

SDC'S HUMAN RIGHTS PROGRAMME IN HONDURAS: PROTECTING THE MOST VULNERABLE



Even Mona Lisa reaches for the colt: pictorial comment by an anonymous artist on the insanity of the spiralling violence in Tegucigalpa.

Honduras is the country with the highest level of violence in the world. There are 80 murders for every 100,000 inhabitants per year – more than in many war-torn countries. The violence affects everyone, but hits the poor twice as badly: over 85% of people killed come from the lower levels of society. In addition, government funding for the social sector is diverted into the security sector to combat violence. In this way, violence is also impeding the social development of the country. What is the SDC doing to combat this? In collaboration with the United Nations Development Programme (UNDP), since 2011 human rights have been strengthened at various levels of the state and society. The programme has paved the way for the opening of the UN Human Rights Office in Honduras in 2015, financed partly by the SDC.

Tegucigalpa. Since the fall of the left-liberal president Manuel Zelaya in 2009, Honduras has been on the blacklist of the Inter-American Commission on Human Rights. The breakdown of constitutional order polarised society, weakened insti-

tutions and turned the country into a pariah. Following new elections, the situation normalised at a slow pace: only in 2011 did Honduras return as a full member of the international community, though violent crime, human rights violations and impunity

remained at an alarming level. Switzerland therefore attaches priority to strengthening the rule of law. The cornerstones of the human rights programme, which was begun in 2011 and has an annual budget of CHF 2 million, are to strengthen a transparent judiciary, reform of the prison system, support minorities and protect threatened activists. These areas are key to a more peaceful and socially just development. The programme is being implemented in cooperation with the UNDP, the national authorities and representatives of civil society.

A SECOND CHANCE FOR YOUNG DELINQUENTS

Open any newspaper in Honduras and you will be confronted with violent headlines such as “Taxi driver executed” or “Police catch young contract killer”. Violence hangs like a sword of Damocles over the entire population. Violence is commonplace and used not only by drug cartels, gangs of youths and law enforcers who have gone astray. Internal family feuds and disputes with neighbours are settled by violence, in a country where justice has broken down and people have not learned to settle their differences by peaceful means.

“It is utter madness,” says Anny Belinda Ochoa. The 38-year-old criminal court judge recently completed a human rights course for court employees, which was supported by the SDC. The course convinced her that alternative legal means are the right way. She has had six hearings today. Beside her sit Juan and Sebastián. Juan fiddles nervously with his armband, Sebastián stares awkwardly at the floor. “Attempted robbery” goes the charge levelled against the two friends, aged 15 and 16. “We weren’t thinking straight,” Juan mumbles. Alcohol, marijuana? They don’t say anything, conscious that what they say might be used against them. The state is the enemy in the circles they move in. Both have dropped out of school, the



Anny Belinda Ochoa, criminal court judge for juvenile offenders: giving young people a second chance does more for society than tough sentencing.

sons of lone, working mothers. They live in a poor neighbourhood, terrorised by gangs of youths. According to the law, Ochoa could sentence them both to prison. But she does not do that. Instead, they have to apologise, do community service, complete their schooling or do vocational training, and register with the court once a fortnight. She appeals to the boys’ mothers to keep a better eye on their sons. All six hearings this morning have ended with similar, alternative rulings. “If I stick them in prison, they’ll be guaranteed a career in criminality,” says Ochoa. “This way they’ve still got a chance.”

MORE HUMANE CONDITIONS IN PRISONS

Juan is traumatised. During his two-months in provisional detention he was subjected to beatings and forced to witness torture. The prison conditions are appalling: overcrowded by two to three times their capacity, with no minimum standards of hygiene, let alone rehabilitation measures. Murders, shootings and prison fires are a regular occurrence. Prisoners have no lobby. After they are released, more than a third are likely to reoffend. “Society and politicians have written them off,” says Alba Mejía from the civil society Committee against Torture. Together with the lawyer Odalis Nájera of the state-run Commission for the Prevention of Torture and Inhumane Treatment, she regularly visits the 24 detention facilities in the country, today they are in Támara, 25 kilometres outside the capital. Both organisations are supported by the SDC.

In the “United Kingdom” section sit 65 former gang members. One of them is Marlon. At the age of 22, he was brought in for car theft and gang crime. He is now 32 and regrets the sins of his youth. “Here we live in the eye of the hurricane,” says Marlon, a man with tattooed forearms, in a courtyard filled with laundry hung up to dry. At the entrance and on the wall, prisoners keep watch: “We are on alert. The occupants of the neighbouring section sometimes throw grenades or shoot at us,” he says.

“I inherited a failed institution. From here the gang leaders organised their drug dealing and gave orders for kidnappings and murders,” says the prison director, Lieutenant-Colonel Guillermo Sandóval.



Working for decent conditions of detention: a staff member of the UN Committee against Torture during a consultation in Támara prison.

He then goes through a list of concerns with Nájera: the drains need repaired – a cloud of stench pervades the whole prison; the state owes money to the firm that delivers the food; two new gangs of youths need a section to themselves, otherwise they’re going to get massacred by the other inmates; one of the inmates is seriously ill and needs to be evacuated to hospital. Not everything can be fixed immediately, but thanks to the two organisations’ involvement many of the problems can be alleviated. In addition to humanitarian improvements, the SDC is also supporting a complete reform of the prison system. A strategy developed with national and international experts is now awaiting implementation by the government.

KEEPING MINORITIES FROM GOING TO THE DOGS

Santiago Flores is also a champion of human rights. The lawyer belongs to the indigenous tribe of the Miskito and specialises in ethnic minorities. In El Cruce, a small community outside Tegucigalpa, he advises 250 descendants of the Lenca indigenous people. In 2012, on their land a Costa Rican company built the largest wind power plant in Central America, with 54 wind turbines feeding 120 megawatts into the national grid. The house of the village chief Alfredo Varela is only 120 metres away from the wind turbines. The sinking of the wind turbines shook the floor and cracked the walls of his brick and clay house. The excavators dug up his neighbour’s freshly sown land, and the transformation substation was erected on the village football pitch. That was when it became clear to the 42-year-old that all was not as rosy as the engineers had promised the local residents.

“KEEP REMINDING THE STATE OF ITS OBLIGATIONS”



Interview with **Walter Reithebuch**, deputy head of the SDC's cooperation office, responsible for human rights and violence prevention

Mr Reithebuch, how would you assess the past four years of the human rights programme in Honduras?

The aim is to improve the rule of law. This is a lengthy process. With the Honduran authorities we first had to raise awareness of the human rights situation and make suggestions for improvements. We have made some progress. There is now for the first time a national plan for human rights and a basic document against discrimination and racism. Likewise, there is now a strategy for a comprehensive prison reform.

That's the theory. How is it working in practice?

The difficulty is to actually implement these reforms, which poses a challenge for the state and its ministries. Equally im-

portant is incorporating the new laws at the local level. In some communities, pilot projects are being implemented.

Together with the UNDP, the SDC has already been able to address a number of issues. Tell us about some of your successes. It is important to strengthen the justice system. Human rights training for judicial officers is contributing to that. A first group has completed the course, and the feedback is positive. There is also now a human rights manual for public prosecutors, setting out standardised legal procedures and protocols. Another good thing is the accompaniment of human rights defenders, which we support along with Peace Brigades International (PBI) and Peace Watch Switzerland (PWS). It's amazing what good protection can be given to threatened human rights defenders by foreign observers accompanying them. Also important is support for local community organisations. They have a lot of knowledge and ideas to strengthen the rule of law, but often have a limited say.

Where do you see problems?

The Honduran government has countless problems to resolve. Human rights don't seem to be the top priority. What is needed is a paradigm shift away from a repressive authoritarian system to a security model based on prevention that the citizens can relate to. Switzerland wants to

support that. But the situation is complex. On the one hand reforms are gradually taking place. On the other hand, we are seeing with the creation of the military police a militarisation of security. For real change, it will take time and unwavering commitment. Another problem is the politicisation of institutions. Competent people are replaced from one day to the next. There needs to be a professional civil service, which would bring more continuity and expertise to state institutions.

In 2015, the UN is opening a human rights office in Honduras. The SDC is providing considerable support to this office. What are your expectations in that regard?

The government encouraged the opening of the UN human rights office, and we are pleased that the authorities have recognised that the human rights situation needs to be improved. The UN human rights office's main tasks are twofold: first, reporting on the human rights situation and second, dialogue with government and civil society to strengthen human rights protection and fight impunity more effectively. It is the responsibility of the office and the entire international community to keep reminding the state of its human rights obligations.



Windmills in their own back yard: the profits go to private investors, meanwhile the Lenca community of El Cruce have paid the price, having had to let their land at knockdown prices.

The residents of El Cruce were pressured into leasing their land out for little money in the hope that roads would be built and land titles would be forthcoming, as the company had led them to believe. But nothing happened. “We only get crumbs,” complains a neighbour. Not even the electricity has got cheaper. Nor are there any jobs or scholarships for our young people. The company says it's the government's responsibility. Flores advises Varela to register El Cruce as an indigenous community in order to substantiate the claims legally.

71% of Hondurans are considered poor according to World Bank criteria. They barely know their rights, and have neither money nor time to demand them. The legal advice provided by lawyers such as Flores is therefore an important part of the SDC's programme. “In Honduras, many megaprojects are planned,” explains

Walter Reithebuch, deputy SDC coordinator. Conflicts are inevitable. The work of human rights lawyers is so important because it helps ensure that the rights of the weak and minorities are respected.

PROTECTION FOR THREATENED JOURNALISTS AND CIVIL RIGHTS ACTIVISTS

Anyone working for human rights in Honduras has a tough time. Human rights activists and journalists who reveal uncomfortable truths and serve as the mouthpiece for the weak come into the firing line of the powerful. Last year alone, five human rights lawyers and seven journalists were murdered. The murders are almost never elucidated. Impunity is unacceptable, according to the UN Special Rapporteur on Freedom of Expression, Frank La Rue, who urges stronger government protection measures. The programmes exist only on paper. That is why the SDC supports civil society organisations such as Peace Watch Switzerland (PWS) and Peace Brigades International (PBI), who step into the breach to accompany threatened human rights defenders.



Human rights lawyer Santiago Flores advises the community of El Cruce how to defend their rights.

Valéry Elsig has been on mission in Honduras for the past year. The biologist from Lausanne acts as a kind of human shield for a threatened journalist and prominent employee of the Centre for Community Development. The organisation supports farming communities all over the country that are advocating ecological development and are fighting back against megaprojects. Members of the network have received death threats, some have been murdered. Elsig therefore voluntarily accompanies the activists to external meetings in dangerous areas.

"We know that no one can fully protect us, but Valéry is for us an important support," says José-Luis Espinoza from the centre. Her white t-shirt with large green letters says "Attention, the outside world is watching!" – and that often deters more than armed bodyguards. Elsig's mission also involves international lobbying. Using the internet and solidarity networks, she disseminates news about the cases that the Centre for Community Development handles. "I am fascinated by the concept of solidarity in practice," she says. "It is simple, cheap, and takes enormous pressure off of those who are threatened."

All these experiences of state actors and the civil society have been incorporated into the SDC's human rights programme and systematically included in the first national plan for human rights. The report published in 2014 formulates objectives and defines measures for sustainable improvements in the human rights situation. Now the ball is in the government's court. Work has already begun on some of the recommendations, such as the construction of new, modern prisons. According to Reithebuch, sustained international support is necessary for the continuation of the reforms. The Honduran government shares that view. At the invitation of



International attention provides protection for Honduran human rights defenders: Valéry Elsig from Peace Brigades International, accompanied by José-Luis Espinoza from the Centre for Community Development.

the government, the Office of the United Nations High Commissioner for Human Rights will open a country office in Honduras in 2015 with national and international experts. This will raise still further the profile of human rights work in Honduras. Switzerland is providing the main financial contribution, together with the United States. With its human rights programme, the SDC has laid the foundation for a successful mission.

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Editor

Swiss Agency for Development and Cooperation SDC
Latin America and the Caribbean Division
Freiburgstrasse 130, CH-3003 Bern
Tel.: +41 58 462 34 41
cosude.amlat@eda.admin.ch

Photos: Sandra Weiss; Thomas Jenatsch/Cosude

More information: www.eda.admin.ch/honduras

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