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Issue Paper
HONDURAS
CHANGES IN THE ARMED FORCES
October 1997

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MAP

See original.

Source: Norsworthy with Barry 1993, p. xii.

GLOSSARY

CODEH
: Committee for the Defence of Human Rights in Honduras

COFADEH
: Committee of Relatives of the Disappeared in Honduras

CONSUFFA
: Superior Council of the Armed Forces (Consejo Superior de las Fuerzas Armadas)

DIC
: Directorate of Criminal Investigations (Dirección de Investigacion Criminal)

DNI
: Directorate of National Investigations (Dirección Nacional de Investigaciónes)

FITH
: Independent Federation of Honduran Workers

FUSEP
: Public Security Force (Fuerza de Seguridad Pública)

1. INTRODUCTION

In 1982, following ten years of military rule, "democracy was formally restored" in Honduras and the Liberal party, under the leadership of Roberto Suazo Cordova, was elected to govern (*JISWA* Spring 1996, 37-38; Lapper and Painter 1985, 82). However, due largely to a sharp increase in military aid from the United States—which grew "from $3.9 million in 1980 to $77.5 million in 1984,"—the military's strength increased significantly and it maintained its political dominance through the 1980s (*JISWA* Spring 1996, 38; see also Lapper and Painter 1985, 82). The *Journal of Interamerican Studies and World Affairs* (*JISWA*) reported that by the end of the 1980s, Honduras was under military domination and only nominally democratic (JISWA Spring 1996, 40; IPS 19 Aug. 1995).

During this period the armed forces applied "highly repressive tactics," such as the use of clandestine prisons, torture, and death squads (*JISWA* Spring 1996, 38; Lapper and Painter 1985, 92-94), to combat left-wing armed movements and suspected sympathizers (*JISWA* Spring 1996, 38;

Central America Report 24 Apr. 1997, 3). A special anti-terrorism military unit called Battalion 3-16, the Directorate of National Investigations (Direccion Nacional de Investigaciones or DNI), and other police elements from the Public Security Force (Fuerza de Seguridad Pública or FUSEP), carried out these activities (*JISWA* Spring 1996, 38). These military and police units also targeted organizations such as labour, student, and peasant groups, perceived as being a threat to national security (ibid.; see also Lapper and Painter 1985, 94). The armed forces, and in particular, the DNI and Battalion 3-16, have been blamed for the disappearances of 184 Hondurans during the 1980s (*JISWA* Spring 1996, 46; see also *Houston Chronicle* 8 Dec. 1995, 35A), extrajudicial executions and corruption (*Central America Report* 24 Apr. 1997, 3). The US Department of State reported in early 1997 that investigations by both the Attorney General and the National Commissioner for Human Rights were continuing into the disappearances and alleged human rights abuses committed by the armed forces during the 1980s (*Country Reports 1996* 1997, 483, 84).

The administration of President Carlos Roberto Reina, which came into office in January 1994, committed itself to reforming the country's "powerful" and "autonomous" armed forces (*Los Angeles Times* 18 Dec. 1993, 2A; *Houston Chronicle* 28 Jan. 1994, 21A; *The New York Times* 30 Nov. 1993, 4A). This entailed, among other things, combating military corruption, ending forced conscription, reducing the armed forces' size, budget, and political influence and establishing civilian control of the armed forces (*JISWA* Spring 1996, 47; *Houston Chronicle,* 28 Jan. 1994, 21A; *Los Angeles Times* 18 Dec. 1993, 2A). Reina, a former president of the Inter-American Court of Human Rights, has reportedly been successful in implementing several important reforms that were passed under the previous administration and has significantly constrained the influence of the military in Honduras (*JISWA* Spring 1996, 47, 48). Reforms that have taken place under his administration include the ending of obligatory military service and forced recruitment, the disbanding of the DNI, the creation of the civilian-controlled Public Ministry and the Directorate of Criminal Investigations (Dirección de Investigación Criminal or DIC) (ibid., 48-49) and the ratification of a constitutional amendment allowing for the transfer of police to civilian control (*Country Reports 1996* 1997, 481).

The military has reportedly conceded to some of these changes but has resisted others (*JISWA* Spring 1996, 52-53). Many top military officers have reportedly accepted and publicly acknowledged their subordination to President Reina (ibid.) and, in February 1996, chief of the armed forces, General Mario Hung Pacheco, stated that the military is a "'prop of the constitutional government'" (*La Tribuna* 7 Feb. 1996). However, the military has denounced budget cuts and the prosecution of armed forces' personnel for past human rights abuses (*JISWA* Spring 1996 53; *El Periodico de Honduras* 27 Feb. 1996, 3A). The issue of past human rights violations committed by the armed forces has caused tension between the military and civilians in Honduras (*Houston Chronicle* 8 Dec. 1995, 35A). While civilian society in Honduras widely supports Reina's campaign to end impunity for past human rights violations (*JISWA* Spring 1996, 48), the armed forces have reacted with aggressive opposition (*La Nacion* 25 Aug. 1995, 30A; *CCRLA* 1996, 7; see also *La Nacion* 14 Aug. 1995, 5A). Investigations into past human rights abuses have been frustrated by the armed forces' unwillingness to cooperate with investigators (*Central America Report* 10 July 1997, 1; ibid. 25 July 1996, 4). The prevailing view in the armed forces is that the investigations are part of a campaign of "persecution" of members of the armed forces by the civilian courts (ibid., 3) and that the military is being made a "scapegoat" for past wrongs (*La Nacion* 14 Aug. 1995, 5A; ibid. 25 Aug. 1995, 30A; IPS 19 Aug. 1995).

This paper examines recent changes in the Honduran armed forces, current civil-military relations in Honduras and reports of ongoing military impunity, including speculation of military involvement in criminal activity. It follows the June 1994 DIRB Question and Answer Series paper *Honduras: Update*. For more information on current civil-military relations in Honduras see *Journal of Interamerican*

Studies & World Affairs Spring 1996.

2. THE HONDURAN ARMED FORCES

2.1 Structure of the Armed Forces

The Honduran armed forces are made up of four major branches: the army, the naval force, the air force and FUSEP (*Country Reports 1996* 1997, 481; Norsworthy with Barry 1993). Control of these four branches rests with the Superior Council of the Armed Forces (Consejo Superior de las Fuerzas Armadas or CONSUFFA) (ibid.; see also *JISWA* Spring 1996, 37). CONSUFFA is headed by 45 senior military officers who determine institutional policy and control the chief of the armed forces (*JISWA* Spring 1996, 37). The 1982 Constitution mandates that congress can only select the chief of the armed forces from a list of three candidates selected by CONSUFFA (ibid. 38).

FUSEP is responsible for most internal security and police functions (Norsworthy with Barry 1993, 36). The army is also used for internal security matters and is not institutionally separate from FUSEP, as FUSEP is controlled by army officers (ibid., 36-37). FUSEP has under its control several branches including the regular police units, the traffic police, and a counterinsurgency unit known as the Cobras (ibid., 37). On 10 July 1997 *Central America Report* reported that FUSEP had 7,000 members who earn monthly salaries of US$100 (Central America Report 2).

JISWA reported that in late 1994 the size of the military had dropped to 13,000 (JISWA Spring 1996, 50). This is a significant reduction in size considering that in 1986 the armed forces numbered 26,000 (ibid., 39). On 21 January 1997, Inter Press Service (IPS) reported that according to "military sources" the introduction of voluntary military service in 1994 reduced the number of recruits thereby creating a crisis in the military.

In the 1980s the military received generous financial aid from the United States (*San Francisco Chronicle* 19 Aug. 1995). By the early 1990s the armed forces had become a powerful economic figure in Honduras (Norsworthy with Barry 1993, 38-39) and controlled three profitable state enterprises: the Merchant Marine, HONDUTEL—Honduras' telecommunications system—and the Department of Immigration (*JISWA* Spring 1996, 50). As well, the armed forces owned controlling shares in "insurance, investment, credit card, and real estate companies," and was sole owner of several other businesses, including a cement company and a bank (Norsworthy with Barry 1993, 39).

However, in the early 1990s US aid fell drastically from $41.1 million in 1989 to $2.7 million in 1993 (*JISWA* Spring 1996, 44) and to $532, 000 in 1994 (*San Francisco Chronicle* 19 Aug. 1995). As well, in 1994 the government removed the Merchant Marine, HONDUTEL and the Department of Immigration from the armed forces' control (*JISWA* Spring 1996, 44). In 1996, the government cut the armed forces' budget in half, from US$60 million in 1995 to US$30 million (*LARR* 29 Aug. 1996, 2).

In early 1996 the chief of the armed forces, Mario Hung Pacheco, stated that the armed forces is facing an unprecedented financial crisis (*El Periodico de Honduras* 27 Feb. 1996). Hung Pacheco charged that the financial crisis and the resulting decrease in salaries have driven away some officers and discouraged new recruits (ibid.; *LARR* 29 Aug. 1996, 2). The armed forces have been urging the government that they are in desperate need of funds (*Central America Report* 10 Oct. 1996, 7); on 21 August 1996, Hung Pacheco reportedly stated that, due to insufficient resources, the armed forces could not ensure the defense of national sovereignty (IPS 12 Dec. 1996). However, on 12 December 1996, IPS reported that the armed forces are estimated to have $400 million in assets, and that the military is a "major economic player" in Honduras. As well, *Central America Report* states that the

military's holding company, the Military Social Institute (Instituto de Previsión Militar or IPM), is reportedly one of Honduras' most profitable corporations (Cental America Report 30 June 1995).

2.2 Military Service

A constitutional amendment establishing voluntary military service during times of peace was ratified by congress on 3 May 1994 (NISBCO Oct. 1996, 4; see also *JISWA* Spring 1996, 48). Since the ratification of the amendment, forced conscription has effectively ceased in Honduras (ibid.). The highly unpopular system of forced conscription, under which recruits would serve "two years of often brutal training at almost no pay," used press-gang tactics (*JISWA* Spring 1996, 48) "comparable to a human hunt" (IPS 21 Jan. 1997), and targeted lower-class youth (*JISWA* Spring 1996, 48). The passing of the constitutional amendment has thus been described as "Reina's most popular achievement" (ibid.).

The amendment, however, does not altogether outlaw obligatory military service as discretion is conferred upon the president and the chief of the armed forces to reinstate military draft in accordance with military service law (NISBCO Oct. 1996, 4, 6). A redrafting of the military service law is thus required by the amendment (ibid.). President Reina exercised this discretion in October 1994 and ordered a temporary draft by lottery (*JISWA* Spring 1996, 48, 49) of approximately 6,000 recruits (NISBCO Oct. 1996, 4). However, in July 1995, the director of military enlistment, Colonel Alberto Soto Ponce, stated that almost half of those recruited had deserted (*Central America Report* 14 July 1995; see also NISBCO Spring 1996). *JISWA* reported that although 40 per cent of the 6,000 drafted failed to attend to duty, as of April 1995, no action had been taken against them and that "penalties for resisting the draft are light" (Spring 1996, 49). According to Raymond Tony, Executive Director of the National Interreligious Service Board for Conscientious Objectors (NISBCO), these deserters went unpunished (27 Aug. 1997). Mark Ruhl, Professor of Political Science at Dickinson College and specialist on the Honduran military, states that unless a deserter has stolen something from the military he will go unpunished (12 Aug. 1997).

The proposed new military service law, which has yet to take effect (*Boletín Informativo* 24 July 1997, 5), has been criticized as articles 3 and 49 allow for a military draft to be ordered where numbers of recruits fall below what is considered minimal for national security, and, "in case of international war, internal conflict or state of emergency, [and] natural disaster" (NISBCO Oct. 1996, 6). This law does not allow for conscientious objection to military service when the military draft is instated (ibid., 7, 10). Although there is a provision that deals with alternative service, it does not apply when the mandatory draft is invoked under Articles 3 and 49 of the law (ibid., 7). Therefore, one can only opt for alternative service when voluntary service applies (ibid.). NISBCO calls this proposal for alternative service "an attempt to deceive the Honduran people into thinking that a real alternative to obligatory military service might actually exist" (ibid., 11). Further, NISBCO states that the military service law proposal "violates the spirit" of the 1994 constitutional amendment and that its drafters anticipated a shortage of volunteers and, as a result, the reinstatement of conscription (Oct. 1996,NISBCO 10).

On 21 January 1997 IPS reported that Alba de Mejia of the Christian Civic Committee charged that the military still maintains its "old structures of authority" and that many are unwilling to join the military due to fears of physical abuse "which resembles torture," and ill treatmentIPS . A military spokesperson, however, has denied these accusations and has stated that the armed forces are in the process of incorporating a regime which respects human rights and will allow human rights monitors to attend battalions and report on the treatment of soldiers (ibid.). Raymond Tony stated that the treatment of new recruits in Honduras is much improved and that he is not aware of any cases of new recruits alleging the type of abuse of human rights of the past (20 Aug. 1997). However, he also indicated that this does not mean that abuses are not taking place. *Boletin Informativo* reported in

August that the armed forces had appointed an officer to attend to the human rights of armed forces' personnel (1997,Boletin Informativo 4).

3. POLICE REFORMS

The police have been under the control of the armed forces in Honduras for over 30 years (*Central America Report* 10 Jan. 1997, 6; *Tiempo* 18 Dec. 1996). *JISWA* reported in Spring 1996 that control of the police gives the armed forces important leverage over "civilian presidents and the private sector as both must depend on the use of force to maintain public order" (JISWA 56). According to Human Rights Watch "military control of the police was long identified as a source of human rights violations in Honduras" (HRW Dec. 1996, 109). Members of the military-controlled police force have been implicated in "summary executions and participation in theft, assaults and kidnappings" (IPS 18 Dec. 1996).

In 1993 an ad hoc Commission on Police and Judicial Reform was established by the government in response to, among other things, growing criticism and allegations that implicated FUSEP, in particular the DNI, in extra-judicial killings (*Country Reports 1996* 1997, 481), other serious crimes, and corruption (*JISWA* Spring 1996, 45; see also *LARR* 9 Nov. 1995, 3; IPS 18 Dec. 1996). The Commission recommended in March 1993, that the DNI be dissolved and a new independent Public Ministry be created (*JISWA* Spring 1996, 46). In January 1994, the government, in its first steps toward the demilitarization of the police, disbanded the DNI and created a new civilian-controlled Public Ministry—a criminal investigations and prosecutions department of the Attorney General, which included a newly formed Directorate of Criminal Investigations (Dirección de Investigación Criminal or DIC), to replace the DNI (ibid., 46, 49; see also *Country Reports 1996* 1997, 481; *LARR* 9 Nov. 1995, 3).

The creation of the civilian-controlled Public Ministry marked a turning point in civil-military relations in Honduras, as the military no longer could rely on complete impunity to shield its questionable actions from redress as it had done in the past (*JISWA* Spring 1996, 46-47). Shortly after its inception, the new Public Ministry, headed by Attorney General Edmundo Orellana, began investigations into the criminal wrongdoings and past human rights abuses of high-ranking military officials and politicians (ibid. 49). According to *Country Reports 1996*, human rights organizations have reported that claims of human rights abuses have been continually dropping since the disbanding of the DNI and the creation of the DIC (1997, 483). In a telephone interview on 12 August 1997, Professor Mark Ruhl stated that the DIC is a significant improvement over the former DNI. However, the DIC is understaffed and has yet to be fully equipped (*Country Reports 1996* 1997, 481). It is reportedly made up of 900 agents who earn a monthly salary of US$150-175 (*Central America Report* 10 July 1997, 2).

Wilfredo Alvarado, director of the DIC, stated that there is friction, although not division, between the civilian-controlled DIC and the military-controlled FUSEP (*Central America Report* 10 July 1997). According to *Central America Report* human rights activists have charged that the DIC's effectiveness has been "partially undermined by the infiltration of corrupt elements from the DNI" (Central America Report 30 May 1996, 4). Human rights activist Berta Oliva of Committee of Relatives of the Disappeared in Honduras (COFADEH), stated that "the military has orchestrated a campaign to infiltrate and discredit the DIC in order to undermine attempts to relegate to the past the tradition of human rights violation in criminal investigation" (*Central America Report* 26 May 1995, 7). In August 1996 Alvarado had stated that former Battalion 3-16 members who had infiltrated the DIC were fired but that there may be more infiltrators in the DIC (*Tiempo* 2 Aug. 1996).

On 16 December 1996 a constitutional amendment transferring the entire police force from military to civilian control was ratified by congress marking the next step toward full demilitarization of the police (*Central America Report* 10 Jan. 1997, 6; *Country Reports 1996* 1997, 481; *Tiempo* 18 Dec. 1996). The amendment, originally approved as Decree no. 136-95 in September 1995, outlines the new roles of the police and the military (*Central America Report* 10 Jan. 1997, 6). Under the amendment the police will be "'responsible for the prevention and control of common crime and violence and the protection of personal security'" and the military will "'defend territorial integrity and national sovereignty, maintain peace and cooperate with the police in preserving public order'" (ibid., 6, 7). The transfer will only take effect once the law incorporating the amendment is passed (*Tiempo* 18 Dec. 1996; *Central America Update* 10-16 May 1997). The new law will determine, among other things, the structure, size and training of the new force and whether a civilian or a military member will run the force (ibid.). This legislation had yet to be passed at the time of writing (*Boletin Informativo* 6 Aug. 1997, 3).

The "civilianization of policing" is viewed as a pivotal development in the demilitarization of Honduras (*Central America Report* 21 Nov. 1996, 1). When the transfer of the police to civilian hands is complete, the armed forces' control of internal security will be "dramatically" reduced (*JISWA* Spring 1996, 47) and so too will its political influence (*Central America Report* 21 Nov. 1996, 1).

However, some are concerned that legal loopholes in the constitutional amendment may allow for a transfer that retains military control of the police (IPS 8 Apr. 1997; *Central America Report* 24 Apr. 1997, 3). Human Rights Commissioner Leo Valladares stated at a forum on police transfer in April 1997, that unless the new police force is headed by a civilian it will remain under *de facto* military control (IPS 8 Apr. 1997). Valladares' comments came in response to those of Raul Pineda, member of the opposition National Party, who asserted that there was congressional agreement that the new civilian police force should be headed by a career member of the armed forces (ibid; see also *Central America Report* 24 Apr. 1997). Pineda is also a member of the parliamentary commission working on the police transfer (ibid.). On 24 April 1997, *Central America Report* stated that, according to Pineda, the aim is to have a centralized police force controlled by an army official and to bring the DIC under the control of the new police (Central America Report 3). Police Transfer Commission member, German Leitzelar, criticized the proposed legislation for mandating that the budget of the new police be determined by the armed forces' payroll office (ibid.). He also criticized the suggestion that the new police should be headed by a career military man (ibid.).

Professor Mark Ruhl stated in a telephone interview on 12 August 1997, that for a while after the police have changed hands to civilian control the military will still exert an influence on the police. According to *Central America Report* the transition period for the new police may last up to five years (Central America Report 30 May 1996).

4. MILITARY CORRUPTION AND IMPUNITY

4.1 Crime

Violent crime in Honduras has increased sharply over the last few years (*Central America Report* 8 May 1997, 7; *Country Reports 1996* 1997, 482; *Country Reports 1995* 1996, 482; *Country Reports 1994* 1995, 431; *Tiempo* 25 Feb. 1997, 16-17). The San Pedro Sula *Tiempo* reported on 25 February 1997, that 33 grenades, out of a total of 37 that were thrown or launched by grenade launchers, exploded in San Pedro Sula between 18 November 1994 and 11 February 1997Tiempo . On 8 May 1997 *Central America Report* reported that there had been a rash of kidnappings—60 in the previous six months—and attacks against wealthy families in the department of Cortez, Honduras' economic centre

(Central America Report 6).

The crime wave has created an atmosphere of insecurity in Honduras and has resulted in "millions of dollars in losses" (*Tiempo* 25 Feb. 1997, 16-17; see also *Latinamerica Press* 19 June 1997, 4). In April 1997, a group of businessmen and the Roman Catholic Bishop in San Pedro Sula alleged that criminal gangs were holding the people of the city hostage and called for President Reina to suspend constitutional rights and declare a state of emergency (*LAWR* 29 Apr. 1997, 194). In May 1997 *Latinamerica Press* reported that the Honduran government is considering seeking international assistance in controlling its crime wave (Latinamerica Press 1 May 1997, 7).

4.1.1 Military Involvement

There is agreement among human rights activists, the business community, and religious leaders, that former and present members of the armed forces are involved in criminal activity (*LAWR* 29 Apr. 1997, 194; *Central America Update* 26 Apr.- 2 May 1997; *La Nacion* 6 Oct. 1996).

Ramón Custodio, president of the Committee for the Defence of Human Rights in Honduras (CODEH), stated in a press conference that several elite members of the armed forces who are highly trained special operation commandos, belonging to the Special Forces Battalion, are responsible for kidnappings and assaults (*Tiempo* 9 May 1997; see also *Latinamerica Press* 19 June 1997, 5). Custodio reportedly believes that the group, which he claims operates in "the Santa Rosa de Copan-La Ceiba corridor, including Yoro, Atlantida, and Cortes departments," is an "extension" of Battalion 3-16 (ibid.; see also *Latinamerica Press* 19 June 1997, 5). In May 1997 Attorney General Edmundo Orellana appealed to the armed forces for information regarding the involvement of former Battalion 3-16 members in the recent rash of violent crimes and kidnappings in Honduras (*Central America Update* 24-30 May 1997).

On 8 May 1997 *Central America Report* wrote that Eduardo Facusse, president of the National Association of Industry (ANDI), had "called for an investigation" of army involvement in organized crimeCentral America Report . As well, Luis Santos, archbishop of Copan, alleged that former and present members of the police are involved in organized criminal activity (*Latinamerica Press* 19 June 1997, 4, 5).

According to *Central America Report*, on 24 May 1996 nine FUSEP members were arrested for their participation in a bank robbery (Central America Report 10 Oct. 1996, 7). However, six were released shortly after due to insufficient evidence (ibid.).

Amnesty International reported that in January 1996 a 14-year-old girl was beaten and raped by four FUSEP members while her family watched. The FUSEP agents had reportedly raided the home and threatened the girl's family "with death if they reported the incident." The incident had reportedly remained uninvestigated by the end of the year (AI 1997, 173, 74).

On 4 July 1997 IPS reported that the Ministry of Justice had gathered sufficient evidence to suggest military involvement in an auto-theft ring and an order for the arrest of chief of military intelligence for FUSEP, Col. David Abraham Mendoza, was issued (IPS 4 July 1997; see also *Central America Update* 28 June-4 July). Mendoza, who is also facing proceedings relating to the extrajudicial killings of "alleged common criminals" (ibid), abuse of authority (HRW Dec. 1996, 109), and was under suspension, was recently found possessing a stolen vehicle belonging to the United Nations (*Central America Report* 10 July 1997, 2; IPS 4 July 1997). *Central America Update* reported that equipment for repainting cars, along with rifles and ammunition, was found at a house that was previously rented by Mendoza (Central America Update 28 June-4 July 1997). Mendoza, who had been slated as a leading

candidate for the head of the new civil police (IPS 4 July 1997), was reportedly interned at the barracks of Honduras' First Infantry Battalion (*Central America Update* 26 July-1 Aug. 1997). On 8 August 1997, however, *Central America Update* reported that Mendoza was reinstated in his former position of FUSEP's chief of intelligence (Central America Update 9).

In July 1997 CODEH president Ramón Custodio stated that high-ranking armed forces' officers are in possession of "over 27 top-of-the-range cars stolen in the US and Central America" (*Central America Report* 10 July 1997, 2; see also *Central America Update*, 14-20 June 1997). In response to the accusations, head of the armed forces, Mario Hung Pacheco, reportedly stated that the cars are being used to fight crime and therefore will not be returned and that President Reina, the DIC, and the State Prosecution Service, were all aware that the vehicles were being used (*Central America Report* 10 July 1997, 2). Hung Pacheco's refusal to return the cars was viewed as an affront to President Reina who a day earlier requested that the police return the vehicles (*Central America Update* 14-20 June 1997). Bertha Oliva of COFADEH stated that the auto-theft case is indicative of continuing military impunity (ibid.)

Although in the past the armed forces denied any allegations of military involvement in criminal activity, general commander of FUSEP, Colonel Julio Ceasar Chavez, reportedly conceded that former military and DNI members may be involved in holdups and kidnappings (*LAWR* 29 Apr. 1997, 194). As well, Colonel Aneal Perez, San Pedro Sula police commander, stated that "he could not dismiss the participation 'of some comrades-in-arms linked to common criminal and other former members of the armed institution'" (ibid.).

4.1.2 Crime and Demilitarization

Human rights organizations allege that, in part, increased levels of crime can be attributed to "pressure for renewed militarization from former army elements keen to retain power" (*Central America Report* 8 May 1997, 7; see also *Central America Update* 26 Apr.-2 May 1997). With the rapid increase in violent crime, the military has taken on a new role in crime-fighting and has been called upon by the government to assist the police in patrolling urban areas (ibid.; *Central America Report* 26 May 1995, 7; ibid. 21 Apr. 1995, 7).

Central America Report suggests that the military's eagerness to assist the police in controlling crime "should be seen in the context of the end of the cold war and the decline of the National Security Doctrine which [has] removed the 'threat of communism', and with it the military's justification for involvement in domestic security issues" (Central America 26 May 1995). Similarly, Israel Salinas, secretary-general of the Independent Federation of Honduran workers (FITH) stated that "'there is a strong feeling that this crime wave comes as a justification for maintaining the structures of the armed forces'" (ibid.). Ramón Custodio stated that the crime wave has "'intellectual and political'" roots (ibid.). Custodio views the military's involvement in crime-fighting as a "design to remilitarize the country" (*Central America Update* 26 Apr.-2 May 1997). According to *Central America Update*, Human Rights Commissioner Leo Valladares alleged that many "police agents are directly involved in organized crime bands, including car-theft rings" and that elements in the armed forces "turn a blind eye..., encourage, or protect" crime in order to generate insecurity and thereby impede the transfer of police to civilian control (Central America Update 14-20 June 1997, 5). According to *Latin American Regional Reports,* both political and criminal factors are behind the rising rate of violent crime and some suspect the increased violence may be related to the anticipated transfer of police to civilian control (LARR 12 Dec. 1996, 2).

4.2 Extrajudicial Killings

Differentiating between killings committed by members of the armed forces, common criminals, and private vigilantes, is difficult given the sharp increase in violent crime (*Country Reports 1996* 1997, 482). According to COFADEH, FUSEP has been responsible for 25 extrajudicial killings since the beginning of 1997 (*Central America Update* 31 May-6 June 1997). Several extrajudicial killings in 1996 were allegedly committed by "members of the security forces (notably District Command 7 of the police in Tegucigalpa)" (*Country Reports 1996* 1997, 482). According to *Country Reports 1996* human rights organizations have convincing proof that in 1996 "at least 73 ... homicides were extrajudicial executions" (Country Reports 1996 1997, 482- 83).

On 6 May 1997 InterPress Service reported that, according to Ramon Custodio, recent murders and kidnappings in Honduras are the work of a reformed version of the Battalion 3-16 death squad. IPS Custodio also alleged that the commandos have backing from the top military brass (ibid).

On 28 May 1997 CODEH vice president, Hugo Ramon Maldonado, stated that although executions have been carried out in different parts of Honduras, CODEH will not hold the Public Security Forces responsible until investigations have been carried out (*La Tribuna*, 28 May, 6).

4.3 Military Surveillance

According to Agence France Presse, Leo Valladares stated that "'there is evidence of telephone calls, and of files with private information that are used against people who today hold prominent positions'" (6 Aug. 1996).AFP Valladares was reportedly referring to military files that were released by law-enforcement officials which contain, among other things, details of some of the 184 Hondurans who disappeared during the 1980s (ibid.).

The 4,000 files, which were discovered in military offices in July 1996 by Public Ministry officials, contain detailed information on human rights activists, "government officials, judges, politicians, and journalists" (*HRW World Report 1997* Dec. 1996). Human Rights Watch reported that among the information contained in the files are "the floor plans of homes, the names of children, and the schools they attended" and that while most of the files were put together in the 1980s, some files indicated continued military surveillance of civilians (ibid.).

Among the information found in the uncovered Battalion 3-16 files was a biographical profile of Wilfredo Alvarado, chief of the DIC, "including information regarding his student activities [and] involving him in communist affairs" (*Tiempo* 2 Aug. 1996; *LARR* 29 Aug. 1996, 2). The files also revealed that military intelligence officers had been keeping the supreme court president and the chief public prosecutor under surveillance (ibid.). Amnesty International reported that prosecutor and deputy prosecutor for human rights, Sonia Dubon de Flores and Reina Rivera, both of whom are involved in the investigation of military officers suspected of human rights abuses, discovered that the files contained "photographs, house plans and other private details" of themselves suggesting that they had been under military surveillance for a few years (AI *Human Rights Defenders in Central America: Honduras* n.d., 6). A military spokesperson reportedly responded to the discovery of the files by stating that the mere fact that files were kept on civilians does not necessarily mean that they were considered enemies; on the contrary, files were also kept to protect people from harm (ibid.).

4.4 Alleged Impunity

Some have questioned the impartiality of the judiciary: Jesus Martinez Suazo, dean of Universidad Nacional Autonoma law school and former judge, suggested that a number of judges may be corrupt as they have "in very short periods on the bench, amassed fortunes which allow them not to have to work ever again" (*LAWR* 4 Mar. 1997). According to IPS, COFADEH alleged that it is aware of a

fund of $500,000 "to bribe deputies in exchange for granting amnesty to military officers charged with human rights violations..." (IPS 14 Mar. 1997).

Human Rights Watch reported that in 1996 the initiatives of the Attorney General, the National Commissioner for Human Rights, and others, to hold those responsible for human rights abuses in the 1980s accountable were undermined by, among other things, "the failure of police to carry out arrest warrants, and the inability of the judicial system to act independently when pressured by the armed forces" (HRW 1997, 108).

At the time of writing there were 21 fugitive members of the military charged with human rights related crimes (*Central America Update* 1-8 Aug. 1997). Three were ordered to stand trial in October 1995, and the rest were ordered to stand trial in June 1996 (ibid.). It is widely accepted that the fugitives are being protected from prosecution by the armed forces and in June 1997 it was uncovered that the fugitives are still receiving salaries from the armed forces (ibid.; ibid. 7-13 June 1997, 1-2). DIC chief Wilfredo Alvarado stated in Early August 1997 that DIC agents have seen some of the fugitives in public, however, because the fugitives were surrounded by heavily armed guards, the DIC agents refrained from taking actionCentral America Update . The armed forces have admitted that the fugitive officers continue to receive salaries, however, it denies protecting the officers (ibid., 1-2)

5. HUMAN RIGHTS AND THE ARMED FORCES

5.1 Threats to Human Rights Activists, Prosecutors and Judges

According to Amnesty International, those who have sought to defend human rights in Honduras have been targeted by members of the security forces as a result of their advocacy and "continue to suffer harassment and attacks as a result of their work" (AI *Human Rights Defenders in Central America: Honduras* n.d.). On 10 July 1997 *Central America Report* reported that in mid-June the State Prosecution Office accused the armed forces of possessing a hitlist of civilian officials and human rights activists (Central America Report 10 July 1997, 1). According to the source, Attorney General, Edmundo Orellana, who had been investigating the involvement of former and current members of the armed forces in human rights violations (*JISWA* Spring 1996, 49), stated that a State Prosecution Service official was among those named on the list (*Central America Report* 10 July 1997, 1). The Committee of Relatives for the Disappeared in Honduras (COFADEH) declared in May 1997 that they received numerous telephone death threats in the preceding days (*Central America Update* 10-16 May 1997). In late March 1997 the organization alleged that it had uncovered a plot to assassinate its president, Liduvina Hernández, which they believed was masterminded by a fugitive military officer wanted for his involvement in past human rights abuses (IPS 4 Apr. 1997). A spokesperson for COFADEH reportedly stated in a press conference that "'For some months, our *companeras* Bertha Oliva and Liduvina Hernandez have been the target of systematic intimidation, death threats and

persecution on the part of unknown persons, who we suppose are collaborating with the Army" (IPS 4 Apr. 1997).

Latin American Regional Reports reported in late 1996 that there is some indication that magistrates and prosecutors involved in uncovering violations of human rights and corruption in the past have been targeted by paramilitary groups, and, that military involvement is suspected (12 Dec. 1996,LARR 2). The National Human Rights Commissioner linked a succession of bombings throughout 1996 against the judiciary and government buildings to investigations of past human rights violations underway in the courts (AI 1997, 173, 74). On 5 December 1996 IPS reported that two bombs, described as "exclusive military devices," were deactivated at the offices of Attorney General Edmundo

Orellana.IPS In response to the bombs, Orellana reportedly stated that "defending human rights in Honduras is a high risk profession as impunity remains the name of the game" and that he will continue to fight "corruption and impunity" (IPS 5 Dec. 1996).

On 8 November 1996, following the bombing of the courts in Tegucigalpa, an unknown group named 'CJ' released a statement indicating that it would "'eliminate'" six judges, who are involved in investigating organized criminal activity (*LARR* 12 Dec. 1996, 2). On 5 October 1996 *Tiempo* reported that following a bomb explosion at the Legislative Palace, President Reina stated that the bomb was set by terrorists against the "moral revolution"[1] and that when his administration began "corrections" they expected those facing criminal charges to "counterattack." On 3 October 1996 two bombs went off at clinical laboratories owned by Dr. Ramón Custodio, president of CODEH (AFP 3 Dec. 1996; AI 1997, 173, 74). These explosions occurred after Custodio alleged that people connected to the military are responsible for recent bombings (AI 1997, 173, 74; see also AI *Human Rights Defenders in Central America: Honduras* n.d., 3).

Amnesty International reported that human rights groups, as well as employees of the National Human Rights Commissioner, were subjected to intimidation and received death threats throughout 1996 (1997). As well, according to Amnesty International, in March 1996, two prosecutors received death threats from a FUSEP officer who was being investigated for murder (ibid.).

After an armed group appeared at his country home and following an incident in which his court was fired at with machine guns, judge Roy Medina resorted to travelling with a "ten-man" escort (*The Economist* 6 Apr. 1996). Medina was in charge of the investigating the involvement of three members of the military— two retired and one active— in the "abduction and torture of six students in 1982" (ibid.). In October 1995, Medina ordered their arrests (AI *Human Rights Defenders in Central America: Honduras* n.d., 5). This was the first case in which members of the military were forced to stand trial for human rights abuses in a civilian court (*Central America Update* 7-13 June, 1997). Medina claimed he had received death threats and in February 1996, a FUSEP member assigned to guard Medina, Carlos Roberto Matute Torres, was murdered (ibid.).

5.2 Threats to Former Members of the Armed Forces

Human rights organizations claimed that paramilitary groups murdered 86 suspected criminals from January to October 1996, including some former military members involved in past disappearances (*LARR* 12 Dec. 1996, 2). These groups allege that high-ranking military men may have participated in the deaths in order to ensure that testimony pointing to their own involvement would never be heard (ibid.). In mid-July 1996 CODEH alleged that "at least 11 police officers had been killed, presumably by members of the Honduran military" (AFP 10 July 1996). Further, according to Amnesty International and *Latin American Regional Reports*, in June and July of 1996 at least five former DNI members were killed under suspicious circumstances leading some to speculate that their deaths were extrajudicial executions (AI 1997, 173, 74; *LARR* 29 Aug. 1996, 2). One of the victims, Rene Orellana, who was shot to death in June, had been scheduled to give testimony about a murder allegedly committed by DNI members in 1994 (AI 1997, 173, 74).

According to *The Economist* the military was implicated in the murders of several former members of Battalion 3-16 in October 1995, which were committed to "presumably...keep them silent and make sure others stay so" (The Economist 6 Apr. 1996). According to *Latin American Regional Reports*, CODEH has implored former members of Battalion 3-16 to seek exile and thereby escape possible execution at the orders of those military members anxious to block any detrimental evidence against them that may be forthcoming (*LARR* 29 Aug. 1996, 2). On 9 May 1997 *Central America Update*

reported that Honduran prosecutors received the written testimony of four former Battalion 3-16 members who had claimed asylum in Canada (Central America Update 3-9 May 1997). The testimony will be used in prosecutions of other military members accused of past human rights violations (ibid.).

NOTE

[1] The moral revolution refers to Reina's pledge, upon taking office in 1994, to end corruption and impunity and bring those responsible for violations of human rights in the past to justice (LARR 9 Dec. 1993, 1; AFP 27 Mar. 1996). [back]

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