

# Between a Wall and a Dangerous Place

*The Intersection of Human Rights, Public Security, Corruption & Migration  
in Honduras and El Salvador*

In January 2018, the Trump Administration made the decision to terminate in 18 months the special immigration protections, Temporary Protected Status, which allowed some 200,000 Salvadoran men and women to work and live legally in the United States, following natural disasters affecting their country. In May 2018, the administration will determine the fate of some 57,000 Hondurans under the same program. Salvadorans and Hondurans in the United States are also dramatically affected by other new restrictions and uncertainties on immigration policies, including the termination of the Deferred Action for Childhood Arrivals (the DACA program) for the young people known as the Dreamers—some 50,000 of whom are from these two countries. Hondurans and Salvadorans fleeing violence today and seeking refuge in the United States face increased difficulties in accessing protections at the border and applying for asylum.

Back in their home countries, gang violence and organized crime grimly affect Hondurans' and Salvadorans' daily lives and force them to go into hiding or leave their homes. Their governments' failures to adequately protect their citizens, and indeed, state security forces pursuing hardline strategies that put people, especially young men, at risk, add to the harsh facts of life in El Salvador and Honduras. Women face additional risks from gangs and from domestic violence, and LGBTI persons face violence motivated by societal prejudice—including from police. To this dangerous mix is added another trauma in Honduras: following a disputed presidential election, state violence against protestors left over two dozen people dead and President Juan Orlando Hernández's government is moving to close space for citizens to defend their rights.

This report is a series of blog posts written from October 2017 through March 2018 about the dangers and challenges faced by Honduran and Salvadoran citizens in their home countries, even as the Trump Administration moves to deport more Honduran- and Salvadoran-born people in the United States back to home countries they may no longer know and restrict protections to those fleeing. The series, based on interviews with activists, government officials, journalists, humanitarian workers, diplomats, and academics, shows how the dangers that propel children, teenagers, women, and men from those countries to seek refuge in the United States, Mexico, and elsewhere have not ended.

## TABLE OF CONTENTS

- 2 Public Security in Honduras: Who Can Citizens Trust?**
- 6 El Salvador: Gang Violence and Growing Abuses by State Security Forces**
- 11 Nowhere to Call Home: Internally Displaced in Honduras and El Salvador**
- 18 Honduras: Space for Activists and Journalists Closing, Wide Open for Corruption**
- 23 Repression in Honduras as Citizens Protest Disputed Elections**
- 25 Protest Met with Brutal Repression: A Summary of Human Rights Abuses in Post-Electoral Honduras**
- 30 No Rights, No Dignity: Risks Facing Deported Migrants in Honduras and El Salvador**
- 35 Left in the Dark: Violence against Women and LGBTI Persons in El Salvador and Honduras**



# Public Security in Honduras: Who Can Citizens Trust?

*By Lisa Haugaard, November 6, 2017*

**H**onduras and El Salvador are two of the most dangerous countries on earth not currently at war.

El Salvador led the world in homicides per capita in 2015 and 2016, wresting from Honduras the infamous title it held in 2014. In Honduras and El Salvador, youth are under assault: as victims of gangs; as gang members killed in gang violence; as victims of organized crime. They are also victims of state violence. Of the top countries in the world with the highest child homicide rates, in 2015, the last year available, all are in Latin America, and Honduras is number one, El Salvador number three.<sup>1</sup>

El Salvador's approach to gang violence is on paper more comprehensive and balanced, but in practice now focuses on hardline strategies. Honduras's security forces play a major role in repressing social protest and restricting freedom of speech and assembly.

In both countries, tough public security strategies seem to have resulted in a reduction in the homicide rate but are failing to protect many citizens, including children, teenagers, young adults, journalists, human rights activists, indigenous people, women, and members of the LGBTI community. This section will focus on the challenges to developing rights-respecting public security in Honduras. In the next blog, we will look at El Salvador.

## Violence in Honduras

The murder rate in Honduras is the still-stratospheric figure of 59.1 homicides per 100,000 inhabitants in 2016, similar to 2015, after a substantial drop from a high of 93.21 in 2011 to 63.75 in 2015.<sup>2</sup> But the increasing militarization of public security, persistent and

serious abuses by police and Military Police, and pervasive allegations of involvement of public officials in organized crime and drug trafficking reveal more disturbing trends.

The Honduran government contends the drop in homicides shows the success of its public security strategy. Many civil society organizations and journalists are skeptical of recent violence statistics, pointing out that the government has restricted access to crime data and questioning whether the statistics published by the government and the Observatory on Violence at the Autonomous University of Honduras (UNAH) are capturing the full picture. They also note that violence in some areas of the country, including San Pedro Sula and Tegucigalpa, remains far higher than the national average. San Pedro Sula was the third most dangerous city in the world in 2016, trailing only San Salvador and Acapulco.<sup>3</sup>

Violence in Honduras is sometimes depicted as largely a product of gangs, but gangs are only one part of the picture. Organized crime, a very different phenomenon, is a major contributor to violence. Violence by state agents harshly affects certain sectors, including human rights defenders, communities protesting economic projects, journalists, and LGBTI Hondurans.

## Police Reform: A Step Forward, but Far to Go

A police reform initiative—launched after police were implicated in the 2009 assassination of Honduras's drug czar and, two years later, his advisor Alfredo Landaverde—has resulted in several thousand personnel, including officials, being purged from the National Police force. A reformed police law and a new police career law were approved and recruitment and training of new police has accelerated, according to the

official Police Purge and Reform Commission.<sup>4</sup> This marks a more serious effort than previous failed police reform attempts.

Yet few of these dismissed police have been brought to justice. Lack of punishment undermines disincentives for corruption and abuse in the police, and dismissed police may join private security forces or organized crime. The UN High Commissioner for Human Rights office in Honduras (OHCHR-Honduras) points out that the overwhelming majority were dismissed on grounds of “internal restructuring” or “voluntary resignation,” while by the end of 2016 the files of just 15 separated officers were referred to the Office of the Attorney General for investigation. According to the United Nations, “Until these cases have been dealt with by the judicial system, the purge will not be seen to have addressed the demand that the police are held accountable vis-à-vis allegations of pervasive corruption and criminal activities.”<sup>5</sup>

The government has set a goal of expanding the civilian police, nearly doubling to 26,000 members by 2022. Adequately vetting and training these numbers of new police recruits will be a challenge.<sup>6</sup>

## Militarized Policing

Meanwhile, the Honduran government has relied upon a policy of deploying military to police streets, neighborhoods and even schools in areas of high violence. These Military Police battalions are composed of soldiers who have received three months of police training. The Honduran government has promised U.S. and other international donors that this is a temporary strategy that will be phased out when homicide rates have declined and the civilian police have been strengthened.

Yet the Honduran government continues to expand, not withdraw, the role of the military in internal policing. President Hernández tried, but failed, to obtain a constitutional reform that would have made the Military Police a permanent institution. In July 2017, two

additional new battalions of 500 troops each were deployed in Tegucigalpa and San Pedro Sula, bringing the total number of Military Police to at least 5,000 troops.<sup>7</sup> Since 2013 they have carried out, according to the Honduran government, 51,000 patrols, registered 165,000 people, and carried out 32,000 inspections of vehicles.<sup>8</sup> The government celebrates the Military Police with parades and publicity.<sup>9</sup>

Military Police have been involved in a number of serious abuses, including extrajudicial executions, excessive use of force, torture, robbery, and rape. Military Police methods fail to address impunity or protect communities: they lack the training for careful investigations, and the methods of patrolling, conducting sweeps and then withdrawing from communities can result in gang members conducting reprisals and stepping up recruitment in those areas, or spreading to outlying areas.

One case this year involved the fatal shooting of a 17-year-old boy, Edgardo José Moreno Rodriguez, in January 2017. Responding to reports of a dead body in Santa María del Real Olancho, Military Police tried to detain two teenagers who were standing nearby. The teenagers ran, and the Military Police shot and killed Moreno, who had recently graduated from high school. Angry townspeople burned down the Military Police’s post. One neighbor commented to a reporter, “We don’t want to see the Military Police anymore in this municipality, it would be better if they could send us the Preventative [civilian] Police, because I believe they are better trained and because the military has committed a number of abuses of people in this town.”<sup>10</sup> Another noted that he had been detained for telling members of the Military Police to stop brutally beating a young man.

Forty-eight schools have been assigned Military Police to patrol schools, thirty-three of them in Tegucigalpa.<sup>11</sup> There have been reports of Military Police sexually abusing or harassing female students and beating and strip-searching other students.<sup>12</sup>



## Public Security and Repression of Activists

Military Police, soldiers, and members of the civilian police routinely use excessive use of force on protestors. Use of tear gas, attacking journalists covering the protests, and beatings of protestors are regular tactics.

State security forces are used as enforcers for mining, dam, palm plantations and other economic projects that face community protests. This has been documented vividly in the case of the assassination of indigenous leader Berta Cáceres.

*"The murder of Berta Cáceres is just one of numerous cases in which police, military, and former public security forces are in the service of private companies seeking to undermine and suppress protests related to their companies' operations."*

Honduran prosecutors have charged 8 people, including former and current military members and employees of the Desarrollos Energéticos SA (DESA) dam company, with Cáceres's murder. But, according to an independent group of experts looking into the case known as the International Advisory Group of Experts (GAIPE), the investigation has not yet reached the intellectual authors.<sup>13</sup> GAIPE investigators explain how company officials worked with public security forces, based on a series of texts and phone messages retrieved by Honduran government investigators:

The conversations reveal, the lawyers said, that the orders to threaten the Council of Popular and Indigenous Organizations of Honduras (COPINH), and sabotage its protests came from DESA executives who were exercising control over security forces in the area, issuing instructions and paying for police units' food, lodging and radio equipment.

"There was this criminal structure comprised of company executives and employees, state agents and criminal gangs that used violence, threats and intimidation," said Roxanna Altholz, the associate director of the Human Rights Law Clinic at the University of California, Berkeley, and a member of the lawyers' group.<sup>14</sup>

The independent group of lawyers concludes, based on examining just a fraction of the evidence available to government prosecutors:

The existing proof is conclusive regarding the participation of numerous state agents, high-ranking executives and employees of DESA in the planning, execution and cover-up of the assassination.<sup>15</sup>

The evidence of state collusion in the Cáceres case is damning. But this is just one of numerous cases in which police, military and former public security forces are in the service of private companies seeking to undermine and suppress protests and social conflict related to their companies' operations.

## Targeting Youth: Extrajudicial Executions, Lack of Prevention and Rehabilitation

Public security forces as well as private security and shadowy "death squads" are believed to be involved in "social cleansing" killings of suspected gang members.

The UN Special Rapporteur on Extrajudicial Executions, who conducted a 2016 visit to Honduras, summed up:



Police corruption further affects the atmosphere of insecurity, with reports of police elements being involved in soliciting bribes, extortion and even murder. In at least five cases, police officers have been implicated in death-squad style killings of gang members. During the visit, I encounter numerous reports of killings at the hands of police, military police and military officers. According to a report by the Observatory on Violence at UNAH, police killed 285 people between 2012 and 2015. Not all these cases are unjustified, but they are often not properly investigated. Impunity is the rule. Investigations and effective prosecution for these crimes seems to be limited to only a few high profile cases or cases in which the families of the victims had to personally push the investigations or assist in obtaining evidence.

A good number of these killings seem to have targeted the youth, either as a result of profiling of victims, typically as member of gangs, or in response to their participation in demonstrations and other forms of protests or public demands.<sup>16</sup>

José Guadalupe Ruelas, the head of the nongovernmental organization Casa Alianza which offers services to street children, says that the government often does not investigate the killings of young people.<sup>17</sup> “Hardly ever is there an investigation. They simply assume that murdered young people, often with signs of torture, must have been up to something. They condemn the murder victims, not the murderers. And in that way this feeds the perception that it is the young people who are guilty of all the violence, not that they are the main victims.”

Honduras does not have adequate, well-developed prevention programs to offer alternatives to young people in gang-affected neighborhoods, nor does it have sufficient rehabilitation programs for those wanting to leave gang life behind. Violence prevention programs, some funded by international donors including USAID, make an important contribution but their scope is far from the scale

needed. Outreach centers may not reach the youths most at risk. And the limited number of programs offered for youth at risk of gang involvement or needing gang rehabilitation services are not offered to those 18 and older—although young men aged 18 to 25 are in great need of this kind of help.

## Penetration of the State by Organized Crime

---

Growing evidence and allegations of organized crime and drug trafficking network penetration of government and political party actors undercuts the Honduran government’s “tough on crime” rhetoric.<sup>18</sup> The unfolding drama of investigations by the U.S. Attorney’s Office for the Southern District of New York of the Cachiros drug trafficking network has resulted in the conviction of Fabio Lobo, son of ex-President Porfirio Lobo, the first president elected after the June 2009 coup, on drug-trafficking charges. It has also raised allegations that other politicians, including ex-President Lobo as well as President Hernández and some opposition party leaders, as well as police, bankers, and businessmen, may have accepted bribes and offered protection and other services for drug-trafficking networks.<sup>19</sup> Porfirio Lobo and Hernández deny the allegations. But the story continues to unfold.

To develop rights-respecting public security, Honduras must fully implement police reforms, including by investigating and prosecuting abusive officials and strengthening oversight and disciplinary systems. It should immediately move to phase out the Military Police. And it should end the systematic use of police and armed forces to suppress protest and acts as enforcers for mining, dam, palm plantations and other economic projects that face community protests. Strict use-of-force policies should be established and those who abuse or intimidate human rights activists and journalists must be effectively investigated, disciplined, and prosecuted. And no crime-reduction strategy will succeed if any of the nation’s top officials get away with industrial-scale corruption.



# El Salvador: Gang Violence and Growing Abuses by State Security Forces

By Lisa Haugaard, November 13, 2017

Many Salvadorans' lives are affected every day by the brutal impact of gang control of neighborhoods. Young men and women and children are forcibly recruited by gangs. Gangs levy extortion taxes that affect everyone from tortilla sellers to taxi owners and bus drivers to those running companies, stores and restaurants; people are threatened or killed for refusing or being unable to pay. Young women and girls are affected by sexual violence and pressured to become sexual partners with gang members. Youth are killed in gang warfare and by state security forces. Many Salvadorans have to leave their homes due to violence, are internally displaced, and then may have to flee the country.<sup>1</sup> The violence takes its toll on public security: 44 police and 20 soldiers were killed in 2016.<sup>2</sup> And it takes its toll on young people who see no other alternative but to join the *maras*.

El Salvador has led the world in homicides per capita in 2015 and 2016, although homicides were reduced from 104 per 100,000 in 2015 to 81 per 100,000 in 2016. It is not yet clear that this drop will be sustainable. Homicides were rising in September and October 2017, and high rates of extortion, robbery, and other crimes continue.<sup>3</sup> The government attributes the recent drop in homicides to its intensified policing efforts and the "extraordinary measures" applied to jailed gang members. But neither the extent of the violence nor welcome reductions in the homicide rate should make us silent about abusive methods among those used to combat gang violence.

## A Balanced Plan on Paper, But *Mano Dura* Prevails

The *Mara Salvatrucha 13* (MS-13) and *Barrio 18* gangs gained their power over Salvadoran society following deportations of Salvadorans from Los Angeles and other U.S. cities, mainly teenagers and young men whose families had

fled the civil war. Years of *mano dura* ("iron fist") strategies by successive Salvadoran governments to fight the gangs have only hardened them, as gang members formed stronger bonds in jail and had little access to rehabilitation programs. "The gangs we have today are the direct consequence of various versions of *mano dura*," reflects Florida International University professor José Miguel Cruz.<sup>4</sup> In 2012-13 the first Farabundo Martí National Liberation Front (FMLN) party government of Mauricio Funes tried a different approach, forging a gang truce which for a time resulted in a dramatic drop in homicides. Yet the government's lack of transparency in implementing the truce, and societal anger about being soft on gangs, among other issues, resulted in a breakdown of the truce. Homicides escalated again following the truce's collapse.

The current administration led by the FMLN's Sánchez Cerén developed a balanced plan for addressing terrifying levels of violence: *Plan El Salvador Seguro*. The plan, drafted by a National Citizen Security and Peaceful Coexistence Council that includes national and municipal government, churches, private sector representatives and violence prevention experts, features prevention and rehabilitation, victims' services, and generation of employment, as well as law enforcement. The government is rolling out the plan more intensively in targeted municipalities with high levels of violence. This includes ramped up police presence, police sweeps and joint military-police patrols. Then, national and municipal governments are supposed to expand social programs including violence prevention and services for victims. The United States, UN Development Programme, and other international donors provide important support for these efforts. And there has been some success in the first ten targeted municipalities; as of July 2017, homicide rates were down in all but one.<sup>5</sup>

In practice, however, it is once again the *mano dura* policies that are most evident. The reaction to the breakdown of the gang truce and the subsequent spike in homicides in 2015 led to a doubling down on hardline strategies. Pressure from the Nationalist Republican Alliance (ARENA) opposition party and vehement public opinion in favor of the hardline approach given the gangs' grim chokehold on neighborhoods make it difficult for the Cerén Administration to adhere to a more balanced strategy. Inadequate budget and attention is given to victims, as well as to prevention and rehabilitation.<sup>6</sup> Most concerning of all, extrajudicial executions and other abuses by Salvador's public security forces, especially the police, are escalating.

## Extrajudicial Executions

Extrajudicial executions of suspected gang members by Salvadoran police or army members as well as vigilante squads are a deeply troubling development in El Salvador today.

Online magazines *El Faro* and *Revista Factum* have documented supposed shootouts between police and alleged gang members in which all gang members are killed and police emerge unscathed.<sup>7, 8</sup> The Rufina Amaya Human Rights Observatory of the Pasionista Social Service (SSPAS) produced the following chart indicating that in 2016, as a result of reported armed confrontations between gangs and police, 96 percent of those killed were alleged gang members while 1 percent were police, 0.3 percent were soldiers, and 3 percent were

civilians.<sup>9</sup> SSPAS also notes that the great majority of those killed in these supposed shootouts are adolescents or young adults.

Examining reports of those killed during these supposed shootouts, the U.S. State Department noted, "The mortality rate of suspected gang members in confrontations with police during the first six months of the year was 109 percent higher (i.e., more than double) than the 2015 mortality rate, which was itself 41 percent higher than in 2014."<sup>10</sup> A commissioner of the Inter-American Human Rights Commission (IACHR), James Cavallaro, notes that he has studied such shootouts in other countries and found that better-equipped and trained police in an armed confrontation can kill two or three times more than their opponents, but not the enormous gap you see in El Salvador.<sup>11, 12</sup>

*Revista Factum* in August 2017 published an exposé of a group of policemen, claiming to document at least three extrajudicial executions, two sexual abuses of minors, robberies and extortion. The article also revealed a chat room where some 40 police exchanged information about illegal arms sales, torture of gang members and cover-ups.<sup>13</sup> After the exposé, *Revista Factum* received numerous threats. And rather than protect the journalists, head of the National Academy of Public Security Jaime Martinez verbally attacked them: "There are journalists who are lending themselves to the gangs' purposes by presenting themselves as victims."<sup>14</sup>

It is difficult to get an accurate picture of the extent of these cases. According to the State

**Number and percentage of victims of armed conflicts with the Salvadoran police and armed forces and alleged criminal groups, 2014 to 2016**

Year	2014		2015		2016	
<b>Number of armed confrontations</b>	256		676		401	
<b>Number and percent of alleged gang member deaths</b>	103	92%	406	88%	59	96%
<b>Number of police deaths</b>	6	5%	29	6%	8	1%
<b>Number of military deaths</b>	1	1%	4	1%	2	.3%
<b>Number of civilian deaths</b>	2	2%	20	4%	17	3%
<b>Total deaths</b>	112		459		618	



Department's 2016 human rights report, "As of October [2016] the attorney general was investigating 53 possible cases of extrajudicial killings. One took place in 2013, none in 2014, 11 in 2015, and 41 in 2016."<sup>15</sup> The Ombudsman's office reports 69 cases involving 114 victims of alleged extrajudicial executions between 2014 and 2016, the majority by police.<sup>16</sup>

The Ombudsman's office has played a vital role in collecting the complaints and working through government channels and via public pronouncements to urge effective investigations and other policies to rein in extrajudicial executions and other abuses. But its mandate limits its ability to stop the abuses.

The Attorney General's office has launched some investigations. For example, it ordered the arrest of five police officers and five civilians for eight homicides in San Miguel as part of an alleged extermination squad.<sup>17</sup> The Attorney General's Office also announced the formation of the Special Group Against Impunity, dedicated to investigating this type of crime.

Human rights organizations caution, however, that although there have been some advances in investigating a few cases, the Attorney General's office has focused primarily on prosecuting the most high-profile cases and those in which bystanders, rather than alleged gang members, have been murdered. And even one of the most high-profile and well-documented cases was not successfully prosecuted.<sup>18</sup>

In July 2016 the Attorney General ordered the arrest of seven police officers on charges related to the supposed shootout at the San Blas farm, documented persistently by *El Faro*, in which seven alleged gang members were killed as well as one bystander, a worker at the farm.<sup>19</sup> But the Attorney General's office only prosecuted the murder of the bystander, not of the seven alleged gang members. According to *El Faro*, the Attorney General's office failed to present to the judge many of the circumstances surrounding the event, despite the fact that they had been carefully documented by *El Faro* and the Ombudsman's office. The judge determined that the bystander, Dennis, was indeed not a gang member, and that he had been the victim of an

extrajudicial execution. But because he could not determine which of the police officers fired the shot, all of the police officers were let off, and no one was convicted.<sup>20</sup> Had the Attorney General chosen to prosecute all of the killings, convictions might have been easier to obtain.

In the last couple of years, the U.S. State Department's human rights bureau and the U.S. Embassy has begun to recognize extrajudicial executions as a serious issue in El Salvador and has urged the Salvadoran government to take steps to address it. The State Department should press vigorously for progress and ensure all U.S. government entities do the same.

#### **Other public security force abuses.**

Intimidation, cruel, inhumane or degrading treatment, arbitrary detention and violations of due process are some of the most recurrent complaints lodged against the police in the Ombudsman's office. The Ombudsman's office also has received reports of instances in which police allow wounded gang members to die rather than transport them to the hospital.

Another disturbing issue is how teenage boys and young men from poor neighborhoods who may be innocent of gang involvement get targeted by police action. One well-documented case is of Daniel Alemán, a 21-year-old who in January 2017 was detained by police while playing soccer and accused of having drugs on his person and drug trafficking. Witnesses who saw him being searched by police deny that he had the drugs on him when arrested. Police also claimed they had picked him up at a different location than the soccer game. The drug trafficking charge was dropped due to the implication that the police planted evidence but Alemán still faced charges of extortion. This is just one example; human rights and humanitarian organizations report that young people routinely are harassed, beaten, and detained without credible evidence of crimes committed.

In addition, the military role in public security is growing in El Salvador, with the number of soldiers involved in joint police-military operations doubling from 5,515 in 2009 to more than 13,000 in 2017.<sup>21</sup> The military are supposed to surround the perimeter while police



SOURCE: REVISTA FACTUM

do the door-to-door operations. Denunciations of abuses by the armed forces are far lower than for the police, but may be on the increase. The Salvadoran government has a plan to withdraw military from policing, but it lacks details and attention to how the police will scale up and improve their operations.

**Official denial of state policy.** Salvadoran public security officials vehemently deny that there is a state policy that has promoted these extrajudicial executions and other abuses. “I dismiss and deny, honorable commissioners, I dismiss and deny completely any responsibility of the Salvadoran state in illegal acts that harm fundamental rights or people’s human rights,” asserted Vice Minister of Security Raúl López in front of an Inter-American Commission on Human Rights (IACHR) hearing.<sup>22</sup>

However, extrajudicial executions seem to have escalated so much in a short period of time that it seems likely that state policies have permitted and indeed even encouraged them. These abuses are tolerated and rarely punished. Poor internal controls within the police fail to catch abuses before they escalate. These gross violations of human rights are incentivized at least in an informal way: by societal and media pressure to rein in the gangs at any cost; by high-

level government officials who encourage quick and forceful results against the gangs without emphasizing respect for rights;<sup>23</sup> and by failure of police internal controls and judicial authorities to effectively discipline, dismiss, and prosecute many public security member who commit these abuses. It would be important to investigate also whether some implicated in serious abuses have received promotions. Finally, inadequate pay, grueling hours, the enormous strain of the dangerous job they carry out, and lack of psychosocial support for police play a role.

Journalists and human rights groups who report on these abuses also face being labeled as supporters of gangs and terrorism. Some independent media receive extensive death threats for their reporting on organized crime, gang violence, and official abuses. The government fails to protect journalists documenting abuses, including by the simplest measure of speaking out in defense of press freedom when journalists are threatened.<sup>24</sup>

An editorial in *Revista Factum* offers this no-holds-barred assessment: “To deny it is a vulgar exercise in political opportunism. Or a stupidity. El Salvador is enduring, at least since early 2016, a new war, marked the start by a confrontation between two gangs and between those gangs and the state, and then by a not-officially-recognized policy of the indiscriminate use of public security forces to confront those gangs and whichever person or group they so choose.”<sup>25</sup>

## Cracking Down in Prison: Extraordinary Measures

In April 2016, the Salvadoran Congress passed “extraordinary measures” intended to crack down on jailed criminals who were conducting illicit activities from prison. The measures curtail activities by prisoners outside their cells, end visits to prisoners and make prisoners’ court appearances virtual. While the intent was understandable and may have contributed to a drop in homicides, the measures also have had disturbing impacts. According to El Salvador’s Ombudsman Office for Human Rights, the measures were applied broadly to some one-third of the prison population rather than to a



select group of problematic prisoners. They have ended access of many prisoners to rehabilitation programs; limited prisoners' access to lawyers; had an impact on health, resulting in a rise in tuberculosis and mental health issues; and curtailed the access of judges to oversee treatment of prisoners. Forty-seven prisoners died in prison in 2016. Prison rehabilitation programs "were never good, and now they are worse," according to one government official.<sup>26</sup> Women's advocates note more positively that the measures have reduced a practice of gangs forcing women to visit jailed members for supposed "conjugal" visits. However, in the long term, jailed gang members completing their sentences will be returning to communities without rehabilitation.<sup>27</sup>

## Rehabilitation

While rehabilitation is included in *Plan El Salvador Seguro*, in practice it has been given short shrift, and the extraordinary measures have limited it further. Rehabilitation programs are difficult to implement, but are an essential component of addressing El Salvador's violence. A Florida International University study that conducted interviews of 1,200 Salvadoran gang members revealed that at some point almost every gang member thought of leaving the gang, but confronted many risks and practical obstacles to starting a new life. Evangelical programs have had some success in rehabilitating gang members, offering a value system and structure to replace the structure of the gangs.<sup>28</sup> Studies suggest the importance of focusing strategies at the community level, not only on individuals.<sup>29</sup>

Rehabilitation of ex-gang members by Salvadoran and well as U.S.-based humanitarian organizations is constrained not only by resources but by legal restrictions. In El Salvador, anti-terrorism legislation scares many organizations away from offering services. U.S. Treasury regulations labeling Salvadoran gangs as terrorist prevent U.S.-based humanitarian agencies from providing these programs. According to one humanitarian worker, "There is such a strong societal push against helping with rehabilitation. You need a wide swath of Salvadoran civil society working on rehabilitation not only because of the scope of the problem but in order to give political

backing to the very idea of trying to rehabilitate former gang members."<sup>30</sup> And these restrictions make it difficult.

## Concerning Trends in U.S. Policy

Escalated deportations of Salvadorans from Mexico and the United States are likely to aggravate the country's problem of gang violence. Sustained help is not provided for young people deported back to El Salvador. According to one humanitarian aid worker, "The reality is returned youth won't go, even to the existing programs. They are traumatized. They go underground. Services are not offered for people 18 and older, indeed they are seen as criminals. And it is the 16- to 24-year-olds who are most in need of help. So the way they have to get protection is to join a gang."<sup>31</sup>

The Trump Administration will decide in January 2018 whether to end Temporary Protected Status for almost 200,000 Salvadorans in the United States and it has ended the Deferred Action for Childhood Arrivals (DACA) program, leaving it up to Congress to decide whether the young people known as the "Dreamers" will continue to be able to work and go to university in the United States. And the administration plans to ramp up deportations of the children and teenagers who arrived, many fleeing violence, in recent years. If these measures result in escalating deportations of Salvadorans, reducing the flow of remittances back to families in El Salvador and returning Salvadoran Americans to a situation of high violence and limited opportunity, the difficult public security situation in El Salvador will further deteriorate.

U.S. Attorney General Jeff Sessions' insistent focus on combating the MS-13 gang, which he hammered home in a late July trip to San Salvador, at the site of a brutal crime in Long Island and at many other opportunities, adds another complication to the mix. It provides yet one more pressure on El Salvador's government to focus *mano dura* strategies, without balanced attention to rehabilitation and prevention. And this message is delivered without another much needed emphasis: that El Salvador must address the deadly toll of gang violence while respecting human rights.



# Nowhere to Call Home: Internally Displaced in Honduras and El Salvador

*By Daniella Burgi-Palomino, October 31, 2017*

Isabel was pregnant with her third child when she was warned by her cousin that she was in danger. Members of the *Barrio 18* gang followed her to her children's school to assault her and to tell her that she had an hour to turn over items she had supposedly stolen or else she was going to be killed. Isabel had no idea what they were talking about. Isabel walked home that day to tell her mother what had happened. Her mother told her to flee and leave her neighborhood immediately. A few days later, she left her kids with her ex-husband and fled to Guatemala.

*– Translated and summarized from Revista Factum, “La historia de una mujer sin país”<sup>1</sup>*

A dozen members of MS-13 came by to threaten Francisco and his family, beating him and his wife, telling them that they had gotten involved in something that wasn't their business and that they had to pay for it now. The threats came just days after Francisco had helped one of his church friends flee because of similar threats. Francisco and his wife didn't even consider fleeing to another town. For them, that wasn't an option. They knew it would only prolong the inevitable. Two days later, they left their house with a suitcase at 2 AM to begin their journey to leave the country. Before crossing the border, the journalist covering the story asked Francisco's wife what she thought a country without gangs would be like. “It will be like a dream. To be honest, I can't even imagine it,” she said.

*– Translated and summarized from Revista Factum, “Una familia huye del país de las pandillas”<sup>2</sup>*

For people like Isabel and Francisco in El Salvador and Honduras, fleeing first implies leaving their homes and seeking safety within

the country. Internal displacement is often the precursor to international migration and means a life in hiding with fear and trauma and without protections.

In mid-2017, LAWG heard that the levels of internal displacement due to violence were substantial and ongoing in both countries. In this blog, we unpack recent statistics and explain what continues to drive this forced displacement of people, what it means to live a life in hiding in particular for women and children, and the lack of government policies to respond to internally displaced persons (IDPs) in El Salvador and Honduras.

## Same Actors, Heightened Fear in the Face of Violence

### Honduras

In 2013, the Honduran government recognized that the country faced a crisis of internal displacement and collaborated with the UN Refugee Agency and civil society representatives to take a look at the scale of the problem. The Inter-Institutional Commission for the Protection of Persons Displaced by Violence (CIPPDV) published a first study on internal displacement in the country in 2015 and found that 174,000 people were internally displaced in the 20 municipalities surveyed between 2004 and 2014.<sup>3</sup>

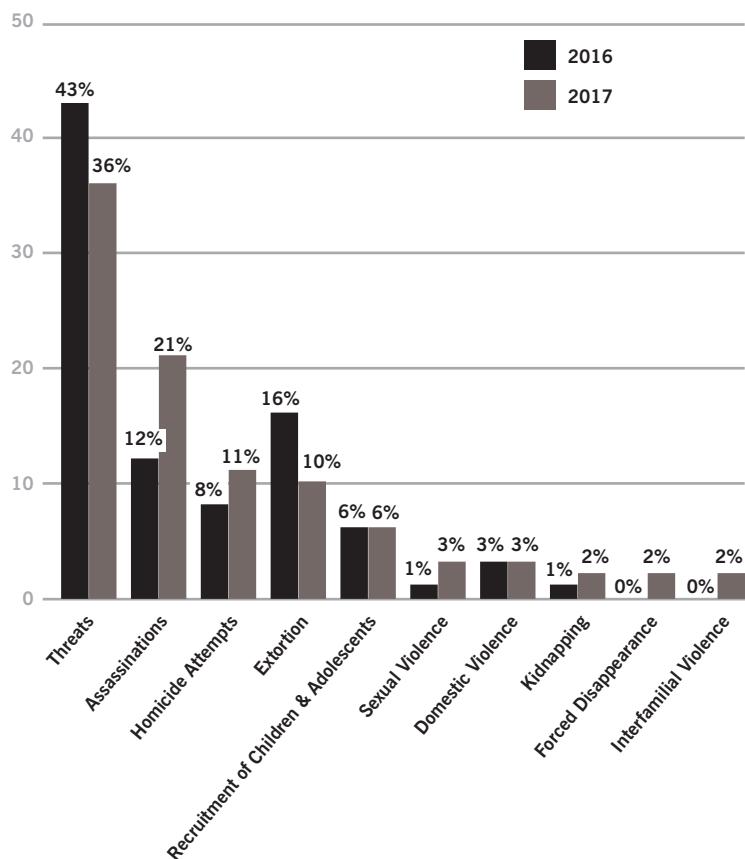
Over the past three years, little has changed. There has not been another subsequent, comprehensive study like the one from 2015 but national, albeit incomplete statistics suggest a continuation and indeed aggravation of the problem. According to Honduras' Ombudsman Office for Human Rights (CONADEH), there was a 22 percent increase in the registered cases of forced internal displacement or individuals at risk of displacement from January to May 2017



compared with the same period in 2016.<sup>4</sup> So far in 2017, the primary reasons driving these cases of internal displacement reflect those throughout 2016, with minor increases in the percentage of cases identifying the homicide of a family member and direct homicide attempts as the reasons for displacement compared to last year. Like 2016, death threats, extortion, and the recruitment by gangs of girls, boys, and adolescents continue to be key factors leading to displacement.

The main difference among the cases registered by the local CONADEH offices in 2017 was that a higher number of individuals were less willing to name the perpetrator behind their forced displacement—suggesting a context of heightened fear in the face of the same acts of violence. International humanitarian organizations, like the Norwegian Refugee Council (NRC), also reported that in about 50

#### Top 10 Reasons for Forced Displacement in Honduras, January–May 2016 vs. January–May 2017



SOURCE: Statistics obtained and translated from the National Commission on Human Rights, CONADEH, Boletín Estadístico Sobre el Desplazamiento Interno, Comparativo 2016-2017 de Enero a Mayo, junio de 2017, 3, <http://bit.ly/2A4txQc>.

percent of the cases of internal displacement they registered from the end of 2016 through the beginning of 2017, individuals chose not to identify the perpetrator.<sup>5</sup> In a country with high impunity rates reflected in the fact that only 4 of every 100 homicides results in a conviction,<sup>6</sup> it is not surprising that people would be hesitant to report the aggressor behind the forced displacement for fear of retribution or persecution. It also speaks to the level of territorial control exercised by gangs and organized crime in some areas of Honduras.<sup>7</sup> Overall, gangs like the *Mara Salvatrucha* (MS-13) and the *Barrio 18* continue to drive internal displacement as in 2016, though organized crime and the police were identified in a higher number of cases compared to last year according to CONADEH statistics.

We also heard that *mano dura* strategies to combat gangs in urban areas through “operaciones de saturación,” or aggressive, targeted raids carried out by anti-gang units, contribute to internal displacement—pushing out entire families and driving gang members to rural areas where they did not previously have a presence, in turn affecting the stability of communities in those rural parts of the country.<sup>8</sup>

The risk of displacement from resisting large-scale development projects was also something we heard about in Honduras and, though documented to a lesser degree, is reflected in recent CONADEH and United Nations reports.<sup>9</sup> “The government’s extractivist model drives migration,” one environmental activist told us.<sup>10</sup>

#### El Salvador

In El Salvador, the government has yet to recognize the crisis of internal displacement. In 2015, the nongovernmental International Rescue Committee estimated that the number of displaced individuals was approximately 324,000, or 5.2 percent of the country’s population, but the crisis remains insufficiently documented.<sup>11</sup> Since 2014, the Civil Society Working Group on Internal Displacement and its thirteen NGO members are the only groups in the country documenting cases, and six of them also provide accompaniment to victims of internal displacement. Some individual



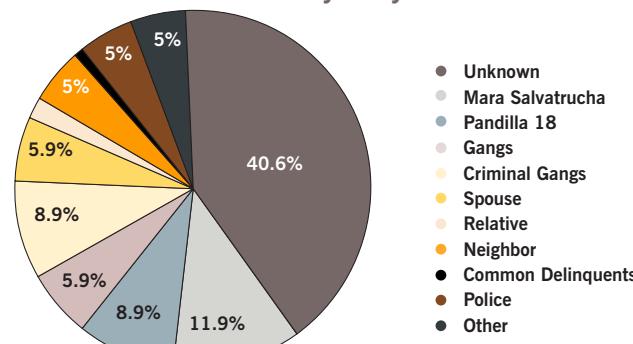
government agencies, like the Ombudsman Office for Human Rights, have recognized the crisis within the country,<sup>12</sup> but the position of the national government has not changed in the past three years despite multiple testimonies that show no improvement of the situation.<sup>13</sup>

In the first nine months of 2017, the Salvadoran NGO Cristosal documented 83 cases, representing 394 individuals as victims of forced displacement, already higher than all of 2016.<sup>14</sup> Among these, the two most common reasons behind forced displacement early this year were attempted homicide or the homicide of a relative. Half of the cases documented did not report their cases to authorities, citing fear of what would happen and lack of trust in government officials as the reason. The Civil Society Working Group on Internal Displacement reported a 54 percent increase in the cases documented during the first half of 2017 compared to the same time period in 2016.<sup>15</sup> From August 2014 to December 2016, the working group documented a total of 339 cases—representing 1,322 victims, or 699 in 2016 alone.<sup>16</sup>

Reports from the Civil Society Working Group on Internal Displacement from 2015 and 2016 have consistently pointed to gangs and organized crime as the main drivers of forced displacement—a pattern we heard again during our trip in mid-2017.<sup>17</sup> We heard of an increased level of territorial control by gangs, impacting the degree to which organizations felt comfortable in assisting victims and denouncing crimes at a local level. “We have to maintain a low profile and have had to leave some areas because of the level of gang control,” NGO staff told us.<sup>18</sup>

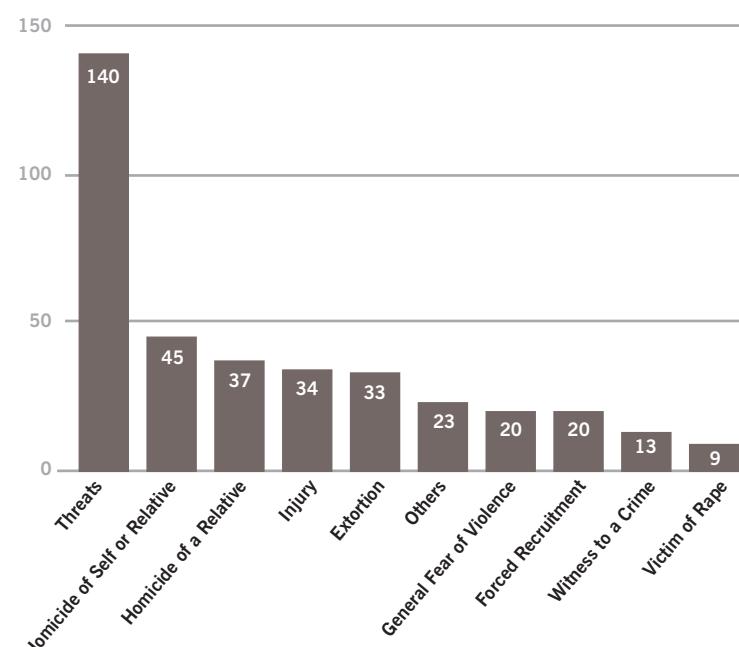
State security forces including the police and the armed forces were also named as actors behind forced displacement in the country. In particular, police in anti-gang units and shadowy “exterminio” groups, which may include members of the police or soldiers, were also cited by NGOs as driving a sense of fear in communities and contributing to forced displacement.<sup>19</sup>

### Honduras: Perpetrators behind Forced Displacement, January–May 2017



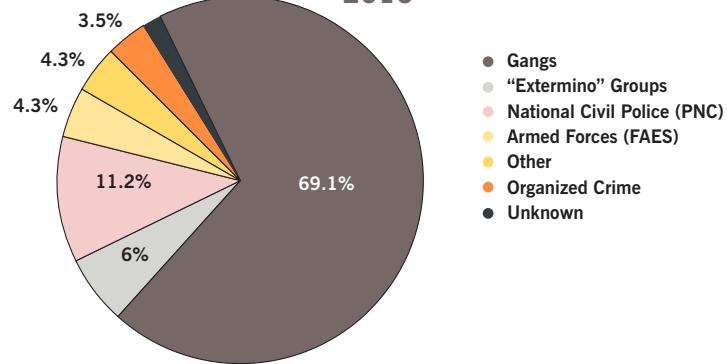
SOURCE: Statistics obtained and translated from the National Commission on Human Rights, CONADEH, Boletín Estadístico Sobre el Desplazamiento Interno, Comparativo 2016-2017 de Enero a Mayo, junio de 2017, 3, <http://bit.ly/2A4txQc>.

### Top 10 Reasons for Forced Displacement in El Salvador, 2016



SOURCE: Mesa de Sociedad Civil contra el Desplazamiento Forzado por Violencia y Crimen Organizado en el Salvador, Desplazamiento Interno por Violencia y Crimen Organizado en El Salvador, 45, 2016, <http://bit.ly/2A2kZtc>.

### El Salvador: Perpetrators behind Forced Displacement, 2016



SOURCE: Mesa de Sociedad Civil contra el Desplazamiento Forzado por Violencia y Crimen Organizado en el Salvador, Desplazamiento Interno por Violencia y Crimen Organizado en El Salvador, 47, 2016, <http://bit.ly/2A2kZtc>.



## Life in Hiding: Impacts of Violence and Displacement on Families and Children

The sole condition of being forced to leave one's home because of violence increases a person's vulnerability in all aspects of their daily life. Often, displacement is not the first time a person is threatened, but rather it is the culmination of multiple threats and incidents of violence over time to an individual or family—the last straw in a series of events at which point the need to escape becomes a survival strategy and doing it in a way that won't increase danger, the challenge. Honduras is a larger country than El Salvador, and so the possibility to hide from gangs exists, even if to a very limited degree and only temporarily. In El Salvador, the opposite is true; "there is no place to hide in El Salvador, so people leave," a senior government official told us.<sup>20</sup>

Many of the cases documented by the UN Special Rapporteur on the human rights of IDPs during his visit to Honduras were that of individuals leaving overnight and without notice.<sup>21</sup> In El Salvador, the same is true. Multiple testimonies show individuals and families being given 24 hours to flee their homes by gangs.<sup>22</sup> This usually implies that an individual or family will leave with the bare minimum, what they can carry with them and nothing more. In one recent survey in Honduras, clothing was identified as one of the most urgent needs of IDPs, alongside a lack of understanding of their rights, followed by the need for food and identification documents.<sup>23</sup> Property is also sold very cheaply or simply left behind. Abandoned houses are often taken over by gangs for strategic control and illicit activities and are almost never recovered.<sup>24</sup>

People at risk frequently turn to families and friends in other cities or towns first for safety, which in turn can place additional challenges on relatives with already limited resources—pushing families into a cycle of poverty, displacement, and violence.<sup>25</sup> Displacement also means most of those affected will lose their livelihood or diminish their source of income substantially. Many IDPs turn to informal activities, such as begging or temporary work, or increase their reliance on savings or

remittances sent by relatives.<sup>26</sup> In many cases, one of the reasons for the displacement could have been the targeting or extortion of someone because of their job to begin with—for example, a street vendor or shop owner.

Internal displacement usually implies a life in hiding, trauma, and deep uncertainty. These impacts are intensified for women, LGBTI individuals, youth, and children. Women heads of households who are displaced with their children often have less of a network of families and friends to turn to, placing them at a greater risk in their search for safety.<sup>27, 28</sup> Displaced women who are alone are more vulnerable to sexual abuse, violence, and trafficking.<sup>29</sup> LGBTI individuals also are at heightened risk for displacement and, once displaced, are subject to abuse and violence.<sup>30</sup> An organization working with trans-women told us that this population has no idea about their rights in the face of rights violations they experience.<sup>31</sup> Trauma is compounded by the lack of medical and psychological services for IDPs—forcing a victim to carry the trauma of violence with them.

The impact of violence on children is particularly egregious in both countries. Many families make the decision to move because of threats to recruit or target their children by gangs. During her recent visit to El Salvador, the UN Special Rapporteur on the rights of IDPs reported how she heard from many young people that "it is a crime to be a young person in El Salvador today."<sup>32</sup> Children continue to make up a significant percentage of the victims of gang violence in both countries. In El Salvador, 540 children were murdered in 2016 according to an official government report.<sup>33</sup> In Honduras, we heard of an increase of massacres or multiple homicides of youth and children through the first six months of 2017.<sup>34</sup> "The government does not include young men between 16 and 24 years old in any protection agenda even though they are among the most vulnerable, and so they end up seeking protection with gangs because they can't find it anywhere else," one NGO representative in El Salvador told us.<sup>35</sup> Others simply disappear in their process of hiding from danger. "They don't want to be found," NGOs told us.



The consequences of violence are visible in the percentage of IDPs who are children and youth. In Honduras, in the last ten years, there have been more than 78,000 displaced children under the age of seventeen, or 43 percent of the total displaced population.<sup>36</sup> Similarly in El Salvador, according to the cases tracked by the Civil Society Working Group on Internal Displacement between 2015 and 2016, the top age groups of both males and females affected by internal displacement were children or youth through the age of 25.<sup>37</sup>

Dropout rates in schools are one of the main indicators of the toll this violence takes on children. Children stop attending school because gangs exert control over schools and because of the increase of threats—all of which also forces them to leave and go into hiding. In Honduras, at least one child in every household in the most violent areas of the country did not attend school as recently as 2016.<sup>38</sup> In El Salvador, numerous reports have confirmed confinement as another way of life for children, in particular girls, to avoid the daily harassment and violence from gangs at schools and in their neighborhoods.<sup>39</sup> In some instances the violence is so bad that schools have had to cancel sessions due to threats. Displaced children are forced to transfer schools, but this implies additional costs for parents and maneuvering through school bureaucracy and weak infrastructures, and all too often not attending school becomes a permanent reality.<sup>40</sup>

Because of the influence of multiple threats in a family's decision to flee, separation sometimes becomes a strategy for survival.<sup>41</sup> One family member may leave behind the rest in hiding, resulting in the separation of families. This in turn affects the social fabric of a community little by little as more families have to leave and sometimes entire neighborhoods are disintegrated.

Not all IDPs will make the decision to migrate internationally. Often, this decision is dependent on the individual or family's level of resources or family network in safe locations. In the instances where families and individuals may not have the resources to flee, despite the degree of risk, they may confine themselves

to being locked up—a prisoner in their own homes, to avoid danger. Often, however, internal displacement has been documented to be a strong precursor to international migration. Among the cases documented by the Civil Society Working Group on Internal Displacement in its latest report, 88 percent said their intention was to leave the country and of those, 60 percent said they would do it in a clandestine manner.<sup>42</sup>

For individuals, or in particular children, whose immediate protection network is in the United States, they will turn to them for safety. "The government calls it family reunification, but it's just a search for safety. When the government doesn't provide protection, individuals turn to their families and, if they are in the United States, then that is where they will go," one NGO staff member told us.<sup>43</sup>

## No One to Turn to: Lack of Government Responses

---

The difference in official government recognition of the situation of internal displacement in Honduras and El Salvador matters little when it comes to actual responses to IDPs. In both countries, by and large, IDPs remain an invisible population, their rights still ignored.

### Honduras

Though it's been three years since the government has officially recognized the situation of internal displacement, this has not yet translated to effective state policies and programs to respond to IDPs.

In August 2016 and in collaboration with the UN High Commissioner for Refugees (UNHCR), the government created a Unit for Internal Displacement (UDFI) under CONADEH with five local centers across the country.<sup>44</sup> These units are an incipient step to tracking cases and have resulted in some indicators of the identification of patterns and profiles of cases of internal displacement. Complaints are received at a local level and, in some instances, cases in immediate danger are channeled to the UNHCR who in turn



attempts to find a temporary solution, safe shelter, or emergency humanitarian evacuation for the individual or family at risk. However, the numbers of cases received are still small compared to the estimated numbers of IDPs in the country. Other humanitarian organizations, like the NRC, have documented a lack of government responses to cases of internal displacements that they have accompanied and which have been brought to authorities. In one of their recent reports, they indicated cases where government officials went so far as to state that IDPs were not a priority population they needed to respond to.<sup>45</sup>

Besides the small stopgap measures of international humanitarian organizations to find temporary solutions including safe shelter or emergency evacuation for individuals and families, there is still no comprehensive framework to provide IDPs with durable solutions in Honduras. Governmental agencies focused on women, children, and access to education have not yet adapted their programs for IDPs, leaving a population that cannot access basic services.

The CIPPDV has been working on a draft law to address the situation of internal displacement in the country, but the process with the Honduran Congress has been slow. The proposed law would set up a National Internal Displacement System with local centers to provide direct attention to IDPs, register and track cases, and allow individuals to recover and protect abandoned property and assets. However, it is unclear what version of such a proposal will be passed. Moreover, if passed, such a system would require the commitment of a substantial budget, capacity-building for authorities, and collaboration mechanisms between government agencies in order to function effectively.

### **El Salvador**

In El Salvador, IDPs remain largely invisible, and the government has focused its response on refusing to acknowledge the problem and promoting weak frameworks that on paper, aim to address victims of violence but in practice, fail to do so.

The 2014 widely consulted *Plan El Salvador Seguro*, the government framework meant to outline responses to violence, has a strong focus on victims of violence as one of its pillars. As a part of this, in February 2017, four Local Victim Assistance Offices (OLAVs) were opened in some of the municipalities with the highest indicators of violence to provide attention to victims.<sup>46</sup> However, these offices have minimal staff and resources to carry out their work. Their work remains incipient; they have not yet focused on the prevention of violence, and they lack coordination with other governmental agencies that focus on addressing the needs of specific populations, such as National Council for Children and Adolescents (CONNA), the Institute for Children and Adolescents (ISNA), and the Salvadoran Institute for the Development of Women (ISDEMU).

A senior Salvadoran government official from the Ombudsman's Office admitted to us that there are no governmental programs to assist IDPs in the country and that only NGOs do this work.<sup>47</sup> Despite this recognition from some government officials, others have turned to denials of the statistics on internal displacement that international humanitarian organizations have published and even going as far to state that IDPs are "taking advantage of their situation."<sup>48</sup> Yet, camps set up for IDPs, such as one in the municipality of Caluco, Sonsonate last year where approximately 25 number of families were housed, refute the fact that internal displacement is not an issue in the country.<sup>49, 50</sup>

Until the Salvadoran government recognizes the problem officially and adapts its policies to acknowledge the particular situation of IDPs as victims of violence, temporary stopgap and emergency humanitarian responses implemented by NGOs remain the only measures responding to IDPs. And even these are insufficient. Often, they simply lengthen a process by which an individual must remain in hiding and without access to their rights or protections, "*privado de libertad*," living a life without safety and dignity.

On her recent trip to El Salvador in August 2017, the UN Special Rapporteur for the



PHOTO BY DANIELLA BURG-PALOMINO.

*Man walking on road in rural community outside San Salvador, El Salvador.*

rights of IDPs noted that the government's current legal approach is focused on addressing the illegal restriction on the freedom of the movement of people and illegal occupation of property, failing to acknowledge the impact of internal displacement on the lack of protections faced by those displaced. To this end, a very recent decision by the Constitutional Chamber of the Supreme Court of El Salvador is an interesting development as it orders the Minister of Justice and Public Security and other governmental agencies to take measures to protect an extended family of thirty people who had been displaced earlier this year by the *Barrio 18* gang.<sup>51</sup> The family had presented numerous complaints regarding the state's failure to protect them. Still the decision is just temporary measure and not yet a legally binding precedent to address the broader crisis in the country. The Inter-American Human Rights Commission (IACHR) made reference to the precedent but also on the remaining need of the state to "recognize and adopt measures to prevent displacement, as well as to protect the human rights of those who have been forced to leave their homes."<sup>52</sup>

Increasing levels of internal displacement are a recognition that Honduras and El Salvador continue to suffer a serious situation of insecurity and that their governments have failed to protect its population in the face of the violence. While official recognition is a first step, both governments must significantly strengthen their efforts to find durable solutions

for IDPs; including implementing integral, well-funded national systems that track and address the needs of men, women, adolescents, and children who are displaced and provide them with shelter. Governments, together with international organizations, must build the capacity of government authorities to reform existing policies, programs, and institutions to ensure efficient responses to IDPs as an important subgroup of victims of violence.

The crisis of internal displacement in El Salvador and Honduras could be compounded by the return of deported migrants from the United States in the future. An additional wave of men, women, and children without options to live a life in safety in their communities will fuel more internal displacement and out-migration and test the capacity of the international organizations and NGOs already overwhelmed with doing their best to find solutions for people in danger. With the phasing out of the Central America Minors (CAM) program ending any option to access international protection and apply for refugee admissions to the United States from these countries, families and children will remain invisible and displaced, not only within their countries but in the journey they will be forced to make to the United States and other countries to seek safety.



# Honduras: Space for Activists and Journalists Closing, Wide Open for Corruption

*By Lisa Haugaard, October 23, 2017*

**T**he space for us is closing.” During a July 2017 trip to Honduras and subsequent contacts with human rights defenders and journalists in Honduras, the Latin America Working Group heard this warning repeatedly. What does this mean in practice?

- Murders of and attacks and threats against human rights defenders and journalists are rampant and go largely unpunished. Some defenders and journalists have gone into exile.
- Penalties—jail time—for social protest and for reporting on social protests are being increased.
- Penalties for government corruption—one major focus of social protests—are being decreased.
- Crackdowns on social protest—such as at the national university—are a constant.
- A law restricting access to information is in full force, facilitating corruption.
- Honduras has failed to clean up the election process prior to the November 26, 2017 elections.

## More Jail for Protest, Less Jail for Government Corruption

The Honduran legislature on September 19, 2017 approved article 590 of the Penal Code, allowing judges to condemn some protestors to prison terms of up to 20 years. The article does this by defining “terrorist associations” as any group of two or more people who commit a crime with the intention of “gravely subverting the constitutional order, gravely affecting public peace or provoking a state of terror in the population or any part of it.” It states that “Leadership, promoters or financial supporters

of [such an] association should be punished with prison terms of 15 to 20 years.” The vague definition of “terrorism” in the Honduran context could mean anti-corruption rallies in front of government buildings, indigenous protests that block roads, university sit-ins, or other forms of social protest.<sup>1</sup>

In April 2017, another disturbing revision to the Penal Code, article 335, was passed allowing judges to give 4- to 8-year prison terms to journalists or others whose statements are seen as “apologies for terrorism.” (The provision states that “anyone who publicly or through the media or other means of communicating to the public makes an apology, elevates or excuses the crime of terrorism or of those who have participated in carrying it out, inciting others to commit terrorism or financing it, will be punished with four to eight years in prison.”) In practice, this could mean that journalists who covered an unruly protest or reported on government security forces beating protestors, or human rights defenders who issued a statement in support of a rally or condemning repression of protests, could end up in jail. Overly broad provisions regarding slander (crimes against “honor”) impede journalists from running exposés of corrupt officials and businesses. Pro-government reporting is encouraged in a number of ways, including by allowing media to pay taxes owed by running government ads and finding bureaucratic reasons to hold up license renewals for opposition media.<sup>2</sup>

“Never in our history has journalists’ work been so criminalized,” said Edy Tabora of the Honduran press freedom association C-Libre, noting the passage of laws to silence freedom of association. “We are living in an era in which violence has become a daily occurrence... homicides, stigmatization, threats, harassment, use of decrees and laws to silence journalists.”<sup>3</sup>

Meanwhile, penalties for crimes of corruption (“*malversación por apropiación, uso y administración desleal del patrimonio público*”) and other similar crimes) were reduced in the new Penal Code. The proposal to reduce the penalties was offered by a member of President Juan Orlando Hernández’s Nationalist Party.<sup>4</sup> These reduced penalties could benefit, among others, government officials implicated in sacking over \$300 million from the Honduran national health care system and channeling \$3 million into the Nationalist Party campaign funds, crimes that are still largely unpunished. The National Anti-Corruption Council (CNA) termed the actions to reduce penalties for corruption “a chronicle of impunity foretold.”<sup>5</sup> Juan Jiménez Mayor, head of the Organization of American States’ anti-corruption body in Honduras, MACCIH, called the move “a bad signal for the country.”<sup>6</sup>

A New York investigation related to drug trafficking in Honduras is producing widening allegations of drug trafficking and corruption at the highest levels of the Honduran government. The allegations involve not only ex-President Pepe Lobo, his son Fabio Porfirio Lobo, and other associates, but also members of the current government.<sup>7</sup> The two presidents deny involvement. But in September 2017, Fabio Lobo was sentenced to 24 years for drug trafficking. According to the U.S. Attorney’s Office for the Southern District of New York, “Before and while Lobo’s father was president of Honduras, Lobo used his and his father’s

reputation and political network to broker corrupt connections between large-scale Honduran drug traffickers and individuals within the Honduran government, including high-level officials such as sitting Honduran congressmen as well as customs, military, and law enforcement personnel. By managing security and what Lobo described during a recorded meeting as ‘logistics’ for these criminals, Lobo facilitated and participated in extensive cocaine trafficking with strong support from multiple elements of the Honduran government.”<sup>8</sup>

Despite this widening scandal, the Honduran legislature has still failed to pass legislation recommended by MACCIH to allow plea bargaining tools to be used to encourage drug traffickers and organized crime members to reveal information on organized crime bosses and corrupt officials.

## Crackdowns on Social Protest

Concern about being jailed for protest, or even observing protest, is not an abstract fear in Honduras. On September 8, 2017, four human rights defenders were observing the eviction of students protesting in the National Autonomous University of Honduras (UNAH).<sup>9</sup> They were in a car owned by the Honduran government’s human rights ombudsman’s office along with ombudsman staff, also there to monitor the tense situation with the students. Police approached, stopped the car and ordered them



Members of the Civic Council of Popular and Indigenous Organizations of Honduras (COPINH) rally outside of a mining companies’ conference.



out, which the human rights defenders refused to do. The ombudsman staff abandoned the car and retreated to a distance. The police then threw tear gas into the car, forcing the defenders out of the vehicle. Two of the defenders had to be treated at a hospital. These human rights defenders, carrying out their legitimate work monitoring the eviction of the students, then had charges lodged against them for “cover-up” and for “attacks against the state of Honduras.”

Twenty-six students were detained the same day and human rights defenders denounced excessive use of force by the police.<sup>10</sup> The student protests are part of a long-running standoff between UNAH’s administration and students calling for changes in university leadership and greater student participation in university affairs. Numerous students face legal charges, including for “sedition,” and expulsion from the university, while “complaints of threats against the students gather dust in the [file]

drawers of the Public Prosecutor’s office.”<sup>11</sup> One student facing charges was murdered, as was the father of another student protestor; another student activist was tortured in August 2015 by police, burned with a lighter, and threatened with disappearance.<sup>12</sup>

This is just one of the latest examples of excessive use of force against protestors and violations against and prosecutions of human rights defenders. Indigenous people protesting dams, communities rejecting mining concessions in their neighborhoods, and campesino activists defending their lands are some of the many groups of people who face criminalization of social protest and excessive use of force by police, armed forces, and private security. Criminal charges against activists mount while cases of threats and attacks against them stall.<sup>13</sup>

## Death Threats and Murders of Defenders and Journalists

José de los Santos Sevilla was at his home in Montana del la Flor, La Ceiba on February 17, 2017 when five men burst in and opened fire. De los Santos Sevilla was a teacher and leader of the indigenous Tolupán people, who are fighting to protect their lands from mining and logging projects.<sup>14</sup>

Moisés Sánchez, leader of the Honduran agricultural trade union STAS, was attacked by six armed men on April 13, 2017, as he was bicycling with his brother, Misael, who was seriously wounded as he was protecting Moisés. Moisés Sánchez was kidnapped, beaten, and threatened with death if he continued his union work.<sup>15</sup>

Honduras remains one of the most dangerous countries in the world for human rights defenders and journalists. The risks for human rights defenders and journalists increased dramatically since the 2009 coup. For the last decade, according to Global Witness, Honduras has been the most dangerous country in the world per capita for land and environmental defenders, with 123 of these defenders killed since the June 2009 coup and

### HONDURAN HUMAN RIGHTS DEFENDERS AT RISK



**NEWS**

**69 JOURNALISTS WERE KILLED** since 2001. Of those, 23 were killed since January 2014.<sup>1</sup>

**123 LAND & ENVIRONMENT DEFENDERS KILLED**

since the June 2009 coup, making Honduras the most dangerous country in the world per capita for these defenders.<sup>2</sup>



**"NO GUARANTEE OF RIGHTS FOR TRADE UNIONISTS**

—the lowest rating, according to the ITUC 2017 index.<sup>3</sup>

**9 HUMAN RIGHTS DEFENDERS FLED** the country due to attacks and intimidation in 2016 alone.<sup>4</sup>



 Latin America Working Group Education Fund [lawg.org/BetweenDangers](http://lawg.org/BetweenDangers)  
ACTION AT HOME FOR JUST POLICIES ABROAD

1. Comisionado Nacional de los Derechos Humanos, “Impune el 91% de los crímenes cometidos contra personas ligadas a medios de comunicación,” CONADEH, last modified May 2, 2017, <http://bit.ly/2p5GcvL>.

2. Global Witness, “Honduras: The Deadliest Country in the World for Environmental Activism,” last modified March 14, 2017, <http://bit.ly/2yHzltm>.

3. International Trade Union Confederation, The 2017 ITUC Global Rights Index: The World’s Worst Countries for Workers, <http://bit.ly/2yhCVTh>.

4. United Nations Special Rapporteur, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on his mission to Honduras, report no. A/HRC/35/23/Add.1,[Page 12], April 11, 2017, <http://bit.ly/2zKPUdE>.

14 killed in 2016.<sup>16</sup> At least 17 beneficiaries of “precautionary measures” (emergency protection demanded by the Inter-American Commission on Human Rights (IACtHR) and intended to be implemented by the Honduran state) were killed in Honduras between 2001 and mid-2016, starkly illustrating the Honduran government’s failure to protect human rights defenders. In addition to the human rights defenders killed in 2016, more than a dozen lawyers and justice operators were murdered, according to the Ombudsman Office for Human Rights (CONADEH).<sup>17</sup> Nine human rights defenders left the country due to attacks and intimidation.<sup>18</sup> Anti-corruption activists are among those under attack and forced into exile.

Unionists face threats, attacks, and harassment. Unions are weakened by dismissals of unionized employees and union leaders, and teachers’ unions are especially targeted.<sup>19</sup> The International Trade Union Confederation 2017 index gives Honduras its lowest rating: “no guarantee of rights.”<sup>20, 21</sup>

Three journalists were murdered this year as of September 2017. Carlos William Flores, director of the TV program *Sin Pelos en la Lengua* (Channel 22) was shot multiple times by unknown individuals traveling in a vehicle in Omoa municipality. “The journalist was known to take a critical stances toward the extractive industry,” according to the IACtHR.<sup>22</sup> “The lack of accountability for crimes against journalists impedes the establishment of whether the crimes are connected with their work and thus promotes the notion that journalists are simply victims of generalized violence,” explains the UN High Commissioner for Human Rights’ office in Honduras (OHCHR-Honduras).<sup>23</sup> According to the CONADEH, 69 journalists were killed from 2001-January 2017, 23 of these murders since January 2014; only 9 percent of the murders have been successfully prosecuted.<sup>24</sup> Conversations with Honduran journalists reveal the pressure and threats they receive from national and local political leaders and police, among other sources of risk.

Threats and attacks against human rights defenders are rarely brought to justice. The perpetrators have not yet been brought to justice

in a single one of 13 cases of beneficiaries of precautionary measures who were killed between 2012 and 2016, according to OHCHR-Honduras in its 2016 annual report; as of the date of that report, five cases are in the trial phase, six are under investigation and two are still awaiting assignment of a prosecutor.<sup>25</sup>

With the spotlight of international attention focused on the assassination of renowned indigenous activist Berta Cáceres on March 2, 2016, there has been some progress in investigating and prosecuting the material authors of this crime, including current and retired military officers and dam company personnel. However, even in this most high-profile case, to date little progress is evident in bringing the intellectual authors to justice. Moreover, attacks, threats, and harassment continue against Berta Cáceres’ family members and Council of Popular and Indigenous Organizations of Honduras (COPINH) leaders.<sup>26</sup>

A mechanism to protect human rights defenders, journalists, and justice operators was established and is beginning to be implemented in Honduras, which is a step forward. However, the mechanism covers only 104 people as of August 2017;<sup>27</sup> beneficiaries complain that police patrolling is erratic and some beneficiaries receive little more than courses in self-protection. On July 10, 2017, LGBTI human rights defender David Valle was gravely wounded at his house; he had solicited protection measures and the only measures implemented were the installation of cameras and, reportedly, an urgent phone line, when this attack took place.<sup>28</sup>

To make matters worse, public officials place human rights defenders in danger by publicly attacking their work and failing to react when they are killed or threatened.<sup>29</sup>

## The Law of Secrets

In 2014 the Honduran Congress approved the Law for the Classification of Public Documents Related to Security and National Defense, more popularly known as the “Law of Secrets.” This law undermined progress in freedom



of information and transparency efforts in Honduras that had advanced in the previous decade. The law gives the National Defense and Security Council broad authority to classify documents for 5 to 25 years, and the public as well as other government agencies have to appeal to the council to declassify documents.<sup>30</sup>

Critics note that the law has made it impossible to know, for example, how the government is spending the special security tax that was levied or to access information about whether the drop in homicides claimed by the government is backed by valid data. However, the information restricted is not limited to national security. The council has classified documents from agencies such as the national health system and water and electrical utilities, making it difficult to monitor budgets and spending. “This law of secrets is a shield for those who are corrupt, it’s that simple,” said Liberty and Refoundation (Libre) opposition party deputy Jorge Cálix.<sup>31</sup> The Student Anti-Corruption Coordinator, a watchdog organization coming out of the Indignados anti-corruption movement, noted that the Law of Secrets and the opaque security tax “have created conditions that allow government officials to misappropriate public funds to benefit the political elite.”<sup>32</sup> The MACCIH has called for revisions to the Law of Secrets—but so far it is still in force.

## Elections Without Full Guarantees

Hondurans go to the polls to elect a President and members of the legislature on November 26, 2017. The European Union, MACCIH, and other international actors urged the Honduran legislature to pass a law on campaign financing and other election-related issues, which was passed on October 20, 2016. However, anti-corruption watchdogs note that after the vote, changes were made in the law, dropping a provision that prohibited companies receiving government contracts and concessions (such as mining concessions) from making campaign contributions. Implementation of the law was also delayed until after the primary elections in March 2017.

Supporters of the opposition coalition question whether problems affecting the 2013 elections have been resolved, such as parties offering store discounts and other benefits to voters, voters’ assignments to distant voting locations, or allegations that some transmissions from voting tables to the Supreme Electoral Council were changed. They also denounced use of state resources for the President Hernández’s reelection campaign and lack of sufficient opposition representation in the Supreme Electoral Council and at polling stations. Six weeks before the election, one million voter identity cards were not yet delivered.

The Honduran Catholic Bishops’ Conference issued an unusually strong statement regarding the context of the elections, lamenting the lack of separation of powers and rule of law in recent years.<sup>33</sup>

Above all, the election is clouded by the question of presidential reelection. In April 2015, the Supreme Court ruled invalid the constitutional provision prohibiting presidential reelection, allowing President Juan Orlando Hernández to run for reelection. Constitutional scholars noted that the Supreme Court does not have the power to change the Constitution, just to interpret it, and in effect this ruling changed a provision of the Constitution.<sup>34</sup> Despite this controversy, the President’s reelection campaign went forward.

Reelection, or no reelection, is a reasonable question for Hondurans to decide. But as no one in Honduras can forget, the ostensible reason of the 2009 coup, with all of its damaging impact on human rights and democratic institutions, was to prevent President Manuel Zelaya from carrying out a referendum on whether presidential reelection should be permitted.

## Undeterred

Despite the threats and against the odds, Hondurans are organizing for their rights. In the one week during the LAWG’s July 2017 visit, for example, indigenous movements led a daily rally in front of a Tegucigalpa hotel

where a conference for international mining companies was promoting the ease of investing in Honduras; students were protesting at the UNAH; think tanks and civil society groups were hosting workshops and conferences on democracy and human rights; anti-corruption activists were advocating with the Congress and planning their next moves; LGBTI organizations were documenting violence against LGBTI

Hondurans; and human rights defenders were accompanying the student strikes so that possible excessive use of force by police or private security would not go unwitnessed. Communities in rural Honduras are organizing referendums on mining and other projects on their territories. But all of these determined Honduran citizens are defending their rights at great risk.

## Repression in Honduras as Citizens Protest Disputed Election

*By Lisa Haugaard, December 4, 2017*

Nineteen-year-old Kimberly Dayana Fonseca was shot and killed in Tegucigalpa as members of the Military Police opened fire on unarmed protestors rallying against fraud in Honduras's November 26th elections.<sup>1</sup> The teenager is one of eight people killed during protests that erupted across the country around the disputed elections.

The government declared a ten-day state of siege December 2, suspending constitutional rights. The decree set a 6 PM curfew banning citizens from public spaces and ordering security forces to remove protestors from streets and public spaces.<sup>2</sup> Military are patrolling the streets and can detain anyone violating curfew. At least 500 people were detained in the first two nights.<sup>3</sup>

Hondurans banged pots and pans from their homes to protest during the curfew. Many protests have been peaceful, although there has also been property damage and looting. Security forces are shooting and throwing tear gas at protestors and observers, including journalists and human rights activists.<sup>4</sup>

The Supreme Electoral Tribunal (TSE) sparked the controversy starting election night with delays and lack of transparency. The first results showed Opposition Alliance presidential candidate Salvador Nasralla with a surprising five percent lead over incumbent Nationalist

Party Juan Orlando Hernández—a lead that some commentators labeled insurmountable. Liberal Party presidential candidate Luis Zelaya conceded. The TSE stopped reporting results, and then released them sporadically with few and confusing explanations.

As of December 4, 2017, Hernández is leading by a narrow margin with almost all votes counted (but not recounted): 42.98 percent to Nasralla's 41.39 percent.<sup>5</sup> Legislative and municipal electoral results are also in dispute.

Criticism of the elections is not limited to the vote count. The European Union observation team highlighted the use of public resources for the Nationalist Party campaign and the huge disparity in media coverage between the Nationalist Party and all other candidates.<sup>6</sup> The government's refusal to renew the license of a more critical television station, *TV Globo*, contributed to this skewed coverage. Lack of opposition party participation in the TSE weakens its legitimacy.

### Background: Reelection Controversy

The presidential elections from the start were controversial. President Hernández managed to overturn the constitutional ban on presidential reelection when a Constitutional Court stacked



with his nominees issued a publicly disputed ruling permitting reelection without going through the legal steps for reforming the Constitution. Reelection is deeply controversial in Honduras because the rationale for the 2009 coup, which fractured Honduran democracy and respect for rights, was that deposed President Manuel Zelaya had proposed a referendum to consider changing the ban on presidential reelection.

The Opposition Alliance brings together sectors of the left and center—the Liberty and Refoundation (Libre) Party, members of the former Anti-Corruption Party, and the Innovation and Unity Social Democratic Party (PINU-SD).

Deep-seated corruption—symbolized by the sacking of \$300 million from the nation’s health care agency, \$5 million of which was allegedly channeled into Nationalist Party campaign funds—simmering anger over the coup, lack of attention to poverty and jobs, and systematic violation of rights are some of the reasons for President Hernández’s falling levels of support. Supporters credit his tough security measures for reducing Honduras’s stratospheric homicide rate.<sup>7</sup>

## POST-ELECTORAL HONDURAS: A STATE OF SIEGE

**IN THE FIRST  
TWO  
DAYS,  
500  
DETAINED.**

SOURCE: <http://bit.ly/2GETI3g>

*“Many Honduran citizens felt robbed of their rights to democracy and expression during and after the June 2009 coup, and now they are living that again...”*

## Now What? Recounting the Vote

The Opposition Alliance is demanding a recount of disputed vote tallies with full participation of parties and international observers. Demands for a recount are coming from many sectors, including the business council COHEP. Civil society organizations are asking that the United Nations oversee the recount.

As of the morning of December 4, the TSE has not recounted all of the vote tallies (the reports from each polling place) demanded by the Alliance. The Organization of American States’ (OAS) mission underscored that the scrutiny needed does not end with the limited recount to which the TSE has agreed.<sup>8</sup>

Honduran civil society organizations demand an end to the state of siege and respect for their rights to protest.<sup>9</sup> The UN and OAS human rights agencies call for respect for Hondurans’ right to protest, for all actors to abstain from violence, and for “dialogue and genuine political participation for the search for a solution that is respectful of human rights.”<sup>10</sup> The Latin America Working Group and other U.S. civil society organizations urge a suspension of U.S. military and police aid and for the State Department to hold up all aid subject to human rights conditions in U.S. law.

The U.S. Embassy has issued tweets calling for transparency and a recount with observation but so far has failed to back the full recount demanded by the Opposition Alliance—far short of a vigorous diplomacy in support of Honduran democracy.<sup>11</sup>

Many Honduran citizens felt robbed of their rights to democracy and expression during and after the June 2009 coup, and now they are living that again as they face disputed elections—and once again, a state of siege. The international community must not stand idly by but demand an immediate end to the state of siege, respect for Hondurans’ right to protest, freedom of assembly and expression and a full and transparent vote recount with political party, international community, and Honduran civil society observation. Honduras’s 2009 nightmare must not be repeated.



# Protest Met with Brutal Repression: A Summary of Human Rights Abuses in Post-Electoral Honduras

*By Lisa Haugaard, January 26, 2018;  
Peace Brigades International – USA contributed substantially to this section.*

**K**imberly Dayana Fonseca,<sup>1</sup> a 19-year-old Technical Institute student, was staying at a friend's house when she heard gunfire coming from the streets where a protest was being held. It was December 4, the first night of the government-imposed curfew. Concerned that her brother was at the protest, and aiming to bring him home, Kimberly went into the street to find him. As she stood at the edge of the crowd, looking for her brother, she was shot in the head by the Military Police. Although protesters tried to administer CPR, she died almost instantly.<sup>2</sup>

In the aftermath of the highly contested November 2017 Honduran presidential elections, massive protests—over 1,000 in total—against suspected electoral fraud and the disputed reelection of President Juan Orlando Hernández took place all over the country. Twenty-two people, most of them protesters, were killed by Honduras's security forces—all but one by the Military Police.<sup>3</sup> Protests continue in January 2018—and so does the repression. This report details acts of government repression of protesters, journalists, and human rights defenders in the wake of the election. It also suggests the challenges that Honduran citizens, and the international community, face in order to protect human rights at this critical moment.

## More than Thirty People Killed, Most of Them Protesters

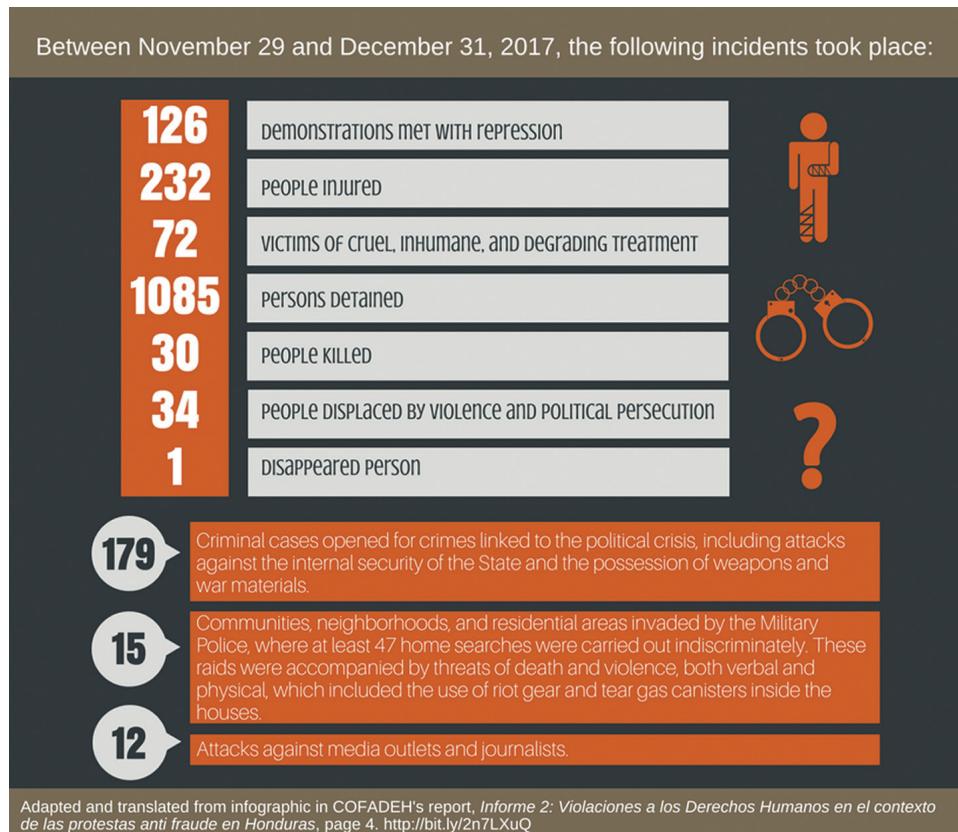
The Honduran government has sent its security forces to quell protests using tear gas, batons, and live ammunition. Thirty people were killed, 232 people were wounded, 1,085 people were detained, and one person was disappeared between November 29 and December 31, 2017, according to the Honduran Committee of Relatives of the Disappeared in Honduras

(COFADEH).<sup>4</sup> The Ombudsman Office for Human Rights (CONADEH) documents 31 people killed in post-election violence as of mid-January 2018.<sup>5</sup> More recent deaths—the shooting, apparently by security forces, of Anselmo Villareal in Saba, Colón on January 20, for example—brings the total number of those killed still higher.<sup>6</sup>

One hundred and twenty-six protests, by COFADEH's count, were met with actions of repression. Human rights experts from the United Nations and the Inter-American Commission on Human Rights (IACHR) in a joint statement December 20 statement expressed concern about the excessive use of force.<sup>7</sup> Security forces threw tear gas into crowds, homes, and shopping areas, affecting children and senior citizens, and wounding protesters with gas canisters;<sup>8</sup> they shot into crowds with live ammunition, resulting in protesters and in some cases bystanders being wounded and killed.<sup>9</sup> Security forces prevented wounded protesters from being taken to hospitals, according to COFADEH, and entered hospitals in search of protest leaders.

Most of the 30 people killed were protesters. The majority were young men; the victims include three minors. Three of those killed were police, two while enforcing the curfew and one in the context of a demonstration, according to COFADEH. In some cases, protesters threw rocks at police. Acts of looting and vandalism took place, especially in the first few days after the elections.

In addition to people killed during demonstrations, there appear to be selective assassinations of protest leaders and Liberty and Refoundation (Libre) party activists. Arnold Fernando Serrano Moncada, who had participated in opposition marches, was found dead after reporting threats, according to



Adapted and translated from infographic in COFADEH's report, *Informe 2: Violaciones a los Derechos Humanos en el contexto de las protestas anti fraude en Honduras*, page 4. <http://bit.ly/2n7LxUQ>

COFADEH.<sup>10</sup> The body of activist Seth Jonathan Araujo Andino was found the day after he had participated in a December 4 demonstration in Tegucigalpa.<sup>11</sup> His body bore marks of torture. Twenty-two-year-old Manuel de Jesus Bautista Salvador was forcibly disappeared. Arrested by Military Police near the site of a protest on December 3, he was never seen again. A protest leader in San Juan Pueblo, Wilmer Paredes, was assassinated on January 1, 2018, in a drive-by shooting.<sup>12</sup> On December 16, he had been one of several people subjected to electric shock and degrading treatment by security force members.<sup>13</sup>

Of the 30 people killed, 21 people were allegedly killed by the Military Police of Public Order (PMOP), one by the National Preventive Police, 5 by unknown perpetrators, and 2 by private individuals, according to COFADEH.

In Geneva, on January 19, the spokesperson for the UN High Commissioner for Human Rights called on<sup>14</sup> the Honduran government to undertake an assessment of the rules of engagement and to avoid using the Military Police and the armed forces in policing demonstrations.

## Role of the Military Police

The leading role of the Military Police in these acts of violence against protesters is documented by multiple observers including Amnesty International and in a joint communique, the UN High Commissioner for Human Rights office in Honduras (OHCHR-Honduras) and the IACRHR.<sup>15, 16</sup> Military Police are a controversial force of some 5,000 troops under the control of the presidency. They are composed of soldiers who, after receiving a couple of months of training, are deployed to patrol neighborhoods as police. As leader of the Congress in 2013, now-President Juan Orlando Hernández led efforts to pass the legislation that created the Military Police; he subsequently championed a failed effort to make the Military Police permanent in the Constitution. Honduran human

rights organizations have been calling for their dismantlement since they were first stood up, warning that soldiers did not have the correct training for police work and that they were a personal force tied to the presidency. Investigating and prosecuting the Military Police for abuses is complicated by legal restrictions preventing the Public Ministry from investigating the Military Police directly. Rather, Military Police are investigated only by special prosecutors who are attached to their military units.

During the protests, in contrast to the actions of the Military Police, some members of the police and the COBRA special forces temporarily refused to take actions to repress their fellow citizens.<sup>17</sup>

The United States does not provide training and funding directly to the Military Police, largely due to concerns expressed by members of the U.S. Congress. However, some Military Police members likely received U.S. training as soldiers before they were assigned to the Military Police, and Military Police can operate in conjunction with U.S.-funded units. The State Department, responding to human rights conditions attached to aid to

the Northern Triangle countries, has requested a plan from the Honduran government to phase out the Military Police and strengthen the Preventive Police. However, this plan has not been made public and its timeline for dissolving the Military Police is sometime in the future. Indeed, the Honduran government has showed no signs of phasing out the Military Police, deploying two new battalions in July 2017.<sup>18</sup>

## Failure of the Honduran State to Protect Its Citizens

No state institution acted effectively to protect Honduran citizens from the repressive actions of the Military Police and other security forces. CONADEH did report on the killings in a generic fashion, called on authorities to avoid the use of lethal arms against demonstrators, and prodded the Public Ministry to investigate cases of abuses, but its voice was muted and its actions proved ineffectual. It is not yet clear whether the Public Ministry is investigating the killing and wounding of protesters, but it has been active in filing charges against protesters themselves, according to COFADEH.<sup>19</sup> In 2017, the Honduran legislature passed two laws with a vague definition of terrorism that could result in lengthy jail terms for those involved in protests that block roads or journalists who cover unruly protests—while lessening penalties for corruption.<sup>20</sup>

Rather than admitting security forces used excessive force, Security Minister Julian Pacheco Tinoco claimed that those protesting were drug traffickers and gang members<sup>21</sup>—a pattern of vilifying protesters that other government officials followed. At a minimum, the National Protection Mechanism for human rights defenders and journalists failed to take vigorous action to defend the limited number of beneficiaries it covers and did not take any broader action to address the situation of crisis faced by journalists and human rights defenders.<sup>22</sup>

## Torture and Cruel Treatment

At least 232 people were injured from November 29 to December 31, 2017, and 72 suffered torture or cruel, inhumane, or degrading treatment, according to COFADEH.<sup>23</sup> Honduran

human rights organizations received reports of torture in detention including beatings, use of stress positions, and electroshock.<sup>24</sup>

COFADEH's mid-January report details torture carried out against people detained December 1 at the installations of the army's 105th Infantry Brigade. Those detained were hung with their hands above their heads for hours, beaten with cables and batons, and kicked in the ribs. The United States provided training in 2016 to members of the 105th Infantry Brigade according to the Foreign Military Training Report.<sup>25, 26</sup>

Jonathan Fernando Cardona Rodríguez, a twenty-one year old who was parking his motorcycle in front of his house on December 3, was beaten unconscious by Military Police, according to COFADEH.<sup>27</sup> They prevented his brothers from helping him and threatened them with death if they reported anything.

A December 16 protest in Agua Tibia, San Juan Pueblo, Atlántida was brutally repressed by National Police officers, as well as by Military Police, according to COFADEH. After teargassing the protesters and firing live ammunition at them, the police pursued them into their homes, breaking down doors and shattering windows. The police forced 30 people to walk back to the highway where their protest had taken place, beating some of them while they were handcuffed. Then the security forces, using cattle prods, applied electric shock to the protesters' ears as they made them dismantle the barricades they had erected. Six people had to be hospitalized.

In 2018, mistreatment of protesters by the security forces continues. Protesters during the month of January were brutally beaten while demonstrating. On January 12, the Military Police attacked protesters with truncheons in Tegucigalpa. In Choluteca on the same date Military Police attacked and beat protesters. The OHCHR-Honduras on January 14 expressed concern about the violence and the excessive use of force.<sup>28</sup>

In a number of neighborhoods around San Pedro Sula, Tegucigalpa, and Choluteca, members of the Military Police are reported to have gone door to door at night searching houses without warrants for protest leaders.<sup>29, 30</sup>



## Attacks on Journalists

At least a dozen journalists including from Honduran media *Marte TV*, *Prensa Libre de Choluteca*, *Tribuna TV*, and *Canal 11*, and international media such as *The Guardian*, were harassed and attacked by security forces, often as they covered protests.<sup>31</sup> For example, on January 12, 2018, two journalists from *UNE TV* were beaten by 30 members of the army, as the journalists were covering a demonstration, according to the press freedom group C-Libre.<sup>32</sup>

Three freelancers from the United States and Britain were detained in the airport and deported.<sup>33</sup> The Jesuit-associated *Radio Progreso*'s transmission tower was dismantled on December 6 and on December 10, *UNE TV* denounced that its fiber optics cable was burned, just as the Opposition Alliance called for a demonstration in Tegucigalpa.<sup>34</sup> Social communicator Neptali Rubí of *TeleSur Canal 33* was detained on December 15 as he covered a demonstration in San Lorenzo.

## Attacks and Threats against Human Rights Defenders

Communities, organizations, and individuals defending human rights have been attacked repeatedly in recent weeks. Peace Brigades International's Honduras team has documented 35 attacks on defenders since November 27.<sup>35</sup> On November 30, for example, Kevhin Ramos, of the Association for Democracy and Human Rights (ASOPODEUH), and Henry Rodríguez, of the Association for Citizen Participation (ACI-Participa), were observing a demonstration led by the Libre party in the Plaza Cuba, when Kevhin was threatened by General Héctor Iván Mejía and other police officers who surrounded him and pushed him. They threatened him saying that they were "going to send him to sleep forever." The day before, both human rights defenders had been beaten and insulted by members of the Military Police and special police forces known as the Cobras and the Tigres.

The Black Fraternal Organization of Honduras (OFRANEH) has been repeatedly targeted.<sup>36</sup> On December 18, while community members were peacefully protesting and playing drums and

maracas to ask for strength from their ancestors, police forces composed of Tigres, Cobras, Military Police and special riot police arrived mid-morning and began throwing teargas canisters at demonstrators, in spite of the presence of children and elderly people. Then police forces entered the community itself and threw teargas into a number of houses. That same day, in the evening, unknown assailants fired five shots at community leader Luis Enrique García as he was driving home. He was hit and injured by a bullet. Community members suspect that the attack is linked to their participation in the December 18 road takeover protest, since following that event the community had been under army surveillance. In January, OFRANEH reports, hitmen have made nighttime incursions into the Garifuna communities and reportedly have a list of people to be eliminated.<sup>37</sup>

The Broad Movement for Dignity and Justice (MADJ), which is involved in legal support work, has received reports of illegal arrests and raids and has presented writs of habeas corpus on behalf of detained and disappeared individuals. The organization has also taken testimonies about the psychological and emotional damage that the deployment of nearly war-time operations has caused in many communities. On December 8, members of the Military Police and the Cobras raided the MADJ's training facility in San Juan Pueblo, Atlántida, looking, they said, for the general coordinator, attorney Martín Fernández.<sup>38</sup> The attorney has had precautionary measures from IACHR since 2013, as have other MADJ leaders in the area. On December 16, members of MADJ participating in the takeover of Highway CA13 in Agua Tibia were brutally attacked by members of the National Police, Military Police, army, and Cobras.<sup>39</sup> Diego Daniel Aguilar, in spite of identifying himself as a human rights defender, was beaten by more than 10 agents. He was among the 30 required to return to the highway and dismantle the barricade as they had their ears shocked with cattle prods.

The MADJ has reported that security forces are searching for, harassing, and arresting social leaders as a means of dissuading citizen protest. Security forces are reportedly using unmarked cars, sometimes without license plates, and are making arrests without warrants, as well as

harassing people in their houses. At least 47 illegal raids of homes have taken place.

On January 22, two MADJ members were killed: 25-year-old Ramón Fiallos in Arizona, Tela and Geovanny Díaz in Pajuiles, Tela.<sup>40</sup> The former was shot by state security forces during a protest. The latter was found shot to death a few hours after men in police uniforms dragged him out of his house in the early morning hours.

In a January 19 communique, the OHCHR-Honduras and the IACtHR cited a growing number of reports of intimidation and threats against human rights defenders, as well as members of the media.<sup>41</sup>

## U.S. Government Reaction to Post-Electoral Human Rights Abuses

As these human rights abuses and violations of freedom of expression mounted, the U.S. Embassy was mute on the subject. Chargé d'Affaires Heide Fulton, whose twitter account was a main means of public communication by the U.S. Embassy, issued not a single tweet mentioning excessive use of force by Honduran security forces nor calling on the Honduran security forces to exercise restraint, until December 22 when a tweet linked to a State Department statement that, "The government must ensure Honduran security services respect the rights of peaceful protestors, including by ensuring accountability for any violations of those rights."<sup>42</sup> On January 19, 2018, a tweet recognizing the appointment of a new human rights minister did link to a statement calling for accountability for human rights abuses following the elections and noted that, "Members of the security forces must use force only in accordance with international standards."<sup>43</sup>

Indeed, the State Department appeared to give a seal of approval to the repression when it certified on Tuesday, November 28, two days after the contested elections, that Honduras met the human rights conditions in law, which include to "protect the right of political opposition parties, journalists, trade unionists, human rights defenders, and other civil society activists to operate without interference,"<sup>44</sup> among other matters. While this decision had

been in the works for weeks, the Honduran government and National Party cited it as proof of U.S. support for its actions and members of Honduran civil society viewed it as a disheartening sign that the U.S. government was giving President Juan Orlando Hernández a green light to continue the repression.<sup>45</sup>

## Recommendations for U.S. Policy Specifically Related to the Post-Electoral Human Rights Crisis

The State Department should insist that:

- The Honduran government cease any use of excessive force on protesters and cease harassment of and unwarranted investigations of protest leaders, journalists and social communicators, and human rights defenders;
- The Honduran government immediately act to disband the Military Police;
- The Honduran justice system effectively investigate and prosecute state agents implicated in extrajudicial executions, forced disappearance, and other grave human rights abuses during the post-election period, as well as investigating and prosecuting the material and intellectual authors of the murder of human rights defender Berta Cáceres.

Congress should:

- Press the State Department to take diplomatic action to ensure the Honduran government takes the steps listed above;
- The Foreign Relations Committees and State, Foreign Operations subcommittees should withhold U.S. assistance to the central government of Honduras that is tied to the conditions in law until the Honduran government takes the actions listed above;
- The Armed Services and Defense Appropriations members should also hold up the security assistance administered via the Defense Department and express their serious concerns to the Defense Department and Southern Command.



# No Rights, No Dignity: Risks Facing Deported Migrants in Honduras and El Salvador

*By Daniella Burgi-Palomino, January 11, 2018*

Deportations from the United States to Honduras and El Salvador have not increased in 2017, according to official statistics. But while the overall number of deportees from the United States has not increased, removals of undocumented immigrants from the interior of the country have.<sup>1</sup> This means that this administration is deporting more people from within the United States than last year—largely because there's been a 40 percent increase in arrests of undocumented immigrants. Recent U.S. policy threats such as the termination of the Deferred Action for Childhood Arrivals (DACA), benefiting over 50,000 Honduran and Salvadoran youth and the cancellation after 18 months of Temporary Protected Status (TPS) for over 200,000 Salvadorans and potential phase-out for Hondurans in May 2018, could increase deportations to El Salvador and Honduras significantly over the next several years.

What hasn't changed is the situation to which deported migrants return—one of uncertainty, fear, and little hope for their future outside of a life in hiding. During our trip to both countries in mid-2017, we heard grave concerns regarding how an increase in deportations from the United States could exacerbate the existing security situation, drive forced displacement, and overwhelm the Central American governments' and civil society's capacity to protect the rights of and provide basic services to deportees. A lack of programs and job opportunities—combined with threats from gangs, organized crime, and state security forces—leaves returned migrants between a rock and a hard place: they can either turn around and migrate again or resign to living a life without dignity and safety in their home countries.

In this blog, we unpack the ongoing risks and deterioration of conditions that deported migrants face upon their return to El Salvador and Honduras. We evidence the lack of government capacity that exists to receive them and the failure of existing programs to comprehensively and holistically address the issue—and explain the potential impacts of ongoing U.S. policy threats.



## Decreased Numbers, Not Decreased Risks for Deported Migrants

### Honduras

Approximately 100,000 individuals leave Honduras annually. People depart on a daily basis—100 per day by some estimates.<sup>2</sup> According to Honduran government statistics, as of the end of 2017, a total of 48,022 individuals were deported back to Honduras, including 20,841 from the United States and 26,991 from Mexico. This represents a 30 percent decrease in totals for the same period

last year.<sup>3</sup> Over 80 percent of deported migrants from the United States were men. The majority of deported unaccompanied children came from Mexico, while unaccompanied children made up only 1 percent of the migrants deported from the United States.

However, those who serve deported migrants directly predicted that deportations in 2018 might be “massive” given harsh U.S. immigration enforcement policies.<sup>4</sup>

### El Salvador

In El Salvador, a country with a much smaller population compared to Honduras, an estimated 300 people leave daily.<sup>5</sup> Through December 2017, deportations to the country also appear to be down in comparison to the same months last year. Official government statistics for 2017 state that 15,691 individuals were deported from the United States and 11,089 from Mexico. The vast majority of those deported were men.<sup>6</sup> This is a total of 26,780, which represents a 49 percent decrease compared to figures from 2016.<sup>7</sup> Statistics from earlier in 2017 show decreases between the ranges of 20 to 30 percent.

### Returning to a Life without Dignity

The situation of insecurity, corruption, and impunity that all deported migrants return to remains the same and in some cases has deteriorated. In the worst cases, an individual may face direct threats to their life or be assassinated shortly after returning. In the best cases, returning often means a life in hiding and facing daily challenges alone, including possible trauma from the journey and rights violations suffered at the hands of organized crime, authorities, and immigrant enforcement agents.

The process by which individuals are deported back to Honduras or El Salvador from the United States involves ICE-chartered flights that depart from different cities in the United States and on which individuals often spend hours handcuffed. Upon arrival to their home country, migrants are received at repatriation centers, usually run by a combination of religious orders,

NGOs, international organizations, and the government. The attention that they offered is limited to receiving water and snacks, a cursory medical checkup, perhaps some financial support to return to their home communities, and an intake interview to document their arrival to the country.

After that, deported migrants are usually on their own—a reflection of how governments view their arrival, welcoming them in nice-looking buildings and registering them as statistics, but failing to recognize their rights, urgent needs, and potential to contribute to society.

The repatriation centers—such as the *Centro de Atención al Migrante Retornado* (CAMR) in San Pedro Sula, Omoa, and El Edén, Honduras and the *Dirección de Atención al Migrante*, or *La Chacra* center in San Salvador, El Salvador—are key in providing the basic services migrants often need upon arrival. However, these centers often lack the capacity to identify the broader protection needs migrants might have and often do not provide or coordinate for longer-term reintegration support with other agencies.

Most migrants are out of the center in about an hour and then face the difficult situation of figuring out what to do. “People go outside of the centers onto the streets and usually decide to leave again,” a Salvadoran government official told us.<sup>8</sup>

### Facing Risks and Trauma Upon Return

In many cases, the fears migrants have of returning to their communities are the same ones that propelled them to leave in the first place, including threats from gangs and organized crime. These risks are heightened for unaccompanied children, women, youth, and LGBTI individuals. Deported migrants may be targeted for various reasons: they may have already been under threat before they left, the gang control in the community may have worsened, or perhaps they may be perceived as returning from the United States with money and become immediate targets for extortion.



Fear may also be compounded with other stigmas upon return to the community. Deported migrants might experience feelings of failure and disappointment at the way things turned out and rejection by family members.<sup>9</sup> Stigmas can be greater for deported women, especially because they might suffer sexual and gender-based violence along the migration journey.<sup>10</sup>

In some cases, deported migrants may fear the situation so much that they may not want to return to their home communities at all. Some NGOs report that they have witnessed cases where children don't want to leave the repatriation centers due to fear. In a recent report by the Center for Migration Studies and Cristosal, half of the people interviewed were displaced internally before deciding to leave the country, and when they returned, these individuals again depended on family so as not to return to the community from which they fled.<sup>11</sup> Thus, upon deportation to their home country, they also return to the very situation of displacement, uncertainty, and fear they fled from in the first place.

In instances where deported migrants do return to their communities, many resign to living in states of confinement and being locked up in their own homes to avoid threats, suffering restrictions on their personal freedoms.<sup>12</sup> Individuals at risk often turn to their families for protection instead of the state, and those without families, such as unaccompanied children or youth, are often at most risk. Staff from a Salvadoran NGO told us that young men are not on the government's protection agenda and that, when the former don't find protection with the state, they seek it with gang members.<sup>13</sup>

### An Uncertain Future: Reintegration to What?

Deported migrants face a myriad of challenges in attempting to live a normal life in El Salvador and Honduras.

Many deported migrants return with minimal to no financial resources or personal identification documents. This could be, in part, because they

were displaced prior to fleeing, they utilized all of their resources to migrate, they borrowed money from family and succumbed to debt, or they were robbed somewhere along the way. Some may receive a provisional identification document upon their return at the repatriation centers, but the process to get new identification documents can take months. Not having official identification documents means that individuals may face obstacles in accessing basic services and in seeking employment.<sup>14</sup>

For deported children, returning to school in their home communities or in areas where they were displaced is difficult. They may face many of the bureaucratic hurdles confronting internally displaced persons (IDPs) in transferring schools.<sup>15</sup> These problems can be exacerbated by the children's lack of paperwork and gaps in schooling—anywhere from a few months to several years of absenteeism, depending on how long they were out of the country. They may also be bullied and stigmatized by their peers for returning after having fled.

Several local organizations also consistently raised concerns over the lack of psychological support available for deportees to help them process the feelings they may have upon returning and any trauma they may have suffered along the journey.

Finally, access to sustainable and well-paid employment opportunities for deported migrants is limited. "One cannot speak of reinsertion into the community because there are no public policies that help decrease the risks that forced migrants to leave, much less programs aimed at honing individual's skills and ability to obtain an income that allows them to live with dignity," a 2016 Casa Alianza report stated regarding the situation in Honduras.<sup>16</sup>

Often, there is stigma associated with hiring deported migrants. Employers often see returned migrants as criminals and disregard the skills they might bring based on their work experience in the United States. Companies are sometimes not willing to take a chance on deportees, especially if they lack the right paperwork or cannot demonstrate past work experience in the country.<sup>17</sup>

The Salvadoran government has attempted to increase employment opportunities and reintegration services for returned migrants through the Ministry of Foreign Affairs and Migration programs, but they have largely been limited in scope and reach.<sup>18</sup>

Lack of employment opportunities drives deported migrants into the informal economy and further into a vicious cycle of poverty and instability.

## Lack of Government Capacity to Receive Deported Migrants

**Empty legal frameworks.** El Salvador and Honduras recently established legal frameworks to coordinate government agencies' responses and resources for the deported migrant population—the Law for the Protection of Honduran Migrants and their Families (*Ley de Protección de los Hondureños Migrantes y sus Familiares*) in Honduras and the Special Law for the Protection and Development of Migrant Persons and their Families (*Ley Especial para la Protección y Desarrollo de la Persona Migrante y su Familia*) in El Salvador.<sup>19, 20</sup> However, these frameworks lack sufficient funding to establish programs, including those that provide longer-term attention to deported migrants.

**Ineffective programs, no comprehensive policies.** What these laws did create is an alphabet soup of a few, small government programs meant to support deported migrants but no actual, comprehensive policies that holistically address the issue. In El Salvador and Honduras, initiatives to follow-up with deported migrants once they have left repatriation centers are run by a very limited number of international organizations, churches, and local NGOs.

Often institutional support is missing from the beginning of the process, at the repatriation centers where they should be providing attention and services to deported migrants leaving the centers, such as unaccompanied children or women. Yet, they fail to do so. In El Salvador for example, child welfare agencies, such as the National Institute for the Integral Development of Children and Adolescents

(ISNA) and the National Council for Children and Adolescents (CONNA), should coordinate a response that considers an unaccompanied child's best interests, including protection, foster care, and psychological services. In Honduras, the same responsibility would fall on the child protection agency, Directorate for Children, Adolescents, and Family (DINAF). However, there is widespread recognition that these agencies alone cannot attend to deported children, and their services are usually limited to handing over deported children to family members.<sup>21, 22</sup>

All of the deported migrants interviewed in a recent report published by Cristosal and the Center for Migration Studies highlighted that they were living without institutional support upon being returned to El Salvador and Honduras.<sup>23</sup>

Local nonprofits and churches often have difficulty accessing repatriation centers or coordinating with the government agencies that run them, specifically in obtaining contact information of deported individuals so that they can provide support and follow-up services in their local communities. In general, individuals are also not screened for protection needs or concerns at the repatriation centers, although the Norwegian Refugee Council (NRC) has been doing so for the past year in San Pedro Sula, Honduras, albeit on a small scale.<sup>24</sup> In El Salvador, CONNA was collaborating with other government agencies to provide a new, additional interview to better identify the protection needs of unaccompanied children upon their return to La Chacra after deportation.<sup>25</sup>

Beyond the repatriation centers, the programs that do exist are extremely limited in design. They usually involve small centers in major cities or municipal capitals where migrants should already be able to register and access support and service information. For example in Honduras, we heard of new, one-stop shop centers known as Municipal Units for the Care of Returned Migrants (UMAR). These were emerging in at least San Pedro Sula and Tegucigalpa in 2017.<sup>26</sup> Conceptually, these centers should provide deported migrants



information on how to access services upon their return. According to UN High Commissioner for Refugees (UNHCR) staff in Honduras, however, these persons with protection needs go to these centers only to turn right back around to seek help from international organizations such as the UNHCR, or simply to migrate again.<sup>27</sup>

In El Salvador, we heard of new municipal centers to serve children and families in need of protection, including, but not solely focusing on, deported migrants, known as Care Centers for Children and Families (CANAFs) and the Local Victim Assistance Offices (OLAVs). Yet, from our conversations with UNHCR, deported populations face particular risks and should, therefore, receive specific recognition in addition to inclusion as part broad initiatives that respond to victims.<sup>28</sup>

Deported migrants are unique because, upon repatriation, they will not stay in the larger cities or municipal capitals, make themselves known by registering in such centers, or go to them alone as unaccompanied children. “They avoid registering. You can’t find them because they don’t want to be found,” a representative from an NGO in El Salvador told us. Churches that try to assist and follow-up with some migrants often face difficulties due to inability to locate migrants remaining in hiding.<sup>29</sup>

## U.S. Policy Threats

During our trip, we consistently heard that increased deportations would overwhelm the existing, ineffective systems in place to receive them, as well as state and civil society capacity.

The termination of programs such as the DACA, of which over 50,000 are Honduran and Salvadoran youth, the recent termination after 18 months of TPS for over 200,000 Salvadorans, and the potential phase-out of the same program for Hondurans in May 2018 could significantly increase deportations over the next several years. Such terminations would force the return of individuals and families that have not been in their home countries in over fifteen years. These people—with limited family

protection networks, knowledge of the current environment, and for some, even Spanish—would be especially vulnerable to gangs and organized crime. They would be likely targeted for extortion by criminals, who believe they have access to resources in the United States.<sup>30</sup>

Increases in operations to arrest undocumented immigrants in the United States with gang affiliations could also lead to the return of gang members to El Salvador and Honduras, potentially exacerbating high levels of violence in both countries, or even repeating a pattern from the 1990s when a massive wave of deportations of gang members from the United States to unstable contexts in both countries set off the levels of instability and violence that have plagued both countries in recent years.

This year, El Salvador passed a new law that aims to better register and track deported individuals with criminal backgrounds.<sup>31</sup> The law gives local police authority to monitor those that fulfill certain criteria, like having a criminal background, visiting places frequented by gang members, or carrying out intimidating acts in public spaces.<sup>32</sup> In certain cases, the law could require individuals to check in with local police in the weeks after their return and even to appear before a judge.

While information-sharing between the United States and El Salvador on individuals with dangerous backgrounds could be indeed useful, if applied without caution, this approach could also criminalize deported migrants without serious criminal backgrounds, particularly young men and unaccompanied children, and expose them to greater harm. Violence prevention approaches should focus on trust-building with communities, coordination between government agencies to provide protection to deported individuals, and facilitation of employment opportunities that will not expose individuals further to extortion or threats.

To date, U.S. support to the governments of El Salvador and Honduras appears limited to providing assistance through the International Organization for Migration (IOM) that goes towards improving the infrastructure of the repatriation centers and supporting local level

centers that provide services to deported migrants in the major cities and capitals. However, responses to deported migrants should be well-funded and comprehensive, moving beyond just repatriation centers. Efforts to identify the protection needs of deported individuals upon arrival should be scaled up. Coordination should be improved between the government agencies running the repatriation centers and international humanitarian organizations, NGOs, and churches to allow follow-up with deported individuals and their families in their home communities, should they desire it. Newly established local level centers meant to provide information to deported migrants should consider risk analyses based on location and modes of operating. Lastly,

all programs should focus on the specific reintegration needs of unaccompanied children, women, and LGBTI individuals.

The United States and Mexico should be held accountable for returning individuals with protection concerns back to situations of risk. All of these constitute practices of non-refoulement, or a violation of the right not to be returned to danger or persecution under international law. And this applies to cases of individuals living in hiding and without dignity, not just those cases in which deported migrants are assassinated. The focus should be protecting the rights of migrants and refugees, including ensuring the protection and rights of all those who are returned.

---

## Left in the Dark: Violence Against Women and LGBTI Persons in Honduras and El Salvador

*By Andrea Fernández Aponte, March 7, 2018*

Violence against women in El Salvador and Honduras ranks amongst the highest in the world. Gangs are part of the problem, but the underlying causes of violence are deeply rooted in the patriarchal attitudes and machista culture that are pervasive in Salvadoran and Honduran societies. And while in 2017 we saw a minor decrease in one of the most extreme forms of violence against women, namely femicides, other forms—like domestic and sexual violence—continue to assail women in these countries. What is more, the majority of crimes against women and girls remain largely in impunity. LGBTI persons, especially trans women, also continue to be targeted and face major obstacles in their search for justice.

The high rates of impunity for sexual and gender-based crimes in these countries are the result of multiple factors. Very few victims report these crimes, and when they have the courage

to do so, the state institutions often “fail to effectively investigate and prosecute [the] cases, due to lack of training, insufficient resources to carry out an investigation or prosecution, and sometimes the intentional mishandling of cases by police, prosecutors, and judges.”<sup>1</sup> Moreover, lack of protection mechanisms for victims who denounce their abusers further discourages women, girls, and LGBTI victims from speaking out.<sup>2</sup>

In terms of specific policies to address violence against women, both El Salvador and Honduras still have a long way to go. As Igarapé Institute’s Renata Avilar Giannini notes, “violence reduction policies tend to leave aside or devalue the specific dynamics that affect women and have had mixed or limited results in terms of prevention and violence reduction against this specific public.”<sup>3</sup>



SOURCE: ORMUSA FACEBOOK PAGE



Students holding up signs in El Salvador.

## El Salvador

In 2016, El Salvador reported 524 cases of femicides.<sup>4</sup> And in 2017, while lower, the numbers remained disturbingly high: between January and December, 468 women were murdered, which constitutes a rate of 39 femicides per month.<sup>5</sup> El Salvador ranks as the most dangerous Latin American country for women, according to the Economic Commission for Latin America and the Caribbean's (ECLAC) Gender Equality Observatory.<sup>6</sup>

Most femicide cases are left in the dark. In fact, between 2013 and 2016, the Prosecutor's Office registered 662 cases of femicides, of which only 5 percent resulted in a guilty verdict.<sup>7</sup>

**Gangs affect women both directly and indirectly.** Physical and sexual violence against women are deeply embedded, practices within gang culture.<sup>89</sup> The *maras* systematically use sexual violence against women and girls as a means to establish and maintain dominance, leverage their status, and seek revenge.<sup>10</sup> However, these women and girls are merely considered property of the gangs; if they are suspected of treason, the gangs will not hesitate to kill them.<sup>11</sup> "One of the saddest indictments of a girl's status in El Salvador is the pitiful value she commands in the gang's twisted economy," observes a *Financial Times* article on the issue.<sup>12</sup>

Yet, the gangs also impact women and girls' lives in less direct ways. A women's rights advocate points out that women have less access to justice in areas where there is a strong gang presence, as the state presence often is weak.<sup>13</sup> Fears of being associated with the police keep women from seeking help for non-gang related violence. As a result, there are fewer filed complaints of domestic and sexual violence in these areas. Moreover, because of the lack of state presence, there are also fewer preventive and protective services for women in these territories.

The gangs also have a serious impact on girls' health. According to the UN High Commissioner for Refugees (UNHCR) staff in El Salvador, around 80 percent of girls involved in gangs are pregnant by age 15.<sup>14</sup> In a country that criminalizes abortion in any and all cases, the only options these young women have are to either bear the child or undergo a dangerous clandestine abortion, with the potential to face stigma by family members or society from either choice.

**Violence against women is not just a gang problem.** In fact, the majority of violent acts against women and girls are perpetrated by community and family members.

Sexual violence, which accounted for 25 percent of all violent acts against women in El Salvador in 2015,<sup>15</sup> is mostly experienced in the home environment. On average, 15 cases of sexual violence are reported in El Salvador every day.<sup>16</sup> According to the Organization of Salvadoran Women for Peace (ORMUSA), approximately 70 percent of perpetrators of sexual violence know the victim and 20 percent are family members.<sup>17</sup> Meanwhile sexual violence by unknowns (i.e. gang members) is not growing.<sup>18</sup>

In terms of age, women are most vulnerable to this type of violence when they are younger. Approximately, 7 out of 10 women who faced acts of violence were under 20 years of age.<sup>19</sup>

Similar to femicides, reported cases of sexual violence are often left in impunity. Between 2013 and November 2016, the Prosecutor's

Office registered 8,464 reports of sexual violence, of which only 25 percent of cases were taken to court and just 10 percent resulted in a guilty verdict.<sup>20</sup>

**El Salvador's security policy does not fully take into account women's safety.** An activist we met with suspected some security policies have had a somewhat positive impact on gang violence against women, specifically femicides.<sup>21</sup> That is to say, murders of women have been reduced in areas where the police and military forces are cracking down on gangs.

However, most of the policies that are being devised to combat violence in El Salvador lack a gender focus.

Sexual violence is not a primary concern of the state in terms of public security. In the words of Vilma Vaquerano of ORMUSA, "There is talk of homicides, with luck, of femicides, but sexual violence is not talked about."<sup>22</sup>

**Some advances in regulations but no tangible results in practice.** The Special Comprehensive Law for a Life Free of Violence for Women (*Ley Especial Integral para una Vida Libre de Violencia para las Mujeres*)<sup>23</sup> was passed seven years ago. On our trip, we learned that while there have been some trainings offered to prosecutors, police, and hospitals to help them understand and implement it, women still face discrimination in the legal system and by the police.<sup>24</sup>

According to activists we met with, the Salvadoran Institute for the Development of Women (ISDEMU), which monitors the Special Comprehensive Law and the Law on Equality, Equity and Eradication of Discrimination against Women (*Ley de Igualdad, Equidad y Erradicación de la Discriminación contra las Mujeres*),<sup>25</sup> lacks the budget and the ministerial rank to be as effective as it could be.<sup>26</sup>

**Penalization of abortion.** The laws on abortion are regressing to what they were in the late 1990s. The majority of cases that have been taken to court end up in jail time, even when the abortion was for health reasons or even if it was a miscarriage, not an abortion.<sup>27</sup> The

case of Teodora Del Carmen Vásquez, who was sentenced to 30 years in prison after suffering from a stillbirth,<sup>28</sup> is emblematic of the country's backwards view on women's reproductive health.

In July 2017, the Nationalist Republican Alliance (ARENA) party introduced a new bill that aims to increase the maximum prison sentence for abortion from 8 to 50 years.<sup>29</sup> The proposal has not been yet passed, but it exemplifies the draconian views on women's sexual and reproductive health still present in El Salvador today.

Civil society groups continue calling for abortions to be decriminalized in the cases of trafficking, rape, life-threatening fetus defects, and when the woman's health is in jeopardy.<sup>30</sup>

## Honduras

**Violence against women is declining, but not quickly enough.** Honduras reported 466 femicides in 2016—a rate of 10.2 per every 100,000 women.<sup>31</sup> And while 2017 saw a decline in femicides, the numbers are still extremely high: according to the Observatory on Violence at the Autonomous University of Honduras (UNAH), 388 women were murdered.<sup>32</sup> That is, over 32 women were killed on average every month.



SOURCE: CDM FACEBOOK PAGE

Women marching in honor of Honduran Women's Day in Tegucigalpa, Honduras.



In 2016, the Office of the Commissioner for Human Rights in Honduras (CONADEH) received over 4,500 complaints from women who reported being victims of human rights violations.<sup>33</sup> Of these cases, 1,786 (39 percent) corresponded to attacks against the right to life and personal integrity (violence in its different forms).<sup>34</sup> CONADEH says that in the last 15 years, 5,600 women have been murdered in Honduras, and over 90 percent of these cases remain in impunity.<sup>35</sup>

The high levels of violence against women are often attributed to gang violence and organized crime, yet the reality is that women are just as vulnerable in their own homes. According to data from the Honduran civil courts, between 2008 and 2015 there was a 390 percent increase in cases of domestic violence; 54 percent of the complaints expired before they received any response from officials.<sup>36</sup> Reported cases of domestic violence remained high in 2017: the National Inter-Institutional Security Force (FUSINA) detained 3,781 aggressors of intrafamily and domestic violence.<sup>37</sup>

**Impunity.** According to the Center for Women's Rights (CDM), 95 percent of femicides committed in 2017 and the first weeks of 2018 remain in impunity,<sup>38</sup> continuing an alarming trend. In 2016, authorities only investigated 15 of the more than 400 cases of female murder, and just two of those cases received guilty verdicts.<sup>39</sup> Regina Fonseca from CDM believes the state is responsible for the rampant impunity, noting that it has had access to data and information on femicides for years yet has failed to address the issue.<sup>40</sup>

**Few policies to combat violence against women.** Impunity levels remain sky-high because of a lack of societal and political will. The Honduran government also has not developed the tools to properly address the country's rampant violence against women. To this day, Honduras does not have specific mechanisms to compile and analyze data related to femicides, which makes it difficult to devise effective policy to combat the problem.<sup>41</sup>

Fonseca notes that, "unfortunately there are no policies aimed at reducing violent deaths [of

women], there are no public policies aimed at preventing acts of violence against women."<sup>42</sup>

The National Institute of Women (INAM) was created in 1998 with the purpose of developing, promoting, and following up on policies that guarantee and protect the rights of women and girls.<sup>43</sup> It is worth noting that in 2016, along with 14 other public agencies, INAM began working on its Ciudad Mujer initiative, which aims to improve the lives of Honduran women in terms of violence prevention—as well as, economic autonomy, sexual and reproductive health, and collective education—through a network of services offered by the relevant agencies.<sup>44</sup> The first Ciudad Mujer was opened in Tegucigalpa last year and several others have been established since then.<sup>45</sup> It is too early to determine the impact of this initiative.

In terms of legislation, the Reformed Law against Domestic Violence (*Ley contra la violencia doméstica reformada*)<sup>46</sup> is the only law in place that directly addresses violence against women, yet there has been no significant reduction in domestic violence since it came into effect in 2006. A representative of INAM admitted that the law is only "moderately effective."<sup>47</sup> According to the Law on Equal Opportunities for Women (*Ley de igualdad de oportunidades para la mujer*),<sup>48</sup> the state is supposed to guarantee the equality of women and men in the design and application of public policies, yet this clause is rarely fully and enthusiastically applied.

## Violence against LGBTI Persons

LGBTI persons in El Salvador and Honduras face discrimination by society, and are often targets of violence by gangs and organized crime,<sup>49</sup> as well as state forces.<sup>50, 51</sup> Due to difficulties identifying and documenting sexuality- and gender-based crimes and high levels of impunity, the majority of cases of violence against LGBTI community members remain in the dark.

In Honduras, the CATTRACHAS Lesbian Network has recorded 277 violent deaths of LGBTI persons since 2009,<sup>52</sup> marking an

escalation of violence against LGBTI persons since the coup in June of that year. Activists at CATTRACHAS with whom we met during our trip noted that between 2015 and 2017, only one of the multiple cases of violence against an LGBTI person was completely resolved.<sup>53</sup> Meanwhile, El Salvador's Ministry of Social Inclusion says that approximately 600 LGBTI persons have been killed between 1993 and 2017.<sup>54</sup> However, this is an estimate based on civil society information. Neither the Salvadoran nor Honduran governments have established mechanisms to systematically compile this data.

In Honduras, the security situation for outspoken LGBTI leaders has significantly deteriorated since the 2009 coup. Many LGBTI leaders have been killed and virtually all cases remain in impunity. Rene Martínez, an vocal LGBTI leader and then-president of the Sampedrana Gay Community (*Comunidad Gay Sampedrana*) in San Pedro Sula, was found dead in his home on June 3, 2017 after having been reported missing.<sup>55</sup> His body showed clear signs of torture and indications that he was strangled to death.

The Worldwide Movement for Human Rights denounced that between June 2015 and April 2017, at least seven members of the Rainbow Association, a Honduran LGBTI advocacy group, were murdered.<sup>56</sup>

Karla Avelar, a trans woman and one of El Salvador's most prominent LGBTI leaders, was compelled to leave the country because she felt unsafe. On October 20, 2017, she sent a message to her friends and partner organizations informing them of her decision to stay in Geneva, Switzerland after the European country offered her asylum.<sup>57</sup> "The purpose of this message is to inform you about my irrevocable decision not to return to El Salvador, strictly for security reasons, because I am not willing to lose my life for reasons of threats, extortion, HIV status, identity and gender expression," her WhatsApp message read.<sup>58</sup>

According to the Inter-American Commission for Human Rights (IACHR), Honduras' Law of Police and Social Coexistence (*Ley de Policía y Convivencia Social*), as it is applied, has led



Wall art inside of Red Lésbica CATTRACHAS offices.

to human rights violations, particularly against trans persons.<sup>59</sup> The law facilitates police abuse and arbitrary detentions of trans people, particularly sex workers, without any sort of accountability.<sup>60</sup> Moreover, LGBTI organizations warn that a new push to reform the country's penal code could be problematic since there is impetus to change articles that deal with the issue of gender<sup>61</sup> and eliminate a section that provides a legal framework for dealing with hate crimes.<sup>62</sup>

There are no laws in El Salvador that prohibit employment discrimination against individuals based on their sexual orientation or gender identity.<sup>63</sup> According to the United Nations High Commissioner for Human Rights, "In January [2017], the Constitutional Chamber of the Supreme Court of Justice in El Salvador dismissed an appeal alleging discrimination on the grounds of sexual orientation, arguing that the Constitution protects against discrimination on the grounds of sex but not sexual orientation."<sup>64</sup>



## Endnotes

---

### Public Security in Honduras: Who Can Citizens Trust?

- 1 Save the Children, *End of Childhood Report 2017*, 23, 2017, accessed November 3, 2017, [http://www.savethechildren.org/at/cf/%7B9def2ebe-10ae-432c-9bd0-df91d2eba74a%7D/SAVETHECHILDREN\\_ENDOFCILDHOOD\\_INDEX\\_2017\\_EASTAFRICA%20EDITION\\_LOWRES.PDF](http://www.savethechildren.org/at/cf/%7B9def2ebe-10ae-432c-9bd0-df91d2eba74a%7D/SAVETHECHILDREN_ENDOFCILDHOOD_INDEX_2017_EASTAFRICA%20EDITION_LOWRES.PDF).
- 2 United Nations Office on Drugs and Crime, "Intentional Homicide, Counts and Rates per 100,000 Population," UNDOC Statistics Online, accessed November 3, 2017, [https://data.unodc.org/Homicide\\_counts\\_and\\_rates\\_\(2000-2015\).html](https://data.unodc.org/Homicide_counts_and_rates_(2000-2015).html).
- 3 Observatorio de la Violencia, "Boletín Nacional Enero a Diciembre 2016, ed. no. 44," 2, March 2017, accessed November 3, 2017, <https://iudpas.unah.edu.hn/observatorio-de-la-violencia/boletines-del-observatorio-2/boletines-nacionales/>
- 4 The Data Team, "The World's Most Dangerous Cities," *The Economist*, March 31, 2017, accessed November 3, 2017, <https://www.economist.com/blogs/graphicdetail/2017/03/daily-chart-23>.
- 5 Wilson Center, "Building a New Police Force in Honduras," November 3, 2017, [https://www.wilsoncenter.org/event/building-new-police-honduras?mkt\\_tok=eyJpIjoiWXpnME56Z3paVFV3TURMSIlsInQiOjJYVOJYUUhzdk9MRW92bm4zem01Tm9RVjUcHlr](https://www.wilsoncenter.org/event/building-new-police-honduras?mkt_tok=eyJpIjoiWXpnME56Z3paVFV3TURMSIlsInQiOjJYVOJYUUhzdk9MRW92bm4zem01Tm9RVjUcHlr)
- 6 United Nations Human Rights Council, *Annual Report of the United Nations High Commissioner for Human Rights on the Human Rights Situation in Honduras*, 4-5, February 9, 2017, accessed November 3, 2017, <https://reliefweb.int/sites/reliefweb.int/files/resources/G1702929.pdf>.
- 7 Mike LaSusa, "Breaking Precedent, Honduras Police Reform Makes Progress," *InSight Crime*, last modified June 17, 2016, accessed November 3, 2017, <http://www.insightcrime.org/news-analysis/honduras-police-reform-commission-making-progress-members-say>.
- 8 Secretaría de Defensa Nacional de Honduras, "Dos nuevos batallones de la Policía Militar del Orden Público reforzarán trabajo en beneficio del pueblo," last modified July 4, 2017, accessed November 3, 2017, <http://sedena.gob.hn/2017/07/04/dos-nuevos-batallones-de-la-policia-militar-del-orden-publico-reforzar%C3%A1n-trabajo-en-beneficio-del-pueblo/>.
- 9 COALIANZA, "Policía Militar tendrá dos nuevos batallones, anuncia el presidente Hernández," accessed November 3, 2017, <http://coalianza.gob.hn/es/noticias/791-policia-militar-tendra-dos-nuevos-batallones-anuncia-el-presidente-hernandez>.
- 10 "Curso Básico de Policía Militar de Honduras impartido a los miembros del 6to batallón Pinalajejo," video file, 5:06, Youtube, posted by SEDENAH, January 8, 2015, accessed November 3, 2017, <https://www.youtube.com/watch?v=cRiOYhUlxbc>.
- 11 Asesinato de un joven desencadenó quema de patrulla de la Policía Militar," *La Tribuna*, last modified January 3, 2017, accessed November 3, 2017, <http://www.latribuna.hn/2017/01/03/quema-patrulla-fue-presunto-asesinato-joven-manos-policia-militar/>.
- 12 Casa Alianza, *Informe Mensual de la Situación de los Derechos de las Niñas, Niños y Jóvenes en Honduras*, 26, June 2017, accessed November 6, 2017, <http://www.casa-alianza.org.hn/images/documentos/CAH.2017/1.Inf.Mensuales/6.%20informe%20mensual%20Junio%202017.pdf>.
- 13 Wendy Funes, "Militares denunciados por violencia sexual contra colegiales," *Reporteros de Investigación*, accessed November 6, 2017, <https://reporterosdeinvestigacion.com/2017/09/22/militares-denunciados-por-violencia-sexual-contra-colegiales/>.
- 14 Grupo Asesor Internacional de Personas Expertas, *Represa de Violencia: El Plan que Asesinó a Berta Cáceres*, 1, November 2017, accessed November 6, 2017, <https://www.gaipe.net/wp-content/uploads/2017/10/Represa-de-Violencia-ES-FINAL-.pdf>.
- 15 Elisabeth Malkin, "Who Ordered Killing of Honduran Activist? Evidence of Broad Plot Is Found," *The New York Times*, October 28, 2017, accessed November 6, 2017, <https://mobile.nytimes.com/2017/10/28/world/americas/honduras-berta-caceres-desa.html>.

- 16 Ibid.
- 17 United Nations Human Rights Office of the High Commissioner, "Preliminary Observations on the Official Visit to Honduras by the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, 23 to 27 May 2016," last modified May 27, 2016, accessed November 6, 2017, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20030&LangID=E>.
- 18 ""Están exterminando a nuestros jóvenes," *El Pulso*, last modified September 21, 2017, accessed November 6, 2017, <http://elpulso.hn/estan-exterminando-a-nuestros-jovenes/>
- 19 Joseph Goldstein and Benjamin Weiser, "After 78 Killings, a Honduran Drug Lord Partners with the U.S.," *The New York Times*, October 7, 2017, accessed November 6, 2017, <https://www.nytimes.com/2017/10/06/world/americas/after-78-killings-a-honduran-drug-lord-rivera-partners-with-us.html>.
- 20 U.S. Attorney's Office, Southern District of New York, "Son of the Former President of Honduras Sentenced to 24 Years in Prison for Conspiring to Import Cocaine into the United States," U.S. Department of Justice, last modified September 5, 2017, accessed November 6, 2017, <https://www.justice.gov/usao-sdny/pr/son-former-president-honduras-sentenced-24-years-prison-conspiring-import-cocaine>.

### El Salvador: Gang Violence and Growing Abuses by State Security Forces

- 1 Daniella Burgi-Palomino, "Nowhere to Call Home: Internally Displaced in Honduras and El Salvador," *Just Americas: A Blog by LAWG*, entry posted October 31, 2017, accessed December 13, 2017, <http://lawg.org/action-center/lawg-blog/69-general/1936-nowhere-to-call-home-internally-displaced-in-honduras-and-el-salvador>.
- 2 Observatorio de Derechos Humanos Rufina Amaya, Servicio Social Pasionista, *Informe de Violaciones a Derechos Humanos 2016*, 14, June 2017, accessed November 9, 2017, <http://sspas.org.sv/informe-casos-violaciones-derechos-humanos-2016/>.
- 3 Héctor Silva Avalos, "El Salvador Violence Rising Despite Extraordinary Anti-Gang Measures," *InSight Crime*, October 3, 2017, accessed March 15, 2018, <http://www.insightcrime.org/news-analysis/violence-el-salvador-rise-despite-extraordinary-anti-gang-measures>.
- 4 Roberto Valencia, "'Las pandillas que tenemos hoy son consecuencia directa del 'manodurismo''," *El Faro*, last modified July 23, 2017, accessed November 9, 2017 <https://elfaro.net/es/201707/salanegra/20612/%E2%80%9CLas-pandillas-que-tenemos-hoy-son-consecuencia-directa-del-%E2%80%98manoduri smo%E2%80%99%E2%80%9D.htm>.
- 5 LAWGEF interview with an international donor, July 2017.
- 6 Observatorio de Derechos Humanos Rufina Amaya, *Informe de Violaciones a Derechos Humanos 2016*, 18, June 2017, accessed November 9, 2017, <http://sspas.org.sv/informe-casos-violaciones-derechos-humanos-2016/>: According to data from the Ministry of Justice and Public Security, in 2016, only 27.6 percent of the budget for citizen security was channeled to prevention, 3.8 percent to attention to victims, and 68.44 percent to crime-fighting.
- 7 Roberto Valencia, "Daniel, una víctima del 'manodurismo' de baja intensidad," *El Faro*, last modified July 16, 2017, accessed November 9, 2017, <https://elfaro.net/es/201707/salanegra/20240/Daniel-una-v%C3%ADctima-del-%E2%80%98manodurismo%E2%80%99-de-baja-intensidad.htm>.
- 8 "La Nueva Guerra" [The New War], *Revista Factum*, accessed November 9, 2017 <http://revistafactum.com/category/nueva-guerra/>.
- 9 Observatorio de Derechos Humanos Rufina Amaya, *Informe de Violaciones a Derechos Humanos 2016*, 14, June 2017, accessed November 9, 2017, <http://sspas.org.sv/informe-casos-violaciones-derechos-humanos-2016/>.

- 10 U.S. Department of State, *Country Reports on Human Rights Practices for 2016*, March 3, 2017, accessed November 9, 2017, <http://www.state.gov/j/drl/rls/rrpt/humanrightsreport/index.htm?year=2016&dlid=265586>.
- 11 Nelson Rauda Zablah, “‘Descarto y niego cualquier responsabilidad del Estado en violaciones a derechos humanos,’ *El Faro*, last modified September 6, 2017, accessed November 9, 2017, [https://elfaro.net/es/201709/el\\_salvador/20848/%E2%80%9Cdescarto-y-niego-cualquier-responsabilidad-del-Estado-en-violaciones-a-derechos-humanos%E2%80%9D.htm](https://elfaro.net/es/201709/el_salvador/20848/%E2%80%9Cdescarto-y-niego-cualquier-responsabilidad-del-Estado-en-violaciones-a-derechos-humanos%E2%80%9D.htm).
- 12 Anneke Osse and Ignacio Cano, “Police Deadly Use of Firearms: An International Comparison,” *The International Journal of Human Rights*, 21, no. 5 (April 27, 2017), accessed November 9, 2017, doi:10.1080/13642987.2017.1307828
- 13 Bryan Avelar and Juan Martinez d’Aubuisson, “En la Intimidad del Escuadrón de la Muerte de la Policía,” *Revista Factum*, last modified August 22, 2017, accessed November 9, 2017, <http://revistafactum.com/en-la-intimidad-del-escuadrón-de-la-muerte-de-la-policia/>.
- 14 Nelson Rauda Zablah, “Jaime Martínez contradice a Jaime Martínez,” *El Faro*, last modified September 14, 2017, accessed November 9, 2017, [https://elfaro.net/es/201709/el\\_salvador/20883/Jaime-Mart%C3%ADnez-contradice-a-Jaime-Mart%C3%ADnez.htm](https://elfaro.net/es/201709/el_salvador/20883/Jaime-Mart%C3%ADnez-contradice-a-Jaime-Mart%C3%ADnez.htm).
- 15 U.S. Department of State, *Country Reports on Human Rights Practices for 2016*, March 3, 2017, accessed November 9, 2017, <http://www.state.gov/j/drl/rls/rrpt/humanrightsreport/index.htm?year=2016&dlid=265586>.
- 16 Observatorio de Derechos Humanos Rufina Amaya, *Informe de Violaciones a Derechos Humanos 2016*, 14, June 2017, accessed November 9, 2017, <http://sspas.org.sv/informe-casos-violaciones-derechos-humanos-2016/>.
- 17 U.S. Department of State, *Country Reports on Human Rights Practices for 2016*, March 3, 2017, accessed November 9, 2017, <http://www.state.gov/j/drl/rls/rrpt/humanrightsreport/index.htm?year=2016&dlid=265586>.
- 18 LAWGEF interview with Salvadoran human rights organizations, San Salvador, El Salvador, July 28 – Aug 1, 2017.
- 19 Roberto Valenia, Óscar Martínez, and Daniel Valencia Caravantes, “La Policía masacró en la finca San Blas,” *El Faro*, last modified July 22, 2015, accessed November 9, 2017, <https://salanegra.elfaro.net/es/201507/cronicas/17205/La-Polic%C3%ADa-masacr%C3%B3-en-la-finca-San-Blas.htm>.
- 20 Roberto Valencia, “El juicio bufo de San Blas,” *El Faro*, last modified September 22, 2017, accessed November 9, 2017, <https://elfaro.net/es/201709/salanegra/20868/El-juicio-bufo-de-San-Blas.htm>.
- 21 2017 figure: “El Salvador Ahora,” *TVES*, first broadcast November 3, 2017, hosted by Wendy Monterrosa; 2009 figure: Observatorio de Derechos Humanos Rufina Amaya, *Informe de Violaciones a Derechos Humanos 2016*, 17, June 2017, accessed November 9, 2017, <http://sspas.org.sv/informe-casos-violaciones-derechos-humanos-2016/>.
- 22 Nelson Rauda Zablah, “‘Descarto y niego cualquier responsabilidad del Estado en violaciones a derechos humanos,’ *El Faro*, last modified September 6, 2017, accessed November 9, 2017, [https://elfaro.net/es/201709/el\\_salvador/20848/%E2%80%9Cdescarto-y-niego-cualquier-responsabilidad-del-Estado-en-violaciones-a-derechos-humanos%E2%80%9D.htm](https://elfaro.net/es/201709/el_salvador/20848/%E2%80%9Cdescarto-y-niego-cualquier-responsabilidad-del-Estado-en-violaciones-a-derechos-humanos%E2%80%9D.htm).
- 23 “‘Que no les tiemble la mano’: director de ANSP a policías,” *La Prensa Gráfica*, last modified May 6, 2017, accessed November 9, 2017, <https://www.laprensagrafica.com/elsalvador/Que-no-les-tiembla-la-mano-director-de-ANSP-a-policias-20170506-0052.html>: As the head of the National Academy of Public Security, Jaime Martínez, said to a group of police completing a tactical training class, “Do not let your hand tremble. There’s no room to be thinking, that human rights are in the midst of this, that if there is a criticism by the press or international organizations; in the moment in which the state’s legitimacy is disrespected, you need to make use of all tactics and all team training that you have.”
- 24 “CIDH ordena investigar amenazas contra periodistas de Revista Factum,” *Revista Factum*, last modified November 3, 2017, accessed November 9, 2017, <http://revistafactum.com/cidh-ordena-investigar-amenazas-contra-periodistas-de-revista-factum/>.
- 25 “La Nueva Guerra,” *Revista Factum*, last modified November 22, 2016, accessed November 9, 2017, <http://revistafactum.com/la-nueva-guerra/>.
- 26 LAWGEF interview with Salvadoran government official by Lisa Haugaard, San Salvador, El Salvador, July 28, 2017
- 27 Procuraduría para la Defensa de los Derechos Humanos, *Informe preliminar sobre el impacto de las medidas extraordinarias para combatir la delincuencia, en el ámbito de los derechos humanos*, 21, June 2017, accessed November 9, 2017, <http://www.pddh.gob.sv/migrantes/wp-content/uploads/2017/07/Informe-preliminar-sobre-el-impacto-de-las-medidas-extraordinarias-para-combatir-la-delincuencia-en-el-ámbito-de-los-DH-FIRMADO.1.pdf>.
- 28 Juan Martínez d’Aubuisson and Bryan Avelar, “Ya no somos pandilleros,” *Revista Factum*, last modified February 3, 2017, accessed November 9, 2017, <http://revistafactum.com/ya-no-somos-pandilleros/>.
- 29 Sonja Wolf, *Mano Dura: The Politics of Gang Control in El Salvador* (Austin, TX: University of Texas Press, 2017), 227.
- 30 LAWGEF interview with a humanitarian aid worker, San Salvador, El Salvador, July 31, 2017.
- 31 Ibid.

## Nowhere to Call Home: Internally Displaced in Honduras and El Salvador

- 1 Bryan Avelar, “La historia de una mujer sin país,” *Revista Factum*, March 15, 2017, accessed March 19, 2018, <http://revistafactum.com/la-historia-de-una-mujer-sin-pais/>.
- 2 Bryan Avelar, “Una familia huye del país de las pandillas,” *Revista Factum*, July 13, 2017, accessed March 19, 2018, <http://revistafactum.com/una-familia-huye-del-pais-de-las-pandillas/>.
- 3 Comisión Interinstitucional para la Protección de Personas Desplazadas por la Violencia, *Characterization of Internally Displaced Populations in Honduras*, 12, November 2015, accessed October 26, 2017, [http://www.jiips.org/system/cms/attachments/1050/original\\_Profiling\\_ACNUR\\_ENG.pdf](http://www.jiips.org/system/cms/attachments/1050/original_Profiling_ACNUR_ENG.pdf).
- 4 Comisionado Nacional de los Derechos Humanos et al., *Boletín Estadístico Sobre el Desplazamiento Forzado Interno: Identificación de Casos en los Registros de Quejas en Cinco Oficinas del CONADEH*, 2, June 2017, accessed October 26, 2017, <http://app.conadeh.hn/descargas/Boletin%20Estad%C3%ADstico%20UDFI-CONADEH.pdf>.
- 5 Norwegian Refugee Council, *Reporte Honduras Desplazamiento* (n.p., 2017), 4.
- 6 United Nations General Assembly, *Annual report of the United Nations High Commissioner for Human Rights on the human rights situation in Honduras*, report no. A/HRC/34/3/Add.2, 5, February 9, 2017, accessed October 30, 2017, <https://reliefweb.int/sites/reliefweb.int/files/resources/G1702929.pdf>.
- 7 United Nations Human Rights Council, *Report of the Special Rapporteur on the Human Rights of Internally Displaced Persons*, 4 and 6, April 29, 2016, accessed October 26, 2017, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/068/68/PDF/G1606868.pdf?OpenElement>.
- 8 LAWGEF Interview with UNHCR Honduras Protection Officer, Tegucigalpa, Honduras, July 27, 2017.
- 9 United Nations Human Rights Council, *Report of the Special Rapporteur on the Human Rights of Internally Displaced Persons*, 4, April 5, 2016, accessed October 26, 2017, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/068/68/PDF/G1606868.pdf?OpenElement>.
- 10 LAWGEF Interview with environmental activist, Tegucigalpa, Honduras, July 27, 2017.
- 11 The International Rescue Committee, *Crisis Watch 2016*, 2016, accessed October 26, 2017, <http://crisiswatch.webflow.io/>.
- 12 Procuraduría para la Defensa de los Derechos Humanos de El Salvador, *Informe de Registro de la Procuraduría para la Defensa de los Derechos Humanos sobre Desplazamiento Forzado*, 7, August 8, 2016, accessed March 15, 2018, <https://static1.squarespace.com/static/5784803ebe6594ad5e34ea63/t/57d0bb996a496397948bd06c/1473297311066/Informe+oficina+ombudsman+desplazamiento+forzado+en+El+Salvador+%281%29.pdf>.



- 13 Ibid, 13.
- 14 Delegación del Foro Honduras-Suiza, "Tercera misión de observación de derechos humanos a Honduras," Defensores en Línea, September 8, 2017, accessed March 15, 2018, <http://defensoresenlinea.com/wp-content/uploads/2017/10/2017-Informe-espa%C3%B1ol-Foro-Honduras-Suiza.pdf>.
- 15 Cristosal, "UN Expert on Internal Displacement Visits El Salvador," last modified August 21, 2017, accessed October 26, 2017, <http://www.cristosal.org/news/2017/8/21/un-expert-on-internal-displacement-visits-el-salvador>. Updated with information provided via email on October 30, 2017 by Cristosal staff.
- 16 Mesa de Sociedad Civil contra el Desplazamiento Forzado por Violencia y Crimen Organizado en el Salvador, *Desplazamiento Interno por Violencia y Crimen Organizado en El Salvador*, 35 and 45, 2016, accessed October 26, 2017, <https://static1.squarespace.com/static/5784803ebe6594ad5e34ea63/t/5880c6b2994ca6b1b94bb77/1484834488111/Desplazamiento+intern+o+por+violencia+-+Informe+2016.pdf>.
- 17 Mesa de Sociedad Civil contra el Desplazamiento Forzado por Violencia y Crimen Organizado en el Salvador, *Informe sobre Situación de Desplazamiento Forzado por Violencia Generalizada en El Salvador*, 4 and 47, 2015, accessed October 26, 2017, <http://sspas.org.sv/wp-content/uploads/2016/01/Informe-2015-Situacion-de-Desplazamiento-Forzado.pdf>.
- 18 LAWGEF interview with staff member from women's organization, San Salvador, El Salvador, July 28, 2017.
- 19 LAWGEF interviews with multiple NGOs, San Salvador, El Salvador, July 28-August 2, 2017.
- 20 LAWGEF interview with official from Procuraduría para la Defensa de los Derechos Humanos de El Salvador, San Salvador, El Salvador, July 28, 2017.
- 21 United Nations Human Rights Council, *Report of the Special Rapporteur on the Human Rights of Internally Displaced Persons*, 9, April 5, 2016, accessed October 26, 2017, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/068/68/PDF/G1606868.pdf?OpenElement>.
- 22 Salvador Meléndez, "Los Desplazados Invisibles," *Revista Factum*, December 5, 2016, accessed October 26, 2017, <http://revistafactum.com/los-desplazados-invisibles/>.
- 23 Norwegian Refugee Council, *Reporte Honduras Desplazamiento* (n.p., 2017), 5.
- 24 James Fredrick, "Gangs Drive Hondurans from their Homes and Land," UNHRC, last modified September 8, 2017, accessed October 26, 2017, <http://www.unhcr.org/en-us/news/stories/2017/9/59b10d4f4/gangs-drive-hondurans-homes-land.html>.
- 25 Norwegian Refugee Council, *Reporte Honduras Desplazamiento* (n.p., 2017), 6.
- 26 Mesa de Sociedad Civil contra el Desplazamiento Forzado por Violencia y Crimen Organizado en el Salvador, *Desplazamiento Interno por Violencia y Crimen Organizado en El Salvador*, 39 and 46, 2016, accessed October 26, 2017, <https://static1.squarespace.com/static/5784803ebe6594ad5e34ea63/t/5880c6b2994ca6b1b94bb77/1484834488111/Desplazamiento+intern+o+por+violencia+-+Informe+2016.pdf>.
- 27 Norwegian Refugee Council, *Reporte Honduras Desplazamiento* (n.p., 2017), 4.
- 28 United Nations Human Rights Council, *Report of the Special Rapporteur on the Human Rights of Internally Displaced Persons*, 13, April 29, 2016, accessed October 26, 2017, <https://reliefweb.int/sites/reliefweb.int/files/resources/G1608880.pdf>.
- 29 Ibid, 10-11.
- 30 Ibid.
- 31 LAWGEF interview with staff member from women's organization, San Salvador, El Salvador, July 28, 2017.
- 32 United Nations Human Rights Office of the High Commissioner, "Statement on the Conclusion of the Visit of the United Nations Special Rapporteur on the Human Rights of Internally Displaced Persons, Cecilia Jimenez-Damary to El Salvador — 14 to 18 August 2017," United Nations Human Rights Office of the High Commissioner, last modified August 18, 2017, accessed October 26, 2017, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21984&LangID=E>.
- 33 Tristan Clavel, "540 Children were Murdered Last Year in El Salvador: Report," *InSight Crime*, last modified January 31, 2017, accessed October 26, 2017, <http://www.insightcrime.org/news-briefs/540-children-murdered-last-year-el-salvador-report>.
- 34 Casa Alianza, *Informe Mensual de la Situación de los Derechos de las Niñas, Niños y Jóvenes en Honduras*, July 2017, accessed October 26, 2017, <http://www.casa-alianza.org.hn/images/documentos/CAH.2017/1.Inf.Mensuales/7.%20informe%20mensual%20julio%202017%20.pdf>.
- 35 LAWGEF interview with NGO staff, San Salvador, El Salvador, July 31, 2017.
- 36 Consejo Noruego para Refugiados, *¿Esconderte o Huir? La Situación Humanitaria y la Educación en Honduras*, 9, 2016, accessed March 16, 2018, <https://reliefweb.int/report/honduras/esconderse-o-huir-la-situaci-n-humanitaria-y-la-educaci-n-en-honduras>.
- 37 Mesa de Sociedad Civil contra el Desplazamiento Forzado por Violencia y Crimen Organizado en el Salvador, *Desplazamiento Interno por Violencia y Crimen Organizado en El Salvador*, 37-38, 2016, accessed October 26, 2017, <https://static1.squarespace.com/static/5784803ebe6594ad5e34ea63/t/5880c66b2994ca6b1b94bb77/1484834488111/Desplazamiento+intern+o+por+violencia+-+Informe+2016.pdf>.
- 38 Consejo Noruego para Refugiados, *¿Esconderte o Huir? La Situación Humanitaria y la Educación en Honduras*, 19, 2016, accessed March 16, 2018, <https://reliefweb.int/report/honduras/esconderse-o-huir-la-situaci-n-humanitaria-y-la-educaci-n-en-honduras>.
- 39 Kids in Need of Defense, *Neither Security nor Justice: Sexual and Gender-based Violence and Gang Violence in El Salvador, Honduras, and Guatemala*, 5, May 4, 2017, accessed October 30, 2017, [https://supportkind.org/wp-content/uploads/2017/05/Neither-Security-nor-Justice\\_SGBV-Gang-Report-FINAL.pdf](https://supportkind.org/wp-content/uploads/2017/05/Neither-Security-nor-Justice_SGBV-Gang-Report-FINAL.pdf).
- 40 Consejo Noruego para Refugiados, *¿Esconderte o Huir? La Situación Humanitaria y la Educación en Honduras*, 16-19, 2016, accessed March 16, 2018, <https://reliefweb.int/report/honduras/esconderse-o-huir-la-situaci-n-humanitaria-y-la-educaci-n-en-honduras>.
- 41 Mesa de Sociedad Civil contra el Desplazamiento Forzado por Violencia y Crimen Organizado en el Salvador, *Desplazamiento Interno por Violencia y Crimen Organizado en El Salvador*, 39 and 46, 2016, accessed October 26, 2017, <https://static1.squarespace.com/static/5784803ebe6594ad5e34ea63/t/5880c6b2994ca6b1b94bb77/1484834488111/Desplazamiento+intern+o+por+violencia+-+Informe+2016.pdf>.
- 42 Ibid, 43-44.
- 43 LAWGEF interview with NGO staff, San Salvador, El Salvador, July 31, 2017.
- 44 "Crean Unidad de Atención a Víctimas de Desplazamiento Forzado en Honduras," *Radio Progreso*, last modified August 26, 2016, accessed October 26, 2017, <http://radioprogreso.net/index.php/comunicaciones/noticias/item/3142-crean-unidad-de-atenci%C3%B3n-a-v%C3%A9ctimas-de-desplazamiento-forzado-en-honduras>.
- 45 Norwegian Refugee Council, *Reporte Honduras Desplazamiento* (n.p., 2017), 5.
- 46 LAWGEF interview with NGO staff, San Salvador, El Salvador, July 31, 2017.
- 47 LAWGEF interview with official from Procuraduría para la Defensa de los Derechos Humanos de El Salvador, San Salvador, El Salvador, July 28, 2017.
- 48 Bryan Avelar, "'En Algunos Casos de Desplazamiento la Gente Quiere Cambiarse de Casa... Aprovecharse,'" *Revista Factum*, March 22, 2017, accessed October 26, 2017, <http://revistafactum.com/en-algunos-casos-de-desplazamiento-la-gente-quiere-cambiarse-de-casa-aprovecharse/>.
- 49 Salvador Meléndez, "Los Desplazados Invisibles," *Revista Factum*, December 5, 2016, accessed October 26, 2017, <http://revistafactum.com/los-desplazados-invisibles/>.
- 50 Carla Ascencio, Victor Peña, and Fred Ramos, "Caluco: El Miedo Queda," *El Faro*, last modified December 11, 2016, accessed October 26, 2017, [https://elfaro.net/es/201612/ef\\_tv/19657/Caluco-el-miedo-queda.htm](https://elfaro.net/es/201612/ef_tv/19657/Caluco-el-miedo-queda.htm).

- 51 Cristosal, "The situation is critical": displaced family's lawyer," Cristosal, last modified October 11, 2017, accessed October 30, 2017, <http://www.cristosal.org/news/2017/10/11/the-situation-is-critical-displaced-familys-lawyer>. In Spanish: Jessica Ávalos, «"La situación es crítica": abogado de familia desplazada,» La Prensa Gráfica, October 11, 2017, accessed October 30, 2017, <https://www.laprensagrafica.com/elsalvador/La-situacion-es-critica-abogado-de-familia-desplazada-20171010-0084.html>.
- 52 Inter-American Commission on Human Rights, "IACHR and UN Special Rapporteur on Internally Displaced Persons Welcome Decisions in El Salvador," news release, October 27, 2017, accessed October 30, 2017, [http://www.oas.org/en/iachr/media\\_center/PRReleases/2017/170.asp](http://www.oas.org/en/iachr/media_center/PRReleases/2017/170.asp).
- Honduras: Space for Activists and Journalists Closing, Wide Open for Corruption**
- 1 President Juan Orlando Hernandez's National Party provided the votes for this disturbing decree, and some opposition leaders opposed it, but many opposition members failed to show up for the vote—allowing it to be approved with only 42 of 128 deputies in favor.
  - 2 Alberto Nájar, "¿Por qué el gobierno de Honduras cerró Globo TV, el principal medio opositor del país?", BBC, May 25, 2016, accessed March 15, 2018, [http://www.bbc.com/mundo/america-latina/2016/05/160525\\_honduras\\_cierra\\_principal\\_medio\\_opositor\\_an](http://www.bbc.com/mundo/america-latina/2016/05/160525_honduras_cierra_principal_medio_opositor_an).
  - 3 "Persecución física y jurídica contra periodistas en honduras alerta a la UNESCO," Confidencial HN, October 2, 2017, accessed March 15, 2018, <http://confidencialhn.com/2017/10/02/persecucion-fisica-y-juridica-contra-periodistas-en-honduras-alerta-a-la-unesco/>.
  - 4 "Reducen penas en varios delitos de nuevo Código Penal," El Heraldo, August 9, 2017, accessed March 15, 2018, <http://www.elheraldo.hn/pais/1097353-466/reducen-penas-en-varios-delitos-del-nuevo-c%C3%B3digo-penal>.
  - 5 "CNA critica reducción de penas hechas por el Parlamento," Confidencial HN, August 15, 2017, accessed March 15, 2018, <http://confidencialhn.com/2017/08/15/oficina-anticorrupcion-critica-reduccion-de-penas-hechas-por-el-parlamento/>.
  - 6 AFP, "Congreso hondureño aprueba rebaja a las penas por corrupción," MSN Noticias, August 14, 2017, accessed March 15, 2018, <http://www.msn.com/es-xl/noticias/otras/congreso-hondure%C3%BDo-aprueba-rebaja-a-las-penas-por-corrupci%C3%B3n/ar-AAq5eXv>.
  - 7 James Bargent, "Honduras Narco Testifies Ex-President Took Bribes from Traffickers," InSight Crime, last modified March 7, 2017, accessed March 15, 2018, <http://www.insightcrime.org/news-briefs/honduras-narco-testifies-ex-president-took-bribes-from-traffickers>.
  - 8 Steven Dudley, "Another Day, Another Damning Testimony of Elites by Honduras Trafficker," InSight Crime, last modified March 20, 2017, accessed March 15, 2018, <http://www.insightcrime.org/news-analysis/another-damning-testimony-elites-honduras-trafficker>.
  - 9 U.S. Department of Justice, "Son of The Former President of Honduras Sentenced to 24 Years In Prison For Conspiring To Import Cocaine Into The United States," news release, September 5, 2017, accessed March 15, 2018, <https://www.justice.gov/usao-sdny/pr/son-former-president-honduras-sentenced-24-years-prison-conspiring-import-cocaine>.
  - 10 Peace Brigades International, "Intimidación, uso excesivo de la fuerza y criminalización de las personas defensoras en el marco de la crisis de la UNAH," news release, September 19, 2017, accessed March 15, 2018, [http://www.peacebrigades.nl/wp-content/uploads/ALERTA-PBI-Honduras\\_-Intimidaci%C3%B3n\\_de-las-personas-defensoras\\_en-el-marco\\_de-la-cr%C3%A9sica\\_de-la-UNAH.pdf](http://www.peacebrigades.nl/wp-content/uploads/ALERTA-PBI-Honduras_-Intimidaci%C3%B3n_de-las-personas-defensoras_en-el-marco_de-la-cr%C3%A9sica_de-la-UNAH.pdf).
  - 11 Dina Meza, "Ante torturas contra defensores y estudiantes en la UNAH: Organizaciones exigen destitución del Ministro de Seguridad, altos oficiales y de la rectora Julieta Castellanos," Pasos de Animal Grande, September 12, 2017, accessed March 15, 2018, <http://www.pasosdeanimalgrande.com/index.php/en/contexto/item/1892-ante-torturas-contra-defensores-y-estudiantes-en-la-unah-organizaciones-exigen-destitucion-del-ministro-de-seguridad-altos-oficiales-y-de-la-rectora-julieta-castellanos>.
  - 12 Delegación del Foro Honduras-Suiza, "Tercera misión de observación de derechos humanos a Honduras," *Defensores en Línea*, September 8, 2017, accessed March 15, 2018, <http://defensoresenlinea.com/wp-content/uploads/2017/10/2017-Informe-esp%C3%A1ol-Foro-Honduras-Suiza.pdf>.
  - 13 Peace Brigades International, "Bulletin PBI Honduras 04," December 2016, accessed March 16, 2018, [http://www.pbi-honduras.org/fileadmin/user\\_files/projects/honduras/files/Bulletins/BOL04-EN-12-l.pdf](http://www.pbi-honduras.org/fileadmin/user_files/projects/honduras/files/Bulletins/BOL04-EN-12-l.pdf).
  - 14 Organización de los Estados Americanos, "Observaciones Preliminares sobre la situación de los derechos humanos en Honduras," news release, December 5, 2014, <http://www.oas.org/es/cidh/prensa/comunicados/2014/146A.asp>.
  - 15 Front Line Defenders, "José de los Santos Sevillas Assassinated in Honduras," *Front Line Defenders*, last modified February 20, 2017, accessed March 15, 2018, <https://www.frontlinedefenders.org/en/case/jose-de-los-santos-sevilla-assassinated-honduras>.
  - 16 Global Witness, "Honduras: The Deadliest Country in the World for Environmental Activism," January 31, 2017, accessed March 19, 2018, <https://www.globalwitness.org/en/campaigns/environmental-activists/honduras-deadliest-country-world-environmental-activism/>.
  - 17 International Trade Union Confederation, "Fyffes Union Leader in Honduras Escapes Murder Attempt," news release, last modified April 21, 2017, accessed March 16, 2018, <https://www.ituc-csi.org/fyffes-union-leader-in-honduras>.
  - 18 Comisionado Nacional de los Derechos Humanos, *Informe Anual 2016 al Honorable Congreso Nacional de la República*, 59, March 2017, accessed March 16, 2018, <http://conadeh.hn/wp-content/uploads/2017/04/Informe-Anual-2016.pdf>.
  - 19 United Nations Special Rapporteur, *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on his mission to Honduras*, report no. A/HRC/35/23/Add.1, 12, April 11, 2017, <http://reliefweb.int/sites/reliefweb.int/files/resources/G1709029.pdf>.
  - 20 LAWGEF interview with three main labor federations (CUTH, CGT, CTH) in Honduras, Tegucigalpa, July 25, 2017.
  - 21 International Trade Union Confederation, *The 2017 ITUC Global Rights Index: The World's Worst Countries for Workers*, 65-66, June 2017, accessed March 16, 2018, [https://www.ituc-csi.org/IMG/pdf/survey\\_ra\\_2017\\_eng-1.pdf](https://www.ituc-csi.org/IMG/pdf/survey_ra_2017_eng-1.pdf).
  - 22 Organization of American States, "Office of the Special Rapporteur Condemns Murder of Journalist Carlos William Flores in Honduras and Urges the State to Investigate Connection to Journalistic Activity," news release, September 9, 2017, accessed March 16, 2018, <http://www.oas.org/en/iachr/expression/showarticle.asp?artID=1076&IID=1>.
  - 23 United Nations High Commissioner for Human Rights, *Annual Report of the United Nations High Commissioner for Human Rights on the human rights situation in Honduras*, report no. A/HRC/34/3/Add.2, 9, February 9, 2017, accessed March 16, 2018, <https://reliefweb.int/sites/reliefweb.int/files/resources/G1702929.pdf>.
  - 24 Comisionado Nacional de los Derechos Humanos, "Impune el 91% de los crímenes cometidos contra personas ligadas a medios de comunicación," news release, last modified May 2, 2017, accessed March 16, 2018, <http://conadeh.hn/impune-el-91-de-los-crimenes-cometidos-contra-personas-ligadas-a-medios-de-comunicacion/>.
  - 25 United Nations High Commissioner for Human Rights, *Annual report of the United Nations High Commissioner for Human Rights on the human rights situation in Honduras*, report no. A/HRC/34/3/Add.2, 7, February 9, 2017, accessed March 16, 2018, <https://reliefweb.int/sites/reliefweb.int/files/resources/G1702929.pdf>.
  - 26 "Comunicado de la familia de Berta Cáceres en Conferencia de Prensa," news release, *Defensores en Línea*, July 26, 2017, accessed March 16, 2018, <http://defensoresenlinea.com/comunicado-de-la-familia-de-berta-caceres-en-conferencia-de-prensa/>.
  - 27 Embassy of Honduras to the United States, "Information Sheet: Honduran National Protection System for Human Rights Defenders, Journalists and Justice Operators," August 2017.
  - 28 Comisión Interamericana de Derechos Humanos, "CIDH condena el ataque en contra del defensor de derechos de personas LGBTI David Valle en Honduras," news release, August 9, 2017, accessed March 16, 2018, <http://mailchi.mp/dist/cidh-condena-el-ataque-en-contra-del-defensor-de-derechos-de-personas-lgbt-david-valle-en-honduras?e=a47f298387>.



- 29 El Observatorio para la Protección de los Defensores de Derechos Humanos, "Llamado urgente – El Observatorio," news release, July 11, 2017, accessed March 16, 2018, <http://www.omct.org/es/human-rights-defenders/urgent-interventions/honduras/2017/07/d24445/>. The President of the Supreme Court heightened the risks for Honduran human rights defenders through his public statement when the Honduran Coalition against Impunity presented information, as is their right, in the context of the 2017 Universal Periodic Review of human rights at the United Nations in Geneva, noting that "evil Hondurans and national and foreign organizations seek to ignore the advances and provide false or distorted information in order to damage the country for their private interests."
- 30 Organización de los Estados Americanos, *Derecho de Acceso a la Información e Intereses Legítimos de Defensa y Seguridad en Honduras*, report no. MACCHI 5, July 2017, accessed March 16, 2018, [https://www.oas.org/en/spa/dsdsm/maccih/new/docs/20170705\\_MACCHI\\_5.pdf](https://www.oas.org/en/spa/dsdsm/maccih/new/docs/20170705_MACCHI_5.pdf).
- 31 Alexis Torres, "Congresistas de Oposición pedirán la derogación de Ley de Secretos," *Tiempo Digital*, July 10, 2017, <http://tiempo.hn/congresistas-oposicion-pediran-esta-semana-la-derogacion-la-ley-secretos/>.
- 32 Student Anticorruption Coordinator, "Law on Finance, Transparency and Oversight of Political Parties and Candidates/Timeline, Appointment of Unit Commissioners: Irregularities and Lessons Learned," June 2017.
- 33 "Conferencia Episcopal de Honduras se pronuncia sobre elecciones sin denunciar abiertamente la ilegal reelección," *Criterio.hn*, October 15, 2017, accessed March 16, 2018, <http://criterio.hn/2017/10/15/conferencia-episcopal-honduras-se-pronuncia-elecciones-sin-denunciar-abiertamente-la-ilegal-reeleccion/>.
- 34 See for example: Álvaro Albornoz, "Análisis del fallo que elimina artículos constitucionales pétreos y establece la reelección presidencial indefinida," *Eléuteria Honduras*, last modified August 29, 2016, March 16, 2018, <http://www.eleteria.org/analisis-del-fallo-que-elimina-articulos-constitucionales-petreos-y establece-la-reeleccion-presidencial-indefinida/>.

## Repression in Honduras as Citizens Protest Disputed Election

- 1 Nina Lakhani and Sarah Kinosian, "Honduras troops shoot dead teenage girl amid election crisis protests," *The Guardian*, December 2, 2017, accessed March 16, 2018, <https://www.theguardian.com/world/2017/dec/02/honduras-troops-shoot-dead-teenage-girl-curfew-election-crisis-protests>.
- 2 "Conozca el texto del decreto de toque de queda en Honduras," *Criterio.hn*, December 1, 2017, accessed March 16, 2018, <https://criterio.hn/2017/12/01/conozca-texto-del-decreto-toque-queda-honduras>.
- 3 Carlos Pineda, "501 hondureños detenidos luego del toque de queda," *Tiempo Digital*, December 3, 2017, accessed March 16, 2018, <http://tiempo.hn/501-hondureños-detenidos-por-no-acatar-el-toque-de-queda>.
- 4 Noche Negra Honduras, "Noche Negra Honduras – Ejército dispara contra multitud," video file, Youtube, December 2, 2017, accessed March 16, 2018, <https://www.youtube.com/watch?v=x2613sjfg10>.
- 5 TSE Honduras, "Elecciones Generales 2017 Sistema de Divulgación," Chart, Resultados Generales 2017, December 2017, accessed March 16, 2018, <https://resultadosgenerales2017.tse.hn/>.
- 6 European Union Election Observation Mission Honduras 2017, "EU EOM Honduras 2017 Preliminary Statement: Well-organised elections follow campaign marked by unequal resources," news release, November 29, 2017, accessed March 19, 2018, [https://eeas.europa.eu/election-observation-missions/eom-honduras-2017/36397/eu-eom-honduras-2017-preliminary-statement-well-organised-elections-follow-campaign-marked\\_en](https://eeas.europa.eu/election-observation-missions/eom-honduras-2017/36397/eu-eom-honduras-2017-preliminary-statement-well-organised-elections-follow-campaign-marked_en).
- 7 Lisa Haugaard, "Honduras: Space for Activists and Journalists Closing, Wide Open for Corruption," *Just Americas: A Blog by LAWG*, entry posted October 23, 2017, accessed March 12, 2018, <http://www.lawg.org/action-center/lawg-blog/69-general/1927-honduras-space-for-activists-and-journalists-closing-wide-open-for-corruption>.

- 8 "Comunicado de la comisión de observadores de la OEA," *El Pulso*, December 3, 2017, accessed March 16, 2018, <http://elpulso.hn/comunicado-de-la-comision-de-observadores-de-la-oea/>.
- 9 "Mesa Nacional de DD.HH. denuncia graves ataques a la democracia de Honduras," *TeleSur*, December 2, 2017, accessed March 16, 2018, <https://www.telesurtv.net/news/Mesa-Nacional-de-DD.HH.-denuncia-graves-ataques-a-la-democracia-de-Honduras--20171202-0025.html>.
- 10 Organización de los Estados Americanos, "CIDH y OACNUDH expresan preocupación por violencia en contexto post-electoral de Honduras," news release, December 3, 2017, accessed March 16, 2018, <http://www.oas.org/es/cidh/prensa/comunicados/2017/197.asp>.
- 11 Chargé Heide Fulton, Twitter, <https://twitter.com/usambhonduras?lang=en>

## Protest Met with Brutal Repression: A Summary of Human Rights Abuses in Post-Electoral Honduras

- 1 Sarah Blaskey and Jeff Abbott, "A 19-year-old searched for her brother at a protest. Then a bullet struck her forehead," *The Miami Herald*, January 5, 2018, accessed March 8, 2018, <http://www.miamiherald.com/news/nation-world/world/americas/article193160329.html>.
- 2 Noche Negra Honduras, "Noche Negra Honduras – Muerte de Kimberly a manos del ejército hondureño," video file, Youtube, December 2, 2017, accessed March 8, 2018, <https://www.youtube.com/watch?v=L9WCOK8Lg4I>.
- 3 COFADEH, *Informe 2: Violaciones a los Derechos Humanos en el contexto de las protestas anti fraude en Honduras*, 6, January 2018, <http://defensoresenlinea.com/wp-content/uploads/2018/01/Segundo-Informe-violaciones-a-DDHH-en-contexto-protestas-anti-fraude-en-Honduras.pdf>
- 4 Ibid.
- 5 Comisionado Nacional de los Derechos Humanos, "Crisis Post Electoral: Tercer informe sumario y recomendaciones del Comisionado Nacional de los Derechos Humanos," news release, January 15, 2018, accessed March 8, 2018, <http://conadech.hn/crisis-post-electoral-tercer-informe-sumario-y-recomendaciones-del-comisionado-nacional-de-los-derechos-humanos/>.
- 6 Belkis Argueta, "Hija de don Anselmo Villareal: "Te me arrebataron, mi viejo"," *Tiempo Digital*, January 21, 2018, accessed March 8, 2018, <https://tiempo.hn/hija-de-don-anselmo-villareal-mensaje/>.
- 7 Organization of American States, "Honduras: Human rights experts condemn measures against protesters and media," news release, December 20, 2017, accessed March 8, 2018, <http://www.oas.org/en/iachr/expression/showarticle.asp?artID=1085&IID=1>.
- 8 OACNUDH Honduras, Twitter post, December 21, 2017, 4:00 p.m., <https://twitter.com/ONUDDHH/status/943994604650627072>.
- 9 Organización de Estados Americanos, «CIDH insta al Estado de Honduras a garantizar y respetar los derechos humanos en el contexto post-electoral,» news release, December 22, 2017, accessed March 8, 2018, <https://www.oas.org/es/cidh/prensa/comunicados/2017/217.asp>.
- 10 "Joven manifestante de la Alianza aparece muerto en Olanchito," *Tiempo Digital*, December 4, 2017, accessed March 8, 2018, <http://tiempo.hn/joven-manifestante-de-la-alianza-aparece-muerto-en-olanchito>.
- 11 "Matan a hombre raptado en Tegucigalpa," *La Prensa*, December 7, 2017, accessed March 8, 2018, <http://www.laprensa.hn/sucesos/1132834-410/matan-hombre-raptado-muertes-violentatas-honduras>.
- 12 Movimiento Amplio, "Wilmer Paredes, asesinado en San Juan Pueblo: Instituciones del Estado se negaron a actuar para evitar su asesinato," news release, January 8, 2018, accessed March 8, 2018, <https://www.movimientoamplio.org/single-post/2018/01/08/Wilmer-Paredes-asesinado-en-San-Juan-Pueblo-Instituciones-del-Estado-se-negaron-a-actuar-para-evitar-su-asesinato>.
- 13 "Honduras: Human Rights Defenders under attack," Amnesty International – Canada, last modified January 18, 2018, accessed March 12, 2018, <https://www.amnesty.ca/get-involved/take-action-now/honduras-human-rights-defenders-under-attack>.

- 14 Liz Throssell, "Press briefing notes on Ethiopia and Honduras," news release, January 19, 2018, accessed March 12, 2018, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22596&LangID=E>
- 15 Organización de los Estados Americanos, "CIDH y OACNUDH expresan preocupación por violencia en contexto post-electoral de Honduras," news release, December 3, 2017, accessed March 12, 2018, <http://www.oas.org/es/cidh/prensa/comunicados/2017/197.asp>.
- 16 "Honduras: Government deploys dangerous and illegal tactics to silence population," Amnesty International, December 8, 2017, accessed March 12, 2018, <https://www.amnesty.org/en/latest/news/2017/12/honduras-government-deploys-dangerous-and-illegal-tactics-to-silence-population/>.
- 17 "Policías en Honduras se niegan a reprimir las protestas que desafían el toque de queda decretado por el gobierno en la crisis por el recuento electoral," BBC Mundo, December 5, 2017, accessed March 12, 2018, <http://www.bbc.com/mundo/noticias-america-latina-42217813>.
- 18 Secretaría de Defensa Nacional, "Dos nuevos batallones de la Policía Militar del Orden Público reforzarán trabajo en beneficio del pueblo," news release, last modified July 4, 2017, accessed March 12, 2018, <http://sedena.gob.hn/2017/07/04/dos-nuevos-batallones-de-la-policia-militar-del-orden-publico-reforzar%C3%A1n-trabajo-en-beneficio-del-pueblo/>.
- 19 COFADEH, Informe 2: *Violaciones a los Derechos Humanos en el contexto de las protestas anti fraude en Honduras*, 21, January 2018, <http://defensoresenlinea.com/wp-content/uploads/2018/01/Segundo-Informe-violaciones-a-DDHH-en-contexto-protestas-anti-fraude-en-Honduras.pdf>
- 20 Lisa Haugaard, "Honduras: Space for Activists and Journalists Closing, Wide Open for Corruption," *Just Americas: A Blog by LAWG*, entry posted October 23, 2017, accessed March 12, 2018, <http://lawg.org/action-center/lawg-blog/69-general/1927-honduras-space-for-activists-and-journalists-closing-wide-open-for-corruption>.
- 21 "Ministro Pacheco Tinoco: 'No hay ni una protesta que sea pacífica,'" *La Tribuna*, December 21, 2017, accessed March 12, 2018, <http://www.latribuna.hn/2017/12/21/ministro-pacheco-tinoco-no-una-protesta-sea-pacifica/>.
- 22 Dina Meza, "Coalición contra la Impunidad: Mecanismo de Protección se ha negado a actuar para mitigar el riesgo por amenazas contra defensores de derechos humanos," *Pasos de Animal Grande*, last modified January 19, 2018, accessed March 12, 2018, <http://www.pasosdeanimalgrande.com/index.php/es-denuncias/item/2012-coaliccion-contra-la-impunidad-mecanismo-de-proteccion-se-ha-negado-a-actuar-para-mitigar-el-riesgo-por-amenazas-contra-defensores-de-derechos-humanos>.
- 23 COFADEH, Informe 2: *Violaciones a los Derechos Humanos en el contexto de las protestas anti fraude en Honduras*, 4, January 2018, <http://defensoresenlinea.com/wp-content/uploads/2018/01/Segundo-Informe-violaciones-a-DDHH-en-contexto-protestas-anti-fraude-en-Honduras.pdf>
- 24 Movimiento Amplio, "Carta abierta del MADJ a las fuerzas de seguridad del Estado; ¡Alto a la brutalidad en contra del pueblo!," news release, last modified January 5, 2018, accessed March 12, 2018, <https://www.movimientoamplio.org/single-post/2018/01/05/Carta-abierta-del-MADJ-a-las-fuerzas-de-seguridad-del-Estado-%C2%A1Alto-a-la-brutalidad-en-contra-del-pueblo>.
- 25 U.S. Department of Defense and U.S. Department of State, *Foreign Military Training Report*, Vol. 1, 53, 2017, accessed March 12, 2018, <https://www.state.gov/documents/organization/275295.pdf>.
- 26 U.S. Department of Defense and U.S. Department of State, *Foreign Military Training Report*, Vol. 2, 45, 2017, accessed March 12, 2018, <https://www.state.gov/documents/organization/275296.pdf>. Page 45 states that more training for the 105th Infantry Brigade was scheduled in 2017.
- 27 COFADEH, Informe 2: *Violaciones a los Derechos Humanos en el contexto de las protestas anti fraude en Honduras*, 11, January 2018, <http://defensoresenlinea.com/wp-content/uploads/2018/01/Segundo-Informe-violaciones-a-DDHH-en-contexto-protestas-anti-fraude-en-Honduras.pdf>
- 28 OACNUDH Honduras, Twitter post, January 14, 2018, 11:25 a.m., <https://twitter.com/ONUDDHH/status/952622697036615686>.
- 29 "Represión militar se incrementa en Honduras," *Criterio.hn*, January 8, 2018, accessed March 12, 2018, <https://criterio.hn/2018/01/08/represion-militar-se-incremente-honduras/>.
- 30 "Militares de Honduras continúan en franca violación de los derechos humanos," *Criterio.hn*, January 3, 2018, accessed March 12, 2018, <https://criterio.hn/2018/01/03/militares-honduras-continuan-franca-violacion-los-derechos-humanos/>.
- 31 "SIP condena expulsión y agresiones contra periodistas en Honduras," *elPeriódico*, December 17, 2017, accessed March 12, 2018, <https://elperiodico.com.gt/nacion/2017/12/07/sip-condena-expulsion-y-agresiones-contra-periodistas-en-honduras/>.
- 32 "Periodistas agredidos por militares interponen denuncia por tortura y abuso de autoridad," *Conexihon*, last modified January 16, 2018, accessed March 12, 2018, <http://www.conexihon.hn/index.php/libertad-de-expresion/427-periodistas-agredidos-por-militares-interponen-denuncia-por-tortura-y-abuso-de-autoridad>.
- 33 "UNE TV y Radio Progreso denuncian sabotaje y boicot a transmisiones," *Conexihon*, December 12, 2017, accessed March 12, 2018, <http://www.conexihon.hn/index.php/libertad-de-expresion/517-une-tv-y-radio-progreso-denuncian-sabotaje-y-boicot-a-transmisiones>.
- 34 Ibid.
- 35 Peace Brigades International, "International Concern Regarding the Serious Increase of Attacks against Human Rights Defenders in Honduras' Post-Electoral Context," news release, January 22, 2018, accessed March 12, 2018, [http://www.pbi-honduras.org/fileadmin/user\\_files/projects/honduras/files/Alertas/180122HOP\\_Alerts\\_8\\_DefendersSituationPost-Electoral\\_01.pdf](http://www.pbi-honduras.org/fileadmin/user_files/projects/honduras/files/Alertas/180122HOP_Alerts_8_DefendersSituationPost-Electoral_01.pdf).
- 36 Ofraneh, Twitter post, January 6, 2018, 2:21 p.m., <https://twitter.com/ofraneh/status/949767866991218690>.
- 37 Ibid.
- 38 Movimiento Amplio, "ALERTA: En riesgo Martín Fernández y liderazgos del Movimiento Amplio en Atlántida por persecución y hostigamiento militar y policial," news release, December 8, 2017, accessed March 12, 2018, <https://www.movimientoamplio.org/single-post/2017/12/08/ALERTA-En-riesgo-Mart%C3%ADn-Fern%C3%A9z-y-liderazgos-del-Movimiento-Amplio-en-Atl%C3%A1ntida-por-persecuci%C3%B3n-y-hostigamiento-militar-y-policial>.
- 39 Movimiento Amplio, "ALERTA: Continúa la persecución militar y policial en contra de líderes del MADJ y manifestantes en Atlántida," news release, December 20, 2017, accessed March 12, 2018, <https://www.movimientoamplio.org/single-post/2017/12/20/ALERTA-Contin%C3%A1a-la-persecuci%C3%B3n-militar-y-policial-en-contra-de-las-persecuci%C3%B3n-y-manifestantes-en-At%C3%AD>.
- 40 Sandra Rodríguez, "Por represión militar muere dirigente del MADJ," Defensores en Línea, January 23, 2018, accessed March 12, 2018, <http://defensoresenlinea.com/por-represion-militar-muere-dirigente-del-madj/>.
- 41 "Honduras: CIDH y OACNUDH llaman a impedir ataques contra periodistas y defensores," *Conexihon*, last modified January 20, 2018, accessed March 12, 2018, <http://www.conexihon.hn/index.php/dh/415-honduras-cidh-y-oacnudh-llaman-a-impedir-ataques-contra-periodistas-y-defensores>.
- 42 U.S. Embassy Tegucigalpa, "Statement by Heather Nauert, Spokesperson, on the Presidential Elections in Honduras," news release, December 22, 2017, accessed March 12, 2018, <https://hn.usembassy.gov/statement-heather-nauert-spokesperson-presidential-elections-honduras/>.
- 43 Chargé Heide Fulton, Twitter post, January 18, 2018, 5:50 a.m., <https://twitter.com/USAmbHonduras/status/953988071296569345>
- 44 "Consolidated Appropriations Act, 2017," H.R. 244, 115th Cong. § 7045 (a) (2017), accessed March 20, 2018, <https://www.congress.gov/115/plaws/publ31/PLAW-115publ31.pdf>.
- 45 "PN satisfecho por certificación de EEUU por lucha contra corrupción y protección de DDHH en Honduras," *Proceso Digital*, December 6, 2017, accessed March 12, 2018, <http://www.proceso.hn/proceso-electoral-2017/36-proceso-electoral/pn-satisfecho-por-certificacion-de-eeuu-por-lucha-contra-corrupcion-y-proteccion-de-ddhh-en-honduras.html>.



## No Rights, No Dignity: Risks Facing Deported Migrants in Honduras and El Salvador

- 1 U.S. Immigration and Customs Enforcement, *Fiscal Year 2017 ICE Enforcement and Removal Operations Report*, December 13, 2017, accessed January 10, 2018, <https://www.ice.gov/removal-statistics/2017>.
- 2 Asociación de Investigación y Estudios Sociales et al., *Una aproximación a las políticas de atención a los deportados en los países del Triángulo Norte de Centroamérica – Honduras*, 2, December 2016, accessed December 13, 2017, <http://www.fosdeh.com/wp-content/uploads/2017/02/Deportados-2017-Honduras.pdf>.
- 3 Observatorio Consular y Migratorio de Honduras, “Hondureños Retornados,” infographic, Cantidad de Hondureños retornados al país durante el año 2017, December 8, 2017, accessed January 9, 2018, <http://conmigho.wixsite.com/subscym-conmigho/retornados-2017>.
- 4 “Suman 37 mil los deportados en lo que va de 2017,” *La Prensa*, October 17, 2017, accessed December 13, 2017, <http://www.laprensa.hn/honduras/1117741-410/deportados-honduras-eua-euu-mexico-migrantes>.
- 5 Gloria Marisela Morán, “Violencia, “instrumento” que expulsa a los salvadoreños,” *Contrapunto*, September 15, 2015, accessed December 13, 2017, <http://www.contrapunto.com.sv/archivo2016/sociedad/migracion/violencia-instrumento-que-expulsa-a-los-salvadoreños>.
- 6 Dirección General de Migración y Extranjería, “Migración el año 2017 cerró con una notable reducción de más del 50% en las deportaciones,” last modified January 3, 2018, accessed January 10, 2018, <http://www.migracion.gob.sv/noticias/migracion-el-ano-2017-cerro-con-una-notable-reduccion-de-mas-del-50-en-las-deportaciones/>.
- 7 Dirección General de Migración y Extranjería, “Cifras de retornos año 2017,” infographic, November 7, 2017, accessed December 13, 2017, <http://www.migracion.gob.sv/estadisticas/compartimos-cifras-de-retornos-al-06112017>.
- 8 LAWGEF interview with official from Procuraduría para la Defensa de los Derechos Humanos de El Salvador, San Salvador, El Salvador, July 28, 2017.
- 9 Casa Alianza Honduras, Pastoral de Movilidad Humana, and Catholic Relief Services, *Niñas y niños migrantes: Factores de expulsión y desafíos para su reincisión en Honduras*, 17, 41-46, July 2016, accessed December 13, 2017, [http://casa-alianza.org.hn/images/documentos/CAH.2016/02.Infor.Especiales/02.%20e\\_book\\_nias%20y%20nios%20migrantes.pdf](http://casa-alianza.org.hn/images/documentos/CAH.2016/02.Infor.Especiales/02.%20e_book_nias%20y%20nios%20migrantes.pdf).
- 10 Ibid, 18.
- 11 Center for Migration Studies and Cristosal, *Point of No Return: The Fear and Criminalization of Central American Refugees*, 14, June 2017, accessed December 13, 2017, <http://cmsny.org/wp-content/uploads/2017/06/CMS-Cristosal-Report-final.pdf>.
- 12 Ibid, 6.
- 13 LAWGEF interview with NGO staff, San Salvador, El Salvador, July 31, 2017.
- 14 Norwegian Refugee Council, *Reporte Honduras Desplazamiento* (n.p., 2017), 3.
- 15 Daniella Burgi-Palomino, “Nowhere to Call Home: Internally Displaced in Honduras and El Salvador,” *Just Americas: A Blog by LAWG*, entry posted October 31, 2017, accessed December 13, 2017, <http://lawg.org/action-center/lawg-blog/69-general/1936-nowhere-to-call-home-internally-displaced-in-honduras-and-el-salvador>.
- 16 Casa Alianza Honduras, Pastoral de Movilidad Humana, and Catholic Relief Services, *Niñas y niños migrantes: Factores de expulsión y desafíos para su reincisión en Honduras*, 45, July 2016, accessed December 13, 2017, [http://casa-alianza.org.hn/images/documentos/CAH.2016/02.Infor.Especiales/02.%20e\\_book\\_nias%20y%20nios%20migrantes.pdf](http://casa-alianza.org.hn/images/documentos/CAH.2016/02.Infor.Especiales/02.%20e_book_nias%20y%20nios%20migrantes.pdf).
- 17 Jessica Weiss and Andrea Patiño, “The deportees who want to ‘Make El Salvador Great Again’,” *Univision News*, November 11, 2017, accessed December 13, 2017, <https://www.univision.com/univision-news/immigration/the-deportees-who-want-to-make-el-salvador-great-again>.
- 18 “Commigrantes presenta informe de las acciones ejecutadas” *Verdad Digital*, last modified September 29, 2016, accessed March 16, 2018, <https://www.verdaddigital.com/index.php/social/12292-12292>.
- 19 Asociación de Investigación y Estudios Sociales et al., *Una aproximación a las políticas de atención a los deportados en los países del Triángulo Norte de Centroamérica: Honduras*, 16-17, December 2016, accessed March 19, 2018, <http://www.fosdeh.com/wp-content/uploads/2017/02/Deportados-2017-Honduras.pdf>.
- 20 Asociación de Investigación y Estudios Sociales et al., *Una aproximación a las políticas de atención a los deportados en los países del Triángulo Norte de Centroamérica: El Salvador*, 17, December 2016, accessed March 19, 2018, <http://www.fundaungo.org.sv/products/una-aproximacion-a-las-politicas-de-atencion-a-los-deportados-en-los-paises-del-triangulo-norte-de-centroamerica-el-salvador/91>.
- 21 Casa Alianza Honduras, Pastoral de Movilidad Humana, and Catholic Relief Services, *Niñas y niños migrantes: Factores de expulsión y desafíos para su reincisión en Honduras*, 59, July 2016, accessed December 13, 2017, [http://casa-alianza.org.hn/images/documentos/CAH.2016/02.Infor.Especiales/02.%20e\\_book\\_nias%20y%20nios%20migrantes.pdf](http://casa-alianza.org.hn/images/documentos/CAH.2016/02.Infor.Especiales/02.%20e_book_nias%20y%20nios%20migrantes.pdf).
- 22 LAWGEF interviews with Salvadoran NGOs in roundtable, San Salvador, El Salvador, July 31, 2017.
- 23 Center for Migration Studies and Cristosal, *Point of No Return: The Fear and Criminalization of Central American Refugees*, 6, June 2017, accessed December 13, 2017, <http://cmsny.org/wp-content/uploads/2017/06/CMS-Cristosal-Report-final.pdf>.
- 24 Norwegian Refugee Council, *Reporte Honduras Desplazamiento* (n.p., 2017), 2.
- 25 Evelyn Machuca, “2,200 niños y adolescentes retornaron solos a El Salvador en 22 meses”, *La Prensa Gráfica*, December 17, 2018, accessed December 28, 2017, <https://www.laprensagrafica.com/elsalvador/2200-ninos-y-adolescentes-retornaron-solos-a-el-Salvador-en-22-meses-20171216-0047.html>.
- 26 LAWGEF interviews with UNHCR Protection Officer and Norwegian Refugee Council staff, Tegucigalpa, Honduras, July 27, 2017.
- 27 LAWGEF interview with UNHCR Protection Officer, Tegucigalpa, Honduras, July 27, 2017.
- 28 LAWGEF interview with UNHCR Protection Officer, San Salvador, El Salvador, July 31, 2017.
- 29 LAWGEF interviews with multiple NGOs, San Salvador, El Salvador, July 28-August 2, 2017.
- 30 Alianza Americas et al., “Negative Consequences of Ending Temporary Protected Status (TPS) in El Salvador and Honduras for U.S. Interests in Promoting Prosperity, Security, and Governance in the Northern Triangle,” Latin America Working Group, last modified August 29, 2017, accessed December 13, 2017, [http://lawg.org/storage/documents/Importance\\_of\\_TPS\\_to\\_U.S.\\_Interests\\_in\\_Central\\_America\\_public\\_08\\_29\\_17.pdf](http://lawg.org/storage/documents/Importance_of_TPS_to_U.S._Interests_in_Central_America_public_08_29_17.pdf).
- 31 Asamblea Legislativa de la República de El Salvador, “Decreto No. 717: Disposiciones Especiales Para el Control y Seguimiento de la Población Retornada Salvadoreña Calificada como Miembros de Maras, Pandillas, o Agrupaciones Ilícitas,” July 6, 2017, accessed December 13, 2017, <http://www.jurisprudencia.gob.sv/DocumentoSBoveda/D/2/2010-2019/2017/07/C3892.PDF>.
- 32 “El Salvador to create a Deportee Criminal Registry,” Committee in Solidarity with the People of El Salvador, last modified September 25, 2017, accessed December 13, 2017, <http://cispes.org/article/el-salvador-create-deportee-criminal-registry?language=es>.

## Left in the Dark: Violence Against Women and LGBTI Persons in Honduras and El Salvador

- 1 Kids in Need of Defense, *Neither Security nor Justice: Sexual and Gender-based Violence and Gang Violence in El Salvador, Honduras, and Guatemala*, 7-8, May 2017, accessed February 27, 2018, [https://supportkind.org/wp-content/uploads/2017/05/Neither-Security-nor-Justice\\_SGBV-Gang-Report-FINAL.pdf](https://supportkind.org/wp-content/uploads/2017/05/Neither-Security-nor-Justice_SGBV-Gang-Report-FINAL.pdf).
- 2 Ibid, 10.
- 3 Renata Avelar Giannini, “La igualdad de género puede promover el desarrollo y la reducción de la violencia,” *Revista Factum*, January 18, 2018, accessed February 27, 2018, <http://revistafactum.com/la-igualdad-de-genero-violencia/>.

- 4 Observatorio de la Violencia de Género contra las Mujeres, "Indicadores de Violencia," ORMUSA, accessed February 27, 2018, <http://observatoriodeviolencia.ormusa.org/index.php>.
- 5 Ibid.
- 6 Gender Equality Observatory for Latin America and the Caribbean, "Femicide or feminicide," United Nations, accessed February 27, 2018, <https://oig.cepal.org/en/Indicators/femicide-or-feminicide>.
- 7 Laura Aguirre, "300 feminicidios al año 'no son nada' en el país más violento del continente," *Univision Noticias*, March 7, 2017, accessed February 27, 2018, <https://www.univision.com/noticias/america-latina/300-feminicidios-al-ano-no-son-nada-en-el-pais-mas-violento-del-continente>.
- 8 Molly O'Toole, "El Salvador's Gangs Are Targeting Young Girls," *The Atlantic*, March 4, 2018, accessed March 5, 2018, <https://www.theatlantic.com/international/archive/2018/03/el-salvador-women-gangs-ms-13-trump-violence/554804/>.
- 9 Kids in Need of Defense, *Neither Security nor Justice: Sexual and Gender-based Violence and Gang Violence in El Salvador, Honduras, and Guatemala*, 5, May 2017, accessed February 27, 2018, [https://supportkind.org/wp-content/uploads/2017/05/Neither-Security-nor-Justice\\_SGBV-Gang-Report-FINAL.pdf](https://supportkind.org/wp-content/uploads/2017/05/Neither-Security-nor-Justice_SGBV-Gang-Report-FINAL.pdf).
- 10 "Violación de mujeres, otro sello de las pandillas (1 de 2)," *Diario Libre*, November 8, 2014, accessed February 27, 2018, <https://www.diariolibre.com/noticias/violacion-de-mujeres-otro-sello-de-las-pandillas-1-de-2-AHDL870761>.
- 11 Kids in Need of Defense, *Neither Security nor Justice: Sexual and Gender-based Violence and Gang Violence in El Salvador, Honduras, and Guatemala*, 6, May 2017, accessed February 27, 2018, [https://supportkind.org/wp-content/uploads/2017/05/Neither-Security-nor-Justice\\_SGBV-Gang-Report-FINAL.pdf](https://supportkind.org/wp-content/uploads/2017/05/Neither-Security-nor-Justice_SGBV-Gang-Report-FINAL.pdf).
- 12 Jude Webber, "El Salvador's teenage girls trapped by turf wars," *Financial Times*, October 11, 2017, accessed February 27, 2018, <https://www.ft.com/content/e94d119a-8da6-11e7-9580-c651950d3672>.
- 13 LAWGEF interview with women's rights advocate, San Salvador, El Salvador, July 31, 2017.
- 14 LAWGEF interview with UNHCR Protection Officer, San Salvador, El Salvador, July 31, 2017.
- 15 Morena Herrera, "Trapped: Sexual Violence, Feminicide, Femicidal Suicide and Feminist Demonstrations," Heinrich Boll Stiftung, last modified December 4, 2017, accessed February 27, 2018, <https://eu.boell.org/en/2017/12/04/trapped-sexual-violence-feminicide-femicidal-suicide-and-feminist-demonstrations>.
- 16 "Persiste la impunidad en violencia sexual contra niñez," *La Prensa Gráfica*, April 5, 2017, accessed February 27, 2018, <https://www.laprensagrafica.com/elsalvador/Persiste-la-impunidad-en-violencia-sexual-contra-ninez-20170405-0065.html>.
- 17 LAWGEF interview with ORMUSA staff, San Salvador, El Salvador, July 31, 2017.
- 18 Ibid.
- 19 Ministerio de Justicia y Seguridad Pública, *Informe sobre Hechos de Violencia contra las Mujeres. El Salvador*, 2015, 82, 2015, accessed February 27, 2018, <http://aplicaciones.digestyc.gob.sv/observatorio.genero/files/Informe%20sobre%20Hechos%20de%20Violencia%20contra%20las%20Mujeres,%20El%20Salvador%202015.pdf>.
- 20 Laura Aguirre, "300 feminicidios al año 'no son nada' en el país más violento del continente," *Univision Noticias*, March 7, 2017, accessed February 27, 2018, <https://www.univision.com/noticias/america-latina/300-feminicidios-al-ano-no-son-nada-en-el-pais-mas-violento-del-continente>.
- 21 LAWGEF interview with women's rights advocate, San Salvador, El Salvador, July 31, 2017.
- 22 "Persiste la impunidad en violencia sexual contra niñez," *La Prensa Gráfica*, April 5, 2017, accessed February 27, 2018, <https://www.laprensagrafica.com/elsalvador/Persiste-la-impunidad-en-violencia-sexual-contra-ninez-20170405-0065.html>.
- 23 Asamblea Legislativa de la República de El Salvador, "Decreto No. 520: Ley especial integral para una vida libre de violencia para las mujeres," January 4, 2011, accessed February 27, 2018, <http://www.acnur.org/fileadmin/scripts/doc.php?file=fileadmin/Documents/BDL/2014/9509>.
- 24 [25] Women's rights advocate, interview by Latin America Working Group Education Fund, San Salvador, El Salvador, July 31, 2017.
- 25 "Ley de Igualdad, Equidad y Erradicación de la Discriminación contra las Mujeres" [Law of Equality, Equity and Eradication of Discrimination against Women], Plataforma de seguridad alimentaria y nutricional, accessed February 27, 2018, <http://plataformacelac.org/ley/96>.
- 26 LAWGEF interview with women's rights advocate, San Salvador, El Salvador, July 31, 2017.
- 27 Ibid.
- 28 Liz Ford, "El Salvador court upholds 30-year jail sentence in stillbirth case," *The Guardian*, US edition, accessed March 6, 2018, <https://www.theguardian.com/world/2017/dec/14/el-salvador-court-upholds-30-year-jail-sentence-in-stillbirth-case>.
- 29 Amnesty International, "El Salvador: Escandalosa propuesta de aumento de penas de cárcel para mujeres acusadas de aborto," news reléase, last modified July 12, 2016, accessed February 27, 2018, <https://www.amnesty.org/es/latest/news/2016/07/el-salvador-scandalous-proposal-to-increase-jail-terms-for-women-accused-of-abortion/>.
- 30 LAWGEF interview with women's rights advocate, San Salvador, El Salvador, July 31, 2017.
- 31 Gender Equality Observatory for Latin America and the Caribbean, "Femicide or feminicide," United Nations, accessed February 27, 2018, <https://oig.cepal.org/en/Indicators/femicide-or-feminicide>.
- 32 Neesa Medina, "Preocupante ola de violencia contra las mujeres en Honduras," *El Heraldo*, January 31, 2018, accessed February 27, 2018, <http://www.elheraldo.hn/pais/1147921-466/preocupante-ola-de-violencia-contra-las-mujeres-en-honduras>.
- 33 Comisionado Nacional de los Derechos Humanos, *Informe Anual 2016 al Honorable Congreso Nacional de la República*, 132, March 2017, accessed February 27, 2018, <http://conadeh.hn/wp-content/uploads/2017/04/Informe-Anual-2016.pdf>.
- 34 Ibid.
- 35 Ismael Moreno, "Un fraude electoral con sabor a golpe de Estado imperial," Reporteros de Investigación, February 10, 2018, accessed February 27, 2018, <https://reporterosdeinvestigacion.com/2018/02/10/un-fraude-electoral-con-sabor-a-golpe-de-estado-imperial/>.
- 36 "Proponen Ley de Casas Refugio para mujeres sobrevivientes de violencia," *El Proceso*, February 15, 2018, accessed February 27, 2018, <http://proceso.hn/salud-y-sociedad/5-salud-y-sociedad/proponen-ley-de-casas-refugio-para-mujeres-sobrevivientes-de-violencia.html>.
- 37 "Casi cuatro mil mujeres víctimas de violencia intrafamiliar en Honduras," *Primicia Honduras*, January 8, 2018, accessed February 27, 2018, <http://www.primiciahonduras.hn/casi-cuatro-mil-mujeres-victimas-violencia-intrafamiliar-honduras/>.
- 38 EFE, "El 95 % de crímenes de mujeres está en impunidad en Honduras," *El Proceso*, January 17, 2018, accessed February 27, 2018, <http://www.proceso.hn/actualidad/7-actualidad/el-95-de-crimenes-de-mujeres-esta-en-impunidad-en-honduras.html>.
- 39 Ibid.
- 40 "Incontrolable ola de femicidios en Honduras," January 30, 2018, accessed February 27, 2018, <http://www.proceso.hn/portadas/10-portada/incontrolable-ola-de-femicidios-en-honduras.html>.
- 41 Amnesty International, "Honduras 2017/2018," Accessed February 28, 2018, <https://www.amnesty.org/es/countries/americas/honduras/report-honduras/>.
- 42 "Incontrolable ola de femicidios en Honduras," *El Proceso*, January 30, 2018, accessed February 27, 2018, <http://www.proceso.hn/portadas/10-portada/incontrolable-ola-de-femicidios-en-honduras.html>.
- 43 "Sobre el INAM", Instituto Nacional de la Mujer, [http://www.inam.gob.hn/web/index.php?option=com\\_content&view=article&id=12&Itemid=116](http://www.inam.gob.hn/web/index.php?option=com_content&view=article&id=12&Itemid=116).
- 44 "Ciudad Mujer," Ciudad Mujer Honduras, <http://www.ciudadmujer.gob.hn/index.html>.
- 45 Instituto Nacional de la Mujer, "Ciudad Mujer Ya es Una Realidad en Honduras," news release, last modified March 28, 2017, [http://www.inam.gob.hn/web/index.php?option=com\\_content&view=article&id=119:ciudad-mujer-ya-es-una-realidad-en-honduras&catid=35&Itemid=390](http://www.inam.gob.hn/web/index.php?option=com_content&view=article&id=119:ciudad-mujer-ya-es-una-realidad-en-honduras&catid=35&Itemid=390).
- 46 "Compendio de Leyes Sobre Derechos de la Mujer," Instituto Nacional de la Mujer, last modified July 6, 2015, [http://www.inam.gob.hn/web/index.php?option=com\\_phocadownload&view=file&id=5:compendio-de-leyes-sobre-derechos-de-la-mujer&Itemid=110](http://www.inam.gob.hn/web/index.php?option=com_phocadownload&view=file&id=5:compendio-de-leyes-sobre-derechos-de-la-mujer&Itemid=110).

- 47 "Honduras: Domestic violence, including legislation and protection available to victims," Canada: Immigration and Refugee Board of Canada, December 10, 2013, accessed February 28, 2018, <http://www.refworld.org/docid/52ce9dd14.html>.
- 48 "Compendio de Leyes Sobre Derechos de la Mujer," Instituto Nacional de la Mujer, last modified July 6, 2015, [http://www.inam.gob.hn/web/index.php?option=com\\_phocadownload&view=file&id=5:compendio-de-leyes-sobre-derechos-de-la-mujer&Itemid=110](http://www.inam.gob.hn/web/index.php?option=com_phocadownload&view=file&id=5:compendio-de-leyes-sobre-derechos-de-la-mujer&Itemid=110).
- 49 Kids in Need of Defense, *Neither Security nor Justice: Sexual and Gender-based Violence and Gang Violence in El Salvador, Honduras, and Guatemala*, 7, May 2017, accessed February 27, 2018, [https://supportkind.org/wp-content/uploads/2017/05/Neither-Security-nor-Justice\\_SGBV-Gang-Report-FINAL.pdf](https://supportkind.org/wp-content/uploads/2017/05/Neither-Security-nor-Justice_SGBV-Gang-Report-FINAL.pdf).
- 50 "Policías y bandas criminales, principales agresores de la comunidad LGTBI en Honduras," *La Prensa*, August 22, 2014, accessed February 28, 2018, <http://www.laprensa.hn/chicos/740655-337/polic%C3%ADAs-y-bandas-criminales-principales-agresores-de-la-comunidad-lgtbi-en-honduras>.
- 51 Nina Lakhani, "LGBT in El Salvador: Beatings, intolerance, death," *Al Jazeera*, August 12, 2015, accessed March 6, 2018, <https://www.aljazeera.com/indepth/features/2015/08/gbt-el-salvador-beatings-intolerance-death-150805075132892.html>.
- 52 Red Lésbica CATTRACHAS, *Informe Sobre Muertes Violentas de la comunidad LGTBTI Cattrachas 2009 al 2017*, 23, February 2, 2018, accessed March 6, 2018, <http://www.cattrachas.org/gestionciu.php>
- 53 LAWGEF interview with Karina Trujillo and Michel Carbajal from Red Lésbica CATTRACHAS, Tegucigalpa, Honduras, July 25, 2017.
- 54 Blanca Abarca and Michelle Morales, "Cuando no se existe en vida ni en muerte," *La Prensa Gráfica*, January 28, 2018, accessed February 28, 2018, <https://www.laprensagrafica.com/revistas/Cuando-no-se-existe-en-vida-ni-en-muerte-20180127-0055.html>.
- 55 "Matan a presidente de la Comunidad Gay en San Pedro Sula," *La Prensa*, June 3, 2016, accessed March 6, 2018, <http://www.laprensa.hn/sucesos/966575-410/matan-a-presidente-de-la-comunidad-gay-en-san-pedro-sula>.
- 56 Worldwide Movement for Human Rights, "Honduras: Asesinato de Sherly Montoya, integrante del Grupo de Mujeres Transexuales "Muñecas de Arcoíris" ", news release, April 6, 2017, accessed March 6, 2018, <https://www.fidh.org/es/temas/defensores-de-derechos-humanos/honduras-asesinato-de-sherly-montoya-integrante-del-grupo-de-mujeres>.
- 57 María Luz Nóchez, "Karla Avelar: "No estoy dispuesta a perder mi vida en El Salvador"," *El Faro*, October 20, 2017, Desigualdad, accessed March 6, 2018, [https://elfaro.net/es/201710/el\\_salvador/21067/Karla-Avelar-%E2%80%9CNo-estoy-dispuesta-a-perder-mi-vida-en-El-Salvador%E2%80%9D.htm](https://elfaro.net/es/201710/el_salvador/21067/Karla-Avelar-%E2%80%9CNo-estoy-dispuesta-a-perder-mi-vida-en-El-Salvador%E2%80%9D.htm).
- 58 Ibid.
- 59 Comisión Interamericana de Derechos Humanos, *Violencia contra Personas Lesbianas, Gay, Bisexuales, Trans e Intersex en América*, 73, November 12, 2015, accessed March 6, 2018, <http://www.oas.org/es/cidh/informes/pdfs/violenciapersonaslgbi.pdf>.
- 60 Ibid.
- 61 "Victoria Sofía," *La Tribuna*, December 30, 2017, accessed March 6, 2018, <http://www.latribuna.hn/2017/12/30/victoria-sofia>.
- 62 LAWGEF interview with Karina Trujillo and Michel Carbajal from Red Lésbica CATTRACHAS, Tegucigalpa, Honduras, July 25, 2017.
- 63 COMCAVIS Trans et al., *Human Rights Violations Against Transgender Persons in El Salvador*, 14, accessed March 6, 2018, [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/SLV/INT\\_CCPR\\_ICS\\_SLV\\_19856\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/SLV/INT_CCPR_ICS_SLV_19856_E.pdf).
- 64 United Nations High Commissioner for Human Rights, *Annual report of the United Nations High Commissioner for Human Rights on the human rights situation in Honduras*, 12, 2017, accessed March 6, 2018, <https://reliefweb.int/sites/reliefweb.int/files/resources/G1702929.pdf>.

#### Acknowledgements

Thanks to interns Megan Pynes, Annie Gallivan, Julian Moreno, and Kayla Hardin-Lawson for assistance with endnotes. We thank our civil society partners, UNHCR in-country staff, government officials, journalists and other representatives with whom we met in Honduras and El Salvador for their time during our visit.

Many thanks for the support of Open Society Foundations and CAMMINA in making this report possible.



#### Latin America Working Group Education Fund

2029 P Street NW, Suite 301  
 Washington, DC 20036  
 202.546.7010  
 lawg@lawg.org  
[www.lawg.org](http://www.lawg.org)