



Honduras

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Honduras is a constitutional democracy, with a president and a unicameral congress elected for 4-year terms. President Carlos Roberto Flores Facusse of the Liberal party took office in January 1998. Since the country's return to democracy in 1982, the two major political parties, the Liberals and the Nationalists, both have held power after free elections. The judiciary is generally independent, but often ineffective and subject to outside influence.

The Honduran Armed Forces (HOAF) include the army, the air force, and the navy. The national Preventive Police (formerly a paramilitary force known as the FUSEP) were placed under civilian control in 1997. The police handle public security, counternarcotics, and border patrol duties. The Government created a Ministry of Security in 1998 to oversee police operations and counter a national crime wave. In November the Government authorized the use of joint armed forces and police patrols throughout the country to combat rising levels of crime. The Government has used the military to patrol the streets seven times in the last 6 years. In January 1999, the National Congress ratified a constitutional amendment that established direct civilian control over the armed forces--through a civilian Minister of Defense--for the first time since 1957. The amendment also replaced the position of the armed forces commander in chief with that of Chief of the Joint Staff. In July 1999, the President replaced the Chief of the Joint Staff, the Vice Chief of Staff, and other senior HOAF officers after they sought, without prior authorization from the civilian leadership at the Defense Ministry, to have the Congress amend a draft organic law to govern the HOAF; that action further cemented civilian control of the military. A number of versions of the draft law regulating responsibilities between the Defense Ministry and the HOAF were debated during the year; at year's end, Congress had not passed legislation. Members of the police continued to commit human rights abuses.

The market-based economy is based primarily on agriculture and, increasingly, on the important maquiladora (in-bond processing for export) industry, which accounts for approximately 130,000 jobs, most of which are filled by young women. The HOAF play an indirect, diminishing role in the national economy through their pension fund, which controls some enterprises usually associated with the private sector, including a bank and several insurance companies. About 39 percent of workers labor in agriculture, with most of the rest in industry and manufacturing, commerce, and services. The principal export crops are coffee and bananas; these, along with "value added" income from the maquiladora industry, are the leading sources of foreign exchange. Nontraditional products, such as melons, pineapples, and shrimp, play a growing role in the economy. In 1998 Hurricane Mitch caused widespread flooding and landslides and over \$3 billion in damage, and led to an economic recession during 1999. Most affected export sectors have recovered, and the economy experienced positive growth during the year. The Central Bank estimated growth for the year at between 5.3 and 5.5 percent. Annual per capita income is approximately \$800; about two-thirds of the country's households live in poverty.

The Government generally respected the human rights of its citizens; however, serious problems remained. Members of the security forces committed some extrajudicial killings. Human rights groups accused the security forces and the business community of colluding to organize "death squads" to commit extrajudicial killings. Security force personnel committed acts of torture, and beat and otherwise abused detainees and other persons, including street children. Prison conditions remain harsh, lengthy pretrial detention is common, and detainees do not always receive due process. Considerable impunity for members of the economic and official elite, exacerbated by a weak, underfunded, and often corrupt judicial system, contributed to human rights problems. Although the civilian courts increasingly considered allegations of human rights violations or common crimes against armed forces personnel, and some cases went to trial, there were relatively few convictions. While no senior Government official, politician, or bureaucrat, or member of the business elite, was convicted of crimes, the Government removed more than 100 military officials, police officers, police

agents and investigators, and judges from office on corruption and other charges. The judicial system continued to deny swift and impartial justice to prisoners awaiting trial. On occasion the authorities conducted illegal searches. Individual members of the news media suffered various forms of harassment, including attempted murder and physical assaults. Other human rights problems included violence and societal discrimination against women, child prostitution, abuse of street children, and discrimination against indigenous people. The Government does not enforce effectively all labor laws. Some workers are forced to work overtime. Child labor is a problem, particularly in rural areas and in the informal economy, but not in the export-processing sector.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were no reports of political killings by government agents; however, the security forces were suspected of an estimated 200 extrajudicial killings, many involving persons under 18 years of age, during the year. Human rights groups alleged that individual members of the security forces worked with civilian (including vigilante) groups and used unwarranted lethal force against supposed habitual criminals or suspected gang members. Several groups pushed for investigations into specific incidents, while others claimed to have provided public prosecutors with evidence of collusion between police elements and business leaders with regard to these murders. The Government publicly denied accusations relating to the security forces as institutions but investigated allegations against members of neighborhood vigilante groups. During the year, the authorities sought or detained 11 police officials for their involvement in the killings of various individuals.

In the spring, a suspected gang member who was arrested by police died while in the hospital, after the police reportedly "worked with him" at the crime scene to identify suspects who had fled. Another suspect was executed after the police left him alone in the back of a pickup truck while they chased his companions.

Prison guards shot and killed one escaping prisoner (see Section 1.c.).

In July the nongovernmental organization (NGO) Covenant House reported that 302 homeless children and street youths were killed in "social cleansing" killings between January 1998 and May. The majority of the killings occurred in Tegucigalpa and San Pedro Sula. Covenant House attributed 36 percent of the killings to the police and members of the military; and private security officers committed other killings. In August the Public Ministry and the General Directorate of Criminal Investigation (DGIC) named a joint special commission to investigate the extrajudicial killing of minors. In October the DGIC reported that 312 minors were victims of extrajudicial killings between 1998 and 2000. In October Covenant House filed a complaint with the Inter-American Commission on Human Rights (IACHR) stating that 360 street children were killed from 1998 through October 2000. In 1997 Covenant House brought charges before the Public Ministry against unnamed members of the armed forces and the police for the alleged torture of 63 juveniles or minors, 35 of whom reportedly were murdered, since 1990. The Government took no action in this instance.

The case of a prison guard who shot and killed a minor who refused to surrender after escaping from the central penitentiary in Tegucigalpa in May 1999 went to trial during the year; however, no further information was available.

Human rights organizations continued to allege that individual members and former members of the security forces, acting in collusion with business leaders, committed extrajudicial killings of street criminals. They also charged neighborhood watch ("vigilante") groups with the responsibility for many extrajudicial executions. On various occasions during the year, the Public (Justice) Ministry and the National Human Rights Commission (NHRC), an autonomous government entity, publicly admitted that individual government employees might be taking part in such executions; however, the Government asserted that the individuals were acting without official authorization.

There was no progress in the investigation of the March 1999 murder of Juan Ramon Alvarado, the late mayor of Cabanas in Copan department. Two suspects previously detained were released in 1999 due to lack of evidence.

In September the Third Court of Appeals issued an arrest warrant for Jaime Raudales, a former member of the now-disbanded Army Intelligence Battalion 3-16, for the 1988 murders of social activists Miguel Angel Pavon and Moises Landaverde.

Also in September, a government team exhumed the remains of four persons from a cemetery in Olancho department; these were the first official exhumations by the Government (see Section 1.b.).

There were several developments in the investigation of the 1982 murder of Nelson MacKay Echevarria. During the year, a court charged Colonel Wilfredo Leva Cabrera with the killing. Leva Cabrera, who is in prison on a drug trafficking conviction, requested protection under the Amnesty Law; however, during the year the Supreme Court overruled a lower court decision and rescinded amnesty protection for Leva Cabrera in this case. At year's end, the murder charge was being initiated in a criminal court. At year's end, former military official Alexander Hernandez Santos was being tried for the murder of MacKay, as well as other crimes related to human rights abuses.

In March Major Manuel de Jesus Trejo Rosa, who for 5 years had been a fugitive from justice, surrendered voluntarily to the authorities, who remanded Trejo Rosa to a prison hospital. In May the court indicted him for the murder of MacKay; he also was indicted for the kidnaping and torture of Miguel Francisco Carias, as well as the 1982 kidnaping and torture of six university students (see Section 1.c.). In June the court released Trejo Rosa from the prison hospital but ordered him placed under house arrest due to his age and infirmity.

In February the First Court of Appeals acquitted Captain Billy Joya Amendola of the 1982 murder of university student Hans Madisson. The Public Ministry appealed this decision to the Supreme Court in March. In October a court issued an arrest warrant for Joya Amendola in connection with the 1982 kidnaping and torture of six university students (see Section 1.c.).

There was no information available regarding the Public Ministry's appeal of an October 1999 ruling by a lower court that found former army chief of staff Oscar Hernandez Chavez not guilty of the 1982 murder of university student Hans Madisson.

In July the Third Court of Appeals acquitted retired General Daniel Bali Castillo, retired Colonel Manuel Enrique Suarez Benavides, and retired police Major Marco Antonio Matute Lagos of the 1982 deaths of Adan Avilez Funez and Nicaraguan citizen Amado Espinoza Paz. The Public Ministry filed appeals of these decisions with the Supreme Court, which had yet to rule on the appeals at year's end. The Supreme Court is required to confirm the ruling of the Third Court of Appeals for a full acquittal; it had not done so by year's end. Other former military officials, including Alexander Hernandez Santos (who was in prison and being questioned about this incident at year's end), still face charges in this case.

In September a court sentenced police officer Jose Raul Bonilla Velasquez to 15 years' imprisonment for the murder of Jose Alejandro Molina. The court acquitted police officer Jose Alfredo Leiva in the same case.

In November a court sentenced Oscar Esmelin Rivera to 20 years in prison for the October 1998 killing of Pedro Garcia Villanueva, the director of Public Ministry attorneys in Santa Barbara department. Garcia had been investigating alleged human rights violations and other criminal activities in the region at the time of his death.

In February the Public Ministry named a special prosecutor to continue its investigation of the 1998 murder of Carlos Antonio Luna Lopez, a town councilman in Catacamas, Olancho department. A suspect in the murder of Luna Lopez, Oscar Aurelio "Machetillo" Rodriguez Molina, subsequently was brought before a court, which in March conducted a "reenactment" of Luna Lopez's murder. Several other suspects remained at large at year's end.

Homicides, armed robberies, and other violent assaults remained commonplace. Violent crime continued to fuel the growth of private--often unlicensed--guard services, and of volunteer groups that patrolled their neighborhoods or municipalities to deter crime. In February the Security Ministry authorized the creation of approximately 500 neighborhood watch groups, known as Citizen Security Councils (CSC's), around the country to assist the police in combating rising crime. Human rights groups during the year criticized the CSC's, which they viewed as active participants in the increasing number of extrajudicial killings. However, in June National Human Rights Commissioner Leo Valladares stated publicly his belief that the CSC's were not acting as vigilantes or "death squads." The continued proliferation of private security forces and CSC's nonetheless made it more difficult to differentiate among homicides that may have been perpetrated by government security personnel, private vigilantes, or common criminals. In October the Government ordered all private security firms to turn in assault rifles, even if acquired legally, in an effort to decrease the availability of weapons to criminals.

Vigilante justice allegedly led to the killing of known and suspected criminals, as well as of street children (see Section 5). The Preventive Police claimed to have investigated 382 of 410 known killings since 1997,

concluding that all police personnel accused of involvement in such incidents had been placed at the disposition of the courts, except for 1 fugitive.

Several "murders for hire" occurred during the year, usually related to land disputes or criminal activities. In February the police arrested Johnny Orlando Funez Funez and Jose Antonio Galdamez for the murder of social activist Jairo Amilcar Ayala Nunez in Lanza, Colon department over a land expropriation case. Also in February, four unidentified gunmen killed community leader Ruben Elvir in El Camalote, Santa Barbara department. Also in February, unknown assailants killed Marciano Martinez Ramirez and Victor Manuel Almendares, the president and the treasurer, respectively, of a forestry cooperative in Lepaterique.

In March four members of the Chorti indigenous group, Vicente Arias, Enecon Arias, Antonio Garcia, and Balbino Hernandez died during a gun battle in Copan. Ines Mejia and Wilfredo Bueso were arrested for the murders; a third assailant died during the gun battle. Indigenous activists claimed that the group was killed in a dispute over tribal lands; however, the police asserted that the killers and their victims were members of rival criminal gangs involved in the contraband trade (see Section 5).

In April two gunmen killed Concepcion "Chonillo" Alvarez and three members of his family in Choluteca over a local land dispute; no one has been arrested in this case. Also in April, the authorities arrested Julio Cesar Espinoza Mejia for the murder of Copan mayor Hugo Alvarado over another land dispute.

b. Disappearance

There were no reports of politically motivated disappearances.

Various witnesses, survivors, and former HOAF personnel have charged that members of the now-disbanded army Intelligence Battalion 3-16 kidnaped, tortured, and killed many of the 184 persons who disappeared during the 1980's. The Public Ministry and the National Human Rights Commission kept open their investigations of those disappearances.

In February the Public Ministry filed an appeal of a December 1999 decision by a lower court that freed former police intelligence director Carlos Roberto Velasquez Ilovaes in the 1988 disappearance of leftist activist Roger Samuel Gonzalez Zelaya. The appeals court had not ruled on this petition at year's end.

On June 26, the Supreme Court ruled that illegal detention and execution committed by military officials were not covered by the 1987 Amnesty law (see Section 1.e.). This ruling allows for the criminal prosecution of the military officers accused of the 1982 kidnaping and torture of six leftist university students (see Section 1.c.).

In September a government team of forensic experts from the Public Ministry and local officials exhumed the remains of four persons from a cemetery at Dulce Nombre de Culmi in Olancho department. The four persons were believed to have been guerrillas who died during a firefight with HOAF personnel in 1983. Government forensic experts planned to conduct DNA testing on the remains of the four persons in an effort to verify their suspected identities; those efforts continued at year's end. Human rights activists noted that these were the first official exhumations by the Government.

Following charges brought by human rights groups to the IACHR beginning in 1986, in November the Government made compensatory payments totaling approximately \$1,580,000 (23,800,000 lempiras) to the families of 17 persons who disappeared between 1981 and 1989. The human rights groups then dropped their charges before the IACHR. The suspected perpetrators of those disappearances remain subject to criminal prosecution in the future, but these payments freed the Government of further civil liability in these 17 specific cases. Some human rights activists publicly criticized as inappropriate the presence among the group of 17 families receiving payments of the NGO Committee of Families of the Detained-Disappeared of Honduras (COFADEH) general coordinator Bertha Oliva de Nativi, and of Andres Pavon, president of the Committee for the Defense of Human Rights in Honduras (CODEH), since the relatives of the other 167 persons who disappeared during this time period have not received justice nor any financial recompense.

The courts adjudicated several pending cases involving disappearances (see Section 1.a.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits torture; however, there were isolated instances in which officials employed such practices. In addition, police beatings and other alleged abuses of detainees remained a problem. The police also engaged in violence, which included beatings, against street children (see Section 5). During the year, a

court in San Pedro Sula ordered the imprisonment of four police officers accused of wounding a woman in a vehicle that they allegedly attempted to stop in late December 1999. On March 30, the authorities detained the officers.

In February Special Prosecutor for Human Rights Wilfredo Flores charged publicly that police officers routinely protected torturers and other human rights abusers in their ranks. In March DGIC Director Wilfredo Alvarado denied that DGIC agents tortured or abused prisoners. In May Preventive Police Director Alvaro Flores Ponce made a similar declaration regarding the Preventive Police. In October the Preventive Police were singled out in Amnesty International's annual report for their use of "torture and excessive force."

During the year, the Ministry of Security revised the procedures for internal review of police abuse and misconduct, partly as a result of public pressure from human rights groups and the Public Ministry, which in the past had reported that the Preventive Police's reviewing office was unresponsive to their requests for impartial investigations of police officers accused of abuse. The police force, which includes the Preventive Police and the DGIC, is subject to investigation by the Internal Affairs office regarding public complaints of police behavior; the Internal Affairs office reports to the Minister of Security. The Preventive Police and the DGIC each have an Office of Professional Responsibility (OPR), which conduct internal reviews of police misconduct such as off-duty criminal conduct and ethics violations. An OPR ruling is reported to the Minister of Security, who can take disciplinary action or direct a supervisor to decide upon disciplinary action for minor infractions. Some human rights groups indicate that the new system has increased impartial judgments of police behavior.

Both the DGIC and the Preventive Police suspended or dismissed numerous agents and officers for corruption and abuse of authority during the year. The Public Ministry reported that it received 697 complaints of police abuse through August, compared with 421 complaints during 1999. The authorities dismissed more than 100 police officers and DGIC agents during the year, compared with nearly 400 officer and agents in 1999. The authorities accused 16 police and DGIC agents of torture and other abuses, and charged 4 persons with corruption and abuse of authority during the year. For example, in October the DGIC fired chief administrative officer Armando Espinal for alleged corruption, and a lower court issued an arrest warrant for former FUSEP Director Julio Cesar Chavez Aguilar for profiting from noncompetitive FUSEP purchases during his tenure as director.

In February the HOAF announced that three army officers would be tried in courts-martial for having beaten and threatened eight recruits in January in an effort to recover a missing weapon. The Defense Minister, the HOAF chief of the joint staff, and other senior officers met with the president of CODEH, the country's leading human rights NGO, to review this incident, which also led the HOAF to create a Directorate of Humanitarian Law to investigate future human rights abuses within the HOAF. Also in February, the Defense Ministry appointed a civilian as its chief financial officer in an effort to counter a history of corruption among former HOAF paymasters and announced that it would cooperate with investigations by private human rights groups of alleged abuses of authority by HOAF personnel. In March the HOAF inaugurated mandatory human rights training for its majors and captains. In September the Defense Ministry signed an agreement with the Inter-American Institute for Human Rights to provide human rights training for the HOAF.

In May Manuel de Jesus Trejo Rosa was indicted in the 1982 kidnaping and torture of six leftist university students, as well as for the kidnaping of Miguel Francisco Carias and the murder of Nelson MacKay Echevarria (see Section 1.a.). Trejo Rosa surrendered to the authorities in March; he remained under house arrest at year's end.

On June 26, the Supreme Court ruled that illegal detention and execution committed by military officials were not covered by the 1987 Amnesty Law (see Section 1.e.). This ruling allows for the criminal prosecution of the military officers accused of the 1982 kidnaping and torture of the university students. Seventeen current and former military and police officials continued to face simultaneous criminal and civil charges in various courts. As a result of the Supreme Court's decision, amnesty laws are no longer applicable for: Alexander Hernandez, Juan Blas Salazar Meza, Manuel de Jesus Trejo Rosa, Juan Evangelista Lopez Grijalba, Captain Billy Hernando Joya Amendola, retired General Amilcar Zelaya Rodriguez, Juan Ramon Pena Paz, Roberto Arnaldo Erazo Paz, Jorge Antonio Padilla Torres, and Julio Cesar Funez Alvarez (the current deputy director of the Preventive Police).

In September the First Court of Appeals once again issued arrest warrants for Raymundo Alexander Hernandez Santos and for Julio Cesar Funez Alvarez. In September the Supreme Court ruled against a petition by the Public Ministry for the preventive detention of Joya Amendola for the 1982 kidnaping and attempted murder of the six university students. In October the First Court of Appeals issued additional arrest warrants in this case for Billy Joya Amendola, Amilcar Zelaya Rodriguez, and Manuel de Jesus Trejo Rosa. At year's end, Hernandez Santos, who turned himself in voluntarily, was detained for questioning regarding his involvement in the case.

In 1998 the Supreme Court had ruled that the country's amnesty laws protected Juan Blas Salazar Meza from prosecution for the 1982 kidnappings. The June Supreme Court decision overturned that decision. Salazar Meza is serving a 5-year prison sentence for narcotics trafficking. In September the First Court of Appeals reinstated an arrest warrant for Salazar Meza, sought by the Public Ministry in connection with the 1982 cases as a first step to bringing him to trial.

In September a judge issued a warrant for the arrest of retired General Amilcar Zelaya Rodriguez, the owner of the property in the Amarateca Valley of Francisco Morazan department where the 1982 incidents occurred. An appellate court upheld the arrest warrant for Zelaya in October.

In August a separate court ruling absolved Captain Billy Joya Amendola of all charges in the 1982 torture of newsman Oscar Reyes Baca and his wife, Gloria de Reyes (see Section 2.a.).

The police forces are underfunded and understaffed, and corruption is a problem. Widespread frustration at the inability of the security forces to prevent and control crime, and the well-founded perception that corrupt security personnel were complicit in the high crime rate, led to continued support among a segment of the general public for vigilante justice (see Section 1.a.).

In August Security Minister Gautama Fonseca dismissed Preventive Police Deputy Director Wilfredo Urtecho Jeamborde and DGIC Deputy Director Saul Bueso Mazariegos from their posts. Human rights and civic groups noted the dismissals, since both Urtecho Jeamborde and Bueso Mazariegos have been suspected in the past of profiting from a variety of illegal enterprises. The Public Ministry reportedly was investigating both individuals at year's end for possible prosecution.

Prison conditions remained harsh. Prisoners suffered from severe overcrowding, malnutrition, and a lack of adequate sanitation, and allegedly were subjected to various other abuses, including rape. The 27 penal centers held over 11,500 prisoners, more than twice their maximum capacity; more than 90 percent of all prisoners were awaiting trial for an average of 22 months, with some waiting over 5 years (see Section 1.d.). Prison facilities are overcrowded, and pretrial detainees generally are not separated from convicted prisoners. Prison security was poor. Contrary to the previous year, the Government did not send the army in to any prisons to maintain order during the year. Retired military officers do work as guards in some areas, and some Preventive Police are used as guards. Prison disturbances, caused primarily by harsh conditions, occurred throughout the year, although at a lesser rate than in 1999, due to increased manpower and training of prison personnel. On March 27, a fight at the San Pedro Sula prison left one prisoner dead and five prisoners and guards wounded. Following the fight, the authorities transferred 181 prisoners to HOAF facilities. Prison escapes, through bribery or otherwise, remained a frequent occurrence. Prison guards shot and killed one escaping prisoner during the year; there were no other serious injuries to escaping prisoners.

More often than not, for lack of alternative facilities, wardens housed the mentally ill and those with tuberculosis and other infectious diseases among the general prison population. Prisoners with money routinely bought private cells, decent food, and permission for conjugal visits, while prisoners without money often lacked basic necessities, as well as legal assistance. The prison system budgets about \$0.40 (6 lempiras) per day for food and medicine for each prisoner. Prisoners were allowed visits and in many cases relied on outside help to survive, as the prison system could not provide adequate or sufficient food.

In June 1999, the Public Ministry signed an agreement with the Center for the Prevention, Treatment, and Rehabilitation of Victims of Torture and their Relatives to establish programs to protect the human rights of prisoners; to train police and prison personnel to avoid committing acts of torture; and to arrange for periodic inspections of prisons. These programs continued during the year. In February a Tegucigalpa court ordered the central prison in the capital to suspend disciplining prisoners because of widespread reports of abuse, and instructed prison authorities to develop a plan to stop the alleged abuses. In September the Security Ministry and CODEH agreed to collaborate on a national plan to provide human rights training to prison guards and to rehabilitate the prison population through formal education and vocational training.

In July the Government announced that it would build a model prison farm in the Sula Valley at a cost of \$15 million (225 million lempiras). The 1,500-bed penitentiary, scheduled to open in 2002, would be one of several to be built to relieve overcrowding and promote rehabilitation within the country's antiquated penal system.

Women generally were incarcerated in separate facilities under conditions similar to those of male prisoners; however, female prisoners do not have conjugal visit privileges.

The Government operates juvenile detention centers in Tamara, El Carmen, and El Hatillo; all are located in or near Tegucigalpa or San Pedro Sula. This lack of juvenile detention facilities contributed to the detention of

minors in adult prisons and to vigilante violence against, and police abuse of, street children (see Sections 1.a. and 5). In February Covenant House alleged that 800 juvenile criminals have been housed in adult prisons since 1995. Street children in detention sometimes were housed in adult prisons, where they were abused routinely. However, in May Covenant House made public its judgment that the Government no longer routinely houses juvenile offenders in adult prisons. In October the IACHR ordered the Government to make compensatory payments to 300 juvenile offenders who served time in adult prisons from 1995 to 1999. In April the Government announced plans to permit juvenile criminals to pursue an education while in prison.

The Government permits prison visits by independent human rights monitors.

d. Arbitrary Arrest, Detention, or Exile

The law provides for protection against arbitrary arrest and detention; however, the authorities occasionally fail to observe these legal requirements. The law states that the police may arrest a person only with a court order, unless the arrest is made during the commission of a crime, and that they must clearly inform the person of the grounds for the arrest. By law the Preventive Police cannot investigate crimes; that force only detains suspects. The police must bring a detainee before a judge within 24 hours; the judge then must issue an initial, temporary holding order within 24 hours, make an initial decision within 6 days, and conduct a preliminary investigation to decide whether there is sufficient evidence to warrant further investigation.

While bail is legally available, it is granted primarily for ostensibly medical reasons; however, procedures in such cases are confused and unclear. Poor defendants, even when represented by a public defender, seldom are able to take advantage of bail (see Section 1.e.). Lengthy pretrial detention is a serious problem; in March an independent study estimated that 92 percent of prisoners were awaiting trial, some for over 5 years. The average length of detention was approximately 22 months, and over 90 percent of all prisoners had been neither tried nor sentenced (see Section 1.c.).

The 1996 Unsented Prisoner Law mandates the release from prison of any detainee whose case has not come to trial and whose time under detention exceeds the maximum prison sentence for the crime of which he is accused. This law also authorizes the parole until trial of persons over the age of 60 accused of nonfelony crimes, women who are pregnant or lactating, and the mortally ill. In April the Government estimated that as many as 3,017 prisoners qualified for release under the Unsented Prisoner Law, that 3 officers were required to monitor each person, and that the annual cost of enforcing this law was approximately \$6.7 million (100 million lempiras).

However, despite this law, many prisoners remain in jail after being acquitted or completing their sentences, due to the failure of responsible officials to process their releases. A significant number of defendants served the maximum possible sentence for the crime of which they were accused before their trials were concluded, or even begun. For example, a man arrested in August 1997 was released without a trial in October 1999, while his two alleged accomplices, who also were arrested in August 1997, were released without trials in October 2000. In September the authorities released a man who had been exonerated of all charges 6 days after his arrest in July 1998. Also in September, the authorities released another man who had been detained without a trial since April 1996. In October the authorities released one prisoner who was arrested in June 1991, and then ordered freed in March 1995.

Neither the Constitution nor the Legal Code explicitly prohibits exile, but it is not used as a means of political control.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the judiciary is poorly staffed and equipped, often ineffective, and subject to outside influence. While the Government respects constitutional provisions in principle, implementation has been weak and uneven in practice. A number of factors limit the effectiveness of the system. Both the judiciary and the Public Ministry suffer from inadequate funding; low wages and lack of internal controls make law enforcement officials susceptible to bribery; the civil law inquisitorial system is both inefficient and opaque; and powerful special interests still exercise influence and often prevail in the courts. Approximately 35 percent of the complaints received by the National Human Rights Commission concern the judicial system. Many leading politicians enjoy constitutional immunity.

The court system is composed of a 9-member Supreme Court, 10 appeals courts, 67 courts of first instance with general jurisdiction, and 325 justice of the peace courts with limited jurisdiction. Congress elects the nine Supreme Court justices and names the president of the court; the Supreme Court, in turn, names all lower court judges. The 4-year term for justices of the Supreme Court coincides with those of the Congress and the

President.

The Constitution provides for the right to a fair trial; however, the written, inquisitorial trial system is labor-intensive, slow, opaque, and does not protect the rights of defendants adequately. In December 1999, the Congress passed a law to modernize the Criminal Procedures Code; this new law, which is scheduled to take full effect in February 2002, substitutes an adversarial system for the inquisitorial system and mandates a speedier disposition of cases. The new law is designed to change the code into one based upon the presumption of innocence, the right to a public trial, and respect for the dignity and liberty of the accused. It also expressly prohibits incarceration without first receiving a clear sentence from a judge or tribunal.

Judges legally are in charge of investigations, as well as of trials and sentencing. Under the 1984 Code of Criminal Procedures, judges, the police, public officials, and individual citizens can initiate criminal proceedings. As many as 80 percent of the cases reported to the police are never referred to the criminal justice system, but instead are settled administratively by the police or by municipal courts. A judge may jail an accused person for 6 days before a determination is made of probable cause to accept charges. If a judge sustains the criminal accusation, the accused remains in jail, or may be released on bail while awaiting trial (see Section 1.d.).

An accused person has the right to an initial hearing by a judge, to bail, to an attorney provided by the State, if necessary, and to appeal. Although the Constitution recognizes the presumption of innocence, the criminal code in practice often is administered by poorly trained judges operating on a presumption that the accused is guilty; consequently, the rights of defendants often are not observed. All stages of the trial process are conducted in writing and, at the judge's discretion, may be declared secret and, thus, even less "public" than normal.

Defendants and their attorneys are not always genuine participants in the process, despite rights accorded under law. Defendants may confront witnesses against them and present evidence on their own behalf, but only through the judge. By law defendants and their attorneys are entitled to review government-held evidence relevant to their cases, but this right is not always respected in practice.

A public defender program provides assistance to those unable to afford an adequate defense. There are 137 public defenders providing free legal services nationally to 37 percent of the prison population; however, public defenders are hard pressed to meet the heavy demands of an unautomated, inadequately funded, and labor-intensive criminal justice system. The Supreme Court issued an instruction in 1998 that holds judges personally accountable for reducing the number of backlogged cases, and separates judges into pretrial investigative judges and trial and sentencing judges. The Court also created a program to monitor and enforce compliance with these measures. The Court's instruction was intended to ensure more effective protection for the rights of the accused to a timely and effective defense, but it has had little effect.

Modest progress was made in previous years towards implementing a judicial career system to enhance the qualifications of sitting judges; depoliticize the appointment process; and break the subcultures of corruption, clientism, patronage, and influence-peddling within the judiciary. Nonetheless, many courts remain staffed by politically selected judges and by unqualified clerks who are inefficient and subject to influence from special interests. The reforms have not been implemented fully.

On April 7, the National Human Rights Commissioner released a report that alleged political interference and corruption within the judiciary. The Supreme Court filed a lawsuit against Valladares, and charged him with engaging in "corruption, extortion, and blackmail;" however, the Supreme Court later dropped its charges (see Section 4).

On May 2, President Flores issued a decree that created a special commission to draft recommendations for improving the judicial system. On September 19, the commission presented recommendations to the President. The Government incorporated many of these recommendations into a constitutional amendment that was presented to Congress on October 3. Congress passed the amendment on December 20; it must approve it a second time in the 2001 session.

On November 7, the Supreme Court announced that it is investigating 500 civil, criminal, administrative, and labor judges in an anticorruption effort. According to press reports, at least 100 judges have been charged with corruption or fired for judicial indiscretions in the past 3 years.

Elements of the armed forces withheld their cooperation from official efforts to track down military officers wanted in connection with alleged human rights abuses dating back to the 1980's. The Supreme Court considered throughout the past decade whether legal amnesties adopted in 1987, 1990, and 1991 for crimes

committed during the 1980's covered the military, as political deliberations in the Congress had suggested. In 1998 the Court determined that while the amnesty laws were constitutional, amnesty appeals would have to be decided on their individual merits. On June 26, the Court ruled that laws providing amnesty protection to present and former military officials were inapplicable to common crimes, such as illegal detention and homicide, which some officials were alleged to have committed. At the request of the Public Ministry, on August 1, the Court clarified that its June ruling applied only to the specific case (the 1982 kidnaping and torture of six university students) under consideration (see Section 1.c.), and that the amnesty laws would continue to apply to all military defendants until the prosecutor in a specific case established the grounds for the exclusion of amnesty for the accused in that case. Thus, military officials still may benefit from the amnesty laws, but the Public Ministry now has the right to challenge the applicability of those laws to specific investigations of past human rights abuses.

Many leading politicians enjoy constitutional immunity from prosecution because of their membership in either the National Congress or the Central American Parliament. That immunity extends to acts committed before taking office. Only the National Congress can deprive a protected person of his immunity: such a person lacks the legal capacity voluntarily to surrender his immunity. In April the Congress passed a General Law of Immunities that reduced the number of government positions with immunity from an estimated 1,250 to less than 200 positions. The new law continues to require a vote of Congress to deprive an individual protected under the law of his immunity, but it permits certain civil suits to be brought against such an individual without regard to his position in the Government. In March Attorney General Roy Medina declared that military amnesties and the political immunity of political leaders combined to make impossible the prosecution of such individuals for alleged past and present crimes.

Over the past 6 years, the Public Ministry has taken steps to investigate and charge not only military officers for human rights violations, but also ranking officials of the two previous governments, for abuses of power, fraud, and diversion of public funds and resources. However, at year's end, very few of those accused had been tried or convicted.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution specifies that a person's home is inviolable, that persons in the employ of the State may enter only with the owner's consent or with the prior authorization of a competent legal authority, and that entry may take place only between 6 a.m. and 6 p.m., or at any time in the event of an emergency or to prevent the commission of a crime. However, as in previous years, there were credible charges that police personnel failed at times to obtain the needed authorization before entering a private home. Coordination among the police, the courts, and the Public Ministry remained weak. The Government respects the privacy of correspondence.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the authorities largely respected these rights in practice. However, journalists admitted to self-censorship when their reporting threatened the political or economic interests of media owners. A small number of powerful business magnates whose business interests, political loyalties, and family ties often intersect own many news media. Systemic national problems, such as corruption and conflicts of interest, also have limited the development of the news media. For example, three of the four national newspapers are run by presidential candidates or their close family members. Reporting of events, particularly those related to elections, is subject to editorializing.

The Government has various means to influence news reporting of its activities, such as the granting or denial of access to government officials, which is crucial for news reporters, editors, and media owners alike. Other methods are more subtle, such as the coveted right to accompany the President on his official travels. Journalists who accompany the President on such occasions do so at the expense of the Government, which grants or withholds invitations for such travel at will.

The comparatively little investigative journalism that took place focused on uncontroversial issues, such as illegal immigration. When the news media attempted to report in depth on national politicians or official corruption, they continued to run into obstacles, such as external pressures to desist from their investigations, artificially tight reporting deadlines, and a lack of access to Government information and independent sources.

The news media also continued to suffer from internal corruption, politicization, and outside influences.

Payments to journalists to investigate or suppress certain stories continued, although no individual journalist was accused publicly of engaging in the practice. News directors and editors acknowledged their inability to halt the practice, given their own workloads and the difficulty of discovering why a given reporter opted to emphasize one aspect of a story over another, or why a particular name was omitted from a list of suspects to be made public.

The executive branch continued to make frequent use of the "Cadena Nacional," a complete preemption of all television and radio broadcasting, including international channels seen only on cable television. Originally designed to transmit critical information during an emergency or crisis, such as Hurricane Mitch, the Cadena Nacional is used primarily to promote the supposed accomplishments of the Government, from the inauguration of infrastructure projects to the transmission of President Flores's audience with the Pope. The Government also has considerable influence on the print media through its ability to grant or withhold official advertisements funded with public monies.

The leading newspaper in the capital of Tegucigalpa, La Tribuna, was founded by the late father of President Flores. La Tribuna is still run by his family, and it competes directly with rival publications for scarce revenues from advertising, much of which comes from the Government itself.

In March El Nuevo Dia, the smallest of the five daily newspapers, ceased publication due to rising production costs and a protracted labor dispute with its production staff.

One potentially abusive practice continued to be the granting of awards to individual reporters on "Journalists' Day." In May all three branches of the Government and several private organizations, including chambers of commerce, bestowed numerous awards, some accompanied by substantial sums of cash, on the "best" journalists. Rather than being tied to a specific accomplishment—a particular article or series, or even a lifetime's body of work—most awards were granted without any published criteria to beat reporters assigned to the granting institution. Some of these awards appeared to be deserved; however, many observers viewed the awards as little more than acknowledgments by the granting institutions of perceived services rendered. One newspaper editor who regularly rotates news assignments precisely to avoid any conflict of interest acknowledged that employees objected to the rotations because the practice effectively eliminated them from award consideration each year.

Individual members of the news media suffered various forms of harassment. In February Vica television reporter Allan Montenegro lost an eye during an altercation with police following an automobile accident. Montenegro, who is suing the Security Ministry over the incident, said that a police officer struck him in the face with the butt of a rifle after Montenegro identified himself as a reporter. In May Canal El Progreso television reporter Hernan Cubas Padilla filed a complaint with the National Human Rights Commission alleging that Deputy Johnny Handal had threatened at various times to close Canal El Progreso and kill Cubas Padilla due to his reporting of alleged corrupt activities in Yoro department by Handal, deputies Jamil Hawit and Rene Ramon Robleda, and El Progreso town councilwoman Nelly Soliman. Also in May, deputy and former president of Congress Rodolfo Irias Navas struck La Prensa newspaper reporter Ramon Alberto Tejedo while Tejedo conducted a press interview with a third party.

In April Radio Progreso news director Julio Cesar Pineda Alvarado survived a drive-by shooting but was injured when a bullet struck his head; Pineda Alvarado subsequently reported having received death threats and being followed prior to the attack.

In April El Herald newspaper reporter Leonarda Andino filed a complaint with the National Human Rights Commission because she received a summons for publishing excerpts from a report on the judiciary by the National Human Rights Commissioner (see Section 1.e.). In July a court in San Pedro Sula ordered El Herald reporter Sogelia Alvarado to testify in a defamation suit filed by Supreme Court President Oscar Armando Avila Banegas against mayoral candidate Oscar Kilgore. In September a court acquitted La Prensa reporter Arnulfo Aguilar of credit card fraud, abetting the escape of a prisoner, and contempt of court; Aguilar had maintained during his trial that unnamed persons whom he was investigating for alleged corruption had generated false charges against him. In October Deputy Francisco Herrera Dominelli filed a lawsuit on behalf of his wife against La Prensa reporter Serapio Umazor Diaz, whom Herrera Dominelli accused of defaming his wife in the course of reporting on her business activities; Umazor Diaz avoided a prison sentence by paying a fine of \$192 (2,880 lempiras).

According to the Inter-American Press Association (IAPA), during the year television journalist Rosanna Guevara lost her position as a manager in Vica Television's news department, allegedly because she criticized President Flores. In March she reported receiving death threats over her station's political coverage.

Such attempts by government officials and unidentified assailants to intimidate journalists increasingly led both

local and foreign observers to call into question the ability of the news media to report freely on sensitive topics. In May the annual report of the IAPA noted that 13 reporters had been subjected to various forms of harassment during the past decade. In October the NGO Freedom House expressed concern regarding local treatment of the news media. At its annual conference in October, the IAPA adopted a resolution that called attention to several of the harassment cases and called upon the Government to respect the freedom of the press.

In August a court absolved former army captain Billy Joya Amendola of all charges in the 1982 torture of newsman Oscar Reyes Baca and his wife, Gloria de Reyes (see Section 1.c.).

The Government respects academic freedom, and has not attempted to curtail political expression on university campuses.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of peaceful assembly, and the Government generally respects it in practice.

In August the Public Ministry fired Special Prosecutor for Ethnic Rights Gilberto Antonio Sanchez Chandias (see Sections 4 and 5). Dozens of persons conducted a hunger strike in support of Sanchez for 9 days during August and September, and some 1,200 protesters seized the Mayan ruins at Copan, the country's leading tourist attraction, in September. On September 7, the police forcibly restored order to the site after 3 days of protests, causing 15 injuries (including 5 police) in the process.

Also in September, some 300 indigenous persons sought to march from Copan to Tegucigalpa in support of Sanchez; however, the Security Ministry arrested all of the marchers in order to prevent them from entering Tegucigalpa. The Supreme Court subsequently issued a writ of habeas corpus to compel the Security Ministry to release the marchers. The protests and the hunger strike ended in mid-September when the Public Ministry agreed to reinstate Sanchez on the condition that he immediately would resign his post, receiving the various severance payments provided for by the Labor Code. In November lawyers for the demonstrators filed a lawsuit against Security Minister Gautama Fonseca, which accused him of abusing his authority and violating their civil rights when he ordered their detention in September. If the courts accept the protesters' lawsuit, the Minister in theory could face criminal charges as well; the courts had not made a decision at year's end.

On December 5-6, protesters clashed with police during a demonstration in support of opposition presidential candidate Ricardo Maduro (see Section 3). Protesters attacked police with sticks and rocks; at least 12 persons were injured, including 3 journalists. Police used tear gas to break up the demonstration and arrested 20 persons.

In March the Public Ministry announced that it had declined to prosecute several dozen alleged instigators of a riot in front of the presidential offices in October 1999. The Ministry also announced that it was considering pressing charges against senior police officials who directed the police response against the alleged rioters, 44 of whom sustained a variety of injuries at the time. In October the Government made compensatory payments averaging \$1,500 (22,500 lempiras) each to the 44 persons injured during the 1999 protest, including a payment to the family of 1 individual who died of natural causes in May, and to the indigenous organization that organized the 1999 demonstration (see Section 5). The total amount of payment each victim received depended upon the type of injury suffered.

The Constitution provides for freedom of association, and the Government generally respects it in practice.

c. Freedom of Religion

The Constitution provides for all forms of religious expression, and the Government generally respects this right in practice.

In September the Congress adopted a controversial measure requiring that, beginning in 2001, all school classes begin with 10 minutes of readings from the Bible. Parents who do not want their children to listen to the readings may notify school authorities in writing. The Education Ministry, in consultation with Christian churches, is to establish procedures to select readings, plan their implementation, and promote their distribution. However, the law does not stipulate which segments of the Bible would be used. After the vote, many legislators also questioned whether the wording of the legislation in fact made such readings mandatory. Evangelical Christians supported the law; however, lay constitutional scholars, the Roman Catholic Church, and other religious leaders opposed the measure as a violation of the constitutional separation of church and

state. A legal challenge to the constitutionality of this law appeared likely at year's end.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Citizens enter and exit the country without arbitrary impediment, and the Government does not restrict travel within the country's borders.

The Government cooperates with the U.N. High Commissioner for Refugees, the International Office of Migrations (IOM), and other humanitarian organizations in assisting refugees. The Government provides first asylum and grants asylum or refugee status in accordance with the terms of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol.

There were no reports of the forced return of persons to a country where they feared persecution. On several occasions during the year, small boats piloted by persons fleeing Cuba were discovered in Honduran waters or washed ashore. In each instance, the Government provided temporary refuge to those Cubans and collaborated with the IOM and local human rights groups to interview each person to determine whether the individual had a well-founded fear of persecution. In every instance, the Government assisted those persons who expressed a desire to return to Cuba to do so, facilitated voluntary transit by others to third countries, or granted temporary residence and work permits to those who wished to remain in the country.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens last exercised the right to change their government through democratic and peaceful elections in November 1997. International observers found the elections to be free and fair.

Citizens choose a president, three vice presidents, and members of the National Congress by free, secret, direct, and obligatory balloting every 4 years. In 1997 voters for the first time were able to cast separate ballots for the president, deputies in the National Congress, and municipal leaders, making individual elected officials more representative and accountable. Voting was made easier for citizens by a change that allowed them to vote closer to their homes.

Suffrage is universal; however, neither the clergy nor members of the military or civilian security forces are permitted to vote. Any citizen born in Honduras or abroad of Honduran parentage may hold office, except for members of the clergy, the armed forces, and the police. A new political party may gain legal status by obtaining 20,000 signatures and establishing party organizations in at least half of the country's 18 departments.

In June the Congress amended the Law on Elections and on Political Organizations to permit citizens residing abroad to vote in future presidential elections. The opposition National Party charged that the ruling Liberal Party had brought the bill to a vote without prior notice and when few Nationalists were present, and asserted that the amendment was illegal because it failed to include Congressional elections or to provide a role in overseas elections for the National Electoral Tribunal (TNE), as required by the existing law. When the Nationalists threatened to challenge the constitutionality of the amendment, the Liberals agreed to negotiate with the Nationalists over how overseas voting would be conducted; the status of this legislation and its implementation continued to be debated at year's end.

The next national elections are scheduled for November 2001; presidential primaries for the Liberal and National parties took place in December. President of Congress Rafael Pineda Ponce won the Liberal primary; Luis Cosenza, a stand-in for the original candidate Ricardo Maduro, won the National Party's primary. A major political conflict began in October after the ruling Liberals petitioned the National Electoral Tribunal (TNE) not to allow National Party presidential contender Maduro to compete in his party's primary because the Liberals questioned whether he was "Honduran by birth," a legal requirement for assuming the presidency. (Maduro was born in Panama of a Panamanian father and a Guatemalan mother, but Maduro and his mother both received official documentation of Honduran citizenship in the 1980's, through Maduro's Honduran maternal grandmother. Since that time, Maduro has served in several government positions that required "Honduran by birth" nationality.) Despite numerous accusations, an arbitration of international jurists, and presidential intervention, the TNE refused to register Maduro for the primary. At year's end, the National Party continued to express interest in reinstating Maduro as the presidential candidate, even though the question of Maduro's citizenship was not resolved.

There are no legal impediments to the participation of women or minorities in government and politics; however, they are underrepresented. One of the country's three vice presidents is a woman, as are four cabinet ministers; approximately a dozen women also serve as vice ministers or head various government

agencies. Women hold 12 of 128 seats in the National Congress, and 2 of 20 Honduran seats in the Central American Parliament. The Government's Office of Women's Affairs has cabinet-level status, although the executive president of that office is not a member of the cabinet. There is one female justice on the Supreme Court.

In April the Congress enacted a Law of Gender Equality that mandates that 30 percent of all candidates nominated for public office by recognized political parties be women. Female legislators and women's groups criticized this law for not requiring full gender parity in political party slates. They also complained that, in practice, electoral slates for general elections would not meet the 30 percent threshold established by the law because the country's few female politicians might be defeated during the internal nominating processes of the political parties. The law is expected to apply to the 2001 elections.

There are few indigenous people in leadership positions in government or politics. There are no members of Congress who state that they are indigenous, but there is one indigenous alternate deputy.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of human rights groups operates without government restriction, investigating and publishing their findings on human rights cases. Government officials generally cooperate with these groups and are responsive to their views.

Anonymous telephone callers continued to threaten human rights workers. The National Human Rights Commissioner and the leaders of the CODEH and of the COFADEH all reported receiving numerous death threats by telephone.

In 1996 the Congress ratified a presidential decree expanding the functions of the NHRC and unanimously reelected Leo Valladares to a 6-year term that is scheduled to expire on March 5, 2002. Under this decree, and in fulfillment of his expanded functions, the NHRC has free access to all civilian and military institutions and detention centers, and is supposed to perform his functions with complete immunity and autonomy. However, in April the Supreme Court filed a lawsuit against Valladares, and charged him with engaging in "corruption, extortion, and blackmail" over a report issued by the NHRC in April that exposed corruption within the judicial branch (see Section 1.e.). However, the Supreme Court later dropped its charges.

In June the NHRC announced that the Commission would close 7 of its 12 regional offices for budgetary reasons. Human rights activists charged that the Government deliberately underfinanced the NHRC to hinder its operations. Valladares observed publicly that, while the NHRC required an annual budget of \$1.8 million (27 million lempiras) to operate on a national scale, the actual NHRC budget for the year 2000 was only \$1,067,000 (16 million lempiras). Various aid grants from foreign governments to the NHRC expired earlier in the year. In December the Congress passed a budget that provides the NHRC with a budget of \$1.6 million (24 million lempiras).

In August the Public Ministry fired Special Prosecutor for Ethnic Rights Gilberto Antonio Sanchez Chandias, ostensibly as part of a reorganization of the Ministry. However, indigenous groups claimed that Sanchez had been fired for investigating reports of violations of indigenous rights too diligently (see Section 5).

In March the CODEH publicly accused the INTERPOL unit in Honduras of conducting research into the CODEH's foreign information and funding networks, but did not make public any evidence to support those accusations. In July the CODEH announced that it would close four of its regional offices due to a shortfall in funding.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution bans discrimination based on race or sex. The Constitution also bans discrimination on the basis of class; however, in practice, the political, military, and social elites generally enjoyed impunity before the legal system. Members of these groups rarely were arrested or jailed; the President, cabinet ministers, and legislators all enjoy legal immunity (see Section 1.e.).

Women

Violence against women remained widespread. The Penal Code was amended in 1997 to classify domestic violence and sexual harassment as crimes, with penalties of 2 to 4 years' and 1 to 3 years' imprisonment,

respectively. In February the Pan-American Health Organization reported that 60 percent of women have been victims of domestic violence. Most such violence took place within the family. The penalties for rape are relatively light, ranging from 3 to 9 years' imprisonment. All rapes are considered public crimes, so a rapist can be prosecuted even if he marries his victim.

Under pressure from women's advocacy and reform groups, the Congress in 1997 enacted the Law Against Domestic Violence to strengthen the rights of women and increase the penalties for crimes of domestic violence. This law allows the Government to protect battered women through emergency measures, such as detaining an aggressor or separating him temporarily from the victim's home. It also imposes such penalties as a fine of \$333 (5,000 lempiras) and 4 years' imprisonment per incident.

In March the Public Ministry reported that it receives an average of 200 allegations of domestic violence each month, but that many cases remain pending because the Government has not yet created the special courts authorized by the Law Against Domestic Violence. In August the Public Ministry reported investigating 10,535 cases of spousal abuse during 1999; male spouses filed 1,267 of those cases. In September the U.N. Population Fund estimated that 8 of every 10 women suffer from domestic violence. In October the Public Ministry reported that it had received 3,000 complaints of domestic violence, averaging 35 per day, during the year.

The Government attempted to remedy this situation by working with women's groups to provide specialized training to police officials on enforcing the Law Against Domestic Violence. There are few shelters specifically maintained for battered women. The Government operates 1 shelter that can accommodate 10 women and their families. Six private centers for battered women offer legal, medical, and psychological assistance, but not physical shelter.

Sexual harassment in the workplace also continued to be a problem.

Women, who make up 51 percent of the work force, were represented in at least small numbers in most professions, but cultural attitudes limited their career opportunities. In theory, women have equal access to educational opportunities; however, family pressures often impede the ambitions of women intent on obtaining a higher education. The law requires employers to pay women equal wages for equivalent work, but employers often classify women's jobs as less demanding than those of men to justify paying them lower salaries. In July the Government created the Inter-Institutional Technical Committee on Gender to coordinate government assistance programs for women.

Some organizations have begun to offer assistance to women, principally targeting those who live in rural areas and in marginal neighborhoods of cities. For example, the Honduran Federation of Women's Associations provided home construction and improvement loans, offered free legal assistance, and lobbied the Government on women's causes. The Center for the Investigation and Promotion of Human Rights continued to operate a program to make women aware of their legal rights. Programs that provide small loans to microentrepreneurs target female clients.

Women have advanced significantly in some professions during the past several years. The HOAF and national police academies have accepted female recruits since 1998, and the first class of women to receive aeronautical training at the air force academy graduated in 1999. In 1998 Reyna Dinora Aceituno was elected Secretary General of the Confederation of Honduran Workers (CTH), the country's second largest labor confederation. In May the capital city of Tegucigalpa hired its first female firefighter. In June and July, the Episcopal Church ordained its first three female religious ministers.

In October tens of thousands of women commemorated World Food Day by conducting demonstrations against poverty and violence in the country's major cities. Also in October, the Government announced a new program to provide "agricultural equality" for women through such measures as recognizing female land ownership separately from male spouses or family members, increasing the number of government land titles granted to women, and facilitating access to financial assistance for female agricultural workers.

Children

Although the Government allocated 32 percent of its budget for the year to public education and health care, this was insufficient to address the needs of the country's youth. The Government provides free, universal, and compulsory education through the age of 10; however, the Government estimated that as many as 175,000 children each year fail to receive schooling of any kind, either due to insufficient financial resources, or because parents rely on their children to assist in supporting the family by working. Girls attend primary school in the same proportion as boys. In October the Government announced its intention to increase its national

school capacity by 5,000 children during 2001.

Media reports indicated that up to 40 percent of children under the age of 5 years suffer from chronic malnutrition. The Government estimated that 7,000 children (40 of every 1,000) under the age of 5 die each year because of inadequate health care; to combat these deaths, in March the Health Ministry announced a 2-year program to reduce infant mortality by 25 percent.

The Government was unable to prevent the abuse of street children (see Sections 1.a. and 1.c.) or child laborers (see Section 6.d.). During the year, the Government and children's rights organizations raised their estimates of the number of street children to 10,000, only half of whom have shelter on any given day. The number of street children has increased substantially since 1998, due to Hurricane Mitch. Many street children have been molested sexually, and about 40 percent regularly engaged in prostitution.

Approximately 30 percent of the street children in Tegucigalpa and San Pedro Sula, the two largest population centers, were reported to be HIV-positive. Over 75 percent of street children found their way to the streets because of severe family problems; 30 percent simply were abandoned. Abuse of street children is a serious problem. Both the police and members of the general population engaged in violence against street children (see Sections 1.a. and 1.c.). In September police arrested the adult son of the Human Rights Commissioner for burning a child's eyelid with a cigarette. He was charged with a minor infraction. The Human Rights Commissioner publicly separated himself from his son's actions and emphasized that his son should be subject to appropriate legal action.

In May the Public Ministry reported receiving an average of 20 complaints of child abuse every week; in May UNICEF estimated that 17 percent of children have suffered some form of child abuse. In March the Tegucigalpa city administration opened 12 temporary shelters for children, with a total capacity of 240 children. In November the Government announced that it plans to open a 24-hour Street Child Attention Center in Tegucigalpa, which had not opened at year's end. The Center, working with the municipal authorities and with children's rights organizations, would initiate contact on the streets with abandoned children, meet their basic needs, then offer counseling and formal or vocational training to help reincorporate them into society.

Human rights groups implicated out-of-uniform security force personnel, vigilantes, and business leaders in many juvenile deaths (see Section 1.a.). In February Covenant House alleged that 21 children were killed and 879 children suffered various forms of mistreatment from 1994 to 1999.

The 1996 Code of Childhood and Adolescence covers the rights, liberties, and protection of children, including in the area of child labor (see Section 6.d.). It established prison sentences of up to 3 years for persons convicted of child abuse.

In September the Government sponsored its eighth annual Children's Congress in Tegucigalpa, at which children from across the country discussed issues of national interest. For the first time, several departmental capitals hosted similar meetings of local children simultaneously.

People with Disabilities

There are no formal barriers to participation by an estimated 300,000 disabled adults in employment, education, or health care; however, there is no specific statutory or constitutional protection for them. There is no legislation that requires access by disabled persons to government buildings or commercial establishments. In April the Government reactivated the National Council for the Treatment of the Disabled Minor to coordinate assistance to an estimated 800,000 disabled youths and appropriated about \$1.3 million (20 million lempiras) to fund its activities.

Indigenous People

Some 450,000 persons, constituting 11 percent of the general population, are members of various indigenous groups. These small communities of indigenous people have little or no ability to participate in decisions affecting their lands, cultures, traditions, and the allocation of natural resources. Indigenous land rights are communal. While the law permits persons to claim individual freeholding titles, this is difficult to accomplish in practice. Tribal lands often are defined poorly in documents dating back to the mid-19th century and, in most cases, lack any legal title based on modern cadastral measurements. The Government makes all decisions regarding exploitation of timber resources on indigenous lands, often over strenuous tribal objections.

The lack of clear title by indigenous groups to public lands that they occupy often leads to conflicts between such groups and various government entities. However, such disputes are equally common between the

Government and nonindigenous groups, and the Government is working with various indigenous groups on management plans for public and tribal lands that they occupy. In the absence of clear land titles and unequal access to legal recourse, indigenous groups also are vulnerable to frequent usurpation of their property rights by nonindigenous farmers and cattle ranchers. Expanded coverage of the national cadastral registry, property titling, and government land registries is reducing this vulnerability.

The courts commonly deny legal recourse to indigenous groups and often show bias in favor of nonindigenous parties of means and influence. Failure to obtain legal redress frequently causes indigenous groups to attempt to regain land through invasions of private property, which usually provokes the authorities into retaliating forcefully. The Government generally is responsive to indigenous land claims; however, numerous cases remained unresolved because of conflicting claims by influential nonindigenous groups.

In 1997 after a month of nationwide protests by indigenous organizations that included a hunger strike, the Government signed a 22-point agreement with representatives of various groups that made available 9 initial land grants of about 22,000 acres each to different tribes, granted some contested land titles outright to indigenous petitioners, and set aside about \$13,000 (200,000 lempiras) in government funds for indigenous housing. The Congress also created a commission to study indigenous land claims, which often conflict with the claims of small farmers, but the commission was largely inactive. Since 1997 the Government has distributed tens of thousands of legal titles encompassing hundreds of thousands of acres of land to indigenous persons. In September the Congress appropriated about \$1.7 million (25 million lempiras) to purchase land for distribution to the indigenous Chorti community, plus an additional \$1,267,000 (19 million lempiras) in October for its general land redistribution programs. Indigenous groups nonetheless charged that the Government had failed to fulfill its commitments under the 1997 agreement.

Members of the Black Carib and Garifuna indigenous groups, backed by international supporters, objected strenuously to a proposed constitutional amendment that would permit foreigners to own and develop land for tourism within 25 miles of the country's coasts and land frontiers. The amendment was approved on its first reading in 1998 but failed to obtain a constitutionally required second approval in 1999, following an indigenous demonstration in October 1999, that led to a violent clash near the presidential offices (see Section 2.b.). The amendment appears unlikely to be considered again in the near future.

In August the Public Ministry fired Special Prosecutor for Ethnic Rights Gilberto Antonio Sanchez Chandias, ostensibly as part of a reorganization of the Ministry; however, indigenous groups claimed that Sanchez had been fired for investigating reports of violations of indigenous rights too diligently (see Sections 2.b. and 4).

Indigenous groups petitioned actively during the year for the Government to carry out more effective investigations into dozens of murders of indigenous leaders that date back to the 1970's, including the deaths in March of four Chorti men in Copan (see Section 1.a.).

In August various indigenous groups convened a First Conference of National Solidarity in Tegucigalpa in preparation for the World Conference Against Racism, to be held in South Africa under U.N. auspices in 2001.

Section 6 Worker Rights

a. The Right of Association

Workers have the legal right to form and join labor unions; unions are independent of the Government and of political parties. Most peasant organizations are affiliated directly with the labor movement. Unions frequently hold public demonstrations against government policies and make extensive use of the news media to advance their views. However, only about 14 percent of the work force is unionized, and the economic and political influence of organized labor has diminished in recent years.

The International Labor Organization (ILO) notes that various provisions in the law restrict freedom of association, including the prohibition of more than one trade union in a single enterprise, the requirement of more than 30 workers to constitute a trade union, and the requirement that trade union organizations must include more than 90 percent Honduran membership.

The labor movement is composed of three national labor organizations: the General Council of Workers (CGT), the Confederation of Honduran Workers (CTH), and the Unitary Confederation of Honduran Workers (CUTH).

The Constitution provides for the right to strike, along with a wide range of other basic labor rights, which the authorities respect in practice. However, the civil service code denies the right to strike to all government

workers, other than employees of state-owned enterprises. The ILO has reported that federations and confederations are prohibited from calling strikes and that a two-thirds majority of the votes of the total membership of the trade union organization is required to call a strike; the ILO asserts that these requirements restrict freedom of association. Public sector health care employees conducted illegal work stoppages during the year.

A number of private firms have instituted "solidarity" associations, essentially aimed at providing credit and other services to workers and managers who are members of the associations. Representatives of most organized labor groups criticize these associations, asserting that they do not permit strikes, have inadequate grievance procedures, and neutralize genuine, representative trade unions.

In May dissident members of some 40 labor, peasant, and social organizations formed a Popular Bloc ("Bloque Popular") whose immediate goals were to pressure the Government to implement social reforms and cease its efforts to privatize inefficient state-owned enterprises. During the second half of the year, the Bloc conducted a series of nationwide, 1-day work and traffic stoppages that brought the Government, the private sector, and organized labor to the bargaining table to negotiate a national wage increase outside the formal framework of the annual minimum wage talks, which normally are held each December (see Section 6.e.).

The three national labor confederations maintain close ties with various international trade union organizations.

b. The Right to Organize and Bargain Collectively

The law protects the rights to organize and to bargain collectively; collective bargaining agreements are the norm for companies in which workers are organized. The Labor Code prohibits retribution by employers for trade union activity; however, it is a common occurrence. Some employers have threatened to close down unionized companies and have harassed workers seeking to unionize, in some cases dismissing them outright. The labor courts routinely consider hundreds of appeals from workers seeking reinstatement and back wages from companies that fired them for engaging in union organizing activities. However, once a union is recognized, employers actually dismiss relatively few workers for union activity. Nonetheless, such cases serve to discourage workers elsewhere from attempting to organize.

Workers in both unionized and nonunionized companies are protected by the Labor Code, which gives them the right to seek redress from the Ministry of Labor. The Ministry of Labor took action in several cases, pressuring employers to observe the code. Labor or civil courts can require employers to rehire employees fired for union activity, but such rulings are uncommon. Agreements between management and unions generally contain a clause prohibiting retaliation against any worker who participates in a strike or other union activity.

The Labor Code explicitly prohibits blacklisting; however, there was credible evidence that informal blacklisting occurred in the privately owned industrial parks, known as maquiladoras. When a union is formed, its organizers must submit a list of initial members to the Ministry of Labor as part of the process of obtaining official recognition. However, before official recognition is granted, the Ministry of Labor must inform the company of the impending union organization. The Ministry of Labor has not always been able to provide effective protection to labor organizers. There were credible reports, particularly in the export processing zone (EPZ) sector, that some inspectors had sold the names of employees involved in forming a union to companies that then dismissed union organizers before the Ministry of Labor could recognize the unions.

The same labor regulations apply in the EPZ's as in the rest of private industry. Unions are active in the Government-owned Puerto Cortes free trade zone (7 of 11 maquiladoras there are unionized), but factory owners have resisted efforts to organize the privately owned industrial parks. The Honduran Association of Maquiladores (AHM) routinely sponsors seminars and other meetings between its members and major labor groups in order to reduce potential tensions within the industry. At year's end, 54 of the country's 434 maquiladoras were unionized, and 26 of those plants operated under collective bargaining agreements.

In 1997 the AHM adopted a voluntary code of conduct governing salaries and working conditions in the industry and recognizing workers' right to organize. Although local unions were not consulted during the drafting process and have no formal role in its implementation, this code nonetheless represented a public commitment by apparel manufacturers to abide by local laws and regulations governing their industries. It provided a starting point for a dialog among the AHM, organized labor, and the Government, which formed a Tripartite Commission that meets on a monthly basis to discuss and facilitate solutions for labor problems. The AHM often serves as an informal arbiter of labor disputes between its member companies and their workforces. The attitude of the Government towards organized labor in the EPZ's is the same as in other industries.

In a number of maquiladora plants, workers have shown little enthusiasm for unionizing, since they consider their treatment, salary, and working conditions to be as good as, or better than, those in unionized plants. In the absence of unions and collective bargaining, several EPZ plants have instituted solidarity associations that, to some extent, function as "company unions" for the purposes of setting wages and negotiating working conditions. Other EPZ plants use the minimum wage to set starting salaries, and adjust wage scales by negotiating with common groups of plant workers and other employees, based on seniority, skills, categories of work, and other criteria. In November Worldwide Responsible Apparel Production (WRAP), a private sector initiative to improve working conditions in maquiladoras around the world, granted its first overseas certifications of compliance with WRAP principles to two local companies, Cross Creek de Honduras and Kellwood de Honduras.

Labor leaders accuse the Government of allowing private companies to act contrary to the Labor Code and expect the problem to continue until the Ministry of Labor is reorganized to make it more efficient. They criticize the Ministry of Labor for not enforcing the Labor Code, for taking too long to make decisions, and for being timid and indifferent to workers' needs. Industry leaders, in turn, contend that the obsolete and cumbersome Labor Code discourages foreign investment and requires significant amendment. The Ministry of Labor has sought to address these deficiencies by requesting increased funding from the Flores administration, by dismissing or transferring Ministry of Labor employees whose performance was unsatisfactory, by opening more regional offices to facilitate worker access to Ministry of Labor services, and by conducting a painstaking, ongoing review of the Labor Code within the Tripartite Commission.

A 1995 Memorandum of Understanding (MOU) between the Ministry of Labor and the Office of the United States Trade Representative calling for greater enforcement of the Labor Code has resulted in some progress. However, labor unions charge that the Ministry of Labor has not made sufficient progress towards enforcing the Code, especially in training its labor inspectors and in conducting inspections of the maquiladora industry. The Government has acknowledged that it does not yet adhere completely to international labor standards. In 1997 the country, in conjunction with other Central American nations, agreed to fund a regional program to modernize the inspection and labor management functions of all regional labor ministries. In August and September, the Government reaffirmed its commitment to abide by the terms of the 1995 MOU and to take additional steps to strengthen enforcement of the Labor Code.

Kimi de Honduras, a South Korean-owned maquiladora with a history of labor troubles, closed its doors in May and laid off over 600 employees, most of whom were women. Former Kimi employees complained that severance payments made by the company did not meet requirements stipulated by the Labor Code, but a Ministry of Labor examination of the company's calculations found Kimi's severance payments to its former workforce in order.

In July 1999, workers at Yoo Yang, another South Korean-owned maquiladora, sought to establish a union for all maquiladora workers. Both the Yoo Yang employees and the Ministry of Labor missed various deadlines stipulated in the Labor Code for the processing of the workers' petition, which the Ministry of Labor invalidated in April because the Labor Code precludes the creation of industrial unions once individual companies in a given industry become unionized. In July Yoo Yang employees submitted a new petition for recognition as a company union to the Ministry of Labor, which declined to rule definitively on the petition because of alleged irregularities contained in the workers' application for juridical recognition; in the process, the Ministry of Labor again missed several processing deadlines for labor petitions established by the Labor Code. The irregularities were addressed, and in December the Ministry of Labor granted union status to Yoo Yang employees.

c. Prohibition of Forced or Compulsory Labor

The Constitution and the law prohibit forced or compulsory labor, and this applies equally to children; however, there were credible allegations of compulsory overtime at EPZ plants, particularly for women, who make up an estimated 80 percent of the work force in the maquiladora sector. The legal prohibitions apply equally to children, and there were no official reports of such practices in the area of child labor (see Section 6.d.).

d. Status of Child Labor Practices and Minimum Age for Employment

The Constitution and the Labor Code prohibit the employment of minors under the age of 16, except that a child who is 15 years of age is permitted to work with parental and Ministry of Labor permission. The Children's Code prohibits a child of 14 years of age or younger from working, even with parental permission, and establishes prison sentences of 3 to 5 years for individuals who allow children to work illegally. An employer who legally hires a 15-year-old must certify that the child has finished, or is finishing, his compulsory schooling. The Ministry of Labor grants a limited number of work permits to 15-year-old children each year.

The Ministry of Labor cannot enforce effectively child labor laws outside the maquiladora sector, and violations

of the Labor Code occur frequently in rural areas and in small companies. According to the Ministry of Labor, human rights groups, and children's rights organizations, an estimated 350,000 children work illegally. Significant child labor problems exist in family farming, agricultural export (including the melon and coffee industries), and small scale services and commerce. Many children also work in the construction industry, on small family farms, as street vendors, or in small workshops to supplement the family income. Boys between the ages of 13 and 18 work in the lobster and shrimp industries, where they provide support to divers from boats while they learn the trade. Hurricane Mitch exacerbated existing child labor problems in every sector of the economy.

The employment of children under the legal working age in the maquiladora sector may occur, but not on a large scale. (Younger children sometimes obtain legitimate work permits by fraud or purchase forged permits.) The maquiladoras in recent years have raised their minimum employment age, and some hire only at age 18 or above, reducing the number of legal job opportunities available to persons under 18 years of age.

In September 1998, the Government created the National Commission for the Gradual and Progressive Eradication of Child Labor, which includes government ministries, official family welfare agencies, and local NGO's. In August the National Commission sponsored a public seminar on child labor in the country to assist the Commission in developing a national plan to combat this problem.

Forced or compulsory labor is prohibited, including that performed by children, and there were no reports of its use (see Section 6.c.).

e. Acceptable Conditions of Work

In the aftermath of Hurricane Mitch in December 1998, labor leaders agreed to forgo the customary January increase in the minimum wage in return for a pledge by business leaders to control price increases for basic goods and services. In June 1999, the Roman Catholic Church arbitrated a 25 percent increase in the minimum wage that the Government implemented in July 1999; an additional 8 percent increase took effect in January. The minimum wage in effect prior to July 1999 served as the basis for both increases. Daily pay rates vary by geographic zone and the sector of the economy affected; urban workers earn slightly more than workers in the countryside. The lowest minimum wage occurs in the nonexport agricultural sector, where it ranges from \$2.33 to \$2.96 (35.00 to 44.50 lempiras) per day, depending on whether the employer has more than 15 employees. The highest minimum wage is \$3.89 (58.30 lempiras) per day in the export sector. All workers are entitled to an additional month's salary in June and December of each year. The Constitution and the Labor Code stipulate that all labor must be paid fairly; however, the Ministry of Labor lacks the personnel and other resources for effective enforcement. The minimum wage is insufficient to provide a decent standard of living (above the poverty line) for a worker and family.

Under the threat of a nationwide work stoppage by the country's three labor confederations (see Section 6.a.), in October the private sector agreed to a monthly wage increase of \$23.33 (350 lempiras) for workers earning up to \$116.60 (1,749 lempiras) per month. A monthly increase of \$10 (150 lempiras) would be retroactive to October 1, and an additional monthly increase of \$13.33 (200 lempiras) is scheduled to take effect on February 1, 2001. This agreement excluded workers in the nonexport agricultural sector, who instead would receive a monthly wage increase of \$10 (150 lempiras) as of February 1, 2001.

Under this agreement, workers earning between \$140 (2,100 lempiras) and \$400 (6,000 lempiras) per month would receive an additional wage increase of \$23.33 (350 lempiras) as of April 1, 2001. This wage increase excluded: Workers receiving a salary increase equivalent to, or greater than, \$23.33 (350 lempiras) through either an individual contract or a collective bargaining agreement taking effect 3 months prior to April 1, 2001; those paid by piecework or based on productivity; microenterprises, agricultural firms, or ranches employing 15 or fewer workers; and workers in medicine or petroleum product sales whose utility margins are regulated by the Government.

This agreement also incorporated various social commitments by the Government, including the establishment of an Economic and Social Council within which the Government, the private sector, and labor and social groups would debate wages and other labor issues, as well as national social policy. The Congress enacted legislation implementing this agreement in December, which obviated any need to hold the formal talks on increasing the minimum wage that had been planned for December. The CTH, which initially opposed the terms of this agreement, conducted a protest strike during the first week of October that only resulted in some success along the country's North Coast.

The law prescribes a maximum 8-hour workday and a 44-hour workweek. There is a requirement of at least one 24-hour rest period every 8 days. The Labor Code provides for a paid vacation of 10 workdays after 1 year, and of 20 workdays after 4 years. However, employers frequently ignored these regulations due to the

high level of unemployment and underemployment and the lack of effective enforcement by the Ministry of Labor. Foreign workers enjoy equal protection under the law, although the process for a foreigner to obtain a work permit from the Ministry of Labor is cumbersome.

The Ministry of Labor is responsible for enforcing national health and safety laws, but does not do so consistently or effectively. There are 19 labor inspectors throughout the country. The informal sector is regulated and monitored poorly. For example, divers for shrimp and lobster work in hazardous conditions; the lack of medical facilities in the Mosquito Coast region adds to the problem. Worker safety standards are also difficult to enforce in the construction industry. Some complaints alleged that foreign factory managers failed to comply with the occupational health and safety aspects of Labor Code regulations in factories located in the EPZ's and in private industrial parks. There is no provision allowing a worker to leave a dangerous work situation without jeopardy to continued employment.

In March workers at Chung Sing Textiles, a Taiwanese-owned maquiladora, alleged publicly that the company maintained a clandestine "punishment cell" for employees who violated factory regulations. Separate investigations by the Ministry of Labor and the AHM of those charges failed to develop any evidence of the existence of a punishment cell at Chung Sing. In July a seamstress at Sunny Industries, a Korean-owned maquiladora, lost the effective use of her left hand when it accidentally became entangled in a machine. In a lawsuit filed against Sunny Industries in August, the seamstress alleged that company management for several hours refused to free her hand from the machine for fear of damaging the equipment, then delayed referring her to a public hospital for medical treatment for 8 days because it did not wish to pay her medical expenses.

In August the Government announced its participation in a regional program to improve occupational safety and health conditions throughout Central America. This program aims to strengthen regional labor codes and the enforcement capabilities of the Central American labor ministries in these fields.

f. Trafficking in Persons

The Legal Code includes provisions that prohibit trafficking in persons; however, it is a problem. The Government and Justice Ministry, through its General Directorate for Population and Migration, is responsible for enforcing the country's immigration laws. However, weak police and court systems hinder law enforcement efforts.

Unlike the previous year, there were no reports of aliens smuggled to the United States involving the use of force or sequestration (holding persons incommunicado against their will). The most common practice involves the sequestration of persons until a smuggling fee is paid. If the fee is not paid, the smugglers normally seek retribution by turning such persons in for deportation proceedings. Many times, fees are paid by relatives who fear that smugglers may employ violence against the smuggled persons. The most common practice involving debt bondage is the smuggling of indentured persons, through the country from China or South America, whose smuggling fee is paid by an employer in the United States in return for free or low-paid labor. There were two such cases, involving a total of seven persons.

In January Covenant House of Honduras asserted that some 250 Honduran children in Canada had been coerced into prostitution or the transportation of illicit narcotics. An investigation of those charges was ongoing at year's end. In January Canadian authorities arrested dozens of small-time Central American drug-dealers including many Honduran minors. In February the press reported that Honduran authorities were working to repatriate those minors.

In February a judge in San Pedro Sula, Alexa Cubero, was arrested for allegedly kidnaping six minors with intent to sell them to persons unknown; this case had not come to trial at year's end. In July the Government announced that it was working with the Government of Mexico to repatriate over 200 Honduran minors working as prostitutes in southern Mexico. In September a local children's rights group charged that 498 children had been reported missing since 1986, including 22 children during the year. The group asserted that local kidnapers receive an average of \$133 (2,000 lempiras) per child, each of whom subsequently is sold abroad for \$10,000 to \$15,000.

The Government does not provide economic aid to victims or potential victims of such crimes. However, in March the Government inaugurated two centers in Tegucigalpa and San Pedro Sula to assist citizens deported from other countries to relocate in Honduras. With the assistance of several international organizations, the Government hoped to be able to reinsert up to 4,000 persons into society each year.

[End.]