

**House Foreign Affairs Committee
Tom Lantos Human Rights Commission**

**Hearing
on
Human Rights and Corruption in Honduras**

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2255 Rayburn House Office Building**

STATEMENT SUBMITTED FOR THE RECORD

Submitted by:

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Honduras is at a crisis point. A continual closing of civic space has weakened democracy and undermined the rule of law. The repression of protests with live ammunition, the killings of journalists which go unpunished, and the rise in assassinations of human rights defenders reflect the complicity or active involvement of the Honduran government in repressing dissent. This dissent, for its part, is often a response to perceived unfairness and corruption. It is paramount that the United States stand on the side of the rule of law and advocate for the full exercise of rights guaranteed under the law, especially as the space for exercising rights continues to close. Standing on the side of the rule of law does not mean augmenting or even maintaining security assistance to Honduras. Rather, it means holding the Honduran government accountable for its increasingly flagrant violations of the law, both domestic and international, and supporting mechanisms that protect civil society. These mechanisms include the Mission of Support against Corruption and Impunity in Honduras (MACCIH) and the Office of the United Nations High Commissioner for Human Rights in Honduras (OHCHR). The U.S. must also support human rights defenders, journalists, members of the judicial system and others who are under threat for merely insisting that laws be followed.

Increasing Repression

In the weeks following the October 18 [conviction](#) of Tony Hernandez for drug trafficking, a trial in which evidence came to light implicating Honduran President Juan Orlando Hernandez, five human rights defenders/social leaders and two journalists have been assassinated, along with a prominent witness and his attorney. The witness, Magdaleno Meza Fúnez, [was murdered](#) on October 26 in the maximum security prison where he was serving time for drug trafficking. His notebooks had been used as evidence in the New York trial and contained notations of bribes apparently paid to the Honduran president. One of Fúnez's lawyers, Carlos Chajtur, has said his client was [killed](#) to stop him from talking about the information on drug deals he had in several notebooks, in case he was called to testify

in the United States. The [notebooks](#) detail payments to someone identified as JOH, the initials by which Honduran President Juan Orlando Hernandez is widely known. A few weeks later, a member of Fúnez's defense team, attorney Jose Luis Pinto, was gunned down in a café by men who entered and opened fire on him without a word. Human rights analysts view these targeted killings as an effort on the President's part to ensure his hold on power. The [Human Rights Board](#), a national network of more than forty Honduran organizations, in an October 29 [press conference](#) placed the recent spate of assassinations of human rights defenders and leaders in the context of the trial and sentencing of the president's brother and the protests in Honduras that followed the sentencing. The Human Rights Board suggested the killings were part of a campaign to eliminate political opponents.

As U.S. Embassy officials noted in a meeting with Peace Brigades International staff in early November, the protests that followed the revelations of Juan Orlando Hernandez's link with drug trafficking were relatively muted. One only need look at the price protesters have paid in the past year to understand why that might be the case.

Repression of Protests with Live Fire Has Become Normalized

The Honduran government in 2019 has employed excessive force against protesters repeatedly. From the end of April to the end of June, five people who were protesting changes the government had announced to the healthcare and education systems were shot to death as security forces opened fire with live ammunition. By the end of September, the number killed by security forces had reached nine, according to human rights defenders who testified in a hearing before the Inter-American Commission. Human rights defenders with the Coalition Against Impunity, composed of fifty-eight organizations, testified that the use of excessive force in Honduras is reiterated and intentional. According to testimony by Coalition members, the excessive use of force by the police and armed forces during protests in 2019, in addition to leaving nine people dead, has left eighty-eight wounded¹ and four with permanent disabilities.

[Wilfredo de Jesus Moncada](#), 17, for example, was shot and killed on April 10 during a protest in the southern city of Choluteca. He was reportedly fired on by National Police forces passing in vehicles and was hit twice, once in the head. [Jesus Ariel Sánchez Osorio](#), a young teacher from

¹ Dozens of protesters have been injured by security forces. According to a [report](#) by human rights organization Relatives of the Detained and Disappeared of Honduras (COFADEH), from April 29 to June 4, sixteen people suffered bullet wound injuries at the hands of the security forces. According to the UN Office of the High Commissioner on Human Rights in Honduras, [sixteen](#) more were injured by live fire during protests on June 19. Four students were [hit by bullets](#) on June 24 as the Military Police stormed the National Autonomous University of Honduras, violating its autonomy, and fired on fleeing students. On August 15, in Yorito, Yoro, National Police officers reportedly fired on community members who were opposing the installation of a mine in Tolupan indigenous territory. As the protesters were in front of the municipal building, carrying signs and shouting slogans, a large contingent of National Police arrived and began repressing the protest. Four people were shot with live ammunition and [wounded](#). On September 17, two people were wounded with live ammunition as they protested against the construction of a housing development in La Tigre National Park, near Tegucigalpa; National Police opened fire on the protesters. As one of the wounded was being operated on in the hospital, National Police officers stood at the door to the room where he was undergoing surgery. In a September 25 [hearing](#) before the Inter-American Commission on Human Rights, Paz testified that this sort of monitoring during surgery on injured protesters has become the norm since the post-electoral crisis of 2017. During that crisis, at least [16 people were shot to death](#) by security forces while protesting, many in circumstances the OHCHR found could suggest extrajudicial executions. No member of the security forces has been successfully prosecuted.

Pimienta, Cortés, was [reportedly](#) killed by a [shot](#) to the head as police fired on protesters in the municipality of Villanueva, Cortes on May 31.

The UN Office of the High Commissioner for Human Rights (OHCHR) in Honduras on May 30 [emphasized](#) that “fire arms should never be used to dissolve protests” and “the indiscriminate use of live fire on crowds is illegal.” The UNHCHR published a [press release](#) on May 31, reminding the Honduran government that citizens have the right to peaceful assembly and that protesters “should not be held responsible for the violent behavior of other people or acts of violence that occur in parallel.” On June 10, however, the Honduran government warned of tougher measures: President Juan Orlando Hernandez said the state security forces would protect the citizenry from “criminal bands attacking their fundamental rights.” Security Minister [Julían Pachecho](#)—who has now been [implicated in corruption](#) by a federal court in New York, for having received bribes from narco-traffickers—warned that the government had already become tired of being tolerant and would “maintain order.” Defense Minister Fredy Santiago Díaz Zelaya [said](#) the Armed Forces were willing to support the National Police with the Inter-Institutional Security Force (FUSINA) and the Military Police. The United States Embassy was silent. More killings ensued.

- On June 19, [Erik Peralta Francisco Mendoza](#), a 37-year-old father of four, was trying to cross an avenue blocked by a protest in Tegucigalpa’s Pedregal neighborhood, after returning from work, when soldiers arrived and, without a word, began to shoot. According to the forensic report, a bullet pierced his chest and killed him almost immediately. On the same night in the capital, [Luis Enrique Maldonado Vásquez, 24](#), was shot in the head and killed.
- On June 20, Eblin Noel Corea Maradiaga, a 17-year-old student, was killed by the army in the town of Yarumela, La Paz, where hours earlier protesters had blocked a road. Though the road was no longer blocked, an army convoy arrived and fired on civilians, chasing several people, including Eblin and his father, [according](#) to Amnesty International, which conducted an onsite investigation. Although the two were unarmed and attempting to take refuge in an alley, witnesses report that an army officer took position, aimed, and shot the teenager in the chest.

The State Fails to Protect Journalists and Murders are on the Rise

Journalists, like protesters, paying with their lives. Journalist David Romero was [arrested](#) on March 29 by Military Police and an elite US-trained and funded police division known as Tigres, who [broke down](#) the door to the radio station he directed. Romero had been accused of [defamation](#) after denouncing alleged crimes committed by a politician linked to the National Party. In a [tweet](#) following his arrest, the Inter-American Commission, which had previously granted protective orders to Romero and which had asked the government to delay his arrest, reproved “the decision of Honduras regarding journalist David Elner Romero, a beneficiary of protective measures by reason that he is in a grave and urgent situation as far as the exercise of his freedom of expression.” He remains in jail and his wife has expressed fear he will be murdered, joining the fate of seven other journalists killed this year:

- Journalist Carlos Gabriel Hernández was shot six times as he returned to his home in the city of Nacaome, in the Valle department, on March 17. He [hosted](#) a program on a privately-owned local television station called The People Speak and reportedly had been critical of local

officials and congressional representatives. In 2018, Hernández had reported to Honduras' National Protection System that he was at risk, but he had not received any protective measures.

- Journalist [Santiago Carbajal](#) died on July 6, a day after being shot multiple times. A transgender journalist, she was known for reporting on LGBT events in her program *La Galaxia de Santi*. She had received threats prior to the attack.
- On August 31, journalist [Edgar Joel Aguilar](#) was fired on multiple times by unidentified men when he was in a barber shop in La Entrada, Copán. He was a regional correspondent with channel 6, based in San Pedro Sula, and worked for Cablemar TV covering general news. He had received threats before his killing.
- Journalist [Kerin Francisco Cerna](#) shot to death on October 11 in front of his house, in the city of Ruinas, in Copán.
- On October 31, a journalist and his wife were assassinated in Puerto Lempira, in the department of Gracias a Dios. Ventura Calderón and Maribel de Calderón were returning home around 7:00 PM when armed men who had been waiting in a vehicle opened fire, killing them both. Ventura Calderón had a local radio program, and his wife was a teacher. Ventura Calderón was an active member of the Libre political party, was head of the Puerto Lempira Citizens' Association, and was a well-known social leader in the region. He had reported death threats prior to the murder and had reportedly requested protection, without success.
- [Johana Alvarado](#), a young journalist in Catacamas, Olancho, was shot in the head and killed on November 21. She had recently begun working for Channel 45.
- Journalist [José Arita](#), of the Puerto Visión television station, [was shot to death](#) on November 25 by men who ambushed him as he drove home from work and fired at point-blank range. He was director of the program *La Hora de la Verdad* [*The Hour of Truth*].

The U.S. Embassy in Honduras made no public statements about any of the journalists' murders. The Embassy has also avoided taking a public position on the new Penal Code, set to go into effect next May. The new Penal Code allows journalists and others to be charged with a crime if they share information online that could be considered slanderous. The UN Office of the High Commissioner on Human Rights in Honduras (OHCHR), on the other hand, has [expressed concern](#), asking the Honduran government to expedite the investigation and prosecution of cases of murdered journalists, review laws regarding freedom of expression, and guarantee that journalists are able to carry out their work.

Targeted Killings of Human Rights Defenders Increase

In spite of years of funding the United States has provided to the Honduran judicial system, [impunity](#) is rampant. Only a small fraction of murder cases ever go to trial when the victim is a human rights defender, and of those that do, only three percent result in convictions. Such impunity allows and foments the commission of crimes, including assassinations of human rights defenders. The effects of impunity are clear in the case of Tolupán indigenous activists. On February 25, in the municipality and department of Yoro, Tolupán leaders Salomón Matute and Juan Samael Matute, father and son respectively, were shot to death in the early morning as they headed out to work. Both were members of Tolupán tribe in the community of San Francisco de Locomapa. They both were known for defending their ancestral rights to the territory, as well as the natural goods within it, from mining and timber interests. They were going to work in the fields when they were reportedly attacked by individuals identified as René and Melvin Córdova. Most of the members of the Tolupán tribes in the Locomapa sector are members of the Broad Movement for Dignity and Justice (MADJ), a human rights organization that has accompanied them in their struggles. Through MADJ's efforts, thirty-seven members of this community received protective measures from the Inter-American Commission on Human Rights. Beneficiaries of these measures included Salomón and Juan Samael Matute, who nonetheless were left unprotected. As the human rights organization ACI PARTICIPA points out, the murders of these defenders is not an isolated incident. Tolupán rights defenders Ricardo Soto Fúnez, María Enriqueta Matute, and Armando Fúnez Medina were killed in August 2013; Luís de Reyes Macía was killed in April 2015; Eracio Vieda Ponce was murdered in July 2015; and in February 2016 Santos Matute, the son of Salomón Matute, was killed. All of these murders remain unpunished.

Other targeted killings include the murder of a leader of the teachers movement, who, during the spring demonstrations, was killed in his home. On May 29, just a few hours after the education sector called a national strike, [Jhony Alexander Lopez](#), a local leader of teachers movement, was killed in the central department of Yoro by unidentified men who reportedly broke down the door and without a word opened fire. Lopez was an engineer and gave classes in the Santa Cruz del Oro Institute in Yoro, Yoro. He died on his way to the hospital.

A human rights defender in the Syrian Valley was tortured and executed in June. Environmental leader [Santos Isidro Cruz](#) was found seriously injured on June 13 in El Guante, in the municipality of Cedros, Francisco Morazán, with signs of torture and three bullet wounds. He was taken to the University Hospital in Tegucigalpa, but en route to the hospital he died. Cruz was the spokesman for the Environmental Committee of the Syrian Valley.

LGBTI leaders and activists have also suffered attacks. According to Arcoíris, an LGBTI rights organization accompanied by Peace Brigades International, the aggressors are Military Police and other members of the security forces. On July 7, while she was standing in a street in Comayagüela, the transgender activist and sex worker Bessy Ferrera was shot to death. The gunmen fired from a vehicle with polarized windows. She was hit multiple times and died on the scene. A coworker who was with her was injured and hospitalized. Bessy Ferrera was a member of Arcoíris and a focal point

within the “Rights Here and Now” Platform. Arcoiris, an organization that provides support to LGBTI persons who are victims of violence, works on awareness initiatives, promotes HIV prevention programs, and lobbies the Honduran government to advance LGBTI rights in the country. Two men were arrested in relation with the murder. Ferrera was the fourth LGBTI person killed in Honduras in the first week of July alone, and the twentieth killed in 2019. On August 9, Vicky Carvajal, a trans member of Arcoiris and a sex worker in a particular situation of vulnerability due to an auditory impairment, was shot while working in the Palmira neighborhood of Tegucigalpa. A gunman fired from passing vehicle, leaving Vicky severely injured. In the view of Arcoiris, the murders may constitute a campaign of social cleansing carried out by the Military Police.

The indigenous Garifuna community, too, has suffered a spate of assassinations. In September and October 2019, two Garifuna leaders in the community of Masca were killed, and another leader in Omoa, Cortes was murdered. Oscar Francisco Guerrero Centeno was murdered on October 21 by unidentified assailants as he was traveling in a mototaxi. He had been providing security and support to the family of Garifuna leader Mirna Suazo, who was killed on September 8. Mirna Teresa Suazo Martínez was shot to death by two men who got off their motorcycles, approached her in the restaurant that she owned, and opened fire. She was the President of the Board in the Masca community in Omoa. According to the Black Fraternal Organization of Honduras (OFRANEH), Masca is inside the zone of influence of the “[model cities](#)”—financially and administratively [autonomous](#) zones aimed at attracting foreign investment. On several different occasions the community also has rejected the construction of hydroelectric power plants on the Masca River. According to the records of the National Network of Women Human Rights Defenders in Honduras, Mirna Teresa Suazo was the fourth Garifuna woman murdered in the month of September. This year alone, seventeen indigenous Garifuna were murdered, six of them women community leaders.

OFRANEH member Maria Digna Montero was murdered in the Garifuna community of Cuzuna on October 12. As she was on the patio of her house, unidentified gunmen arrived on a motorcycle and opened fire. She was a teacher and a member of OFRANEH’s intercultural bilingual program. Her murder, which took place on Indigenous Resistance Day, was construed as a warning to those who dare to question the system, as well as an expression of racism. OFRANEH reports that in September and October, six Garifuna women were murdered by assailants from outside of their communities. None of the murders has been investigated.

On September 28 the body of Milgen Idán Soto Ávila, an indigenous human rights defender and member of the Broad Movement for Dignity and Justice (MADJ), was found in a clandestine grave in Locompapa, Yoro. He had reportedly received threats from the Inmare lumber company. Soto had organized local tribes to defend their land and resources from Inmare’s operations, which over the years have led to the deforestation of the mountains of Yoro. [According to](#) the Business and Human Rights Resource Centre, “Milgen was a twenty-nine-year-old who was a constant presence in the Dignified Camp in Defense of Ancestral Territory. . . . The camp’s purpose is to stop the company from logging in the pine forest that has belonged to the Tolupán tribe” Milgen was the third person murdered in the community this year and the ninth murdered in this conflict since 2013.

The campesino activist [Marcos Tulio Cruz Cruz](#) was found murdered with signs of torture in Sonaguera, Colón, on October 9, after two heavily armed men in military uniforms [had stormed his house](#) the previous night, threatening his mother and daughter and hitting his brother before abducting him. High school student [Óscar Daniel Mencía Cantarero](#) was abducted from his school on October 28 by heavily armed men wearing hoods. He was a student leader at the Luis Bográn Technical Institute. His body was found in the Villa Cristina neighborhood of Comayagüela. He had been active in organizing student protests calling for the resignation of President Juan Orlando Hernández.

On the night of November 1, [Leonardo Daniel Castillo Lagos](#), a twenty-five year old psychology student and member of the Broad Movement for Dignity and Justice in Trujillo, Colon, was assassinated. Unidentified assailants shot him several times and left his body near the beach.

[Jaime Rodriguez](#), a teacher and a well-known leader of protests against the actions of President Juan Orlando Hernández, was found on October 30 on the banks of the Choluteca River in Tegucigalpa. He had signs of torture and various wounds to his head, along with a deep wound to his neck. He is the director of the Middle School Teachers Guild in Honduras (COPEMH). He said he was abducted and later thrown into the river and left for dead. Human rights analysts in Honduras point to these incidents as evidence that the type of death squad activity Honduras experienced in the 1980s is re-emerging.

The UN Special Rapporteur on the situation of human rights defenders, Michel Forst, visited Honduras from 29 April to 12 May 2018 and in February released his [report](#). Among his findings, he learned that defenders “continue to identify the national police, the military police, and the armed forces as the main perpetrators of human rights violations and attacks against defenders.” In a [report](#) presented September 19 to the United Nations Human Rights Council in Geneva, Honduras is listed as a country where human rights defenders suffer reprisals at the hands of the government for having collaborated with the United Nations. Amidst this backdrop, and increasing militarization of public security and even [agriculture](#), the United States must take a stand to protect transparency, human rights, and justice.

Recommendations for U.S. Policy

The Trump administration should abrogate the Safe Third Country Agreement and review its stated policy goals of creating a favorable climate for U.S. businesses and reducing illegal migration, as the two goals may be incompatible and haven’t been achieved.

The State Department and the U.S. Embassy should—

- **Condemn the Honduran government’s continued use of live bullets to disrupt protests**
- **Call for an end of the government’s criminalization of dissent, which particularly targets student leaders, protesters, journalists, and human rights defenders**
- **Cease public shows of support for the Juan Orlando Hernandez government, including statements congratulating the military for its work and affirming the government of Juan**

Orlando Hernandez as a valued partner in confronting shared threats

- **Make statements of concern about and support for human rights defenders, journalists, and other populations under attack for their legitimate work**
- **Observe trials involving human rights defenders and their cases and press for transparency, due process, and justice**
- **Visit human rights defenders in their offices as a show of support**
- **Rigorously enforce the Magnitsky Act, applying it to the highest-level officials**
- **Fully support the UN Office of the High Commissioner on Human Rights in Honduras under its current leadership**
- **Support the extension of the MACCIH for four more years, with a strengthened mandate.**

Congress should—

- **Urge the State Department and Embassy to carry out the recommendations listed above**
- **Pass into law HR 1945, the Berta Cáceres Human Rights in Honduras Act, which calls for an immediate suspension of US funding for Honduran security forces until their government investigates and brings to justice perpetrators of violence**
- **Assess appropriate actions to hold the country's government and security forces accountable for human rights abuses**
- **Continue investigating the effectiveness of US policy, which has the stated aim of creating a propitious climate for US businesses and reducing migration; yet more people are fleeing Honduras. The root causes of migration that need to be further investigated by Congress are large-scale investment projects, including mines and hydroelectric dams, which force traditional farmers off their lands and into cities both in Honduras and the U.S.; state-sponsored violence; lack of transparency and lack of justice; and corruption among state actors**
- **Make public statements of support for human rights defenders, journalists, and others working to build a country that adheres to the rule of law and for the institutions and individuals that defend them, including the UN Office of the High Commissioner on Human Rights in Honduras and its director**
- **Travel to Honduras to understand conditions and interview human rights defenders and other targeted populations, including journalists**
- **Discourage implementation of the Safe Third Country Agreement and other policies and that will exacerbate the worsening situation for human rights in Honduras, including by withholding funding for these policies and initiatives.**