MIGRATION & ASYLUM LAB

2023

HONDURAS

COUNTRY CONDITIONS BULLETIN

BY ELLIOTT YOUNG AND KATHERINE WACKETT

The Migration and Asylum Lab seeks to inform immigration courts about country conditions in Latin America through the use of the most up-to-date and rigorous research on issues relevant to asylum cases. The scholars involved in the lab are supremely qualified to provide current and dependable information on country conditions in the context of asylum proceedings. They include political scientists, data analysts, historians, and international relations scholars. They have decades of experience in their field and are widely recognized for their work, which includes peer-reviewed books published by university presses and articles in the top academic journals.

The Lab's mission is to provide thorough, dependable country conditions information to help adjudicators to make well informed decisions as to the merit of claims for asylum protection. Our role as expert witnesses is not to act as advocates, but rather to conduct impartial analysis of country conditions based on a wide range of sources, including academic scholarship, government and non-government reports, and media reporting from inside the country and the international press.

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HONDURAS

2023 Country Conditions Bulletin

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Chapter One: Honduras Country Profile

Homicide, Femicide and Impunity Rates

Homicide Rate: 35.8 per 100,000[2]

- Honduras remained Central America's deadliest country in 2022, although the homicide rate decreased 12.7% to become the lowest rate since 2006. Over the last 10 years there have been increases and decreases in the murder rate but the general trend has been downward. Still, the homicide rate is nearly five times that of the US.[3]
- Violent crime and homicides in 2022 were largely related to gang activity including drug trafficking and extortion, which disproportionately affects transportation workers, counting for at least 60 deaths in 2022. InSight Crime releases yearly homicide data for the region based on national figures from SEPOL.[4]
- Monthly and yearly homicide data is available by municipality, department and country-wide at the Honduran National Police website: Homepage, Sistema Estadística Policial Honduras: https://www.sepol.hn/.
- A state of emergency was implemented in December 2022 by president Xiomara Castro, involving a militarized crack-down on gang members.[5] The state of emergency began to show a downward trend in homicides in the country until two massacres in June led to steep increase in homicide rates for 2023.[6] Additionally, the state of emergency has led to an increase in arbitrary detentions and police abuse.[7] However, this state of emergency has not led to a decline in violence or gang activity.

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[1] Additional research contributed by Adley Schwa

[2] Peter Appleby et al. "Insight Crime's 2022 Homicide Roundup," Insight Crime, 8 Feb. 2022, https://insightcrime.org/news/insight-crime-2022-homicide-round-up/#Honduras

[3] Teresa Romero, "Homicide rate in Honduras from 2014 to 2022," Statista, 3 March. 2023, https://www.statista.com/statistics/984779/homicide-rate-honduras/.

[4] Peter Appleby et al. "Insight Crime's 2022 Homicide Roundup," Insight Crime, 8 Feb. 2022, https://insightcrime.org/news/insight-crime-2022-homicide-round-up/#Honduras

[5] Reuters, "Honduras Extends, Expands State of Emergency for Second Time," 21 Feb. 2023, www.reuters.com/world/americas/honduras-extends-expands-state-emergency-second-time-2023-02-21/.

[6] Hernandez-Roy, Christopher, and Rubi Bledsoe, "Democracy Dies under Mano Dura: Anti-Crime Strategies in the Northern Triangle," April 2023, *Center for Strategic and International Studies*, http://www.jstor.org/stable/resrep48815. Sean Doherty, "Honduras Anti-Gang Crackdown Targets Only One Source of Violence" InSight Crime, June 28, 2023, https://insightcrime.org/news/honduras-anti-gang-crackdown-targets-only-one-source-violence/.

[7] "Honduras: State of Emergency Puts Human Rights at Risk." WOLA, 7 Dec. 2022, www.wola.org/2022/12/honduras-state-emergency-human-rights-risk/.

Impunity For Homicide

- According to local think tank Asociación para una Sociedad más Justa (ASJ), the impunity index in 2020 was 95%, where only 223 cases went to trial and 182 resulted in convictions. In 2021 the organization registered an impunity index of 90% due to the increased number of cases tried in court after the pandemic largely impeded judicial processing. ASJ releases yearly reports on homicide and impunity: http://biblioteca.asjhonduras.com/?docs=homicidios-e-impunidad-2020-2021.[8]
- The Inter-American Commision on Human Rights has found a 90% impunity rate for crimes against human rights defenders specifically.[9]
- According to ASJ, Honduran police only investigated 24% of reported homicides as of 2020. Just over 13% percent of reported homicides reached a conviction.[10]

Femicide and Impunity

- Data from the Violence Observatory (ONV) of the National Autonomous University in Honduras (UNAH) suggests a decline from a high of 636 femicides in 2013 to 327 in 2020, but the 2020 rate of femicides is 8.4 per 100,000, one of the highest in the word.[11] The levels of impunity for femicides in Honduras have been consistently over 90% since femicide was criminalized in 2013. The Public Prosecutor only began reporting data on this crime in 2017, four years after the law was passed, and from that time to 2019 only 30 cases were prosecuted.[12]
- Regular data about femicides in Honduras, including by department, motives, etc. can be found at the UNAH's Violence Observatory website and at the site of local NGO Centro de Derechos de la Mujer:
  https://iudpas.unah.edu.hn/areas/observatorio-de-la-violencia/boletines-del-observatorio-2/unidad-de-genero/ (annual statistics)
  https://derechosdelamujer.org/mujeres-en-cifras-3/estadisticas/ (annual statistics)

[8] "Homicidios e Impunidad," Asociación para una Sociedad más Justa Honduras, http://biblioteca.asjhonduras.com/?docs=homicidios-e-impunidad-2020-2021.
[9] Kenneth Roth, "World Report 2022: Honduras," Human Rights Watch, 2022, https://www.hrw.org/world-report/2022/country-chapters/honduras#dd227f.
[10] Josué Sanchez, José Miguel Cruz. "The dynamics of criminal cooperation between the police and gangs in Honduras." *Trends in Organized Crime* (2023). Springer. Last Accessed 16 April, 2023. 6. (https://link.springer.com/article/10.1007/s12117-023-09494-1#citeas) ASJ (2020) Violence in Honduras. Association for a More Just Society
[11] Ministerio Publico, "Uniad de muerte violenta de mujeres y femicidios," *Observatorio Nacional de la Violencia*, enero-diciembre, 2020, https://iudpas.unah.edu.hn/dmsdocument/12041-muerte-violenta-de-mujeres-y-femicidios-enero-a-diciembre-2020-ed-16.
[12] Vienna Herrera, "Femicide in Honduras," *Contra Corriente*, 8 Aug. 2020, https://contracorriente.red/en/2020/08/08/femicide-in-honduras-women-dismissed-by-their-own-government.

Major Criminal Actors

- Maras (MS-13 and Barrio 18) are the most prevalent. They are most heavily concentrated in San Pedro Sula ("the world's murder capital"). The remainder of these two groups are located in the capital city of Tegucigalpa or smaller municipalities.

Smaller Groups Include:

- Chirizos
- West Side
- Mara 61
- Olancho Gang
- Los Cachiros

History

Though spared the civil wars of neighboring countries in the 1980s and 1990s, Honduras was gravely affected by the regional instability brought by the civil wars in Nicaragua, El Salvador and Guatemala. As one of the poorest Latin American countries surrounded by war, Honduras became vulnerable to corruption and organized crime. Throughout the 1980s, Honduras was used as a transit point for all types of illicit goods, from drugs to weapons and contraband, and these trafficking routes would remain despite the end of the neighboring civil wars. In a vulnerable stage of the county's modern development, Honduras was ravaged by Hurricane Mitch in 1998. Thousands were killed and one million were left homeless.[13] The country's banana industry fell into decline and the unemployment rate, already high, continued to soar. Between 1997 and 2007, more than 100,000 Hondurans were deported from the US back to their home country following the 1996 Illegal Immigration Reform and Immigrant Responsibility Act. This expulsion of so many, including a high number of gang members, to one of the poorest countries in the hemisphere exacerbated a tenuous situation leading to the extremely high rates of violence in Honduras today.[14] US criminal deportations, coupled with Iron Fist (*Mano Dura*) militarized policing strategies in Honduras have generally exacerbated rather than reduced violence. The

[13] Randal C. Archibold, "Hope Dwindles for Hondurans Living in Peril," *New York Times,* August 2, 2014.
[14] Joanna Mateo, "Street Gangs of Honduras," in *Maras*, ed. Lucia Dammert Thomas Burneau, and Elizabeth Skinner (Austin: University of Texas Press, 2011), 94.

region's neoliberal economic policies have also influenced the proliferation of the *maras* and contributed to high levels of violent crime more broadly.[15]

In 2009, then-president Manuel Zelaya was unseated in a military coup, and the police and army took to the streets to fill the power vacuum, exacerbating the country's political and security problems. Government dysfunction and high unemployment rates created a context ripe for the escalation of street gangs. In addition, drug-trafficking began to be increasingly routed inland as transportation became more difficult in the Caribbean and Honduras landed a major role in moving cocaine north to the United States.[16] Honduras now constitutes an important transshipment point, where local families and politicians have collaborated in trafficking drugs north (*transportistas*), and smaller operations steal drug shipments (*tumbadores*). While street gangs generally operate in and dominate urban areas, traffickers are increasingly operating in rural Honduras, posing risks to farmers, landowners and indigenous groups.[17] Regional instability, high unemployment rates, poverty and internal political instability have converged to create what is today one of the most violent nations in the world.[18]

Honduras Security Overview

The murder rate in Honduras has fallen from a high of 83 per 100,000 people in 2011, to 35.8 per 100,000 by the end of 2022, but Honduras remains the most deadly country in Central America.[19] To give a sense of comparison, the US murder rate throughout the last decade has hovered around 5 per 100,000, although since 2020 has increased to 6-7 per 100,000. At the end of November 2022, President Xiomara Castro declared a national state of emergency, suspending constitutional guarantees in the light of continuing violence and extortion by gangs. 20,000 new police agents were deployed across the country and security checkpoints were established on roads.[20] The state of emergency has been repeatedly

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[15] Laura Blume, "Collusion, Co-Optation, or Evasion: The Politics of Drug Trafficking Violence in Central America," *Comparative Political Studies* 55, Issue 8 (July 2022): 1366-1402, https://doi-org.library.lcproxy.org/10.1177/00104140211066218.

[16] "Transnational Organized Crime in Central America and the Caribbean," United Nations Office on Drug and Crimes, September 2012.

[17] Laura Blume, "Collusion, Co-Optation, or Evasion: The Politics of Drug Trafficking Violence in Central America," *Comparative Political Studies* 55, Issue 8 (July 2022): 1366-1402, https://doi-org.library.lcproxy.org/10.1177/00104140211066218.

[18] "Global Study on Homicide, 2013," United Nations Office on Drugs and Crimes, March 2014.

[19] "Insight Crime's 2022 Homicide Roundup," Insight Crime, 8 Feb. 2023, https://insightcrime.org/news/insight-crimes-2022-homicide-round-up/.

[20] "Honduras declares national emergency over gang extortions," *Reuters*, Nov. 24, 2022, https://www.reuters.com/world/americas/honduras-declares-national-emergency-over-gang-extortions-2022-11-24/.

extended, and now covers 235 of the country's 298 municipalities.[21] While the suspension of constitutional guarantees and militarization of the fight against gangs might be seen as a positive sign, the history of human rights abuses by the police and military in Honduras has caused concern for advocates of human rights. In neighboring El Salvador, over 71,000 people have been arrested, many arbitrarily, in that country's iron-fisted approach to fighting gang violence. Resorting to a state of emergency in Honduras suggests a country whose government is not in control of the security of its citizens. Furthermore, data indicates that the state of emergency has been ineffective at reducing homicides. The Violence Observatory at the National Autonomous University of Honduras (UNAH) found 1,200 homicides occurred just between January and May 2023, or an average of 8 homicides daily.[22]

The declaration allows for suspension of rights under the Honduran constitution including freedoms of assembly, association, and movement. Additionally, police and military may, in certain instances, conduct arrests and searches without a warrant.[23] Increasing police autonomy and lack of oversight have created conditions leading to increasing extrajudicial executions, arbitrary detentions, as well as torture and mistreatment for detainees. The Inter-American Commission on Human Rights (IACHR) reported that it had received information regarding "the involvement of military agents in murders, executions, kidnappings and arbitrary detentions against civilians."[24] As researchers Cristopher Hernanez-Roy and Rubi Bledsoe of the Center for Strategic and International Studies have found, "Temporarily stopping violence through iron fist rule is ineffective in the long term. The long tradition of the use of force and the 'iron fist' as a method of social order shows that limiting constitutional guarantees and resorting to the mass deployment of security forces are not sustainable responses that address the structural causes of the problem."[25]

Security in Urban vs. Rural Honduras

While street gangs are generally understood to be an urban phenomenon in Honduras, research on rural areas demonstrates that drug trafficking operations are concentrated in

[21] "Honduras Extends, Expands State of Emergency Meant to Fight Crime," *Reuters*, Jan. 7, 2023, https://www.voanews.com/a/honduras-extends-expands-state-of-emergency-meant-to-fight-crime-/6908726.html.
[22] Hugo Armando Espinal, "En cinco meses se han producido mil 200 homicidios en el país, según el Observatorio de la Violencia," DIRCOM UNAH, June 14, 2023, https://blogs.unah.edu.hn/dircom/en-cinco-meses-se-han-producido-mil-200-homicidios-en-el-pais-segun-el-observatorio-de-la-violencia-de-la-unah/.
[23] Crisis-24, "Honduras: Authorities extend state of emergency until at least early October /update 4," April 6, 2023, https://crisis24.garda.com/alerts/2023/04/honduras-authorities-extend-state-of-emergency-until-at-least-early-october-update-4.
[24]Christopher Hernandez-Roy and Rubi Bledsoe, "Democracy Dies under Mano Dura: Anti-Crime Strategies in the Northern Triangle," April 2023, *Center for Strategic and International Studies*, http://www.jstor.org/stable/resrep48815.
[25]Christopher Hernandez-Roy and Rubi Bledsoe, "Democracy Dies under Mano Dura: Anti-Crime Strategies in the Northern Triangle," April 2023, *Center for Strategic and International Studies*, http://www.jstor.org/stable/resrep48815.

primarily rural communities, creating significant insecurity issues throughout the country. Political scientist Laura Blume has extensively studied how widespread corruption and limited state capacity in rural Honduras has created an ideal situation for the presence of narco control in these communities. At the same time, Blume has found, the "lack of alternative means of upward economic mobility in many parts of rural Central America have similarly made communities more accepting of illicit economies."[26] Conflicts between drug-trafficking operations, landowners, farmers and indigenous/environmental activists however have led to violent confrontations throughout rural Honduras. According to InSight Crime, "The remote, forested northeastern Mosquitia region and small islands off the Caribbean coast have become prime landing spots for drug flights and boat shipments coming from Colombia, South America's main cocaine producer. Large swathes of the country's forests have been cleared by drug traffickers to build air strips and create money laundering opportunities. Honduras' largely unmanned border with Guatemala is an important crossing point for contraband products and drugs."[27]

Gangs however, are mostly found in the country's largest urban areas, including the capital Tegucigalpa, the economic and industrial hub of San Pedro Sula and the Caribbean coastal city La Ceiba.[28] In a report commissioned by the United States Agency for International Development (USAID) and developed in collaboration with the Association for a More Just Society, InSight Crime researchers found that these three cities were the hardest hit by gang violence and where the two most prominent street gangs (MS-13 and Barrio 18) have the greatest presence and influence. The report found that gangs do operate in some rural areas in Honduras however, for example in the municipality of Tela, between La Ceiba and San Pedro Sula, where the MS-13 gang has a strong base of operations. Due to gang dynamics and battles for control of territory, these cities have seen the highest homicide rates in Honduras.[29]

Relevant State Department Yearly Reports:

- US Department of State, "2022 Country Reports on Human Rights Practices: Honduras," https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/honduras/ Annual updated reports.

[26] Laura Ross Blume, "Narco Robin Hoods: Community Support for Illicit Economies and Violence in Rural Central America," *World development* 143 (2021): 105464.
[27] "Honduras Profile: Geography," InSight Crime, Feb. 15, 2021, https://insightcrime.org/honduras-organized-crime-news/honduras/.
[28] "Honduras Profile: Geography," InSight Crime, Feb. 15, 2021, https://insightcrime.org/honduras-organized-crime-news/honduras/.
[29] "Gangs in Honduras," InSight Crime and the Asociación para una Sociedad más Justa, April 21, 2016, https://insightcrime.org/images/PDFs/2015/HondurasGangs.pdf.

- US Department of State, OSAC "Honduras Country Security Report," July 18, 2023, https://www.osac.gov/Country/Honduras/Content/Detail/Report/fa3ab174-d459-4d99-8eb9-1c8e3d4c0ff8. Annual updated reports.
- Us Department of State, "Trafficking in Persons Report: Honduras," 2022, https://www.state.gov/reports/2022-trafficking-in-persons-report/honduras/.
- US Department of State, "2022 Report on International Religious Freedoms: Honduras," 2022, https://www.state.gov/reports/2022-report-on-international-religious-freedom/honduras/.
- US Department of State, "International Narcotics Control Strategy Report - Volume 1 (as submitted to Congress," 2022, https://www.state.gov/wp-content/uploads/2021/02/International-Narcotics-Control-Strategy-Report-Volume-I-FINAL-1.pdfhttps://www.state.gov/wp-content/uploads/2021/02/International-Narcotics-Control-Strategy-Report-Volume-I-FINAL-1.pdf

Other Relevant Local Sources:

- Monthly and yearly homicide data is available by municipality, department and country-wide at the Honduran National Police website: Homepage, Sistema Estadística Policial Honduras, https://www.sepol.hn/.
- Universidad Nacional Autónoma de Honduras- Observatorios de Violencia: Organized by region, type of violence (against women, political violence), updated yearly statistics: https://iudpas.unah.edu.hn/areas/observatorio-de-la-violencia/boletines-del-observatorio-2/.
- Centro de Derechos de la Mujer: Observatorio with yearly femicide statistics: https://derechosdelamujer.org/mujeres-en-cifras-3/estadisticas/
- OECD Social Institutions and Gender Index, "Honduras," OECD (2019) Gender, Institutions and Development Database: https://oe.cd/ds/GIDDB2019.
- National Institution of Human Rights in Honduras (CONADEH) Annual Reports: https://www.conadeh.hn/4497-2/
- Asociación Para una Sociedad Más Justa (ASJ) Library of Published Reports (Corruption, Transparency, Impunity, Health, Security, etc.): http://biblioteca.asjhonduras.com/
- Local news sources:
    - La Prensa, https://www.laprensa.hn/
    - ContraCorriente, https://contracorriente.red/

Chapter Two: Street Gangs and Other Criminal Organizations in Honduras

Gang Overview

Evidence published by the National Defense University shows that gangs in Honduras have exercised significant control over national politics since at least 2014, both by using their members as a voting bloc and their vast territorial control to subvert electoral processes. For example, both MS-13 and Calle 18 have charged candidates with extortion fees in order to set up party organizations and campaign in neighborhoods the gang controls. The gangs also ban certain politicians or political parties they view as enemies from campaigning in those areas. In 2017, MS-13 banned supporters of Honduras President Juan Orlando Hernández from campaigning for his party's nomination in some sectors of San Pedro Sula, and forced many campaign workers to quit, prohibited propaganda, and threatened to kill anyone found voting for the President in their territory. MS-13 specifically has also directly financed mayors and local legislatures throughout Honduras, allowing the gang to move some of their members into municipal strongholds, and in some documented cases the mayors have hired gang members as municipal employees. In growing areas in Honduras, the more powerful "clicas" of MS-13 and Calle 18 have also filled the void of an absent national government by carrying out state functions.[31]

Given their political power, the criminal organizations expect compliance in their demands, including recruitment and payment of extortion taxes. Failure to accede to these demands quickly becomes known throughout the community and society in general through informal communication networks and the transnational criminal organization's "outing" of non-compliant citizens, establishing a readily marked and identifiable class of persons. "Gang resisters" are unlikely to find state sanctioned protection and are a particularly vulnerable population because they stand out in society for defying the recruitment and extortion process and "disrespecting" or "insulting" the gang.[32] In addition, people who have witnessed gang-related crimes or report gang members to the police are often threatened, beaten or killed by the gang, because their ability to report these crimes would betray the gang's rules to *ver, oir, callar* (see, hear, stay mute.) It is critical to the criminal organizations to

[30] Additional research contributed by Leo Bernstein-Newman

[31] Douglas Farah and Kathryn Babineau, "The Evolution of MS 13 in El Salvador and Honduras," *National Defense University PRISM* Volume 7, No 1, Sept. 14, 2017, https://cco.ndu.edu/News/Article/1298326/the-evolution-of-ms-13-in-el-salvador-and-honduras/.

[32] "Guidance Note on Refugee Claims Relating to Victims of Organized Gangs," The UN Refugee Agency, March 2010.

be able to readily identify those who resist their demands, because their ability to maintain discipline, order and compliance with their demands is impaired if members of society can resist those demands without suffering adverse consequences. For the gangs to enforce order and discipline, those who resist them must be identified and reported by others.

The State Department reported in March 2020 that there are an estimated 7,000-10,000 gang members in Honduras, a country with an approximate population of ten million people.[33] InSight Crime has stated that it is notoriously hard to count gang members, especially because different sources often count collaborators, including wives and girlfriends as full-fledged members. In 2016, InSight Crime found that the United Nations Office on Drugs and Crime counted 12,000 gang members in Honduras, while the Honduran police stated there were an estimated 25,000 gang members. USAID counted 36,000 gang members in Honduras by 2016.[34] According to the State Department's latest Country Security Report from 2023, "The MS-13 and Calle 18 gangs are the most active and powerful gangs present in Honduras. Gangs are not reluctant to use violence, and specialize in murder-for-hire, carjacking, extortion, and other violent street crime. Gangs control some of the taxi services, primarily in the large cities. Transnational criminal organizations are also involved in narcotics trafficking and other illicit commerce." In describing the state's response to gang violence, the State Department has reported, "The government lacks resources to investigate and prosecute cases; police often lack vehicles/fuel to respond to calls for assistance. Police may take hours to arrive at the scene of a violent crime or may not respond at all."[35]

According to a 2018 poll on citizen perceptions of insecurity and victimization from the Institute of Democracy, Peace and Security at Honduras' National Autonomous University, around 70 percent of the population in Honduras felt insecure in 2016, and that number jumped to just under 90 percent in 2018 despite a gradual drop in homicides. Crimes other than murder also continue to terrorize Hondurans. As InSight Crime detailed in a joint investigation with Global Initiative, street gangs like the Mara Salvatrucha (MS13) and Calle 18 extort citizens of up to $200 million per year. Recent arrests of local gang leaders in the country's two largest cities appears to have also had unforeseen consequences. Authorities are working to combat the expansion of gang "cliques," or cells, into at least 30 "historically peaceful" municipalities in the departments of Santa Bárbara, El Paraíso, Choluteca,

[33] U.S. Department of State, "Honduras Country Security Report," July 18, 2023, https://www.osac.gov/Country/Honduras/Content/Detail/Report/fa3ab174-d459-4d99-8eb9-1c8e3d4c0ff8
[34] Elyssa Pachico, "The Problem with Counting Gang Members in Honduras," *InSight Crime*, Feb. 17, 2016, https://www.insightcrime.org/news/analysis/the-problem-with-counting-gang-members-in-honduras/.
[35] U.S. Department of State, "Honduras 2021 Crime and Safety Report," 13 September 2021, https://www.osac.gov/Content/Report/fa3ab174-d459-4d99-8eb9-1c8e3d4c0ff8.

Atlantida and Comayagua, where officials say gang members are increasingly engaging in petty drug dealing, extortion and hired killings.[36]

Extortion

The fact that gangs control many neighborhoods throughout Honduras, combined with the complicity or ineffectiveness of the legitimate state authorities, means that gangs act as quasi-governments in many areas of the country. Gangs collect taxes, enforce discipline and order through extralegal violence, and provide jobs. People who refuse to pay "war taxes" or *renta* (rent) are often threatened, beaten or killed by gang members. According to a report by Insight Crime, failure to pay such "taxes" can result in beatings or assassination, but gang members must follow a protocol and the killing must be approved from the upper-levels of the gang hierarchy.[37] In the first five months of 2015, up to 30 people were killed for not paying the "war tax." As Migdonia Ayestas, who heads the Violence Observatory at Honduras National University, put it, "They kill anyone who doesn't pay, to send a message."

Extortion, and the violence associated with it, is one of the main drivers forcing Hondurans to flee their homes or the country entirely. Alexandre Formisano, of the International Red Cross in Tegucigalpa, has said that extortion is present in nearly all cases of displacement for Hondurans.[38] Although widely under-reported, researchers have estimated that extortion victims in Honduras pay approximately 1% of the nation's GDP in extortion fees.[39] According to a report produced by the Global Initiative Against Transnational Organized Crime in 2019, "Extortion is how criminal groups exercise control of their territory and flex the limits of their authority. Most importantly, extortion is the point at which the gangs and crime touches the lives of ordinary people. It is not only the financial value of the payment that counts, but the regular and repeated symbolic value of making that payment reinforces the control the gang has over the community." [40] The UN Refugee Agency has identified a

[36] Parker Asmann, "Honduras Drop in Homicides One Part of Complex Security Situation," *InSight Crime*, June 27, 2019, https://www.insightcrime.org/news/analysis/honduras-homicide-dip-one-part-complex-security-situation/.
[37] "Gangs in Honduras," Insight Crime and Asociación para una Sociedad más Justa, April 21, 2016, p. 18, 26, https://insightcrime.org/images/PDFs/2015/HondurasGangs.pdf.
[38] Deborah Bonello, "Extortion Drives Displacement of Victims and Perpetrators Alike in Honduras," *InSight Crime*, Aug. 2, 2018, https://www.insightcrime.org/news/analysis/extortion-drives-displacement-victims-perpetrators-honduras/.
[39] "A Criminal Culture: Extortion in Central America," *Global Initiative Against Transnational Organized Crime and InSight Crime*, May 2019, https://globalinitiative.net/wp-content/uploads/2019/05/Central-American-Extortion-Report-English-03May1400-WEB.pdf
[40] "A Criminal Culture: Extortion in Central America," *Global Initiative Against Transnational Organized Crime and InSight Crime*, May 2019, https://globalinitiative.net/wp-content/uploads/2019/05/Central-American-Extortion-Report-English-03May1400-WEB.pdf

direct link between forced displacement and coercive territorial control, sexual abuse, killing and extortion: "In numerous occasions, threats include killings of family members (the killing of up to six members of the same family has been recorded) for not agreeing to the payment of extortions."[41]

Employees of the transport sector in Honduras are especially vulnerable to extortion and gang violence, given the lucrative nature of taxing bus companies and routes. Transport workers in Honduras have been terrorized by gangs for years, and extortion of their companies has been estimated to earn street gangs over $27 million USD each year. Studies by the Honduran Security Ministry found that over 15,000 buses and taxis in Tegucigalpa and San Pedro Sula were extorted and forced to pay so-called "war taxes" in 2014. The investigation found owners of bus companies in these cities pay a daily rate of $15 to $30 per bus. According to InSight Crime researchers, at least 350 transportation sector employees were killed between 2010 and 2014, with 80 percent of these deaths related to extortion payments.[42] In 2019, Honduras newspaper *La Prensa* had reported over 48 transportation employees murdered by street gangs by the month of July. Jorge Lanza, director of the public transit system in Tegucigalpa, told the newspaper that those murdered included drivers, assistants, and company owners, and that the majority of these crimes were related to extortion demands.[43] Corrupt security forces and public officials have also been found to be involved in extortion rackets, and of 431 instances of extortion presented to San Pedro Sula's anti-extortion police division in 2018, only one led to a court judgment.[44]

MS-13

InSight Crime has uncovered evidence to indicate that MS-13 is the more organized of the two major street gangs working in Honduras, and has communication with MS-13 leaders in El Salvador, leading to speculation that the gang is planning criminal operations at a transnational scale. According to InSight Crime's report, "MS13 in Honduras appears to be moving steadily into the wholesale drug business while those in El Salvador may be seeking to enter the international drug market. Both of these moves would be significant leaps forward for an organization that formerly focused on purchasing small quantities of drugs

[41] Desplazamiento forzado y necesidades de protección, generados por nuevas formas de violencia y criminalidad en Centroamérica, United Nations High Commissioner for Refugees, May 2012, http://www.acnur.org/fileadmin/Documentos/BDL/2012/8932.pdf
[42] Michael Lohmuller, "Honduras Transport Extortion Generates $27 Mn Annually: Govt," *InSight Crime*, Feb. 18, 2014, https://www.insightcrime.org/news/brief/honduras-transport-extortion-generates-mn-annually-govt/.
[43] "Al menos 48 empleados del transporte han sido asesinados en Honduras en 2019," *La Prensa*, July 20, 2019, https://www.laprensa.hn/sucesos/1303308-410/asesinatos-transportistas-honduras-extorsion-violencia-2019-buses.
[44] Alex Papadovassilakis, "Honduras Gangs Turn to Bus Workers to Collect Extortion Fees," *InSight Crime*, July 25, 2019, https://www.insightcrime.org/news/brief/honduras-gangs-bus-workers-collect-extortion/.

from independent wholesalers."[45] Since the state of exception began in El Salvador in March 2022, members of communities located along the Honduras border with El Salvador have noted the presence of Salvadoran gang members escaping increasingly repressive conditions in the neighboring country. This has led to increased insecurity in the border region, as well as likely clashes between Honduran and Salvadoran gang members in those territories.[46] According to Cristopher Hernanez-Roy and Rubi Bledsoe in a recent journal article of the *Center for Strategic and International Studies*, "The current extreme *mano dura* policy in El Salvador has forced gang members to escape to neighboring countries such as Honduras, Guatemala and Mexico, further exporting instability and crime throughout the region and expanding criminal networks and their sphere of influence."[47]

According to a report by the William J. Perry Center for Hemispheric Defense Studies published in 2018, MS-13 has consolidated significant power in El Salvador and Honduras over the past decade, and currently constitutes a major political force in those countries. In Honduras, the gang's involvement in electoral politics during the contested election of Juan Orlando Hernandez in 2017 marks a definitive shift in their ability to formally challenge the state. Additionally, the Perry Center reports, "In Honduras, the MS 13 has routed rival gangs over the past year in a series of audacious military moves in order to acquire and consolidate territorial control, formalize their political power, and strengthen their previously haphazard ties to regional cocaine transportista networks primarily (but not exclusively) tied to the Sinaloa cartel." Tied to the gang's growing connections to Mexican drug cartels is an aggressive territorial expansion strategy that has sought to expand MS-13's reach into surrounding rural areas: "The territorial expansion by the MS 13, which aims to control key trafficking nodes in Nicaragua and other new territories, positions the MS 13 to be a major player in multiple illicit economies, from cocaine to human trafficking to weapons trafficking. This in turn moves the MS 13 closer to classification as a major transnational criminal organization rather than as a gang." The report goes on to add, "The MS 13… kills real and perceived enemies, forces families to leave their homes in many communities, controls what products can enter the community (Coca Cola is banned in most communities because the company has not paid the MS 13), decides who can live in the community, and generally exercises almost total control over people's daily lives."[48]

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[45] InSight Crime and the Asociación para una Sociedad más Justa, "Gangs in Honduras," Nov. 20, 2015, https://www.ajs-us.org/wp-content/uploads/2019/09/honduras-gangs.pdf.

[46] Personal interviews by Kate Wackett and Elliott Young with Ezra Lopez, Regional Program Manager at USAID and Karina Andino, Office Coordinator at Cristosal Honduras, San Pedro Sula, Aug. 3-5, 2023.

[47] Christopher Hernandez-Roy and Rubi Bledsoe, "Democracy Dies under Mano Dura: Anti-Crime Strategies in the Northern Triangle," *Center for Strategic and International Studies*,April 2023, http://www.jstor.org/stable/resrep48815.

[48] Douglas Farah and Kathryn Babineau, "The Rapid Evolution of MS-13 in El Salvador and Honduras from Gang to Tier-One Threat to Central America and U.S. Security Interests," *William J. Perry Center for Hemispheric Defense Studies*, March 2018, https://www.hsdl.org/?abstract&did=823122

Barrio 18

While MS-13 has focused on developing deeper ties to transnational drug trafficking organizations, Barrio 18 continues to depend heavily on extortion revenue from local businesses and individuals. According to InSight Crime, "Barrio 18 in Honduras is an organization that combines extreme violence, rudimentary streams of income, and contacts with high level criminal groups." Control of territory is vital to Barrio 18, since it is largely where their revenue comes from. InSight Crime has also reported that, "The most important operational aspect of the Barrio 18 is controlling territory. The gang does this by establishing security rings using… banderas (lookouts), maintaining a formidable arsenal, and inflicting violent punishment on rivals, those who cross it, and, frequently, its own members." Barrio 18 is generally known as the more violent of the two major street gangs because of their horizontal structure and strict adherence to their number one rule, loyalty to the "barrio."[49]

Local human rights defenders in San Pedro Sula have noted that boys and young men between 12-17 years old are the most vulnerable population to gang recruitment, used as banderas in gang-controlled communities and subject to different laws than adults when caught by authorities. These activists described working in communities as a perilous activity, where organizations can only enter with the permission of local gang leaders, previously announcing their visit and lowering their car windows to be identified while entering the neighborhood. In terms of the state of exception, local community leaders made no indication that further militarization has had any affect on gang activity or violence in the country in the past year.[50]

Los Cachiros Cartel

Aside from the more widespread maras and pandillas in Honduras, larger transnational drug trafficking organizations are also present within the country's criminal landscape. Begun as a small-scale cattle rustling business, Los Cachiros Cartel has expanded to become one of the country's largest drug-trafficking organizations, with a net worth of close to $1 billion USD. The group is thought to buy drugs from Colombian organizations, possibly in Nicaragua and Honduras as well, then to move cocaine to the Sinaloa Cartel and other Mexican groups by land and air. A US Treasury Department Kingpin Designation claimed the group controlled 90 percent of the clandestine airstrips in Honduras by 2013. While the leaders of the Cachiros are currently in the custody of US authorities, their trial revealed the deep ongoing

[49] InSight Crime and the Asociación para una Sociedad más Justa, "Gangs in Honduras," Nov. 20, 2015, https://www.ajs-us.org/wp-content/uploads/2019/09/honduras-gangs.pdf.

[50] Ezra Lopez of USAID, Cristosal Honduras, Casa Alianza, CONADEH, Allan Bu of Contracorriente, Personal Interviews by Kate Wackett and Elliott Young, San Pedro Sula, Aug. 3-5, 2023.

ties between drug-trafficking organizations and the political elite in Honduras. Leader Devis Leonel Rivera Maradiaga's testimony at his 2017 trial implicated members of the political and economic elite in drug trafficking and bribery activities, including members of the powerful Rosenthal family, the late Honduran tycoon Mauricio Facussé, the brother of the former president of Honduras, Antonio "Tony" Hernández, and former President Porfirio Lobo and his son Fabio. Former congressman Tony Hernández is alleged to have accepted $50,000 in bribes from the Cachiros in exchange for the government paying a debt to a company used by the drug cartel to launder money, and was arrested by DEA agents in November 2018 on charges of drug trafficking. Hernández was found guilty in October 2019 after a trial in New York. Another case linked to Rivera Maradiaga testimony is that of a former regional commander of Honduras' special criminal investigations unit (DNIC), Carlos Alberto Valladares Zuñiga, who was charged in 2018 with conspiring with Los Cachiros to protect their drug trafficking activities, eliminate rivals, and recruit police officers to provide logistical support and security.[51]

In fact, the Honduran police have come to be known as the "armed wing" of the Cachiros Cartel. Various officers of the National Police have been found guilty of carrying out assassinations of prominent public figures seen as enemies of the cartel, among them officials of the Administration Against Drug-Trafficking (DLCN) Julián Arístides González and Alfredo Landaverde, murdered in 2009 and 2011 respectively. A report by the General Inspectorate of Police found that at least 49 police officers were involved with their deaths, and that drug traffickers paid the group between $200,000 and $300,000 to carry out the assassination.[52] On June 22, 2023 men dressed as police officers shot Ericka Julissa Bandy García dead in a bakery in San Pedro Sula; she was the wife of murdered drug trafficker Nery Orland Lopez alleged to have worked with former President Juan Orlando Hernández, and who was likely going to be called as a witness in Hernandez's trial in the United States.[53]

Ismael Moreno, director of The Reflection, Investigation and Communication Team (ERIC), has stated that "the Cachiros are the result of a process of institutionalization of organized crime," and told BBC News that he believed, "the ties and commitments between an immense amount of politicians, and also Honduran business elites, with narcoactivity, will continue to come to light."[54] While many viewed the incarceration of the leading brothers

[51] "Cachiros," *InSight Crime*, Oct. 23, 2019, https://www.insightcrime.org/honduras-organized-crime-news/cachiros-profile/.
[52] "Policías eran el brazo armado de Los Cachiros," *La Prensa*, March 21, 2017, https://www.laprensa.hn/honduras/1055217-410/polic%C3%ADas-eran-el-brazo-armado-de-los-cachiros.
[53] Sean Doherty, "Honduras Anti-Gang Crackdown Targets Only One Source of Violence" InSight Crime, June 28, 2023, https://insightcrime.org/news/honduras-anti-gang-crackdown-targets-only-one-source-violence/.
[54] Arturo Wallace, ""Los Cachiros", los narcotraficantes que hacen temblar a los políticos de Honduras desde una cárcel en Estados Unidos," *BBC Mundo*, June 19, 2017, https://www.bbc.com/mundo/noticias-america-latina-40304191.

Javier Heriberto and Devis Leonel Rivera Maradiaga as the end of Los Cachiros' reign, this is far from the truth. The Honduran state has continued to launch operatives against the cartel and its affiliates, with the latest "Operación Andrómeda" taking place in early August 2019, targeting the cities of San Pedro Sula, Olanchito and Tocoa specifically. Operatives of this type were reignited in September 2018 when the family of Dunia Catalina Cruz Cálix was found to have conspired with the Cachiros former leaders and to be continuing their drug-trafficking endeavors.[55]

Los Pumas

Los Pumas have origins as a civilian militia group in La Ceiba, where members of the group frequently collaborate with police and the Honduran army to rid neighborhoods of street gangs. The Wilson Group has reported that Los Pumas was actually founded by, or at least includes, many former police officers and military personnel.[56] According to local newspaper La Tribuna, Los Pumas was organized initially as a neighborhood surveillance committee to combat neighborhood gang violence and extortion. The group also founded a security company and rented out services as bodyguards and private security for business to protect against extortion demands.[57]

While certain members of Los Pumas have dedicated themselves to the protection of their communities, others have been accused of replacing MS-13 and Barrio 18 in the area and governing with their own brand of criminality, working closely with local police. As a report by Insight Crime written for USAID found, "instead of removing the problem, Los Pumas simply supplanted the gang and began to govern with their own brand of criminality and terror."[58] La Tribuna has reported that members of Los Pumas have also resorted to murder-for-hire, extortion and "social cleansing" of gang members in the area due to rivalries between the criminal groups.[59] Clashes between MS-13 or Barrio 18 members and Los Pumas are common, either due to criminal rivalries or the group's initial intentions to

[55] "Operación en busca de socios de cartel de Los Cachiros en Honduras," *La Vanguardia*, Aug. 5, 2019, .https://www.lavanguardia.com/vida/20190805/463874694514/operacion-en-busca-de-socios-de-cartel-de-los-cachiros-en-honduras.html.
[56] Eric Olson, "Report From Honduras," *Wilson Center Latin American Program*, June 2017, https://www.wilsoncenter.org/sites/default/files/report_honduras_olson_final.pdf.
[57] "Acribillan a jefes de banda de 'Los Pumas,'" *La Tribuna*, Jan. 30, 2019, https://www.latribuna.hn/2019/01/30/acribillan-a-jefes-de-banda-de-los-puma/.
[58] "Gangs in Honduras," InSight Crime, November 20, 2015, https://www.ajs-us.org/sites/default/files/research/honduras_gangs.pdf.
[59] "Acribillan a jefes de banda de 'Los Pumas,'" *La Tribuna*, Jan. 30, 2019, https://www.latribuna.hn/2019/01/30/acribillan-a-jefes-de-banda-de-los-puma/.

eradicate gang activity such as extortion. Local newspapers in La Ceiba have frequently reported on shootouts between street gangs and members of Los Pumas.[60]

Human and Drug Smuggling Networks

Human smuggling in Mexico and Central America is currently one of the most lucrative forms of crime worldwide, after drug and arms trafficking, and the business is rife with corruption and scams. Many smugglers lure migrants with false rumors about new asylum and protection laws in the United States. To maintain this multi-billion-dollar business, many groups cooperate and receive payments, including gangs, cartels, and the police. According to the Center for Strategic and International Studies, cartels have broadened their activities to augment their income, "engag[ing] in kidnapping for ransom, extortion, human smuggling and other crimes."[61] A 2018 *Time* magazine interview with a smuggler working in Costa Rica revealed how police bribes form a part of the final costs that migrants pay coyotes. Police must be paid off in each country that migrants pass through, and at the first checkpoint for this particular coyote, her officer of choice is paid 35 dollars per migrant. During his shifts at the checkpoint, a semitrailer's license plate is texted to the officer who orders the semi to stop, blocking the view of his colleagues while the car of migrants passes.[62] The Honduran National Police are some of the most corrupt in the world and receive bribes from numerous gangs and criminal organizations, even carrying out tasks for these groups.

Honduran officials have reported that Mexican drug traffickers have expanded their activities in the country and formed links with local bosses and gangs throughout the past decade, fuelling concerns that organized crime is overwhelming the region. According to the former Security Minister of Honduras, Oscar Alvarez, Mexican cartels move freely throughout the northernmost region of Honduras, but rather than seeking to take over areas, the cartels work through already existing networks of local gang bosses to increase their presence and expand their operations.[63] InSight Crime researchers have reported that individual cliques of street gangs in Honduras are often contracted by Mexican cartels in the region for specific tasks, including "contract killings, storage and sometimes transportation."[64] During the 2021 trial of Honduran drug trafficker Geovanny Fuentes Ramírez, prosecutors painted a grim

[60] "Se desata balacera en La Ceiba entre vigilantes civiles y delincuentes," Tiempo Honduras, Oct. 29, 2019, https://tiempo.hn/desatan-balacera-en-la-ceiba-entre-los-pumas-y-supuestos-delincuentes/.
[61] Arthur Brice, "Human Traffickuman Trafficking Second Only to Drugs in Mexico," *CNN*, August 27, 2010, http://edition.cnn.com/2010/WORLD/americas/08/26/mexico.human.trafficking/index.html.
[62] Karl Vick and Lisette Pool, "Smugglers, Inc." *Time*, February 16, 2018, http://time.com/smugglers-inc/.
[63] Patrick Corcoran, "Mexican Cartels Expand into Honduras," InSight Crime, April 14, 2011, https://insightcrime.org/news/analysis/mexican-cartels-expand-into-honduras/.
[64] Steven Dudley, "Maras' Connections to Criminal Syndicates Growing," InSight Crime, Jan. 22, 2011, https://insightcrime.org/investigations/maras-connections-to-criminal-syndicates-growing/.

picture of Honduras as a "narco-state" where cartels had infiltrated "police, military and political power… mayors, congressmen, military generals and police chiefs, even the current president."[65]

Honduras has become the principal location for the transfer of cocaine between Colombian and Mexican cartels, oftentimes utilizing air strips to receive shipments from South America. By sea, drugs arrive on the Caribbean coast in speed boats and submarines, and by land from Panama via the Panamanian highway. The Honduran Minister of Defense declared in 2013: "There are various organizations, not only Honduran, but also with people infiltrated from other countries. The Mexican cartels have relationships with Honduran criminals and Colombian cartels, who also have connections to criminals here." Shortly after the Defense Minister's statement, the police chief of Colon, Honduras reported that young men from the state had been recruited and taken to Mexico by cartels.[66]

In 2017, Honduran newspaper *La Prensa* reported the presence of at least four Mexican cartels throughout the country, including the Gulf Cartel, Los Zetas, the Sinaloa Cartel and the Cartel Jalisco Nueva Generación, all of whom maintain connections with local street gangs to facilitate the transportation of drugs through the region. The Mexican Attorney General's office stated that "nine criminal organizations dedicated to narcotrafficking dominate the drug market in 51 countries. Of these nine, four operate in Honduras with the help of cartels, maras and local street gangs to move drugs." All four cartels are known to have bases of operation throughout the country, including the control of airways and ports in order to receive drug shipments. Territorial disputes between the four cartels have also led to violence in Honduras. According to one Honduran intelligence agent, "Honduras has become a favorable setting to operate and has transitioned from being a passing zone to a base of operations" for the Mexican cartels. The agent claims the Gulf Cartel has "strategic points in Olancho and the Gulf of Fonseca. In these zones [the cartel] maintains its operational strongholds." Honduran security officials also reported to *La Prensa* that these cartels not only battle for territorial control and drug routes in Honduras, but also over strategic alliances with different street gangs in the country, with whom they actively collaborate.[67]

[65] "Has Honduras become a 'narco-state'?," BBC News, April 22, 2022, https://www.bbc.com/news/world-latin-america-56947595.
[66] Jeremy McDermott, "Los Zetas se Establecen en Honduras," InSight Crime, Feb. 5, 2013, https://es.insightcrime.org/noticias/analisis/los-zetas-se-establecen-en-honduras/.
[67] Xiomara Danelia Orellana, "Cuatro carteles mexicanos siguen operando en Honduras," *La Prensa*, Nov. 15, 2017, https://www.laprensa.hn/honduras/honduras-carteles-mexicanos-narcos-droga-MXLP1126479.

Gangs Targeting Family Members

According to Dr. Thomas Boerman, an expert that has extensively studied the social construction of family in Central America, specifically in El Salvador, Honduras and Guatemala, "the victimization of family members of targeted individuals represents a central element in a strategy of terror through which organized criminal groups establish and maintain control over physical territory, criminal markets, and the population itself and come to exert such an outsized influence over government policy and practice." These threats do not diminish over time, because this would weaken the criminal organization's message that their victims are unable to escape their threats regardless of location or time elapsed. As stated by Boerman, "At times, threats are acted on immediately whereas in other instances, there may be a passage of time—even a significant amount of time—before the targeted individual is subjected to harm."[68] Because most criminal organizations are defined by a group identity and solidarity, members generally will act on behalf of their associates, and are able to carry out threats against enemies even if the individual ordering the attack is imprisoned. This means that targeted individuals and their loved ones and family members are at risk from the entire criminal organization in question, not just the individual that specifically threatened to harm them.

Because of the importance of family as a social unit, targeting or threatening family members or partners is an effective way for gangs to force victims to comply with their demands, or to seek retribution against them. In order to utilize this strategy of targeting families, criminal organizations must be aware of kinship and familial ties in areas under their control, and are attentive to changes in location or relationship. Boerman has also explained how not only nuclear or close friends and family are threatened, but also those in more extended connection to a targeted individual: "The generalization of threat is not limited to members of an individual's nuclear family but often affects members of the extended family as well. As described previously, family is defined in much broader terms in the Northern Triangle than is typically the case in the U.S., and in fact, depending on the nature of the linkages and interactions between members of the kinship group, there may not be any clear distinction between nuclear and extended family."[69] Finally, criminal organizations are known to especially target female family members in order to assert their general dominance over women, and oftentimes to punish male enemies by harming women they care about. Violence against women specifically is a central element of gangs' strategy of terror.

[68] Thomas Boerman, "Family as a Social Construct in El Salvador, Honduras, and Guatemala: Visibility and Vulnerability of Family Members of Individuals Targeted by Organized Criminal Groups," *Immigration Briefings: 19-12*, December 2019.
[69] Thomas Boerman, "Family as a Social Construct in El Salvador, Honduras, and Guatemala: Visibility and Vulnerability of Family Members of Individuals Targeted by Organized Criminal Groups," *Immigration Briefings: 19-12*, December 2019.

Gangs Targeting Children and Youth

Youth are also particularly vulnerable to gang violence in Honduras, where researchers have found that children as young as six years old have been targeted for recruitment. Honduran news reports have shown how children in grades as young as kindergarten have been targeted at school by gang members, receiving threats of violence or even death if they refuse to cooperate. Teachers have also been caught in the crossfire, leading to frequent transfer requests between school districts. Ninety-one percent of teachers surveyed by United Nations officials in five Tegucigalpa secondary schools reported gang violence and harassment as a major problem. According to figures from the National Directorate of Criminal Investigation (DNIC), up to one in ten Honduran students could be gang members and up to 40 percent "sympathize" with the gangs.[70] Security analyst Melissa Beale has noted how "Gangs have infested the very backbone of local communities" in countries like Honduras, with numerous reports from the area pointing to an alarming rate of child involvement in gang activity. Children are far less likely to arouse the suspicion of authorities, meaning they are valuable assets for gangs. They also represent a cheaper source of labor than an adult, and are highly expendable to gangs.[71]

In a 2019 report focused on youth violence in Honduras, researchers at Kids in Need of Defense (KIND) came to the conclusion that, "Violence by gangs and other organized criminal groups has reached epidemic levels in Honduras, and the primary victims of this violence are children and youth." In one neighborhood analyzed by the report, children stated they could not play soccer because the field had been taken over by gangs and was used for the distribution of drugs. In another neighborhood KIND visited, gang members controlled the local youth soccer team and used it as a vehicle to recruit children into the gang. Many youth interviewed for the report expressed there were no risk-free spaces outdoors for youth activities.[72]

KIND found that gangs entered schools freely to recruit, intimidate, and in some cases kidnap or kill students. One teacher in Tegucigalpa reported that after the first time the gang killed a student in his school, 500 students dropped out within the following week. According to KIND's report, many children and families have few options to escape this cycle of violence: "Youth and families who suffer gang violence or threats often lack the resources to move to a safe neighborhood. They can either stay in their neighborhood and

[70] Victoria Rossi, "Honduran Maras Recruit Children in Kindergarten," InSight Crime, Sept. 10, 2012, https://insightcrime.org/news/brief/honduran-maras-recruit-children-in-kindergarten-report/.
[71] Edward Fox, "Why Children Are Low-Risk Labor for Latin America's Drug Gangs," InSight Crime, May 15, 2012, https://insightcrime.org/news/analysis/why-children-are-low-risk-labor-for-latin-americas-drug-gangs.
[72] "'Everyday Life is Fear': Violence Against Children and Youth in Honduras," Kids in Need of Defense, Nov. 2019, https://supportkind.org/wp-content/uploads/2019/12/Honduras-report_11-26-19-FINAL.pdf.

risk ongoing violence or move to an equally unsafe neighborhood where they will likely continue to be targeted by gangs."[73] Family members and caretakers of youth who refuse gang recruitment or otherwise defy gangs are often targeted for revenge violence as a way to force the youth to comply with their demands.

Risks to Returnees

After escaping gang threats, deportees remain at risk when returned to their home countries, even when significant time has passed. Although no government tracks deaths of deportees, human rights organizations and media reports suggest that deportees to the Northern Triangle countries in Central America are frequently killed upon their return. In neighboring El Salvador, Human Rights Watch has identified 138 cases of deportees who were murdered after being denied asylum in the United States since 2013, many of whom were tortured, sexually assaulted or severely beaten. One case investigated by Human Rights Watch was that of a young man who fled gang recruitment and violence in 2010 at age 17, but was denied protection in the U.S., deported in 2017 and killed about three months later in El Salvador.[74] A man who runs the morgue in San Pedro Sula, Honduras, indicated that in just six months in 2014 between 5 and 10 of the children who were killed had been deported from the United States.[75]

A 2018 report by the Lawyers' Committee for Civil Rights and Economic Justice described deportation to Honduras and El Salvador for vulnerable people as "tantamount to a death sentence." The report states, "Families are increasingly reporting that their recently-deported relatives were killed or disappeared shortly after being returned to Honduras. A growing number of deported immigrants have been found dead within days of arriving in Honduras."[76] A 2018 article in the *New Yorker* by the director of Columbia University's Global Migration Project, Sarah Stillman, documents many cases of individuals who were tortured and murdered after being deported to Honduras as well as other countries. In one case, a woman named Elena who was deported to Honduras was tortured with a lighter and her son's skulls was cracked open by a gang member.[77] When an individual

[73] "'Everyday Life is Fear': Violence Against Children and Youth in Honduras," Kids in Need of Defense, Nov. 2019, https://supportkind.org/wp-content/uploads/2019/12/Honduras-report_11-26-19-FINAL.pdf.
[74] Alison Leal Parker, "The US Deported Them, Ignoring Their Pleas. Then They Were Killed.," Human Rights Watch, Feb. 10, 2020, https://www.hrw.org/news/2020/02/10/us-deported-them-ignoring-their-pleas-then-they-were-killed.
[75] Cindy Carcamo, "In Honduras, US Deportees Seek to Journey North Again, Washington Post, 16 Aug. 2014, https://www.latimes.com/world/mexico-americas/la-fg-honduras-deported-youths-20140816-story.html.
[76] Iván Espinoza-Madrigal, "Tantamount to a Death Sentence: deported TPS Recipients Will Experience Extreme Violence and Poverty in Honduras and El Salvador," Lawyers' Committee for Civil Rights and Economic Justice, July 2018, p, 13, http://lawyersforcivilrights.org/wp-content/uploads/2018/08/Updated-TPS-Delegation-Report-July-2018.pdf.
[77] Sarah Stillman, "When Deportation is a Death Sentence," *New Yorker*, 15 Jan. 2018, https://www.newyorker.com/magazine/2018/01/15/when-deportation-is-a-death-sentence.

or their family member has been threatened by gang members in Honduras, they would be at risk of continued gang targeting or violence, including murder, if returned. The Honduran state lacks resources, personnel and institutional integrity to provide security or social services for returnees. Even when forced to relocate within the country, individuals find little government support to reestablish themselves, and in many cases are found by their aggressors or the gangs in different areas of the country. As explained by community organizers in San Pedro Sula at Casa Alianza, an NGO working in gang-affected communities, gang threats have different levels, varying from, "Don't come around here again," to a green light, which means the gang will kill an individual or their family member no matter where they are, and regardless of how much time has elapsed.[78]

Inability to Safely Relocate Within Honduras

High rates of internal displacement in Honduras show that internal relocation is often an untenable solution for victims because it leaves them in a vulnerable position, often subjecting them to further violence. The Inter-Institutional Commission for the Protection of Persons Displaced by Violence determined that between 2004 and 2014, 174,000 people were internally displaced in Honduras.[79] According to the Internal Displacement Monitoring Center, as of December 2017 the number had reached 190,000 out of a population of less than 10 million.[80] And by the end of 2019, according to the UNHCR, internal displacement had increased to 247,000, with signs in 2020 that Covid-19 would exacerbate the problem.[81] As the Latin American Working Group reported, "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" and pushes "families into a cycle of poverty, displacement, and violence."[82]

Additionally, there is little support available from the Honduran government for those internally displaced. Humanitarian organizations like the United Nations High Commissioner for Refugees and the Norwegian Refugee Council have concluded that there

[78] Casa Alianza organizers, Personal Interview by Elliott Young and Kate Wackett, San Pedro Sula, Aug. 3, 2023.
[79] Daniella Burgi-Palomino, "Nowhere to Call Home: Internally Displaced in Honduras and El Salvador," Latin American Working Group, Accessed March 18, 2021, https://www.lawg.org/nowhere-to-call-home-internally-displaced-in-honduras-and-el-salvador/.
[80] Cinthya Alberto and Mariana Chilton, "Transnational Violence Against Asylum-Seeking Women and Children: Honduras and the United States-Mexico Border," *Human Rights Review* 20, no. 2 (2019): 212.
[81] "Central America's Displacement Crisis Aggravated by Covid-19," UNHCR, 15 May 2020, https://reliefweb.int/report/honduras/central-america-s-displacement-crisis-aggravated-covid-19.
[82] Daniella Burgi-Palomino, "Nowhere to Call Home: Internally Displaced in Honduras and El Salvador," Latin American Working Group, Accessed March 18, 2021, https://www.lawg.org/nowhere-to-call-home-internally-displaced-in-honduras-and-el-salvador/.

has been a lack of adequate government response to internal displacement in Honduras.[83] A study on Central American asylum seekers in the United States from the Center for Migration Studies and Cristosal found that half of the interviewees had been internally displaced in their country before deciding to leave because they still faced danger.[84] The economic dislocation caused by rising consecutive climate shocks, food prices, and Covid-19 led the International Rescue Committee to place Honduras on a list of 20 countries worldwide whose humanitarian crisis is at risk of worsening in 2022, along with Venezuela and Haiti in the Americas.[85] Since Honduras is a small country, the risk of retaliation from an aggressor is high even after internal relocation. Internal relocation does not guarantee that a person will be able to avoid the person who has threatened them in the past because of family connections and criminal networks. Finally, the small size of many communities and towns in Honduras makes it impossible for a new person to pass unnoticed in town, leading to new risks from criminal actors or stigma and discrimination from new neighbors upon relocation.

[83] Daniella Burgi-Palomino, "Nowhere to Call Home: Internally Displaced in Honduras and El Salvador," Latin American Working Group, Accessed March 18, 2021, https://www.lawg.org/nowhere-to-call-home-internally-displaced-in-honduras-and-el-salvador/.
[84] "Point of No Return: The Fear and Criminalization of Central American Refugees," Center for Migration Studies and Cristosal (2017), 2, https://cmsny.org/wp-content/uploads/2017/06/CMS-Cristosal-Report-final.pdf.
[85] "Crises in Honduras: Ongoing Violence and Climate Shocks," International Rescue Committee, 26 Jan. 2022, https://www.rescue.org/article/crisis-honduras-ongoing-violence-and-climate-shocks.

Chapter Three: Corruption and Impunity in Honduras

Overview

The legitimate government of Honduras, either at the weakest link at the state and local level, or at the strongest link at the federal level, has failed to provide adequate protection to their citizens. The criminal organizations, gangs and cartels operate as pseudo-governments in large swaths of Central America and thus there is no institutional challenge to their exertion of power. No local government in Honduras maintains a sufficiently robust or corruption-free police or military force that could pose any obstacle to the criminal organizations. As the US-based think-tank, the Washington Office of Latin America, reported in a 2021 analysis, all of the efforts, both domestic and international, to combat corruption in Honduras have failed or been severely curtailed.[86] Finally, at the federal level, the criminal organizations have sufficiently infiltrated law enforcement agencies such that there would be no reasonable expectation of protection provided to an individual.

Given the weak judicial and political system in Honduras, street gangs and transnational criminal organizations act with general impunity and in many regions of the country are more powerful—and better armed—than the nation's military and police. With all of its branches of government and its armed forces plagued by corruption, Honduras has evolved into a transit nation in which criminal groups are almost fully protected by and collaborate with elites within the political system. Testimony provided by drug traffickers and Honduran politicians on trial in the United States have revealed the deep-seated connections between organized crime and the governing elites, up to the former president Juan Orlando Hernandez and his brother, found guilty of trafficking cocaine in a New York district court in 2021. Meanwhile, the Honduran police have proven to be one of the most corrupt public institutions and that generates the most distrust in Latin America, and the armed forces have also been accused of participating in criminal activities.[87]

Reports by the U.S. Department of State have found that criminal organizations and other lawbreakers act with impunity in Honduras because the political and legal institutions of the

[86] Julia Aikman Cifuentes and Adriana Beltrán, "A Year of Setbacks to Honduras; Anti-Corruption Efforts," Washington Office on Latin America, 4 Feb. 2021, https://www.wola.org/analysis/honduras-anti-corruption-efforts/.
[87] "Honduras Profile," InSight Crime, Feb. 15, 2021, https://insightcrime.org/honduras-organized-crime-news/honduras/.

state are rife with corruption and lack the resources to investigate and prosecute crime. The Honduran state has a long history of authoritarian rule by political bosses associated with one of the two traditional political parties. Honduran politicians across party lines have operated on a system of political patronage, where embezzlement and bribery are widespread.[88] The most recent State Department Human Rights Report published in 2023 paints a bleak picture of the levels of corruption within the state and security forces in Honduras: "Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; torture and cases of cruel, inhumane, or degrading treatment or punishment by government agents; harsh and life threatening prison conditions; arbitrary arrest or detention; serious restrictions on free expression and media, including threats to media members by criminal elements and the existence of criminal libel laws; serious government corruption; lack of investigation of and accountability for gender-based violence; and crimes involving violence or threats of violence against indigenous and Afro-descendant communities, and against lesbian, gay, bisexual, transgender, queer, and intersex persons."[89] Unfortunately, the state has not been able to provide adequate protection to its citizens. For example, impunity has been rampant in the country. A 2017 U.S. Department of State human rights report stated, "corruption and impunity remained serious problems within the security forces."[90] Another State Department report from 2018 on crime and safety in Honduras indicates that "criminals operate with a high degree of impunity."[91]

Police Abuse and Collaboration with Organized Crime

The Honduran National Police have long had a reputation as being the most corrupt in Central America. Ineffective, criminal, and obstructionist, they are known to engage in drug trafficking and organized crime. The fact that death squads operate within their ranks is practically common knowledge, as is the fact that they frequently target their own. Numerous reports by scholars and journalists have documented police and government complicity with gangs and cartels, including a 2023 study by gang experts Josué Sanchez and Jose Miguel Cruz at Florida International University. Sanchez and Cruz found that in Honduras, "gangs collude with the police as law enforcement officers often sell protection from rival gangs, protection from the state, resources (weapons, police uniforms, and cars),

[88] J Mark Ruhl, "Honduras Unravels," *Journal of democracy* 21, no. 2 (2010): 93–107.
[89] US Department of State, "2022 Country Reports on Human Rights Practices: Honduras," March 20, 2023, https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/honduras/.
[90] US Department of State, "Country Report for Human Rights Practices for 2017," http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2017&dlid=277341.
[91] US Department of State, "Honduras: 2018 Crime & Safety Report," 3 Apr. 2018, https://www.osac.gov/pages/ContentReportDetails.aspx?cid=23798

information, and even provide logistical support." The study further explores how gangs in Honduras rely on relationships with corrupt police officers to "increase their territorial control, gain an edge over rival gangs and expand their illicit activities," as well as to infiltrate state institutions.[92]

At the end of January 2016, an internal investigation by the Honduran National Police revealed that 81 police officers, including several National Police Commissioners and Deputy Commissioners, were employed by the MS-13 gang, and even participated in a massacre of 12 people at a pool hall. The group of 81 police officers listed on the report were allegedly employed by the MS-13 gang leader David Elias Campell Licona.[93] Later in 2016, police officers implicated in drug trafficking were extradited to the US, and 18 others were found culpable of the 2010 murder of the country's drug czar.[94] These events led to the creation of the Police Purge and Reform Commission, tasked with purging corrupt members from the Honduran National Police. As of June 2019, almost half of more than 13,500 police officers evaluated by the commission had been removed for acts committed during their tenure as officers. However, the commission has been criticized for its opacity and several of the almost 6,000 dismissed officers have been arrested by police for alleged criminal acts committed after their dismissal.[95] These periodic purges of corrupt officers, however, have not succeeded in reducing corruption because the problem is systemic and not the result of individual corrupt officers.

The United Nations High Commissioner for Human Rights office in Honduras (OHCHR-Honduras) points out that the overwhelming majority of those purged from the National Police 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, "[u]ntil these cases have been dealt with by the judicial system, the purge will not be seen to have addressed the demand that the police be held accountable vis-à-vis allegations of pervasive corruption and criminal activities."[96] In addition, a January 2018 Associated Press report revealed that Police Director José David Aguilar Morán and one of his subordinates

[92] Josué Sanchez and José Miguel Cruz, "The Dynamics of Criminal Cooperation Between the Police and Gangs in Honduras," *Trends in organized crime* (2023), https://doi.org/10.1007/s12117-023-09494-1.
[93] Luis Fernando Alonso, "81 Honduras Police Officers Allegedly Worked for MS13 Gang," InSight Crime, January 26, 2016, https://insightcrime.org/news/brief/81-honduran-police-officers-allegedly-worked-for-ms13-gang/.
[94] Deborah Bonello, "Honduras Police Wanted for Cocaine Trafficking Extradited to US," InSight Crime, 13 July 2016, https://insightcrime.org/news/brief/81-honduran-police-officers-allegedly-worked-for-ms13-gang/.
[95] Human Rights Watch, "World Report 2020: Honduras," https://www.hrw.org/world-report/2020/country-chapters/honduras#e18608.
[96] 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, https://reliefweb.int/sites/reliefweb.int/files/resources/G1702929.pdf.

were bribed into working with Wilter Blanco Ruíz, the leader of the Atlantic Cartel who pleaded guilty in the United States in 2017 to drug trafficking charges. Aguilar Morán was one of three officers heading the reform commission.[97]

Meanwhile, the Honduran government continues to expand the role of the military in internal policing, leading to a number of serious abuses, including extrajudicial executions, excessive use of force, torture, robbery, and rape. Former 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 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. The UN Special Rapporteur on Extrajudicial Executions, who conducted a 2016 visit to Honduras, reported: "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. . . . During the visit, I encountered numerous reports of killings at the hands of police, military police and military officers." The UN Rapporteur also noted that the Observatory on Violence at the National Autonomous University of Honduras (UNAH) recorded 285 people killed by police between 2012 and 2015. As the Rapporteur put it, "Impunity is the rule."[98] Given the high level of corruption and violence among the police and other authorities in Honduras, including extensive collaboration between state authorities and criminal organizations, it is likely that police and other state authorities collaborate with criminals throughout the country and are unable to provide protection to an individual.

Lack of Judiciary Independence

According to *InSight Crime*, "Honduras' judiciary is widely considered to be weak, ineffective and highly corrupt. The selection processes for Supreme Court magistrates and Attorney General have both been subject to manipulation by members of Congress, many of whom have been implicated in corruption scandals. The World Justice Project's 2017-2018 Rule of Law Index ranked Honduras as one of the countries with the most corrupt and least effective criminal justice systems in Latin America and the Caribbean. Given the weakness of Honduras' judiciary, many high-profile drug trafficking suspects have been extradited to the United States."[99] Corruption is so entrenched in Honduras that allegations of

[97] Ronna Risquez, "Accusations Land Honduras Police Reform Commission in Hot Water," InSight Crime, Feb. 5, 2018, https://insightcrime.org/news/analysis/accusations-honduras-police-reform-commission-trouble/.
[98] Lisa Haugaard, "Public Security in Honduras: Who can citizens trust?" Latin America Working Group, 2017, https://www.lawg.org/public-security-in-honduras-who-can-citizens-trust/.
[99] "Honduras Profile," InSight Crime, Feb. 15, 2021, https://insightcrime.org/honduras-organized-crime-news/honduras/#security.

drug-trafficking go all the way up to the former president, whose brother Juan Antonio ("Tony") Hernández was convicted of smuggling at least 185,000 kilos of cocaine in a New York District Court in March 2021. Allegations against him include selling weapons to trafficking organizations, tipping off dealers about U.S. efforts to curb trafficking, using millions of dollars from drug sales to finance his brother's presidential elections, and accepting a million-dollar bribe from El Chapo Guzmán, the former head of the Sinaloa Cartel. While former President Hernández strongly denies any involvement with his brother's operations, the lead prosecutor in Tony's trial asserted that both brothers are "at the center of years of state-sponsored drug trafficking," leaving Honduras, "one of the principal transshipment points for cocaine in the world" and "one of the most violent places in the world."[100] JOH is currently facing trial in the United States on charges of cocaine importation conspiracy, with US prosecutors alleging that he was part of an international trafficking network that moved 500 tons of cocaine over two decades.[101]

Those working in the judicial system especially, including prosecutors, judges, and their employees, have been the recipients of threats and violence at the hands of organized crime in Honduras and throughout the region. In 2022 a number of high profile murders of government employees working in the justice system throughout Latin America were assassinated including Karen Almendares, who worked for the Prosecutor's Office for the Environment in Nacaome, Honduras and was shot returning to her home in May 2022.[102] The U.N. Special Rapporteur on the independence of judges and lawyers found in 2019 that Honduras's justice system was plagued with violence and corruption, with bribes often resulting in favorable convictions and over 90% impunity for most crimes. In the report describing his visit to Honduras, the Special Rapporteur noted that between 2010 and 2016, 117 law professionals died violent deaths, including judges, prosecutors, lawyers and court staff, with those working on cases of corruption, organized crime, drug trafficking and violence against women being at particular risk. The report states that "judges and magistrates continued to face death threats, harassment, intimidation and interference and risk of assassination and attacks that made it difficult for them to carry out their duties with independence and impartiality."[103]

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[100] Jon Lee Anderson, "Is the President of Honduras a Narco-Trafficker?" *The New Yorker*, Nov. 8, 2021, https://www.newyorker.com/magazine/2021/11/15/is-the-president-of-honduras-a-narco-trafficker.
[101] Seth Robbins, "Former Honduras President Pleads Not Guilty, Ex-Police Chief Extradited to US," InSight Crime, May 10, 2022, https://insightcrime.org/news/former-honduras-president-pleads-not-guilty/.
[102] "Asesinatos de fiscales en América Latina: una 'táctica criminal' en la región," *Sputnik News*, Sept. 22, 2022, https://sputniknews.lat/20220922/crimenes-contra-fiscales-en-america-latina-una-tactica-criminal-en-la-region-1130749375.html.
[103]"Report of the Special Rapporteur on the independence of judges and lawyers to the U.N. General Assembly," June 2, 2020, https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/124/46/PDF/G2012446.pdf?OpenElement

Chapter Four: Political Violence and Persecution of Dissidents in Honduras

State Repression and Persecution of Political Dissidents

Since the ousting of President Zelaya of the Liberal Party in 2009, thousands of indigenous activists, peasant leaders, trade unionists, journalists, environmentalists, judges, human rights activists, opposition political candidates and supporters have been murdered in Honduras.[104] According to Human Rights Watch, serious human rights violations were committed after the coup and by the provisional government installed in 2009. Violence and intimidation of journalists and political opponents continued under the National Party candidate Porfirio Lobo, elected in 2010.[105]

Political Instability Under Juan Orlando Hernandez

Referred to as "the worst political crisis in a decade" (since the 2009 military coup) by Amnesty International, Juan Orlando Hernandez (JOH)'s contested election in 2017 sparked a wave of opposition protests that were met with harsh police repression and violence.[106] Amid irregularities and accusations of vote rigging, the incumbent Hernandez was accused of illegally meddling in the November 26th elections in order to hold on to power and deny victory to the opposition leader Salvador Nasralla. In the run-up to the election, the criminal code was reformed to enable political protests to be classified as terrorist offenses, and after initial protests directly following the elections, Hernandez declared a State of Emergency for 10 days and imposed a night-time curfew. Despite the curfew and massive military and police deployment, large-scale protests continued.[107] During the post-electoral protests, the

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[104] Stephen Zunes, "The U.S. Role in the Honduras Coup and Subsequent Violence," *Huffington Post*, June 19, 2016, https://www.huffpost.com/entry/the-us-role-in-the-honduras-coup-and-subsequent-violence_b_5766c7ebe4b0092652d7a138?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xlLmNvbS8&guce_referrer_sig=AQAAABF5mDd4F-p60JJ_YIyCP2Z3jHPy3i5spEDtAbrA2ynzEgJbMwAJyEMSTh_nSNAXnqG6RMJ9tVtt5L8wiI6ZpQkzA9RssAfmsX0nGNMw7IrANuHo_AXqlzBxlBwOOto6cwmkIIf6AmgF3bQULSPT1LUqUpEwulT1hp44mrltwOD_.

[105] "After the Coup: Ongoing Violence, Intimidation, and Impunity in Honduras," Human Rights Watch, December 20, 2010, https://www.hrw.org/report/2010/12/20/after-coup/ongoing-violence-intimidation-and-impunity-honduras.

[106] "Honduras: Government deploys dangerous and illegal tactics to silence population," Amnesty International, December 8, 2017, https://www.amnesty.org/en/latest/news/2017/12/honduras-government-deploys-dangerous-and-illegal-tactics-to-silence-population/.

[107] Nina Lakhani, "Honduras election: protestors clash with police as opposition calls foul," *The Guardian*, November 30, 2017, https://www.theguardian.com/world/2017/dec/01/honduras-election-protesters-clash-with-police-as-opposition-cries-foul.

National Police, the Military Police of the Public Order and the Armed Forces were all tasked with public security functions, and the United Nations High Commissioner for Human Rights has found that actors from all three state security authorities committed violations of human rights in the form of violent repression of protestors and other opposition activists.[108]

The abovementioned United Nations report found that members of the Honduran security forces used excessive and lethal force to control and disperse protests, with at least 22 civilians killed during the protests including 16 civilians who were shot dead by police. In addition, approximately 1,351 people were detained in the first five days of December for violating the curfew imposed on December 1st. The state of emergency's imprecise and broad grounds for detaining people, including those "somehow suspected" of causing damage or committing crimes, resulted in mass and indiscriminate arrests, and discouraged people from exercising the right to peaceful assembly and of association. The report also highlights "credible and consistent allegations of ill-treatment of persons at the time of arrest and/or detention," illegal house raids, and a surge in "threats and intimidation against journalists, media workers, and social and political activists."[109]

As stated by the director of Amnesty International in the aftermath of the 2017 elections, "Evidence shows that there is no space for people in Honduras to express their opinions. When they do, they come face to face with the full force of the government's repressive apparatus."[110] Only one police officer has been brought before a judge for firing against a protester, according to information provided by the National Police, demonstrating the near total impunity with which state security forces act in Honduras. According to Amnesty International's report in December 2017, the family of one victim who was beaten unconscious by military police outside his home in Tegucigalpa was told not to report the case, "since they knew where they lived and could come back to kill them."[111]

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[108] "Human Rights Violations in the Context of the 2017 Elections in Honduras," United Nations High Commissioner for Human Rights, March 12, 2018, https://www.ohchr.org/Documents/Countries/HN/2017ReportElectionsHRViolations_Honduras_EN.pdf.
[109] "Human Rights Violations in the Context of the 2017 Elections in Honduras," United Nations High Commissioner for Human Rights, March 12, 2018, https://www.ohchr.org/Documents/Countries/HN/2017ReportElectionsHRViolations_Honduras_EN.pdf.
[110] Honduras: Government deploys dangerous and illegal tactics to silence population," Amnesty International, December 8, 2017, https://www.amnesty.org/en/latest/news/2017/12/honduras-government-deploys-dangerous-and-illegal-tactics-to-silence-population/.
[111] Honduras: Government deploys dangerous and illegal tactics to silence population," Amnesty International, December 8, 2017, https://www.amnesty.org/en/latest/news/2017/12/honduras-government-deploys-dangerous-and-illegal-tactics-to-silence-population/.

In 2019, a new wave of protests against Hernandez's presidency, beginning with the anniversary of his inauguration in January, were also met with brutal repression. The movement was joined by teachers, health workers, rural communities, social movements, indigenous organizations, neighborhood collectives, and other diverse sectors, protesting against the increasing privatization of national resources, but also continued evidence of JOH's blatant corruption and ties to narcotrafficking. The military response to the 2019 protests was also brutal: state forces used tear gas to disperse protests, but they also fired live ammunition. Security forces shot and killed several protesters throughout the months of protests, according to Honduran human rights groups and local media, and dozens more were wounded.[112]

Electoral Violence and Persecution of Political Candidates

Amid the chaos and instability sparked by the 2017 elections, tensions increased between rival political supporters, although local electoral violence is not a new phenomenon. Politically motivated violence towards those involved with competing parties or investigations to expose corruption are common in Honduras, as revealed by news reports and human rights organizations. A report commissioned by various human rights organizations in Honduras detailed 39 murders and 6 attempted murders of supporters and candidates for local political campaigns leading up to the 2013 general elections. Although the majority of the victims pertained to the opposition Libre coalition, at least six supporters and candidates from the Partido Nacional were murdered, indicating high levels of electoral violence across party divides. The report goes on to detail how the Honduran state has neglected to investigate, or is actually implicated in many political crimes.[113]

The United States State Department's Human Rights Report of Honduras for 2017 detailed numerous politically-based murders in more recent years, including the assassination of money-laundering prosecutor Orlan Arturo Chavez and the attempted murder of Hilda Emperatriz Caldera, widow of murdered anti-drug official Alfredo Landaverde. Those convicted for the crimes included former police commissioner, Mario Guillermo Mejia Vargas and former chief of security monitoring for the Supreme Court, Luis Alejandro

[112] Sandra Cuffe, "Honduras protest crackdown: Five things to know," *Al Jazeera*, June 22, 2019, https://www.aljazeera.com/news/2019/6/22/honduras-protest-crackdown-five-things-to-know.
[113]Federación Internacional de Derechos Humanos (FIDH), Centro de Investigación y Promoción de los Derechos Humanos (CIPRODEH), Comité de Familiares de Detenidos-Desaparecidos (CORADEH), "Elecciones en Honduras" Militarización y Grave Atentado Contra el Poder Judicial," November 2013, https://www.fidh.org/IMG/pdf/informe_preliminar_elecciones_honduras_nov2013-2.pdf.

Castro Nunez.[114] The Minister of Environment made a statement in January of 2017 indicating that police should arrest members of international NGO's reporting on corruption and members of the Police Purge Commission, National Anti-Corruption Council, and MACCIH have all reported receiving threats from government agents.[115]

Despite electoral reforms approved in May 2021, the 2021 congressional and municipal elections were marred by severe political violence, with at least 68 candidates murdered preceding the elections. Other forms of electoral interference, including the abuse of state resources and voter intimidation, were also reported by NGO Freedom House. According to Freedom House's 2022 report on Honduras, "Political violence is widespread, and includes harassment, threats, and intimidation directed at candidates, politicians, and voters, especially women. In 2021, the University Institute for Democracy, Peace, and Security (IUDPAS) reported more than 30 deaths related to political and electoral violence."[116] Those who support opposition parties in Honduras have been the targets of threats, attacks, and assassinations at the hands of municipal and military police.

Gangs Targeting Partido Nacional Political Supporters

Although many citizens participated in the 2017 electoral protests against Juan Orlando Hernández, it has also been widely documented that both street gangs and some members of the police allied with the Alianza de Oposición and contributed to the widespread violence throughout the election period. The National Police found that many retired police officers had collaborated with street gangs to develop a "defined strategy" against the Partido Nacional and its supporters throughout the election process and afterwards, allying themselves with various parties making up the Alianza.[117] The Minister of Security Julián Pacheco declared in a press conference in December 2017 that some of the principal actors behind the protests were members of the 18th Street gang and hired hitmen involved with organized crime and narco-trafficking.[118] Additional information uncovered by the military

[114] US State Department, "Honduras 2017 Human Rights Report," https://www.state.gov/documents/organization/277585.pdf.
[115] US State Department, "Honduras 2017 Human Rights Report," https://www.state.gov/documents/organization/277585.pdf.
[116] "Honduras: Freedom in the World 2022," Freedom House, https://freedomhouse.org/country/honduras/freedom-world/2022.
[117] "Partido Nacional reitera que 'hubo participación de maras' en protestas poselectorales," *La Prensa*, Sept. 25, 2018, https://www.laprensa.hn/honduras/1219571-410/partido-nacional-reitera-hubo-participacion-maras-protestas-poslectorales.
[118] "Autoridades de Honduras dicen que manifestantes son narcos y pandilleros," *El Sol de México*, Dec. 20, 2017, https://www.elsoldemexico.com.mx/mundo/autoridades-de-honduras-dicen-que-manifestantes-son-narcos-y-pandilleros-541469.html.

police in November 2017 revealed that 18th Street gang leaders were actively supporting Alianza de Oposición candidate Salvador Nasralla, and had developed a strategy to intimidate potential voters of the Partido Nacional. One of the principal pieces of evidence in their investigation is an audio message from gang leaders compelling their "homies" to support Nasralla by intimidating Nacional supporters at campaign events, impeding organizers from hosting propaganda events, and taking down Hernández posters, because "the family has suffered too much under that old piece of shit [Juan Orlando Hernández]."[119]

The gangs' support for Nasralla and the Alianza de Oposición stems from the fact that he repeatedly expressed sympathies with "the boys" (*los muchachos*) making up the gangs, and announced before the 2017 election that he would end the Partido Nacional's process of purging corrupt police officers.[120] A spokesperson for Partido Nacional, Reynaldo Sánchez, stated that the gangs' declaration of enmity with the party made sense given the party's history of "iron fist" policies to combat the gangs. In Sánchez's words, "They see that other candidates would be less dangerous for their interests and they've made us their enemies, and they're right. Because no one will intimidate us and end the commitment that our party and the government of President Hernández have to restoring peace and tranquility in the country."[121]

Hernández even went so far as to request a UN investigation into the alleged interference of criminal gangs in the 2017 election in favor of the Alianza de Oposición candidate, stating, "There is strong evidence that members of organized criminal gangs tried to disrupt our national elections last November by intimidating voters and threatening their lives."[122] Multiple high-ranking gang members have been found to support the political opposition coalition Libre, and target supporters of the National Party because of the party's militarized campaign to eradicate gangs in Honduras. However, political negotiations with street gangs and drug trafficking organizations have been witnessed across party lines. Former President Hernandez is currently under indictment for drug trafficking in a New York district court, and his brother Tony Hernandez, a former congressman was convicted on similar charges in 2021.

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[119] "Pandilleros de las maras votan contra reelección en Honduras," *Quadratin CDMX*, Nov. 18, 2017, https://mexico.quadratin.com.mx/pandilleros-las-maras-votan-reeleccion-honduras/.
[120] "Pandilleros de las maras votan contra reelección en Honduras," *Quadratin CDMX*, Nov. 18, 2017, https://mexico.quadratin.com.mx/pandilleros-las-maras-votan-reeleccion-honduras/.
[121] "Pandilleros de las maras votan contra reelección en Honduras," *Quadratin CDMX*, Nov. 18, 2017, https://mexico.quadratin.com.mx/pandilleros-las-maras-votan-reeleccion-honduras/.
[122] "Honduran President Asks UN to Investigate Interference by MS13 Gang in Elections," *Keybridge Communications LLC*, Feb. 15, 2018, https://www.prnewswire.com/news-releases/honduran-president-asks-un-to-investigate-interference-by-ms13-gang-in-elections-300599644.html.

Current Political Situation

Libre party candidate Xiomara Castro assumed the presidency on January 27, 2022. Although Castro won the presidency handily against her National party rival, the Libre party only won 50 of the 128 seats in Congress.[123] Furthermore, there have been efforts to reduce Castro's power in Congress by appointing her political enemies to key positions.[124] Castro responded to the defection within her party by announcing the expulsion of the 18 dissident congressional representatives.[125] Although it is too early to say what the fallout from this election will be, the ability for a new president to root out endemic corruption in Honduras is limited. Whatever the outcome of her anti-corruption efforts, there is a high likelihood of political instability and continuing conflict between the Libre and National parties. Representatives of Cristosal Honduras have stated that under Xiomara Castro's presidency, National Party supporters have been harassed or arrested in municipalities loyal to the current ruling government.[126]

At the end of November 2022, President Castro declared a national state of emergency, suspending some constitutional guarantees in the light of continuing violence and extortion by gangs. Discussions with varied human rights groups and USAID representatives in Honduras in August 2023 revealed that the population maintains perceptions of heightened insecurity in the country and generally agree that the state of emergency has had no effect, other than increasing militarization of certain communities and increasing police abuses.[127] Resorting to a state of emergency in Honduras suggests a country whose government is not in control of the security of its citizens.

Despite the 2021 election of President Castro, the judiciary and police in Honduras remain corrupt and dangerous, and her political power is limited by political opponents in Congress and the Supreme Court. According to journalist and doctoral candidate Hilary Goodfriend, "Castro inherits an indebted, ransacked state apparatus, an export-dependent economy in crisis, and a dangerous oligarchic opposition. The judiciary and security forces remain

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[123] Marlon González, "Honduran Congress Splits, Threatens New President's Plans," Washington Post, 23 Jan. 2022, https://www.washingtonpost.com/world/honduran-congress-splits-threatens-new-presidents-plans/2022/01/23/ef69c8a0-7c78-11ec-8cc8-b696564ba796_story.html.

[124] Sonia Pérez D. and Marlon González, "Honduras' First Female President is Sworn in Amid Congressional Impasse," *Los Angeles Times*, 27 Jan. 2022, https://www.latimes.com/world-nation/story/2022-01-27/xiomara-castro-honduras-first-female-president-sworn-in.

[125] Marlon González, "Honduran Congress Splits, Threatens New President's Plans," *Washington Post*, 23 Jan. 2022, https://www.washingtonpost.com/world/honduran-congress-splits-threatens-new-presidents-plans/2022/01/23/ef69c8a0-7c78-11ec-8cc8-b696564ba796_story.html.

[126] Personal Interview by Elliott Young and Kate Wackett with Karina Andino, Regional Coordinator of Cristosal Honduras, San Pedro Sula, Aug. 3, 2023.

[127] Personal Interviews by Elliott Young and Kate Wackett with Karina Andino, Regional Coordinator of Cristosal Honduras, Dianira Pineda, attorney at CONADEH, Mercedes Perez, Coordinator at Comisión de Acción Social Menonita (CASM) Programa Migrantes, Ezra Lopez, Regional Project Manager at USAID, and Allan Bu, journalist at *Contracorriente,* San Pedro Sula, Aug. 3-5, 2023.

profoundly corrupt and beholden to the old regime, such that the government preferred to extradite her predecessor Juan Orlando Hernández (JOH) to the US for drug trafficking rather than try to enact justice domestically." Multiple attempts by Castro to democratize the country, such as seeking amnesty for JOH's political prisoners, have been overturned by either Congress or the Supreme Court.[128]

[128] Hilary Goodfriend, "A new phase of struggle in Honduras," Buala, July 25, 2022, https://www.buala.org/en/games-without-borders/a-new-phase-of-struggle-in-honduras.

Chapter Five: Gender-Based Violence in Honduras

Overview

The subjugation of women is pervasive and normalized in Honduran society due to entrenched *machismo* values. The UN has stated that the leading cause behind gender-based violence in Honduras is *machismo*, or pervasive sexist attitudes linked to male aggression and violence. As described in a report by the Organization of the American States: "Violence against women occurs because other forms of discrimination are allowed to flourish. To address this violence it is necessary to also address the underlying discrimination factors that give rise to and exacerbate the violence."[129] These patriarchal attitudes and deeply-rooted discriminatory stereotypes against women mean that Honduran society condones violence against women when perpetrated in the home by her father or husband, particularly if it is in response to her resistance to his authority. This oftentimes results in women being trapped in sexually and physically abusive relationships. Women working outside of the home to provide for the family are oftentimes seen as undermining the authority of their male partners, leaving many women unable to escape an abusive relationship.[130]

According to the Organisation for Economic Coordination and Development's Gender Index, 33% of Honduran men believe their wives should stay in the home, and see them primarily as caregivers and responsible for household chores.[131] Notions that women "belong" to their husbands, male family members, or gang members as property creates dangerous conditions for women who disobey. Unfortunately, given the pervasive *machista* attitudes in Honduras, domestic abuse is often considered a "private matter" and men are rarely prosecuted for violently abusing their partners or female family members.[132]

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[129] Inter American Commission on Human Rights, "Violence, Inequality and Impunity in Honduras," 2016, http://www.oas.org/en/iachr/multimedia/2016/honduras/honduras-en.html.
[130] Patricia M. Hernandez, "The Myth of Machismo: An Everyday Reality for Latin American Women," *St. Thomas law review* 15, no. 4 (2003): 867.
[131] OECD Social Institutions and Gender Index, "Honduras," OECD (2019), Gender, Institutions and Development Database, https://oe.cd/ds/GIDDB2019.
[132] Rachel Dotson, "Why do they flee? Lack of protection for survivors of violence against women and girls in Central America," *KIND*, August 11, 2018, https://supportkind.org/why-do-they-flee-lack-of-protection-for-survivors-of-violence-against-women-and-girls-in-central-america/.

In 2016 and 2017, there were 8,110 complaints issued by women to the National Human Rights Commission in Honduras, over 3,000 of which related to threats against life and personal safety.[133] In fact, women who file reports against their abusers are often put in even greater danger when police refuse to take immediate action, and their abusers are given the opportunity to seek retribution. Restraining orders in Honduras are very rarely enforced by police or public prosecutors and the authorities often alert men to the fact that they've been reported. In some instances where the police fear entering territory controlled by gangs, women have even been told to deliver the restraining orders to their abusers themselves.[134] One woman who was able to obtain a restraining order against her partner from police was told to deliver it herself and was found later that day, burned and in a bag on the banks of the Chamelecon River.[135]

Violence against women, especially by intimate partners, is widespread in Honduras. Statistics indicate that 141 women were murdered between January and June of 2018, according to a September 2019 report by the Honduran Statistics of Forensic Medicine, and 2,020 killed between May 2014 and 2018.[136] Murders of women continue to be rampant in Honduras, with 98 percent of these cases remaining unsolved, meaning there is a situation of near complete impunity for these kinds of crimes.[137] Data from the Violence Observatory (ONV) of the National Autonomous University in Honduras (UNAH) suggests a decline from a high of 636 femicides in 2013 to 330 in 2021. The 2021 rate of femicides was 6.8 per 100,000, one of the highest in the world, meaning 28 women were killed every month, and one woman was killed every 26 hours in Honduras on average in 2021. The ONV's 2021 report concluded that 41% of registered femicides that year were related to organized crime, and 22.2% related to intimate partner violence. 56.4% of femicide victims in 2021 showed signs of extreme cruelty and torture in the cause of death, including disfigurement and bodily mutilation.[138] According to the UN Global Database on Violence Against Women, 22% of

[133] **C**omisión Nacional de los Derechos Humanos, Honduras, "Mujeres hondureñas agobiadas por la violencia, el desplazamiento forzado y la impunidad," 25 Jan. 2019, http://conadeh.hn/mujeres-hondurenas-agobiadas-por-la-violencia-el-desplazamiento-forzado-y-la-impunidad/.
[134] Rachel Dotson, "Why do they flee? Lack of protection for survivors of violence against women and girls in Central America," *KIND*, August 11, 2018, https://supportkind.org/why-do-they-flee-lack-of-protection-for-survivors-of-violence-against-women-and-girls-in-central-america/.
[135] Sonia Nazario, "Someone is Always Trying to Kill You," *New York Times*, April 5, 2019, https://www.nytimes.com/interactive/2019/04/05/opinion/honduras-women-murders.html.
[136] "Honduras: 30 Femicides in Honduras in January with 95% Impunity Rate," *Telesur*, 4 Feb. 2019, https://www.telesurenglish.net/news/Honduras-30-Femicides-in-January-with-95-Impunity-Rate-20190204-0015.html.
[137] "Honduran Women Murdered by their Partners at Alarming Rates," *Telesur*, Feb. 5, 2020, https://www.telesurenglish.net/news/Honduran-Women-Murdered-by-Their-Partners-at-Alarming-Rates-20200205-0020.html.
[138] "Unidad de muerte violenta de mujeres y femicidios," Observatorio Nacional de la Violencia UNAH, enero-diciembre, 2021,

women in Honduras experience physical or sexual violence from partners during their lifetime.[139]

Vulnerability of Single Women

During a July 24, 2019 panel discussion hosted by the Inter-American Dialogue and the Seattle International Foundation, a gender-based violence expert observed that one reason that many women don't want to leave an abusive relationship is because single women and single mothers are at increased risk of attention from gangs because they don't have a man in the house.[140] This also increases the likelihood of street harassment and sexual violence. The director of the Quality of Life Association (Asociación Calidad de Vida) has stated that single mothers "tend to be dependent on other people, socially, economically and emotionally, so they can easily become victims of ill treatment, abuse and exploitation." Single mothers constitute "one of the most vulnerable social groups in terms of the various problems related to health and living conditions."[141]

The Quality of Life Association (Asociación Calidad de Vida) has also found that the majority of women who head a household work "in the informal labor sector" as street vendors, domestic employees or small home business owners, jobs "that do not enable them to meet their basic monthly needs or the needs of their children." According to data from the Ministry of Labor, other women work as "low-skilled workers" in assembly plants, in health services, or as cooks; they earn a minimum monthly salary of 290 USD in urban areas and 213 USD in rural areas. A family's minimum monthly expenses in 2018 were calculated to be 372 USD.[142] According to the director, since single women must alone take on the economic burden, domestic tasks and responsibility for their children's education, this overload of work leads them into "social isolation and, consequently, towards solitude," and they have no time for themselves. She also stated that single mothers "tend to be dependent

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https://iudpas.unah.edu.hn/dmsdocument/14050-boletin-muerte-violenta-de-mujeres-y-femicidios-enero-a-diciembre-2021-ed-17

[139] UN Women, 2016, http://evaw-global-database.unwomen.org/en/countries/americas/honduras.

[140] "Nowhere to Turn: Gender-Based Violence in the Northern Triangle and its Impact on Migration," *The Dialogue: Leadership for the Americas*, Aug. 9, 2019, https://www.thedialogue.org/analysis/nowhere-to-turn-gender-based-violence-in-the-northern-triangle-and-its-impact-on-migration/.

[141] Canada: Immigration and Refugee Board of Canada, "Honduras: Whether women who head a household may, without receiving assistance from a man, obtain a home and employment in Tegucigalpa or San Pedro Sula; the support services provided by the state to households run by women in these cities; violence against women in these cities," 4 January 2012, https://www.refworld.org/docid/4f30cfea2.html

[142] "Honduras Living Wage Family," *Trading Economics*, Nov. 2019, https://tradingeconomics.com/honduras/living-wage-family.

on other people, socially, economically and emotionally, so they can easily become victims of ill treatment, abuse and exploitation."[143]

Among women who head a household, the rate of illiteracy and the level of poverty are higher, and oftentimes their basic needs are not met because they have several children. The unemployment rate is higher among women than it is among men; this inequality is also reflected in the lower salaries paid to women for the same work. An article published by *La Tribuna* states that thousands of women in the workplace are victims of gender-based discrimination, exacerbating economic strife for single mothers working in Honduras. With regards to housing, the director of the Quality of Life Association stated that "the inequality renders access to decent housing more difficult for women who head a household"; since they do not have a stable job or much education, making "the possibility that they would have access to decent housing...virtually nonexistent."[144]

Sex Trafficking and Kidnapping

The State Department has repeatedly reported that Honduras is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor, and that "overall corruption helped facilitate trafficking crimes."[145] According to a 2018 State Department Report, while the Honduran government has maintained efforts to identify and assist victims, authorities remain largely dependent on NGOs to provide services. Additionally, the report notes that, "Honduran authorities lacked systematic procedures to identify forced labor victims," and that "there were limited services available for adult victims, and services for both adults and children outside the capital were even more limited." The report concluded that: "Many victims remained vulnerable to re-trafficking. . . . The lack of adequate victim and witness protection programs, exacerbated by a slow trial process and the fear of retaliation by traffickers, led some victims – particularly adults or those exploited by criminal groups – to decline to cooperate with law enforcement."[146] As of 2015, Honduran authorities reported that 74 human trafficking cases were investigated in the

[143] Canada: Immigration and Refugee Board of Canada, "Honduras: Whether women who head a household may, without receiving assistance from a man, obtain a home and employment in Tegucigalpa or San Pedro Sula; the support services provided by the state to households run by women in these cities; violence against women in these cities," 4 January 2012, https://www.refworld.org/docid/4f30cfea2.html

[144] Canada: Immigration and Refugee Board of Canada, "Honduras: Whether women who head a household may, without receiving assistance from a man, obtain a home and employment in Tegucigalpa or San Pedro Sula; the support services provided by the state to households run by women in these cities; violence against women in these cities," 4 January 2012, https://www.refworld.org/docid/4f30cfea2.html

[145] United States Department of State, *2018 Trafficking in Persons Report - Honduras*, 28 June 2018, https://www.refworld.org/docid/5b3e0b27a.html

[146] United States Department of State, *2018 Trafficking in Persons Report - Honduras*, 28 June 2018, https://www.refworld.org/docid/5b3e0b27a.html

past two years. Only 16 of these cases reached a trial and of these, only four resulted in convictions. According to a 2012 study by a US-government funded program for human trafficking victims, 60 percent of all human trafficking cases in Honduras involve commercial sexual exploitation, followed by labor exploitation, then enforced servitude.[147]

Gangs and Sexual Violence

Girls face particular dangers from gangs in Honduras as well, one reason that larger amounts of female underage migrants are arriving in the United States every year. 40 percent of unaccompanied children who arrived in 2014 were girls, compared with 27 percent in the past. In just the year 2014, three girls were raped and killed by gangs in Nueva Suyapa, Honduras, one only 8 years old. Two 15-year-olds were abducted and raped. The kidnappers told them that if they didn't get in the car they would kill their entire families. Some parents no longer let their girls go to school for fear of their being kidnapped, says Luis López, an educator with Asociación Compartir, a nonprofit in Nueva Suyapa.[148] Many gangs in the Northern Triangle use sexual violence and rape as part of the "price" or "rent" demanded of girls in their communities. Girls are targeted as revenge for their male family members refusing recruitments or other demands, as well as for prostitution or sex trafficking by criminal organizations.[149] Girls living in gang-controlled neighborhoods receive clear messages that they and their bodies belong to the gang, and that gang members have power to exercise sexual violence with complete impunity. Gang members have raped and tortured girls and left their mutilated and dismembered bodies in public places to demonstrate their dominance of the area and instill fear in the community. In other cases, women and girls who live in gang-controlled areas have gone missing; their bodies have been found in clandestine graves, with evidence of sexual violence and torture. Gangs use sexual violence to control women and girls, frequently using rape to punish women and girls suspected of reporting gang activity to the police.[150]

Many instances of sexual violence and femicides in Honduras are a result of gang recruitment or defying gangs. Young girls and women are more vulnerable to gang recruitment than men and are often recruited at a higher rate to perform certain tasks, taking

[147] Jaime Armando Lopez and Xiomara Orellana, "The Crime No One Fights: Human Trafficking in the Northern Triangle," InSight Crime, June 4, 2015.
[148] Sonia Nazario, "The Children of the Drug Wars," *New York Times*, July 11, 2014, https://www.nytimes.com/2014/07/13/opinion/sunday/a-refugee-crisis-not-an-immigration-crisis.html?_r=0
[149] "Thousands of Girls and Women are Fleeing Rape, Sexual Violence and Torture in Honduras, El Salvador and Guatemala," *UC Hastings Center for Gender and Refugee Studies*, https://cgrs.uchastings.edu/talking_points_and_stories.
[150] "What you need to know about children fleeing rape and human trafficking," *Kids in Need of Defense*, May 23, 2018, https://supportkind.org/media/what-you-need-to-know-about-children-fleeing-rape-and-human-trafficking/.

advantage of their image of innocence to avoid suspicion. While men are generally beaten as an initiation ritual after being recruited by gangs, women are often given the choice between a beating or being raped by several gang leaders. Such treatment reflects the pervasive culture of *machismo* and sexism that permeates gang dynamics. Machismo and patriarchal ideas that understand women to be the property of men engender and enable violence against women throughout Honduras. The structure and character of gangs, which privilege hypermasculinity, take these norms to a further extreme. Women are often targeted for resisting gang demands, especially surrounding demands for sex.[151] Women and girls who face forced recruitment or who do not otherwise heed to gangs' demands are commonly raped or experience some other form of sexual violence. Threats of sexual violence are used to maintain control and domination specifically over women and girls in Honduras by the gangs. The real and credible threats and actions by Honduran gangs toward young women and girls show that they are particularly persecuted by gangs within the country because of their gender.

The United Nations High Commissioner for Refugees reported that women and children in the Northern Triangle face extreme levels of violence on a near-daily basis and eighty-five percent of the women included in the report described living in neighborhoods under the control of maras (gangs) or other transnational or local criminal groups. Sixty-four percent of these women described being the targets of direct threats and attacks by members of criminal groups as one of the primary reasons for leaving the country. Many of these women reported instances of violence or sexual assault to police, but received no protection from authorities. Those who did not report the instances viewed the police as unable to provide any protection from gang violence, or feared retribution for reporting the violence.[152] *InSight Crime* has reported that members of gangs in Honduras such as MS13 "use rape to terrorize local communities," and that "girlfriends and mothers of gang members were increasingly being murdered in acts of revenge," indicating that women are often the victims of revenge-based crimes targeting other family members.[153] Supaya Martínez, co-director of the Centre for Women's Studies Honduras, says gangs govern every aspect of a woman's life, down to the color she uses to dye her hair. "If a woman dyes her hair the wrong color, the

[151] Tina Zedginidze, "Domestic Abuse and Gang Violence against Women," *Law & Inequality: A Journal of Theory and Practice* 34, issue 1, 2016, http://scholarship.law.umn.edu/cgi/viewcontent.cgi?article=1231&context=lawineq.
[152] United Nations High Commissioner for Refugees, Women on the Run: First-Hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico, October 28, 2015, http://www.unhcr.org/5630c2046.html.
[153] Marguerite Cawley, "The Mara Women: Gender Roles in CentAm Street Gangs," InSight Crime, September 5, 2013, https://www.insightcrime.org/news/analysis/centam-street-gangs-reject-rely-on-women-study/.

local gang will kill her." Martínez says people have learned to justify femicide by arguing that female victims are involved in gangs or connected with drug traffickers.[154]

Impunity for Gender-Based Violence

The levels of impunity for femicides in Honduras have been consistently over 90% since femicide was criminalized in 2013. The Public Prosecutor only began reporting data on this crime in 2017, four years after the law was passed, and from that time to 2019 only 30 cases were prosecuted.[155] 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. In 2016, authorities only investigated 15 of more than 400 cases of femicides, and only two of the cases received guilty verdicts. CDM has stated that they believe 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, indicating a lack of political will. A spokeswoman for CDM has reported 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."[156]

According to the UN Special Rapporteur on violence against women after her visit to Honduras in 2014, "women who file complaints of gender-based offenses are often revictimized through the process. In general, no space is set aside where such complaints can be filed in a manner that guarantees the complainant's privacy and security. Often such statements have to be made in open areas in front of the general public, which compounds the complainant's sense of vulnerability." Also on her visit, the UN rapporteur was informed that in some cases, the police laughed or refused to register complaints from women when reporting domestic or sexual abuse.[157]

The Advocates for Human Rights have found through government sources that the Honduran state promotes "alternative conflict resolution mechanisms" for victims of

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[154] Sorcha Pollak, "Anyone can murder a woman in Honduras and nothing will happen," *Irish Times*, May 11, 2015, https://www.irishtimes.com/news/world/anyone-can-murder-a-woman-in-honduras-and-nothing-will-happen-1.2207043

[155] Vienna Herrera, "Femicide in Honduras," *Contra Corriente*, 8 Aug. 2020, https://contracorriente.red/en/2020/08/08/femicide-in-honduras-women-dismissed-by-their-own-government/.

[156] Andrea Fernandez Aponte, "Left in the Dark: Violence Against Women and LGBTI Persons in Honduras and El Salvador," Latin America Working Group, March 7, 2018, https://www.lawg.org/left-in-the-dark-violence-against-women-and-lgbti-persons-in-honduras-and-el-salvador/

[157] "Report of the Special Rapporteur on violence against women, its causes and consequences, on her mission to Honduras," UN General Assembly, 21 March 2015, http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session29/Documents/A_HRC_29_27_Add_1_ENG.DOCX.

gender-based violence at state shelters. In the context of domestic violence, when the abuser holds power over the victim, mediation or conflict resolution approaches can be quite dangerous or harmful to the victim. The organization also found that law enforcement in Honduras also informally promotes reconciliation, meaning women are forced to re-encounter their abusers after reporting them. For example, one woman The Advocates interviewed reported how her partner consistently and violently hit her during her pregnancy, causing her to fall and have a miscarriage. After the woman informed the police about the violent abuse she experienced, the police only recommended that she try to reconcile with her partner.[158]

The role of women in Honduran society and the violence against women in the domestic sphere is not simply a private matter. The society as a whole adheres to patriarchal values that see women as property of men. Women are therefore universally recognized as a distinct social group. Even after a woman separates from her male partner or a male family member, society and state agents would continue to view her as being under the control of these men. This *machista* belief would apply to relatives, police, and other government agents. The deep-seated view of women as property of men helps explain why laws to protect women have been almost entirely ineffective at reducing domestic violence or bringing perpetrators to justice in Honduras.

A 2020 study published in the *Journal of Interpersonal Violence* reviewed data from more than 21,000 households in Honduras and found "a significant association between intrafamily violence at the community level and experience of IPV [Intimate Partner Violence]."[159] In other words, the authors conclude that intimate partner violence is not a "private matter," as is often asserted, but is correlated with a broader level of acceptance of such violence in the community. The perception of intimate partner violence as a "private matter" is itself a reflection of the patriarchal view that sees women as actors only in the private sphere and refuses to see the connection between the public and private realm. Based on decades of research in Central America, Anthropologist Lynn Stephen has also concluded, "What is often termed 'private,' domestic violence cannot be parsed from interlocking forms of public violence. State, nonstate, and private actors are all linked in networks of violence and authority."[160]

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[158] "Honduras' Compliance with the International Covenant on Civil and Political Rights: Suggested List of Issues Relating to Violence Against Women," Advocates for Human Rights, Nov. 2016, https://www.theadvocatesforhumanrights.org/uploads/honduras_iccpr_loi_july_2016.pdf.
[159] Jennifer Wheeler, Paul Hutchinson and Alejandra Leyton, "Intimate Partner Violence in Honduras: Ecological Correlates of Self-Reported Victimization and Fear of a Male Partner," *Journal of Interpersonal Violence* (2020): p. 20, https://doi-org.library.lcproxy.org/10.1177/0886260519898441.
[160] Lynn Stephen, "Confronting Gendered Embodied Structures of Violence," in Shannon Speed and Lynn Stephen, eds., Indigenous Women and Violence: Feminist Activist Research in Heightened States of Injustice (Tucson: University of Arizona Press, 2021), 130.

Lack of State/Police Protection

A report launched by Oxfam Honduras and the Tribunal of Women Against Femicide states that one of the largest factors contributing to the high rates of gender-based killings in Honduras is the "systematic indifference" of the police, noting that only 4.2 percent of the reported cases of femicide between 2008 and 2011 resulted in conviction. A spokeswoman for Oxfam Honduras explained that reporting of femicide is on the decline as families are afraid of repercussions for talking to police, given that "the legal system gives impunity to those responsible for the killings."[161] In other cases, the police themselves murdered women. According to a collective report prepared by feminist organizations in Honduras in 2014, police were responsible for 149 violent deaths in the country between 2013 and 2014. On average, they killed 6 people a month, according to a report published by the Observatory on Violence.[162] As stated by Human Rights Watch in their 2020 World Report on Honduras, "marred by corruption and abuse, the judiciary and police remain largely ineffective."[163] Given this level of corruption among the police and other authorities in Honduras, women cannot rely on law enforcement to protect them.

In their 2017 article about femicide and gender violence in Honduras, Cecilia Menjívar and Shannon Drysdale Walsh note that in "contexts of impunity," such violence represents "the complicity of the state through its unwillingness or inability to provide prevention and response mechanisms."[164] In addition, they detail how state agents are often guilty themselves of perpetrating sexual violence or murdering women. This is exemplified by the assassination of the well-known environmental activist, Berta Cáceres, at the hands of state agents.[165] However, even if the government is not directly involved in the killing of women, inaction on the part of the state "create[s] conditions that promote impunity and increase risks of victimization by normalizing the targeting of women for violence, at home and in the streets."[166]

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[161] Annie Kelly, "Police turn a blind eye to soaring number of 'femicides,'" *The Guardian*, May 28, 2011, https://www.theguardian.com/world/2011/may/29/honduras-blind-eye-femicides.

[162] Centro de Derechos de Mujeres, Red Nacional de Defensoras de Derechos Humanos de Honduras, Foro de Mujeres por la Vida, JASS-Honduras y Centro de Estudios de la Mujer, "Status of violence against women in Honduras," *Protection International*, June 2014, https://www.protectioninternational.org/wp-content/uploads/2014/07/Violence-Women-Honduras-RapporteurONU-June2014final.pdf

[163] "World Report 2020: Honduras," Human Rights Watch, https://www.hrw.org/world-report/2020/country-chapters/honduras.

[164] Menjívar and Walsh, "The Architecture of Feminicide," *Latin American Research Review*. 2017; 52(2), pp. 221-240. DOI: https://doi.org/10.25222/larr.73

[165]Menjívar and Walsh, "The Architecture of Feminicide," *Latin American Research Review*. 2017; 52(2), pp. 221-240. DOI: https://doi.org/10.25222/larr.73

[166] Ibid.

The law enforcement and judicial systems themselves perpetuate gender-based violence and uphold patriarchal values. In a United Nations High Commissioner for Refugees report that interviewed 160 women who fled from the Northern Triangle region after facing violence, "10 percent of the women interviewed stated that the police or other authorities were the direct source of their harm."[167] In 2017, *Reporteros de Investigación*, an investigative newspaper in Honduras, reported that the Military Police had been abusing 14 and 15 year old girls when they had been assigned to patrol schools in Tegucigalpa.[168] In another example, a *New York Times* article reported on the killing of a woman who worked for the Technical Criminal Investigation Agency, a Honduran agency tasked in part with investigating the killings of women. The article indicated that the woman had been murdered by another agent in the organization, a man with whom she was having an affair, after she began to suspect he was working with criminal organizations.[169]

A 2018 study of cases in San Pedro Sula found that more than 96 percent of women's murders there go unpunished. The prosecutor's office blamed this largely on family members being afraid to testify and distrusting of police. Of 783 killings of women in Cortés, Honduras between 2013 and 2018, prosecutors have said that just 17 percent have begun a court process and an estimated 12 percent will get a verdict. According to Belinda Domínguez, the coordinator of Choloma's Women's Office, "government entities work with police and narcos and gangs to hide cases." She has described prosecutors purposefully losing files or delaying cases, and police tipping off abusers when complaints are filed. Last November, when Choloma's Women's Office held a training about how to better handle domestic violence, the police were invited but didn't come, according to Ms. Domínguez.[170]

One worker at the San Pedro Sula morgue told the *New York Times* he was offered $16,300 USD to alter an autopsy report. Workers there told reporters that the morgue does an autopsy and an investigation in cases of femicide, but most times their report isn't even consulted by prosecutors. While Forensic Medicine has the ability to lift fingerprints from the bags in which women are often disposed, the person who would do the test has stated that investigators have never requested one. In 2017, a Choloma police officer who was also working as a hitman killed a 20 year-old woman who had refused a gang member's advances.

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[167] "Women on the Run: First-Hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico," United Nations High Commissioner for Refugees, October 28, 2015, 23, https://www.unhcr.org/56fc31864.pdf.
[168] Wendy Funes, "Militares denunciados por violencia sexual contra colegialas," *Reporteros de Investigacion*, September 22, 2017, https://www.reporterosdeinvestigacion.com/2017/09/22/militares-denunciados-por-violencia-sexual-contra-colegialas/
[169] Sonia Nazario, "Someone Is Always Trying to Kill You," *New York Times*, April 5, 2019, https://www.nytimes.com/interactive/2019/04/05/opinion/honduras-women-murders.html.
[170] Sonia Nazario, "Someone is Always Trying to Kill You," *New York Times*, April 5, 2019, https://www.nytimes.com/interactive/2019/04/05/opinion/honduras-women-murders.html.

Four months later, the gang paid to have the officer murdered to cover their tracks, according to the founder of the López Arellano women's group.[171]

There are laws in Honduras to penalize violence against women, but these laws have not been adequately enforced and have not diminished the rates of gender-based violence.[172] Established in 1997 and amended in 2006 and 2013, the Law against Domestic Violence was the first law to directly address violence against women.[173] However, as of 2018, this law had little effect on incidences of domestic violence.[174] In 2019, the United States Department of State's Human Rights Report on Honduras noted that impunity for domestic violence was about 90 percent.[175] Furthermore, as of 2013 the Honduran government had added the crime of femicide to its criminal code, specifically criminalizing violence enacted on the basis of gender.[176] Yet, three years later in 2016, there were 400 homicide cases with female victims in Honduras, but of these just 15 were investigated, and only two resulted in convictions.[177] High impunity rates for crimes against women suggest that there is not sufficient institutional support towards reducing domestic violence in Honduras.

Many women do not report crimes of domestic violence to the police, but when they do, their claims are not adequately addressed. The United Nations Special Rapporteur concluded that due to corruption in the criminal justice system in Honduras, there is a "culture of non-reporting of violence against women and girls."[178] Moreover, when women do go to the police to report domestic violence, their claims are typically not taken seriously. Police behavior often involves telling women not to disobey their husbands, dismissing them as

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[171] Sonia Nazario, "Someone is Always Trying to Kill You," *New York Times*, April 5, 2019, https://www.nytimes.com/interactive/2019/04/05/opinion/honduras-women-murders.html.
[172] U.S. Department of State, "2019 Country Reports on Human Rights Practices: Honduras," Accessed March 9, 2021, https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/honduras/.
[173] "Honduras' Compliance with the Convention on the Elimination of all forms of Discrimination Against Women," The Advocates for Human Rights, March 2016, 3, https://www.theadvocatesforhumanrights.org/uploads/honduras_cedaw_loi_ahr_january_2016.pdf.
[174] Andrea Fernández Aponte, "Left in the Dark: Violence Against Women and LGBTI Persons in Honduras and El Salvador," Latin American Working Group, March 7, 2018, https://www.lawg.org/left-in-the-dark-violence-against-women-and-lgbti-persons-in-honduras-and-el-salvador/.
[175] U.S. Department of State, "2019 Country Reports on Human Rights Practices: Honduras," https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/honduras/.
[176] "Honduras' Compliance with the Convention on the Elimination of all forms of Discrimination Against Women," The Advocates for Human Rights, March 2016, 3, https://www.theadvocatesforhumanrights.org/uploads/honduras_cedaw_loi_ahr_january_2016.pdf.
[177] Jill Filipovic, "I Can No Longer Continue to Live Here," *Politico*, June 7, 2019, https://www.politico.com/magazine/story/2019/06/07/domestic-violence-immigration-asylum-caravan-honduras-central-america-227086/.
[178] "Special Rapporteur on violence against women finalizes country mission to Honduras and calls for urgent action to address culture of impunity for crimes against women and girls," United Nations Human Rights Office of the High Commissioner, July 8, 2014, https://www.ohchr.org/en/statements/2014/07/special-rapporteur-violence-against-women-finalizes-country-mission-honduras-and.

emotional, or encouraging them to ask for their husband's forgiveness.[179] These responses demonstrate a systemic belief that women are responsible for the domestic violence they experience. When perpetrators of domestic abuse are arrested, they are typically only held for a short period of time and not charged with a crime. In a United Nations High Commissioner for Refugees' report, two different women interviewed from the Northern Triangle explained that they had reported members of their family to the police for abuse, but in both cases their abuser was released after 24 hours.[180]

The Advocates for Human Rights have noted an increase in the number of Honduran women fleeing violence in their home country and seeking asylum in other countries. Their review of asylum cases confirms that the legal systems in place in Honduras fail to provide victims with adequate support and to hold perpetrators accountable. In many cases, women who sought help from the police were told that the authorities could do nothing, were told to reconcile with their abuser, or were mocked for being unable to handle the problem themselves.[181] Honduras has one of the highest femicide rates in the world, with near total impunity. Domestic violence is rampant, while reporting rates are low and state responses are weak or non-existent.

There was great hope that electing Honduras' first female president in late 2021 would have an impact on violence against women in the country. President Xiomara Castro has been in power for just over a year, but the preliminary data suggests that violence against women is not decreasing, but increasing. In the first year of her presidency, there were 365 femicides, one for each day of the year. The Public Prosecutor's Office reported 398 violent deaths of women in 2022, a 138 increase over the previous year. It also appears that the judicial system remains as ineffective as ever in investigating and prosecuting perpetrators of violence against women. According to Jinna Rosales a Honduran feminist activist, "We have a justice system that remains the same as that of previous governments."[182] It may be stated in this context that women who fear violence or persecution due to their gender can expect little to no state protection.

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[179] Cecilia Menjívar and Shannon Drysdale Walsh, "The Architecture of Feminicide: The State, Inequalities, and Everyday Gender Violence in Honduras," *Latin American Research Review*, 52 (2): 231.
[180] "Women on the Run: First-Hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico," United Nations High Commissioner for Refugees, October 28, 2015, 27, https://www.unhcr.org/56fc31864.pdf,.
[181] "Honduras' Compliance with the Convention Against Torture Parallel Report Relating To Violence Against Women," Advocates for Human Rights, July 2016, https://www.theadvocatesforhumanrights.org/res/byid/8683
[182] The 'three gifts' that Xiomara Castro's government owes Honduran women," *ContraCorriente,* Jan. 28, 2023, https://contracorriente.red/en/2023/01/28/the-three-gifts-that-xiomara-castros-government-owes-honduran-women/.

Chapter Six: LGBT Hondurans

Overview

Homosexual and transgender individuals are broadly condemned in Honduras, and it is commonly believed that people who identify as gay or trans are unworthy of living. Catholic and Evangelical Churches constitute a powerful political influence in the country and have pressured legislators to consistently reject laws supporting the LGBT community, and create a conservative social climate for these individuals.[183] Because of this pervasive homophobia, LGBT individuals are perceived as breaking social norms in their country, for which many Hondurans believe they should be punished. One example is the violent stabbing of gay journalist Juan Carlos Cruz Andara in Puerto Cortes, Honduras in June 2015. A prominent LGBT activist and reporter for the Teleport channel in Puerto Cortes, Cruz Andara reported receiving anonymous threats against his life to police before he was stabbed 25 times by unknown assailants.[184] Government agents are responsible in many cases for the continued violence and discrimination against LGBTQ individuals, meaning they cannot rely on protection from police or other state authorities.

Patriarchal attitudes and deeply-rooted discriminatory stereotypes in Honduras are particularly dangerous for transgender women and the LGBT community. The *Miami Herald* has reported that violence towards the LGBT community in Honduras is related to "conservative religious sentiment, machismo, rampant impunity, and social pressure on police to 'cleanse' undesirables."[185] Because of these patriarchal values, many gay men in Honduras are forced to hide their sexuality, even maintaining relationships with women, as a way of avoiding persecution. According to Indyra Mendoza, director of Red Lésbica Cattrachas, "We need legislative change and prevention programs to end discrimination in Honduras, because at the moment we are living our lives in hiding."[186] Most recently, a July 29, 2023 veto by President Xiomara Castro prohibited the passing of a law aimed at providing integral sex education in Honduran schools, with the goal of reducing teenage pregnancies. Conservative groups, led by the Catholic and Evangelical churches, widely protested the law as part of a social movement commonly known as "Con mis hijos no te metas" or "Don't mess with my children," under a discourse that the sex education law

[183] Duncan Tucker, "Rainbow warriors: Attacks and killings of LGBT activists in Honduras," *Index on Censorship*, 2016, Vol.45 (1), p.72-75, DOI: 10.1177/0306422016643026.
[184] "Matan a comunicador hondureño en Puerto Cortes," *La Prensa*, June 23, 2015, https://www.laprensa.hn/sucesos/matan-a-comunicador-hondureno-en-puerto-cortes-NRLP852087#image-1.
[185] Miami Herald.17 January 2012. Tim Johnson. "Honduras is Test of New U.S. Policy on Gay Rights."
[186] "Honduras: Investigate Murders of Transgender Women," Human Rights Watch, January 31, 2011, https://www.hrw.org/news/2011/01/31/honduras-investigate-murders-transgender-women.

promotes "gender ideology" and LGBT indoctrination.[187] Given the powerful sway of conservative and religious discourse within the country, the LGBT community often faces barriers at a legislative and community level, including access to jobs, housing and education.

The coordinator of the Honduran LGBT Rainbow Association indicated that LGBTQ persons have been the "victims of discrimination" and violence committed by investigation officers of the National Police, municipal police, armed forces of Honduras, as well as by family members, schools, clients (especially in the sex industry) and unknown assailants. A 2012 report by the Honduran National Human Rights Commissioner notes that the main "attackers" and "violators" of LGBTQ rights are members of the national and municipal police, security guards, family members and unknown persons. In an interview with the *Miami Herald*, a gay activist stated that "when [LGBT persons] walk the streets, people shout insults at [them] and throw rocks." Another activist was quoted as saying that "the connotation of being gay, lesbian or trans here is that we are worthless. We have no rights. We should be killed."[188] Cattrachas director Indrya Mendoza has also stated, "There is no state capacity or will to prevent violence against LGBTQ people. People complain to the authorities, but nothing happens, so they see little choice but to flee."[189]

LGBT individuals in Honduras face discrimination from family members, teachers, unknown assailants and security forces, and homophobic and transphobic attacks are common. Companies are known to engage in anti-gay hiring practices, and spaces where gay people meet or host activities are often targeted by police officers. In a 2017 article published by *The Guardian* examining the most dangerous places in the world to be gay or trans, Honduras is listed third behind Iraq and Iran, with the highest number of transgender murders in the world relative to its population. By 2017, 215 LGBT murders had occurred since the coup that ousted Manuel Zelaya in 2009.[190] The CATTRACHAS Lesbian Network (*Red Lésbica* CATTRACHAS) has recorded 303 violent deaths of LGBT persons and 97 murders of trans women specifically between 2009 and 2019, marking an escalation of violence against LGBT

[187] Edgardo Ayala, "'No' to Sex Education Fuels Early Pregnancies in Central America," *Global Issues*, Aug. 3, 2023, https://www.globalissues.org/news/2023/08/03/34418.
[188] Canada: Immigration and Refugee Board of Canada, *Honduras: Treatment of sexual minorities, including legislation; state protection and support services available (2012-November 2013)*, 28 November 2013, HND104661.E , available at: https://www.refworld.org/docid/52ce9e6e4.html
[189] Linda Farthing, "I knew I had to Get Out to Survive"—Violence Drives LGBT Central Americans North, World Politics Review, 13 May 2019, https://www.worldpoliticsreview.com/articles/27840/i-knew-i-had-to-get-out-to-survive-violence-drives-lgbt-central-americans-north.
[190] Rachel Banning-Lover, "Where are the most difficult places in the world to be gay or transgender?" *The Guardian*, March 2017, https://www.theguardian.com/global-development-professionals-network/2017/mar/01/where-are-the-most-difficult-places-in-the-world-to-be-gay-or-transgender-lgbt

persons since the coup.[191] Activists at CATTRACHAS have reported that between 2015 and 2017, only one of the multiple cases of violence against an LGBT person was completely resolved.[192]

Finally, many instances of sexual violence against LGBTQ individuals in Honduras are a result of gang recruitment or defying gangs. According to a report compiled by Honduras' National AIDS Forum, LGBTQ Rainbow Association, Amazonas Collective, and Progresso/Latina, police and gang members are the principal victimizers of gay and trans individuals. Members of organized crime groups and street gangs are responsible for many aggressions against "sexually diverse populations," the report found, including forcing members of the community to sell drugs and perform sexual acts.[193] InSight Crime has reported that members of gangs such as MS-13 "use rape to terrorize local communities."[194] When speaking with Ezra Lopez of the Tertiary Prevention unit of USAID Honduras on a recent fact finding mission, he explained how LGBT Hondurans are often recruited by gangs to perform certain tasks such as distributing drugs and entering prisons to distribute and communicate with incarcerated gang members. According to Lopez, these recruitment requests are not optional, with dire consequences for LGBT individuals that refuse the gang's demands.[195]

LGBT Activists

The security situation for outspoken LGBT leaders has significantly deteriorated since the 2009 coup ousting former President Manuel Zelaya. Many LGBT leaders have been killed and virtually all cases remain in impunity. Rene Martínez, a vocal LGBT 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. 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

[191] Nelson Renteria, "Trans asylum-seeker killed after US deportation back to El Salvador," *Reuters*, February 22, 2019, https://www.reuters.com/article/us-usa-immigration-violence/trans-asylum-seeker-killed-after-u-s-deportation-back-to-el-salvador-idUSKCN1QC03L.
[192] Andrea Fernández Aponte, "Left in the Dark: Violence Against Women and LGBT Persons in Honduras and El Salvador," Latin America Working Group, March 7, 2018, https://www.lawg.org/wp-content/uploads/storage/documents/Between_Dangers_Part_8.pdf.
[193] James Bargent, "Police, Gangs Behind Abuse of Honduras' LGBTQ Community," InSight Crime, August 22, 2014, https://www.insightcrime.org/news/brief/police-gangs-abuse-honduras-LGBTQ-community/.
[194] Immigration and Refugee Board of Canada, El Salvador: Violence against women, including nondomestic sexual violence, legislation, state protection and support services, September 15, 2015, http://www.refworld.org/docid/560b8b294.html.
[195] Personal Interview by Elliott Young and Kate Wackett of Ezra Lopez, Regional Program Manager, USAID, San Pedro Sula, August 5, 2023.

2017, at least seven members of the Rainbow Association (*Asociación Arcoiris*), a Honduran LGBT advocacy group, were murdered.[196]

The same risks apply to transgender people involved with political parties. According to a study conducted by the National Democratic Institute in 2017, organized political participation of LGBT leaders and organizations with the Honduran state was non-existent prior to 2004, and these political actors have faced constant barriers to participation since.[197] One of the first documented cases of violence against a queer person in Honduras for political participation was that of Walter Tróchez, who spoke out against voting irregularities as Ombudsman in 2009. He was kidnapped twice, tortured and murdered. In 2012, queer journalist Erick Alexánder Martínez Ávila ran as a representative for the Partido LIBRE and was found tortured and killed mere days after announcing his candidacy. Also in 2012, trans candidates Arely Victoria Gómez and Claudia Spellman were forced to flee the country after the amount of death threats and attacks they received after announcing their plans to run for local government. Both women were forced to run using their birth names rather than their chosen names and were viciously attacked by the media throughout their campaigns. As trans congressional candidate Rihanna Ferrera Sánchez explained during her campaign in 2017: "Honduran society, influenced by religious discourse, does not want an LGBT individual to be in Congress because they associate us with same-sex marriage, the adoption of kids (by homosexual couples), they think the country will be on the decline. But the situation in this country has not improved for any sector. Every 14 hours a woman is killed and the violations of human rights have only increased."[198] None of the twelve LGBT candidates who ran in the 2017 primary elections, including Ferrera Sánchez, won, demonstrating the continued resistance to LGBT participation in national politics, and in society at large.

Lack of Legislative or State Protection

According to the Inter-American Commission on Human Rights, Honduras' Law of Police and Social Coexistence (*Ley de Policía y Convivencia Social*), as it is applied, has led to human rights violations, particularly against trans persons. The law facilitates police abuse and arbitrary detentions of trans people, particularly sex workers, without any sort of

[196] Andrea Fernández Aponte, "Left in the Dark: Violence Against Women and LGBT Persons in Honduras and El Salvador," Latin America Working Group, March 7, 2018, https://www.lawg.org/wp-content/uploads/storage/documents/Between_Dangers_Part_8.pdf.
[197] "Reflexiones sobre la participación política de las personas LGBT en Honduras," Instituto Nacional Democrática, February 2017, https://www.ndi.org/sites/default/files/Reflexiones%20Politicas-LGTBI.pdf.
[198] Jennifer Avila Reyes, "Honduras: La candidata trans que pelea contra la discriminación y la violencia," Agencia Presentes, Nov 9, 2017, http://agenciapresentes.org/2017/11/09/honduras-la-candidata-trans-que-pelea-contra-la-discriminacion-y-la-violencia/.

accountability. Moreover, LGBT 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 and eliminate a section that provides a legal framework for dealing with hate crimes.[199]

Same-sex marriage and common-law unions were banned in Honduras in a 2005 constitutional amendment (Article 112). Although a ruling by the Inter-American Court of Human Rights (IACHR) indicated that same-sex marriage is a human right, the Honduran Supreme Court has indefinitely postponed a case it was considering.[200] This prohibition was supplemented by a constitutional reform in 2021 that requires a three-quarters majority of the National Congress for its reformulation and prohibits new legal provisions that contradict this provision.[201] In 2013, the Honduran Congress passed reforms that penalizes hate crimes against people on the basis of sexual orientation and gender identity, although the laws did not go into effect until 2017.[202] However, even by 2019, there was no indication that the laws were effective in either preventing the killing of LGBTQ individuals or in prosecuting such cases. As one 2018 IACHR report put it, "LGBTQ people live in a context characterized by frequent physical, psychological and sexual violence against them, in addition to widespread impunity in those cases."[203] In 2019, five LGBTI rights defenders filed an unconstitutional appeal against the National Registry of Persons Act on the grounds that there is no procedure in place in Honduras for changing one's legal gender identity. The appeal was rejected by the Supreme Court of Justice in November 2022, although the State of Honduras is required to create a procedure for legal recognition of gender identity under a 2020 ruling by the IACHR.[204]

The Coalition Against Impunity, an alliance of 29 Honduran NGOs, has stated that, "The police constitute the primary perpetrator of violations of the rights of the LGBT

[199] Andrea Fernández Aponte, "Left in the Dark: Violence Against Women and LGBT Persons in Honduras and El Salvador," Latin America Working Group, March 7, 2018, https://www.lawg.org/wp-content/uploads/storage/documents/Between_Dangers_Part_8.pdf.
[200]"Inter-American Court Endoires Same-Sex Marriage," *Agence France Presse,* 9 Jan. 2018, https://web.archive.org/web/20180109235924/https://au.news.yahoo.com/world/a/38550305/inter-american-court-endorses-same-sex-marriage/.
[201] "LGBTI rights in Honduras: a constant struggle for inclusion and justice," Lawyers Without Borders, May 17, 2023, https://asfcanada.ca/en/medias/lgbti-rights-in-honduras-a-constant-struggle-for-inclusion-and-justice/.
[202] UNAIDS, "Honduras Reforms It's Penal Code to End Human Right Violations Based on Sexual Orientation and Gender Identity," 3 Apr. 2013, https://www.unaids.org/en/resources/presscentre/featurestories/2013/april/20130405honduras.
[203] Anastasia Moloney, "Top Americas Rights Commission Condemns Honduras LGBT+ Murders," *Reuters*, 18 July 2019, https://www.reuters.com/article/us-honduras-lgbt-murders/top-americas-rights-commission-condemns-honduras-lgbt-murders-idUSKCN1UD323.
[204] "LGBTI rights in Honduras: a constant struggle for inclusion and justice," Lawyers Without Borders, May 17, 2023, https://asfcanada.ca/en/medias/lgbti-rights-in-honduras-a-constant-struggle-for-inclusion-and-justice/.

community." The Coalition told Index on Censorship in 2015 that "police policy [consisted] of frequent threats, arbitrary arrests, harassment, sexual abuse, discrimination, torture and cruel or degrading treatment" towards gay and trans individuals. Due to these threats and a culture of police abuse towards the LGBT community, victims rarely go to the police to report crimes or attacks against them. In general, a culture of distrust in state institutions discourages Hondurans from reporting crimes to police or prosecutors, and when crimes are reported they rarely reach the sentencing stage, or individuals report revictimization by these state institutions during the reporting process.[205]

Out of the fifteen trans women interviewed by the United Nations High Commissioner for Refugees in a report about gender-based violence, all fifteen said they had experienced physical or sexual abuse, often at the hands of police officers. Multiple interviewees stated that they could not report crimes against them to the police because it was officers who had attacked them in the first place, or that when attempting to report violent attacks the police refused to accept their accounts. One trans woman from Honduras described in her interview how she could not relocate within the country and received no police protection: "I've tried to be in different cities, and it's always the same. I've made 30 reports, and the police have never done anything."[206] Although Honduras has a high homicide rate overall, murders of gay and trans individuals are far more likely to go unpunished due to police discrimination, according to a study by the Inter-American Commission on Human Rights.[207]

Transgender Hondurans

Recent statistics from Transgender Europe's Trans Murder Monitoring project shows that Honduras had the highest rates of murders of trans people relative to their population, coming in at 11.8 per million from 2008 to September 2022, almost 11 times the rate in the United States.[208] Victor Clark-Alfaro, an immigration expert at San Diego State University has attributed violence against trans women specifically to pervasive patriarchal and Catholic values in Mexico and Central America: "The ones who can't hide their sexuality and gender, there's a huge aggression toward them. And of them, trans women are the ones who are

[205] Duncan Tucker, "Rainbow warriors: Attacks and killings of LGBT activists in Honduras," *Index on Censorship*, 2016, Vol.45 (1), p.72-75, DOI: 10.1177/0306422016643026.
[206] United Nations High Commissioner for Refugees, "Women on the Run: First Hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico," October 2015, https://www.unhcr.org/56fc31864.pdf.
[207] Rachel Banning-Lover, "Where are the most difficult places in the world to be gay or transgender?" *The Guardian*, March 2017, https://www.theguardian.com/global-development-professionals-network/2017/mar/01/where-are-the-most-difficult-places-in-the-world-to-be-gay-or-transgender-lgbt
[208] "TMM Relative Numbers 2008- September 2022," "Transrespect versus Transphobia Worldwide" (TvT), https://transrespect.org/en/map/trans-murder-monitoring/?submap=tmm_relative_numbers.

most heavily targeted...almost everyone is Catholic, and so the machismo and religious sensibilities provoke attacks against people who break gender norms."[209] Furthermore, there is continuing evidence of assassinations of trans women activists in Honduras, including the killing of Melissa Nuñez in late October 2022. As Danny Reyes, a representative of the local Rainbow Movement, said, "They continue to kill us, they continue to violate our rights. We demand that the Honduran government do its best to start ensuring social justice." There is also continuing evidence of crimes against the LBTQ community in Honduras, with 35 such crimes reported just between January to October of 2022.[210]

The assassination of Melissa Nuñez in late October 2022, mentioned above, is an example of the risks faced by trans women when returned to Honduras. President Castro also acknowledged the Honduran government's culpability in the murder of trans sex worker Vicky Hernández in 2009.[211]

In spite of Castro's government, which has outwardly adopted a more sympathetic posture toward trans individuals, trans people still face violence and discrimination. For example, trans individuals are still unable to change their official names in Honduras.[212] Trans women are placed in men's prisons in Honduras and subject to verbal, psychological and physical violence, including being placed in long-term isolation.[213] In January 2022 a trans activist was murdered outside her home in the nation's capital, Tegucigalpa.[214] Furthermore, it is extremely difficult for a trans person to survive anywhere in Honduras, including major cities, without friend or kinship networks to protect them. Access to housing, employment and other services is severely compromised when an individual is forced to return to a city with no contacts or sympathetic family members.

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[209] "'They were abusing us the whole way,': A tough path for gay and trans migrants," *New York Times*, July 11, 2018, https://www.nytimes.com/2018/07/11/us/lgbt-migrants-abuse.html.
[210] Marlon González, "Transgender woman activist killed in Honduras," *AP*, Oct. 20, 2022, https://apnews.com/article/caribbean-tegucigalpa-honduras-ffbbf0c6ed59b229565bccd21bb2f2f4.
[211] Michael K. Lavers, "Trans woman deported from U.S. murdered in Honduras," *Los Angeles Blade*, Oct. 20, 2022, https://www.losangelesblade.com/2022/10/20/trans-woman-deported-from-u-s-murdered-in-honduras/.
[212] Luis Vallecillo, "Mujeres trans se unen en busca del cambio de nomre," *Reportar sin miedo*, August 24, 2022, https://reportarsinmiedo.org/2022/08/24/mujeres-trans-se-unen-en-busca-del-cambio-de-nombre/
[213] Josefina Alfonsín, et al., "Mujeres trans privadas de Libertad: La invisibilidad tras los muros," *Mujeres, políticas de drogas y encarcelamiento,* 2020, https://www.wola.org/wp-content/uploads/2020/04/Mujeres-trans-privadas-de-libertad.-La-invisibilidad-tras-los-muros_Final-8.pdf, p. 14-15.
[214] Michael K. Lavers, "Transgender man who fled Honduras allowed to enter U.S.," *Washington Blade*, Feb. 13, 2022, https://www.washingtonblade.com/2022/02/13/transgender-man-who-fled-honduras-allowed-to-enter-u-s/.

LGBT Returnees

For LGBTQ individuals, the risks associated with return are compounded by their sexual orientation or gender identity and expression. 88% of LGBTQ asylum-seekers and refugees interviewed by the U.N. High Commissioner for Refugees had suffered sexual and gender-based violence in their countries of origin.[215] Deportation adds further risks due to increased visibility and vulnerability associated with being deported. For example, after one transgender woman's asylum claim was denied in 2017, she was sent back to El Salvador, where she was subjected to extortion and frequent gang beatings. In another case, Johanna Vasquez, a transgender woman who was deported back to El Salvador, was kidnapped by a group of armed men immediately after leaving the airport, then assaulted, gang raped, and abandoned on the side of a road.[216] Because Honduras currently lacks the infrastructure to support a large population of returning citizens, the health and safety of LGBTQ people is often neglected. Reception and reintegration services exist in some capacity for returnees but are considerably underfunded and ineffective, leaving many deportees to fend for themselves. In 2017, the Center for Migration Studies and Cristosal conducted interviews with deported migrants from El Salvador, Honduras, and Guatemala who all indicated that they had been living without significant institutional support. Given the lack of trust in institutions to adequately provide reintegration programs, job opportunities, and safety from persecution, many LGBTQ individuals ultimately decide to reattempt their journey north after deportation.[217]

HIV in the LGBT Community

HIV-positive individuals in Honduras often face stigma, discrimination and a lack of access to antiretroviral drugs. According to a report by USAID, common obstacles include preventing individuals from being tested, inhibiting people from seeking care and treatment, and hindering the access of people living with HIV to education or employment.[218] Highlighting employment barriers, a survey conducted by the International Labor

[215] "No Safe Place: Salvadorans, Guatemalans and Hondurans Seeking Asylum in Mexico Based On Their Sexual Orientation," Amnesty International, November 2017, https://www.unhcr.org/en-us/5a2ee5a14.pdf.
[216] Binh X. Ngo, "Women and LGBTQ Deportees Face Compounded Dangers Upon Return," Center for American Progress, Aug. 10, 2018, https://www.americanprogress.org/issues/immigration/news/2018/08/10/454637/women-lgbtq-deportees-face-compounded-dangers-upon-return/.
[217] Binh X. Ngo, "Women and LGBTQ Deportees Face Compounded Dangers Upon Return," Center for American Progress, Aug. 10, 2018, https://www.americanprogress.org/issues/immigration/news/2018/08/10/454637/women-lgbtq-deportees-face-compounded-dangers-upon-return/.
[218] "People living with HIV/AIDS in Puerto Cortés are Speaking Up and Helping Each Other," USAID, https://2012-2017.usaid.gov/results-data/success-stories/reducing-stigma-and-discrimination-honduras

Organization found that 61% of Hondurans living with HIV are unemployed, the highest percentage of any country included in the survey.[219] Siempre Unidos, a coalition group providing support to HIV-positive Hondurans, has stated that many of their members are rejected by their families, and in fact the group had to have their meetings outside until 2007, as no one would allow HIV-infected people into their homes. A doctor involved with the collective has stated that healthcare has improved in the last decade with increased use of antiretroviral drugs, but many of her patients have died nonetheless and lack of access to medical resources continues to be a problem.[220]

HIV-positive individuals in Honduras face discrimination and stigma, resulting in barriers to employment and forced isolation from family and other community members. Local health workers have told stories of families that have kept HIV victims quarantined in their rooms, throwing away their dirty clothes and dishes rather than washing them.[221] Despite broad familiarity with the disease, HIV remains highly stigmatized, resulting in a lack of treatment access even as medicine becomes more widely available in Honduras. [222] According to a report by USAID, common obstacles include preventing individuals from being tested, inhibiting people from seeking care and treatment, and hindering the access of people living with HIV to education or employment.[223] Debora Valerio, director of the National Association for People with HIV in Honduras, has explained how due to stigma, many HIV-positive individuals, and even more so for those who are LGBT, are forced to seek medical care at clinics far from their homes so as not to be recognized in their communities as HIV-positive. While receiving public healthcare, individuals are forced by security guards to separate into lines dividing those who are HIV-positive and not, creating situations of vulnerability and discrimination.[224]

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[219] "Survey highlights persistent discrimination against people living with HIV," July 26, 2018, https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_635187/lang--en/index.htm
[220] Hannah Real, "Partner Spotlight: Fighting the HIV Epidemic in Honduras," Direct Relief, October 3, 2012, https://www.directrelief.org/2012/10/partner-spotlight-fighting-the-hiv-epidemic-in-honduras/.
[221] Jens Erik Gould, "Braving the Stigma in Honduras: A Garifuna Woman Reveals Her HIV Status," Pulitzer Center, April 3, 2013, https://pulitzercenter.org/reporting/braving-stigma-honduras-garifuna-woman-reveals-her-hiv-status.
[222] James P Stansbury, Manuel Sierra, "Risks, stigma and Honduran Garífuna conceptions of HIV/AIDS," *Social Science & Medicine* Volume 59, Issue 3, August 2004, https://www.sciencedirect.com/science/article/abs/pii/S0277953603005963?via%3Dihub.
[223] "People living with HIV/AIDS in Puerto Cortés are Speaking Up and Helping Each Other," https://2012-2017.usaid.gov/results-data/success-stories/reducing-stigma-and-discrimination-honduras
[224] Personal interview by Elliott Young and Kate Wackett of Debora Valerio, Technical Official, Asociación Nacional de Personas con VIH en Honduras, San Pedro Sula, August 4, 2023.

Chapter Seven: Garifuna and Indigenous Hondurans

Threats to Indigenous Populations Generally

Honduras is home to many different indigenous tribes, making up approximately 10 percent of the total population (some ethnic federations question this figure, arguing that 13% is more accurate).[225] According to Minority Rights, the major tribes within Honduras include the Lenca, Miskitu, Garífuna, Maya Ch'ortí, Tolupán, Bay Creoles, Nahua, Pech and Tawahka.[226] La Moskitia is an ancestral homeland of the Miskitu people in eastern Honduras where, during the seventeenth and eighteenth centuries, the Miskitu expanded their settlements along the Caribbean coastal lowlands, resulting in the enslavement, dislocation, and assimilation of neighboring Pech and Tawahka tribes. Today the Miskitu are the largest indigenous population in the region, with Garifuna, Pech, Tawahka, and nonindigenous mestizo territories surrounding their lands to the north and west. These territories have come under threat as outsiders have illegally occupied or purchased Miskitu land. Narco-traffickers have also accelerated deforestation and land privatization in the region by paying laborers to clear forest for agriculture, thereafter acquiring property titles and further displacing indigenous tribes.[227]

Minority ethnic groups in Honduras share many cultural and socioeconomic conditions, and as argued by cultural anthropologist Mark Anderson, are often positioned in the same territorial struggles and dialogues with the Honduran state. In this way Honduras represents a unique situation where the Afro-indigenous Garifuna population is often positioned alongside indigenous populations both by the state and within the different groups' struggles for territorial rights and representation. While at the same time viewed as separate and inferior from the mestizo majority and thus the indigenous ancestry of Honduras, the Garifuna have also been compared historically to indigenous populations and have shared

[225]Mark Anderson, "When Afro Becomes (like) Indigenous: Garifuna and Afro-Indigenous Politics in Honduras," *The journal of Latin American and Caribbean anthropology* 12, no. 2 (2007): 384–413.
[226] Arisha Andha, "Implementing rights of indigenous people: perspectives of Honduras," Norwich University Journal of War and Peace Studies, Sept. 15, 2021, https://www.norwich.edu/news/voices-from-the-hill/peace-and-war/3360-implementing-rights-of-indigenous-people-perspectives-of-honduras.
[227] Peter H. Herlihy and Taylor A. Tappan, "Recognizing Indigenous Miskitu Territory in Honduras," *Geographical review* 109, no. 1 (2019): 70-73.

organizing and a positionality revolving around indigenous rights.[228] According to Anderson, nationalist discourse in Honduras has historically erased blacks from the national narrative, denied the presence of African heritage, and presented the contemporary presence of black Hondurans as a foreign intrusion. Garifuna individuals have been historically racialized under the terms *negro* and *moreno* and constructed as "others" within the nation. During the first half of the 20th century, they were subject to overt forms of discrimination such as being denied access to public parks and forced into menial labor such as clearing the street of dead dogs. The dominant perception of Honduras as a "mestizo" nation remained intact until the 1990s, where black identity continued to be "a precarious standpoint from which to make claims on the state," in some ways explaining the organizational alliances between afro and indigenous groups.[229]

According to the UN Special Rapporteur on the situation of indigenous people in Honduras, "the murder of indigenous leaders who defend their lands, including a large number of leaders of the Tolupán, Garífuna, Lenca, Chortí and Pech peoples, is among the subjects that give rise to the most complaints to the Office of the Special Prosecutor for Ethnic Groups and Cultural Heritage, in addition to cases of assault, attempted homicide and violence against indigenous women." In addition, there is significant evidence of "collusion by the police and the armed forces with private or business interests, including organized crime groups in indigenous territories," exacerbating the violence and impunity suffered by indigenous communities. The report additionally mentions that indigenous peoples in Honduras are systematically excluded from and discriminated against within the justice system, due to racism and the ignorance of justice officials surrounding the rights and culture of indigenous Hondurans. According to the report, "with regard to the local administration of justice, there have been complaints about the politicization of the appointment of judicial officials and about some cases where persons involved in drug trafficking... avoid justice for offenses against indigenous people by bribing judges, prosecutors or police officers."[230] Amnesty International sent a letter to presidential candidates in 2013 highlighting the absence of justice regarding crimes and abuses against indigenous Hondurans, and other structural challenges faced by the community.[231]

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[228] Mark Anderson, "When Afro Becomes (like) Indigenous: Garifuna and Afro-Indigenous Politics in Honduras," *The journal of Latin American and Caribbean anthropology* 12, no. 2 (2007): 384–413.

[229] Mark Anderson, "When Afro Becomes (like) Indigenous: Garifuna and Afro-Indigenous Politics in Honduras," *The journal of Latin American and Caribbean anthropology* 12, no. 2 (2007): 384–413.

[230] Victoria Tauli-Corpuz, "The Situation of Indigenous Peoples in Honduras," United Nations General Assembly, July 21, 2016, http://unsr.vtaulicorpuz.org/site/index.php/documents/country-reports/148-report-honduras.

[231] Minority Rights Group International, *World Directory of Minorities and Indigenous Peoples - Honduras: Garifuna*, May 2018, available at: https://www.refworld.org/docid/5b9f70157.html [accessed 24 August 2019].

According to a 2015 report prepared by Amnesty International, "Indigenous Peoples and Garífuna (Afro-descendant) communities suffer discrimination and inequalities, including in relation to their rights to land, housing, water, health and education. Large-scale projects have been carried out on their lands without consultation or their free, prior and informed consent. Indigenous and Garífuna leaders have reportedly faced fabricated criminal charges and been the target of attacks and intimidation in reprisal for their human rights work."[232] News sources also indicate that recent murders of indigenous community members in Honduras are related to the encroachment of organized crime into indigenous territories. According to a 2019 article detailing the murder of Garifuna environmental activist Mirna Suazo, these human rights struggles, "have also led to systematic aggressions by organized crime and narcotrafficking groups against the communities [fighting to recover their territories], while the authorities do nothing to stop these attacks."[233] According to Zulma Valencia de Suazo of the Organization of Ethnic Community Development (ODECO), speaking about the attacks by criminal organizations in Honduras on indigenous communities, "In the drug trafficking corridor, families are threatened and they try to co-opt the young people so that they serve them in their illicit operations," speaking about the attacks by criminal organizations in Honduras on Garifuna communities. Valencia de Suazo has also said that Garifuna land is ideally located to carry out criminal operations since many Garifuna communities live in remote areas with little government presence, "increas[ing] security problems in Garifuna communities and ma[king] youth particularly vulnerable to violence and exploitation."[234]

Discrimination and marginalization are ongoing challenges for the country's indigenous population, currently experiencing social exclusion, poverty and intimidation. Around 23% of indigenous peoples live in urban areas, significantly lower than the proportion (60%) of Latinos and mestizos.[235] Violence, land grabs and poverty in rural areas have forced many indigenous residents to migrate to major cities in search of security and employment. Migration has overwhelmed many Honduran cities, which lack adequate planning policies or infrastructure to serve growing populations. As a result, many indigenous migrants have settled in shantytowns on the periphery that lack transportation, public security or basic

[232] Amnesty International, "Honduras: Failing to Implement Human Rights Commitments," Amnesty International Submission to the UN Universal Periodic Review, May 2015, https://www.amnesty.org/download/Documents/AMR3700122014ENGLISH.pdf.
[233] "Asesinan a dirigente de la comunidad garífuna en Honduras," *Telesur*, Sept. 9, 2019, https://www.telesurtv.net/news/honduras-asesinato-mirna-suazo-comunidad-garifuna-20190909-0011.html.
[234] "Garifuna flee discrimination and land grabs in record numbers," *Telesur*, Feb. 23, 2017, https://www.telesurenglish.net/news/Garifuna-Flee-Discrimination-and-Land-Grabs-in-Record-Numbers-20170223-0002.html.
[235] Minority Rights Group International, *World Directory of Minorities and Indigenous Peoples - Honduras*, May 2018, available at: https://www.refworld.org/docid/4954ce1a23.html

services. There are more than 400 informal settlements located around Tegucigalpa in earthquake-prone areas of the city, which were recently devastated by Hurricanes Iota and Eta.[236] Additionally, indigenous migrants in Honduran cities continue to face discrimination, poverty and marginalization. In major cities such as Tegucigalpa or San Pedro Sula, a culture of national unity has long been promoted based on *mestizo* values, leaving little room for indigenous expression. Indigenous migrants also struggle to access employment due to discrimination, with many ending up in low-paid or informal jobs. Due to these factors increasing their marginalization, indigenous residents, particularly women, are more highly vulnerable to gang violence and other security risks facing major cities.[237]

Indigenous women often face discrimination or violence from their own families and communities in Honduras, especially if they refuse to ascribe to traditional gender roles. In a final declaration from the Self-Organized Constituent Assembly of Indigenous and Afro-Honduran Women of 2011, indigenous women in Honduras reported that "many of us live with the violence of our own colleagues [in our organization] and the marginalization by men in our communities and beyond, which are obstacles to our full participation and improvement of our lives as women."[238] While state violence and attacks on indigenous territory were among the principal concerns mentioned in the declaration, the indigenous women at the 2011 assembly also denounced gender-based violence and discrimination within their own communities.

Specific Threats Faced by Garifuna Hondurans

The Garifuna are a population of mixed indigenous and escaped slaves from West Africa that established themselves on the Caribbean coastline of Central America. Their indigenous and Black ancestry sets them apart from the dominant mestizo (white and indigenous) population, and because they are linguistically, ethnically and racially distinct from the mestizo populace, they often face discrimination. In recent years, land struggles have displaced many Garifuna people, especially women, who in the matrifocal Garifuna culture are the ones to control communal landholdings. In addition to increasing violence over land disputes since the 2000s, the Garifuna face discrimination in the educational and justice systems. Although the Honduran government claims racism does not exist in the country,

[236] Minority Rights Group International, *World Directory of Minorities and Indigenous Peoples - Honduras*, May 2018, available at: https://www.refworld.org/docid/4954ce1a23.html
[237] Minority Rights Group International, *World Directory of Minorities and Indigenous Peoples - Honduras*, May 2018, available at: https://www.refworld.org/docid/4954ce1a23.html
[238]Margaret Thompson, "Indigenous and Afro-Honduran Women: Autonomy and an End to Violence Against Us," *Upside Down World*, July 27, 2011, https://upsidedownworld.org/archives/honduras.

scholars have found systemic discrimination in schools where Garifuna are racialized and thought to be "lazy, combative, uneducated" and criminal.[239]

Persecution of Garifuna Activists

There is ample evidence that Garifuna and other indigenous people in Honduras have been killed for defending their land rights, often with the complicity of local law enforcement. Since the 1980s, the Garifuna have struggled to keep their land in the face of tourist developments. The Honduran government has assisted in the forced eviction of Garifuna from their land, notably in the Tela Bay region which has been the focal point of the Honduran tourism industry since 2001.[240] In February 2023, the Inter-American Commission on Human Rights (IACHR) condemned the murders of five land activists including Ricardo Arnaúl Montero, a Garifuna leader who was murdered in late January 2023 in the Tela Bay region.[241] There are approximately 10,000 Garifuna in Tela out of a population of around 100,000, meaning that although this town has the highest concentration of Garifuna, they still only comprise 10% of the population.[242]

In 2019, at least 14 indigenous rights defenders were murdered in Honduras, making it the 5th most deadly country for activists out of 21 nations surveyed by the advocacy group Global Witness. In July 2020, five Garifuna leaders were abducted at gunpoint from their homes by uniformed police officers from the northern Honduran town of Triunfo de la Cruz, 7 kilometers from Tela; their whereabouts are still unknown. Just one month before on June 21, 2020, veteran Garifuna activist Antonio Bernardez was found dead after his disappearance six days earlier. Between September 2019 and July 2020, five Garifuna activists were murdered in Honduras according to the U.N. Human Rights Office.[243] The Inter-American Commision on Human Rights has estimated that there is a 90% impunity

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[239] Marilyn McKillop Wells, *Among the Garifuna: Family Tales and Ethnography from the Caribbean Coast* (Tuscaloosa: University of Alabama Press, 2015).
Kerri Vacanti Brondo, *Land Grab Green Neoliberalism, gender and Garifuna resistance in Honduras* (Tucson: University of Arizona Press, 2013).
Rebecca Williams, *Innovate: Background Report on the Garifuna of Honduras*, USAID,2014, https://innovate.cired.vt.edu/wp-content/uploads/2015/08/InnovATE_Garifuna_addendum.pdf.

[240] James Rodriguez, "Garifuna Resistance Against Mega-Tourism in Tela Bay," NACLA, Aug. 5, 2008, https://nacla.org/news/Garifuna-resistance-against-mega-tourism-tela-bay.

[241] Press Release, "IACHR Condemns Murders of Rights defenders in Honduras," Organization of American States, Feb. 14. 2023, https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media_center/PReleases/2023/022.asp.

[242] "Tela, Atlántida: Información General, 2018," Instituto Nacional Estadística, 2018, https://www.ine.gob.hn/V3/imag-doc/2019/08/Tela-Atlantida.pdf.
"Comunidades Garifunas de Honduras," Cristosal, p. 3, https://www.ohchr.org/sites/default/files/Documents/Issues/Racism/RES_43_1/NGOsAndOthers/cristosal.pdf..

[243] Anastasia Moloney, "Honduran minority fears for survival after leaders abducted," *Reuters*, July 31, 2020, https://www.reuters.com/article/us-honduras-landrights-violence-trfn-idUSKCN24W1OG.

rate for crimes committed against human rights activists in Honduras, making activists especially vulnerable to retributive violence.[244]

The Black Fraternal Organization of Honduras (OFRANEH) is an organization that works to protect the economic, social, and cultural rights of Garifuna communities through community protests and through promotion of Garifuna cultural practices.[245] OFRANEH has reported that between 2008 and 2019 there have been 105 reported acts of violence against Garifuna individuals including murders, threats, and abductions. Another investigation revealed that in the same period there were 685 reported acts of violence towards environmentalists in Honduras, many of whom identified as Garifuna.[246] The United Nations Human Rights Office reported in 2021 that Garifuna activists are at high risk of being victims of corruption from police and government officials for their participation in land-related protests. Leaders of Garifuna activist groups have been criminalized for participating in protests and the government has continuously ignored complaints about human rights violations. In 2015 the Inter-American Court of Human Rights (IACHR) pushed the Honduran government to acknowledge the human rights violations against Garifuna communities and to give reparations such as the defining and titling of Garifuna traditional lands. Although the IACHR has presented multiple rulings over the years that recognize Garifuna land rights, the Honduran government has not taken action to implement these reparations or to facilitate dialogues with Garifuna communities.[247]

With regards to specific racially motivated discrimination, the Latin America Working Group asserted in 2018 that OFRANEH has repeatedly been targeted by state security forces. On December 18, 2017, while Garifuna community members were peacefully protesting, police forces including military police and special riot police arrived and threw teargas at demonstrators, before entering the community itself and throwing teargas into a number of houses. That same day, unknown assailants fired shots at community leader Luis Enrique Garcia, injuring him with a bullet. OFRANEH reported in January 2018 that "hitmen have

[244] "World Report 2022: Honduras," Human Rights Watch, https://www.hrw.org/world-report/2022/country-chapters/honduras#2f0274

[245]"Black Fraternal Organization of Honduras," Grassroots International, https://grassrootsonline.org/who-we-are/partner/black-fraternal-organization-honduras-ofraneh/#:~:text=A%20grassroots%20organization%20working%20with,and%20defense%20of%20Mother%20Earth

[246]Allan Bu, "For Defending Their Land and Culture, Violence Struck the Garifuna People" *ContraCorriente*, Aug. 16, 2020, https://contracorriente.red/en/2020/08/16/for-defending-their-land-and-culture-violence-struck-the-Garifuna-people/

[247] "Honduras Must Stop Criminalizing Defense of Indigenous Rights, Say UN Experts," United Nations Human Rights Office of the High Commissioner, July 9, 2021, https://www.ohchr.org/en/press-releases/2021/07/honduras-must-stop-criminalising-defence-indigenous-rights-say-un-experts

made nighttime incursions into the Garifuna communities and reportedly have a list of people to be eliminated."[248]

Arbitrary arrests also continue to be a problem in Honduras, particularly among the Garifuna community. The US State Department's 2022 Human Rights Report on Honduras indicated that CONADEH, a Honduran human rights organization, recorded 33 arbitrary arrests in the first eight months of 2022. The Report also noted that "judicial inefficiency, corruption and lengthy pretrial detention was a serious problem."[249] Garifuna individuals have little representation in the Honduran government and for that reason, they have limited political power within the country. This lack of political representation and power has led to conflict over traditional Garifuna lands and the allocation of natural resources. The nature of Garifuna culture and perspectives on land ownership—most Garifuna lands are owned communally—complicates this issue as their land titles are not clear or well-defined. Historically, this has led to the exploitation of coastal lands by non-indigenous actors, businesses, and the Honduran government.[250]

Specific Challenges for Garifuna Women

Women from the Garifuna community are especially vulnerable to gender-based violence and discrimination in Honduran society, specifically due to the intersection of their gender and racialized identity.[251] According to a USAID study, Garifuna women in Honduras are "disproportionately affected by GBV [gender-based violence] impunity, and face catastrophic consequences of impunity in the near and long term." This same report found that in just two months in 2019, 16 Garifuna were assassinated, 6 of whom were women. The National Commission for Human Rights (CONADEH) also recorded 22 complaints by Afro-Honduran women for human rights violations in 2020.[252] Racism towards Garifuna women negatively impacts their access to employment, education, housing, and health

[248] Lisa Haugaard, Daniella Burgi-Palomino, and Andrea Fernández Aponte, "Between a Wall and a Dangerous Place: The Intersection of Human Rights, Public Security, Corruption & Migration in Honduras and El Salvador," Latin America Working Group Education Fund, March 2018, https://www.lawg.org/wp-content/uploads/Between-a-Wall-and-a-Dangerous-Place-Report-2018.pdf.

[249] U.S. Department of State, "2022 Country Reports on Human Rights Practices: Honduras," p. 3, ttps://www.state.gov/reports/2022-country-reports-on-human-rights-practices/honduras/.

[250] U.S. Embassy in Honduras, "Rights of Vulnerable Communities: Women and Children; Indigenous, Garifuna, and Afro-Honduran Communities; Lesbian, Gay, Bisexual and Transgender Comm," July 28, 2014, https://hn.usembassy.gov/our-relationship/policy-history/issconc_rights/

[251] "IACHR Condemns the Prevalence of Murders and Other Forms of Violence Against Garifuna Women in Honduras," The Inter-American Commission on Human Right (IACHR), September 24, 2019, ahttps://www.oas.org/en/iachr/media_center/PReleases/2019/238.asp.

[252] Jennifer Ávila, et al, "Gender-Based Violence Impunity Regional Study: Honduras Case Study," Latin America and Caribbean Learning and Rapid Response, USAID, October 2022, p. i, 9, https://pdf.usaid.gov/pdf_docs/PA00ZQ54.pdf.

services.[253] They are also at a greater risk of gendered violence "with as many as 8 out of 10 Garifuna women experiencing domestic violence."[254] Limited opportunities, engagement in a lower-paying workforce, and gender inequality increase the vulnerability of Garifuna women, which is also reflected in the higher risk of contracting HIV and other sexually transmitted infections compared to other populations in Honduras.[255]

HIV Within the Garifuna Community

HIV-positive individuals within the Garifuna community face discrimination and stigma, resulting in barriers to employment and forced isolation from family and other community members. Local health workers have told stories of families that have kept HIV victims quarantined in their rooms, throwing away their dirty clothes and dishes rather than washing them.[256] Despite broad familiarity with the disease in the Garifuna community, HIV remains highly stigmatized, resulting in a lack of treatment access even as medicine becomes more widely available in Honduras. Questions of power, *machismo*, and sexuality additionally complicate the situation for Garifuna women hoping to prevent infection.[257] Garifuna women are burdened with issues affecting HIV transmission such as negotiating safe sex, low levels of HIV prevention knowledge, and poor access in some regions to HIV testing or treatment for HIV-infected individuals. In addition to HIV, Garifuna women, and women in general in Honduras, face such structural issues as poverty, intimate partner violence, low literacy and poor access to comprehensive healthcare. All these factors likely contribute to high HIV prevalence and poor HIV-related health outcomes among Garifuna women.[258]

Situation of Garifuna Under President Castro

Even though President Xiomara Castro has indicated a more supportive stance toward indigenous people in the country, Garifuna and other indigenous activists continued to be murdered. On April 30, 2022, Justo Benítez Sánchez, a well-known Lenca indigenous activist

[253] U.S. Department of State, "2022 Country Reports on Human Rights Practices: Honduras," ttps://www.state.gov/reports/2022-country-reports-on-human-rights-practices/honduras/.

[254] Hannah F. Kalichman, Critical Population Spotlight: HIV and the Garífuna of Honduras—Comment on Gandhi et al. "Migration, Multiple Sexual Partnerships, and Sexual Concurrency in the Garífuna Population of Honduras," *AIDS Behav* 19, 1571–1573 (2015). https://doi.org/10.1007/s10461-015-1149-0

[255] Hannah F. Kalichman, Critical Population Spotlight: HIV and the Garífuna of Honduras—Comment on Gandhi et al. "Migration, Multiple Sexual Partnerships, and Sexual Concurrency in the Garífuna Population of Honduras," *AIDS Behav* 19, 1571–1573 (2015). https://doi.org/10.1007/s10461-015-1149-0

[256] Jens Erik Gould, "Braving the Stigma in Honduras: A Garifuna Woman Reveals Her HIV Status," *Pulitzer Center,* April 3, 2013, https://pulitzercenter.org/reporting/braving-stigma-honduras-Garifuna-woman-reveals-her-hiv-status.

[257] James P Stansbury, Manuel Sierra, "Risks, stigma and Honduran Garifuna conceptions of HIV/AIDS," *Social Science & Medicine* Volume 59, Issue 3 (2004), https://www.sciencedirect.com/science/article/abs/pii/S0277953603005963?via%3Dihub.

[258]Miriam Sabin, George Luber, Keith Sabin, Mayte Paredes, and Edgar Monterroso, "Rapid Ethnographic Assessment of HIV/AIDS among Garífuna Communities in Honduras: Informing HIV Surveillance among Garífuna Women." *Journal of Human Behavior in the Social Environment* 17 no. ¾ (2008): 237–57. doi:10.1080/10911350802067773.

was shot and killed and a few days later, on May 1, a Garifuna activist, Alonso Salgado was killed during an attack on the house of a fellow Garifuna activist, who was also injured. These ongoing murders of indigenous activists demonstrate the continuing dangers facing afro and indigenous populations in Honduras.[259] Additionally, during Castro's presidential campaign, she promised to comply with the 2015 IACH ruling promoting Garifuna rights to their ancestral land and support of Garifuna communities. These promises have gone unfulfilled and Garifuna and other indigenous lands continue to be developed and used for tourism. Under Castro's leadership, a peaceful land protest in response to a land eviction turned violent when police and army forces were sent to disrupt them. Castro claimed that she was unaware of the eviction in question.[260]

[259] "Lenca and Garifuna Leaders Killed Within Two Days," *Civicus Monitor*, May 18, 2022, https://monitor.civicus.org/updates/2022/05/18/honduras-lenca-and-Garifuna-leaders-killed-within-two-days/.
[260] Marisela Trevin, "Under Xiomara Castro's Government, the Garifunas in Honduras Still Await Answers in the Struggle for Their Land," *Left Voice*, Nov. 19, 2022, https://www.leftvoice.org/under-xiomara-castros-government-the-Garifunas-in-honduras-still-await-answers-in-the-struggle-for-their-land/