



HUMAN RIGHTS AND HUMANITARIAN CHALLENGES IN CENTRAL AMERICA

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Chairman McGovern, Chairman Hultgren, and members of the Commission, it is an honor to testify before you today.

The Work of Freedom House

Founded in 1941, Freedom House promotes freedom and democracy around the world through a unique combination of research, programming, and advocacy. Our annual *Freedom in the World*, *Freedom of the Press*, and *Freedom on the Net* reports assess political rights and civil liberties, media freedoms, and internet freedom respectively, and rank countries as "Free," "Partly Free," or "Not Free."

We also carry out in-country programs in several Latin American and Caribbean Countries and are monitoring corruption and impunity throughout the region. In Honduras, Freedom House is working with civil society, human rights organizations, international organizations and the Government of Honduras to improve the protection mechanism for human rights defenders. In Guatemala, we are working with civil society to evaluate the best system to protect journalists and human rights defenders, with the ultimate goal of creating a formal mechanism for Guatemala, as well. In El Salvador, we previously worked with numerous civil society organizations documenting extrajudicial killings, and in Nicaragua we support numerous Nicaraguan human rights groups in their struggle against Daniel Ortega's authoritarian regime. And, our emergency programs have provided more than 300 individuals and organizations in Central America with security trainings, assistance with medical and legal bills, emergency relocation and financial support.

Challenges in Central America

The countries of Central America face numerous challenges, but rampant impunity is the primary issue. All the countries in the Northern Triangle are either on the verge of a crisis or in crisis. Weak rule of law and dysfunctional institutions are responsible for an epidemic of violence, corruption and insecurity. Thousands of citizens risk their lives as they are internally displaced or decide to migrate to neighboring countries or to the US due to the worsening violence and lack of economic opportunities. Numerous programs have attempted to address these problems, but the lack of a systematic approach and long term

planning is diminishing the results. Weak political parties, unreliable electoral authorities and failure of the judiciary to sanction wrongdoing created weak democracies in the region.

Guatemala

In Guatemala, which is ranked Partly Free by Freedom House, crime and corruption have caused the country to remain as one of the most dangerous countries in the Latin America. Murder has become a normal part of life. Journalists, activists, and public officials who confront crime and corruption risk attack. In 2016, officials reported 4,550 homicides, and the attorney general faced death threats for pursuing high-level corruption cases. In 2017, Guatemala is facing a moment of political reckoning. President Morales expelled the International Commission Against Impunity in Guatemala (Cicig) and its Commissioner Iván Velásquez, who has shown a lack of political will to fight corruption in Guatemala's executive branch and the parliament. The only institution that has shown independence is the Public Ministry, but in 2018 Guatemala's Congress will select the new Attorney General.

El Salvador

El Salvador, ranked Partly Free by Freedom House, remains one of the most dangerous countries in the world, with a recorded 5,278 homicides in 2016 –a rate of approximately 80 deaths per 100,000 people. Many lives are connected to the dead in El Salvador: drug traffickers, gang members, police officers (elite squads), death squads and children, who are part of the mara culture with access to guns. In 2013, police in El Salvador killed 39 people. But in 2015, the government reinstated a “mano dura” (“iron-fist”) approach, killing 591 people in a single year in a killing spree that continues to this day. The number of homicides in El Salvador decreased by 52.5 percent in the first four months of 2017, but this is primarily due to the pact among the gang members and is unfortunately not the result of effective security policies. But, we are seeing some small signs of progress. Authorities reported that 196 people were killed between Sept. 21 and 28 — equating to an average of 28 murders per day. The government's efforts to control the plan for “safe El Salvador” fuels human rights violations and death squads. Numerous cases of extra-judicial killings by death squads, reported by “El Faro” and “Revista Factum,” ended in impunity. The journalists who worked on those stories received death threats and intimidation.

Honduras

In Honduras, a country we categorize as Not Free, the murder rate remains among the highest per capita in the world. Even with the creation of the protection mechanism for journalists and human rights defenders (called “the MACICH”), new regulations to prevent corruption, the National Police reform and other advances, the human rights and democracy environment in Honduras continues to become more complex. Omnipresent issues including social unrest, violence, and polarization are exacerbated by the upcoming national election that has put the entire country on elevated risk. Human rights defenders (HRDs), journalists, and other vulnerable groups are particularly susceptible to electoral violence in Honduras. Journalists for opposition or community media are often physically attacked, threatened, or forced to leave the country. Igor Padilla, a well-known TV journalist, Victor Funes, the director of a TV program, and Edwin Rivera Paz, a journalist, are three prominent examples of journalists assassinated in the shadow of the elections. Data from the National Commissioner of Human Rights revealed that “at present, 91% of the 69 cases of journalists and social communicators registered from 2001 to May 2017 are victims of impunity. LGBTI activists suffer major risk due to prejudices and lack of protection.

On November 26, Hondurans will go to the polls to elect not only the president, but also renew all 128 seats in the single chamber Congress, and elect members in all of the country's 298 local assemblies. This

will be the second election since the coup in 2009, and will be a test of the country's still fragile democracy.

Even with the announcement of the creation of a new Human Rights Ministry and the 200 cases processed by the protection mechanism and the 67 people under protection, the country needs more coordination among the responsible institutions and a major effort to investigate the threats, attacks and killings of journalists, human rights defenders and the leaders of vulnerable populations. Freedom House recommended that the Government of Honduras and the Attorney General's Office create a special unit to investigate such crimes. In March of 2016, internationally recognized rights activist Berta Cáceres was murdered in her home. She had denounced 33 death threats, all of them uninvestigated. Berta's killers remain at large. The police reform and Technical Criminal Investigation Agency (ATIC – special branch of the Public Ministry) have been effective at reducing crime in 2016 and 2017, but major judicial reform is key to fighting endemic crime and corruption. A major concern is the election of the new attorney general next year, and Freedom House will be closely monitoring the situation.

Nicaragua

In Nicaragua, ranked Not Free by Freedom House, political rights and civil liberties have been declining due to an increasingly authoritarian government that has been eliminating the rule of law and violating fundamental human rights. Last year, massive fraud helped Mr. Daniel Ortega win re-election for a third term. He has since consolidated all branches of government under his party's control, limited fundamental freedoms, and allowed unchecked corruption. Freedom of expression continues to decline as environmental activists and investigators of the interoceanic canal project were detained and some even expelled. Results of environmental studies detailing the human and environmental toll have been kept from the public. Violence has been increasing against the indigenous groups (Mezquitos) to control their land as well against landowners, community leaders, farmers and indigenous groups in the areas of the proposed Interoceanic Channel. There is a strong link between Daniel Ortega and his family and the corruption ring from Venezuelan with Albanisa and the drug cartels operating in Nicaragua.

Policy Recommendations

There are a number of recommendations Freedom House has for addressing the corruption and impunity that are rampant across Central America.

1. The fight against impunity and corruption is the most serious challenge in the region. Continued improvements are needed in both the international and national efforts to address these issues. The United States and other nations should provide financial support for programming that bolsters independent institutions and works to reform the judiciary. The international community should not be shy about using sanctions regimes to address corruption whenever appropriate, including full implementation of the *Global Magnitsky Human Rights Accountability Act* here in the United States.
2. Both Honduras and Guatemala recently elected independent Attorneys General, an important step for justice and accountability. The international community should work to strengthen the selection processes for these positions and should closely monitor developments to ensure that the gains made in this area continue.

3. The U.S. Congress should swiftly pass and the President should sign the *Nicaraguan Investment Conditionality Act (NICA)*. This legislation is designed to compel discussions with Nicaragua about how the government can work toward strengthening institutions and becoming more democratic.

Thank you, and I look forward to your questions.