

## FREEDOM IN THE WORLD

# Honduras

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### OVERVIEW:

**Honduras in 2011 took some steps to repair the damage caused by a 2009 coup that removed then president José Manuel Zelaya from office. The internationally brokered Cartagena Accords, signed in April, paved the way for Zelaya's return to the country in June, and a Truth and Reconciliation Commission published its report on the coup in July. However, Honduras continued to suffer from human rights violations, impunity, and corruption, and crime rates increased dramatically, making Honduras one of the most violent countries in the world.**

The Republic of Honduras was established in 1839. The country endured decades of military rule and intermittent elected governments, with the last military regime giving way to civilian authorities in 1982. However, the military remained powerful in the subsequent decades; the first president to exercise his constitutional authority to veto the military and choose its leaders did so in 1999.

Under civilian rule, power has alternated between the Liberal Party (PL) and the National Party (PN). In the 2005 presidential election, José Manuel Zelaya of the PL defeated the PN's Porfirio Lobo. The run-up to the balloting had been marred by political violence that left several PL supporters injured and at least two dead.

Under Zelaya's administration, political polarization increased in an environment characterized by poor policy performance and faltering public institutions. The president deepened the country's political divisions, including within his own party, and pitted factions of the political and business elite against one another through increasingly populist posturing. In 2008, he brought Honduras into two Venezuelan-led regional trade initiatives, drawing objections from business organizations, the opposition, and elements within his government. Zelaya's nontransparent use of government resources and Venezuelan aid also caused friction, as did his perceived disregard for institutional checks and balances.

Zelaya was removed from power and forcibly deported in a coup on June 28, 2009, after he attempted to hold a nonbinding referendum to gauge support for an overhaul of the constitution. His opponents interpreted the proposal as a power grab, as it included the elimination of presidential term limits, though the constitutional reform process would have begun only after the end of his nonrenewable four-year term in 2010. Both the Supreme Court and the military participated in the coup. Roberto Micheletti of the PL, the president of Congress, was named acting president after the legislature accepted a forged resignation letter from Zelaya. The international community condemned the coup and continued to recognize Zelaya as the legitimate president.

The de facto government curtailed civil and political liberties in the months following the coup. In September, Micheletti issued an executive decree suspending civil liberties for 45 days. Police were granted new powers of

## 2012 SCORES

STATUS

# Partly Free

FREEDOM RATING

# 4.0

CIVIL LIBERTIES

# 4

POLITICAL RIGHTS

# 4

detention, all public meetings were banned, and the security forces were effectively permitted to act without regard for human rights or the rule of law. Nationwide curfews were imposed at times, and public demonstrations supporting Zelaya's reinstatement were violently suppressed, resulting in the death of several protesters. Media outlets and journalists faced harassment, threats, power outages, and blocked transmissions; authorities also temporarily closed radio and television stations. Civil society organizations and human rights defenders similarly encountered harassment, including increased surveillance, threats, and physical assaults. Micheletti reversed his decree under international pressure, though many of the abuses continued.

The international community fostered negotiations aimed at reinstating Zelaya and allowing him to serve out his legal term; many countries warned that they would not recognize the national elections scheduled for November if the coup leaders refused to comply. Nevertheless, the de facto authorities pressed ahead with the elections. Lobo won the presidency with 56 percent of the vote, defeating Zelaya's vice president, Elvin Santos Lozano of the PL. The PN captured 71 seats in Congress, followed by the PL with 45, and three smaller parties with the remainder.

Lobo was inaugurated in January 2010. However, the new government made little progress toward restoring the rule of law. The Inter-American Commission on Human Rights (IACHR) voiced concern over the high rate of violent crime and continued human rights violations, including the harassment and killing of journalists and activists. Four lower-court judges who challenged the legality of the coup in 2009 were dismissed from their posts in May 2010. Also that month, a Truth and Reconciliation Commission charged with leading an impartial investigation into the events surrounding the coup began operating, though it received little institutional support and had difficulties in accessing the key players.

In April 2011, the presidents of Colombia and Venezuela sponsored talks to resolve the political crisis. In May, corruption charges against Zelaya were dropped, and both he and Lobo signed the Cartagena Accords, which guaranteed Zelaya's safety and freedom upon his return to Honduras. The agreement also paved the way for Zelaya's organization, the National Front for Popular Resistance (FRNP), to register as a political party, and reaffirmed the right of citizens to modify the constitution through referendums. In June, the Organization of American States (OAS) voted to readmit Honduras as a member.

The Truth and Reconciliation Commission issued its report in July, finding that Zelaya's removal from office constituted an illegal coup, that Congress had no means by which to remove a sitting president, that the interim government was illegal, and that the military used disproportionate force that resulted in at least a dozen deaths following the coup. The commission also stated that Zelaya shared blame for instigating the crisis with his push for a referendum, and that the international community, and the OAS in particular, failed to stop or reverse the coup. The report contained dozens of recommendations for strengthening the rule of law, including the creation of a constitutional court and the development of clear legal procedures for political trials.

In October 2011, the Supreme Court overwhelmingly ruled against the prosecution of six army generals who had been charged with overthrowing Zelaya and transferring him to Costa Rica. The decision made it unlikely that any coup participants would be charged.

## **POLITICAL RIGHTS AND CIVIL LIBERTIES:**

Honduras is not an electoral democracy. General elections were held as scheduled in November 2009, and the voting itself was largely considered to have met international standards. However, the elections were overseen by an interim government established after President José Manuel Zelaya was forcibly removed by the military in a June 2009 coup, and they took place in a climate of severely compromised civil liberties and press freedoms.

The president is elected by popular vote for a single four-year term. Members

of the 128-seat, unicameral National Congress are also elected for four-year terms. The proportion of the votes received by a party's presidential candidate determines its representation in the National Congress. The PL was the ruling party at the time of the coup, with the PN in opposition and three smaller parties also holding seats. The PL then fractured between Zelaya supporters and opponents, and the PN won a majority in the November elections. The military has long exerted considerable influence on civilian governments.

Official corruption continues to dominate the political scene. Army officers have been found guilty of involvement in drug trafficking and related criminal conflicts. A 2006 transparency law was marred by claims that it contained amendments designed to protect corrupt politicians. However, the Institute for Access to Public Information has made efforts to enforce transparency rules and punish entities that fail to respond properly to information requests. Honduras was ranked 129 out of 183 countries surveyed in Transparency International's 2011 Corruption Perceptions Index.

Since the 2009 coup, authorities have systematically violated the constitution's press freedom guarantees. Numerous radio and television stations reported continued harassment in 2011, including police surveillance as well as assaults, threats, blocked transmissions, and power outages. In February, the National Commission for Telecommunications (CONATEL) suspended licenses for low-frequency FM community radio stations. In March and April, journalists were attacked by police while covering teacher and student protests. Others were threatened as they investigated the whereabouts of detainees. The head of community radio station La Voz de Zacate Grande was shot in March by an ally of Miguel Facussé, a powerful landowner who had previously lodged a criminal complaint against the radio station. In April, the home of the director of the Afro-Honduran community radio station Radio Faluma Bimetu (Radio Coco Dulce) was set on fire, and the director of Radio Uno narrowly escaped an armed ambush. **Nery Jeremías Orellana**, the manager of Radio Joconguera, was assassinated the night before a meeting of community radio stations in July.

Honduras is considered the second most dangerous country in the world for journalists, with 19 killed since the 2009 coup, including several known Zelaya supporters. The government's reaction has been inadequate, alternating between remaining silent and dismissing the cases as routine street crime.

Media ownership is concentrated in the hands of a few powerful business interests, and many journalists practice self-censorship, particularly since the coup. Lack of access to public officials and information is also a significant obstacle for reporters. Payments to journalists and manipulation of state advertising are reportedly used to secure favorable coverage or silence criticism. Internet use is generally unrestricted, but access was impaired following the coup by multiple politically motivated power outages and cuts in telephone service.

Freedom of religion is generally respected. Academic freedom is also usually honored, but scholars have faced pressure to support the privatization of the national university.

Constitutional guarantees on the freedoms of assembly and association have not been consistently upheld. In addition to the violent suppression of peaceful demonstrations in 2009, police were accused of using excessive force during confrontations with striking and demonstrating teachers in August 2010 and March 2011.

The 2006 Citizen Participation Law protects the role of civil society groups and individuals in the democratic process. However, human rights defenders and political activists continued to face significant threats following the coup, including harassment, surveillance, and detentions, as well as the murder of a number of coup opponents. Labor unions are well organized and can strike, but labor actions often result in clashes with security forces. Labor, gay and transgender rights, land rights, environmental, and Afro-Honduran activists are regularly victims of threats and repression.

The judicial system is weak and inefficient, and there are significant tensions between the national police, the prosecutor's office, and the Ministry of Justice

and Human Rights. Approximately 80 percent of crimes committed in Honduras are never reported, according to the government, and only 3.8 percent of reported crimes are investigated by police. The vast majority of inmates are awaiting trial, prison conditions are harsh, and the facilities are notoriously overcrowded. There is an official human rights ombudsman, but critics claim that the office's work is politicized. The ombudsman not only supported and justified the 2009 coup, but has also publicly declared his opposition to the Truth and Reconciliation Commission.

Honduras had one of highest murder rates in the world in 2011. In October, the UN Office on Drugs and Crime reported a homicide rate of 82.1 per 100,000 inhabitants, a significant increase over the previous year. Most murders are attributed to organized crime, including transnational youth gangs and Mexican drug-trafficking syndicates. The government has made membership in a gang punishable by up to 12 years in prison and uses the military to help maintain order. However, police officers and other vigilantes have committed extrajudicial killings, arbitrary arrests, and illegal searches. Hundreds of juveniles have reportedly been killed in "social cleansing" campaigns.

The country's growing crime wave has increased concerns about further limitations on civil liberties. In 2011, the detention of criminal suspects was extended from 24 to 48 hours, and a new wiretapping bill was passed, both despite protests from Minister of Justice and Human Rights Ana Pineda. President Porfirio Lobo and key military officials have suggested reforms that would abolish the Ministry of Security and place the police under the Defense Ministry, potentially exacerbating the existing overlap between police and military functions.

Indigenous and Afro-Honduran residents have faced various abuses by property developers and their allies in recent years, including corrupt titling processes and acts of violence. In February 2011, a special unit was established in the Attorney General's office to investigate crimes against the gay and transgender communities, and a new Sexual Diversity Unit was established in the police force in September to investigate crimes committed against this population in September.

Women remain vulnerable to exploitation by employers, particularly in the low-wage *maquiladora* (assembly plant) export sector. Child labor is a problem in rural areas and in the informal economy, and school dropout rates are high. The overall population is dominated by young people, with some two-thirds under age 25. The U.S. State Department's 2011 Trafficking in Persons Report found that while Honduras does not fully comply with minimum international standards to combat human trafficking, the government is making efforts to do so. The report also found that criminal gangs' use of forced child labor is a serious concern.

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