometimes even within our own organizations, there are machista men. We have documented cases of women being threatened from all these different sectors. As women are defending the earth and the land, we are also trying to defend the territories of our own bodies.”

In a context where human rights defenders are frequently threatened or assassinated, Foro gave an account of the forced disappearance of one of their own friends and colleagues—Norma Yolanda Hernandez.

A leader in one of Foro's member organizations, Norma was abducted while nursing her infant child at home in 2010.²² The men who took her were dressed as security forces and identified themselves as Honduran government authorities. Despite working for eight years to find answers

about her disappearance, Foro still does not know where Norma was taken or whether she is alive.

These accounts are consistent with findings of other human rights observers who have documented efforts to silence human rights defenders in Honduras. The International NGO, Global Witness, for one, reports that more than 120 environmental and human rights defenders have been killed in Honduras since 2010.²³

Violence against human rights defenders does not occur in a social and economic vacuum, but in a context where decisions are shaped by a dominant neoliberal model of economic development. The building of development projects on indigenous and campesina lands creates powerful incentives to confiscate land for private profit, and for governments and private actors to intimidate and silence defenders.

It is crucial to understand the ways in which violence is often linked to a community's economic displacement, creating a cycle of forced migration that ultimately spans the region, including the United States, as examined below.



Understanding the cycle of displacement and violence

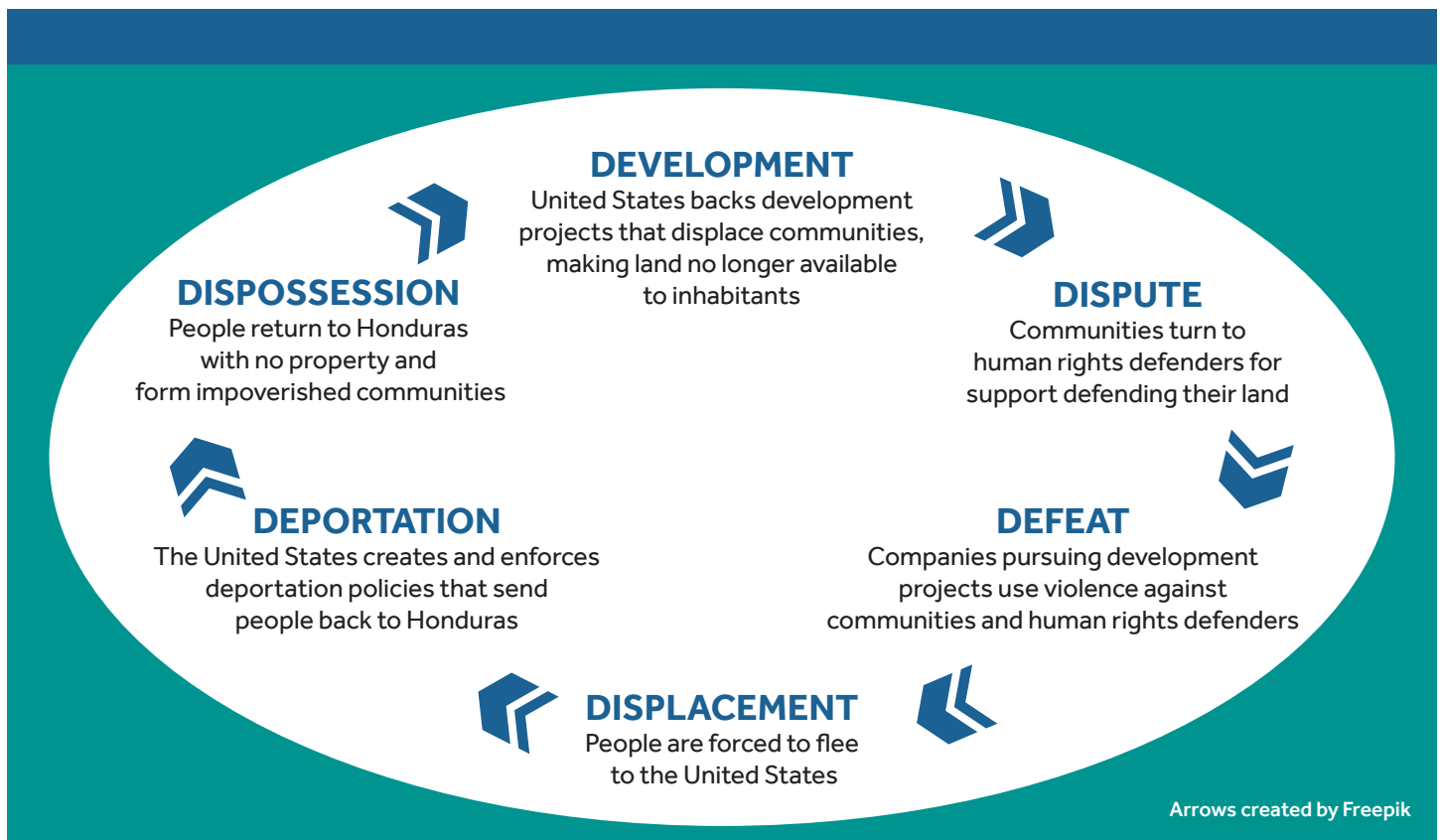
During the delegation's meetings with Garifuna community leaders, they described a pattern of escalating violence and land grabs, documented by other human rights observers in Honduras. This pattern proceeds as follows:

A community is first displaced from their ancestral lands, often to make room for corporate farms and new development projects – many of which are financed by a nexus of Western governments, international financial institutions, and the Honduran state. In many cases, this displacement occurs in open violation of international law, in particular Convention #169 of the International Labour Organization, a binding international treaty which protects the right of indigenous communities to remain on the lands they occupy.²⁴

When communities turn to human rights defenders in an effort to protect their right to stay, they are met with efforts to intimidate, deter them from speaking out, and ultimately silence them. These intimidation tactics include physical and sexual violence, culminating in assassination in some cases.

Global Witness has documented several instances of this pattern in a 2017 report.²⁵ The delegation heard accounts of a specific example in the case of the Garifuna community at Tornave.

FIGURE 1: CYCLE OF DISPLACEMENT





According to the leaders of this community, this displacement was reportedly linked to the building of the Indura resort, a complex of luxury hotels and golf courses on Honduras' northern Caribbean coast. Powerful actors in both the Honduran state and U.S.-based corporations have a vested interest in the Indura project, according to Global Witness. The Honduran Tourism Institute indirectly controls a 49% stake in the resort, and it has recently been added to the Hilton "Curio Collection" of soft-branded hotels.²⁶

Global Witness reports that the Indura project has been linked to efforts to forcibly evict Garifuna communities from the land they inhabit, including legal proceedings against the community and falsely claiming that the Garifuna are not an indigenous group.²⁷ Cruelly, the resort's conflict with the Garifuna inhabitants has not prevented it from seeking to profit from the exoticization of the Garifuna community. The resort's name is derived from the Garifuna word for Honduras and its website features the following description of its locale: "The traditions of the Garifuna—descendants of African Slaves and Carib Indians—are celebrated through their language and customs including their music which incorporates a rhythmic drumbeat, chanting and exotic dances."²⁸

The reports the delegation heard from community members buttress these claims and provide evidence of even worse abuses, describing acts of extreme violence committed against the community in an effort to force them to vacate their land.

In Tornave, the delegation met with Dunia Suazo and Dilcia Centeno from an organization called Mariposas Libres (Freed butterflies), a member organization of Foro de Mujeres, who meet weekly with Garifuna women to discuss domestic and sexual violence.

Alba Herrera, a woman from the community, shared the deliberate efforts by the Indura Hotel to force them off their land. The hotel company allegedly promised them jobs, but ultimately brought in workers from El Salvador and Guatemala instead, according to Herrera. The community was also promised a share of 7% of the hotel's profits, but so far none of these funds have materialized.

The community challenged the sale of their land to the hotel company and were driven off the land twice. Their homes were burned and 78 families were put on trial, according to community leaders. The community won in the tribunal court, but the Honduran government has allegedly done nothing to implement the court orders.

In at least one of the Garifuna communities the delegation spoke to, this persecution has led to the mass migration of members of the community to the United States. Some have since received Temporary Protected Status (TPS) in the United States, a status that the Trump administration recently terminated for nationals of Honduras, and which will be formally revoked at the end of an 18-month transition period on January 5, 2020.²⁹

One community leader in the Garifuna community of Triunfo de la Cruz described how members of the community living with TPS in the United States had lost their homes and lands in Honduras to the development projects. If the TPS designation for Honduras is not reinstated before January 2020, they face deportation to a country where they have been deprived of a place to call home.



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CONCLUSION

The delegation's findings coincide broadly with the conclusions of other recent human rights observers visiting Honduras. Through the testimonies of the political prisoners, they also provide new evidence of the role played by U.S.-funded and U.S.-trained security forces in carrying out human rights violations during the post-election crisis.

These findings evoke a combined policy of the United States and Honduran governments that has made it impossible for many Honduran people—especially human rights defenders and those who exercise their right to political dissent—to remain safely in Honduras.

At the same time, the United States has adopted policies at its border that make it equally untenable to seek safety in the United States, including policies of family separation and family detention, criminally prosecuting asylum-seekers who cross the border between designated ports of entry, the arbitrary long-term detention of asylum-seekers, and restricting the legal definition of asylum to exclude many cases of non-state persecution.

In more than one case, these policies have been explicitly justified with reference to the goal of deterring people from migrating, regardless of their protection needs.³⁰

This restrictionist approach to asylum, as well as the administration's recent decision to terminate Honduras' TPS designation, will likely result in deportation to unsafe conditions. For many individuals fleeing violence, forced removal to Honduras would be—in the words of a recent report—"tantamount to a death sentence."³¹

Taken together, these policies present many Honduran people with an impossible dilemma. For the sake of maintaining a lucrative partnership that allows a continued U.S. military presence in Honduras and the flow of substantial foreign assistance, the United States and Honduran governments have created a cycle of displacement in which the only choice for many ordinary people is to keep moving or succumb to persecution.

While this displacement crisis has been exacerbated by the Trump administration's immigration policies and the Honduran political

crisis, its roots lie much deeper in the history of the United States' role in the region. In the 1980s, the United States used Honduras as a launching ground to back paramilitary and military repression in the region. After the 2009 military coup in Honduras, the U.S. government aligned itself with the post-coup regime. Contemporary events are in many ways an all-too-familiar reprise of this history.

Despite the enormous barriers that the Honduran and U.S. governments have erected to the full realization of human rights in Honduras, however, the people the delegation met were far from helpless. Surviving and building lives in the face of extreme and needless adversity, they



Credit: Mark Coplan



Credit: Mark Coplan

respond to threats to their human rights with the powerful resource of collective leadership.

Honduran communities and human rights defenders preserve their dignity while living beneath an exhausting load of insecurity and the threat of displacement. This report calls upon U.S. residents to bear witness to this reality and be in solidarity, so this nation might be an ally to the human rights struggle in the region, rather than an albatross around the neck of the Honduran people.



Credit: Mark Coplan

RECOMMENDATIONS

To the U.S. President, Department of State, and Department of Defense:

- Halt military and security assistance to the government of Honduras
- Encourage the broader demilitarization of Honduran society, including by ending the U.S. military presence in Honduras and applying diplomatic pressure to the Honduran government to dissolve the military police and to separate fully the law enforcement and military functions of the Honduran state
- Ensure that U.S. development assistance is not used to further projects linked to the displacement of indigenous communities, violence against human rights defenders, and other human rights violations
- Reinstate Honduran migrants with the Temporary Protected Status designation
- Reverse the “zero tolerance” policy of criminally prosecuting asylum-seekers and migrants who cross between designated ports of entry, and comply in full with court orders requiring the reunification of families separated at the border and the implementation of the 2009 Parole Directive governing the right of asylum-seekers to individualized parole determinations
- Reverse the government’s decision in Matter of A-B- and recognize acts of persecution by non-state actors, including domestic partners, as legitimate grounds for seeking asylum

To the U.S. Congress:

- Pass the Berta Caceres Act (H. R. 1299) in the House and support companion legislation in the Senate, suspending security aid to Honduras
- On any security aid that is nonetheless approved, strengthen human rights conditions on military and security assistance to the government of Honduras through Congressional appropriations or other legislative means
- Enact permanent legislative protections for long-term TPS holders by passing The American Promise Act (H.R.4253) in the House, and the SECURE Act (S. 2144) in the Senate
- Withhold or reduce funds for U.S. immigration enforcement agencies that have been involved in the violation of the human rights of asylum-seekers, including the policies of “zero tolerance,” family separation, and arbitrary detention
- Repeal laws that criminalize entry and re-entry between designated ports of entry
- Support RP/ERIC’s call for the formation of an independent commission under the auspices of the United Nations to investigate and bring to justice those responsible for human rights violations during the post-election period
- Urge that individuals arrested for political reasons during the post-election period are immediately released and that restitution is made for the violation of their rights

To private individuals:

- Continue the work of building international solidarity with the people of Honduras by joining future delegations. Contact SHARE-El Salvador (share-elsalvador.org), Sisters of Mercy (sistersofmercy.org), or the Unitarian Universalist Service Committee (uusc.org) to learn more
- Take action on behalf of human rights and justice for the people of Honduras. More resources can be found here: (uusc.org/initiatives/advocate-for-migrant-justice/)
- Support the work of RP/ERIC (wp.radioprogreso.hn.net) and Foro de Mujeres por la Vida (facebook.com/ForoDeMujeresPorLaVida/) in Honduras with a financial contribution



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