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HONDURAS

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Although some progress has been registered, human rights violations continue to pose a real problem to democratic consolidation in Honduras. Violations include abuse of power, corruption, immunity for legislators, long periods in jail without trial, the jailing of minors with adults, intimidation and death squad activity. The impact of Hurricane Mitch on the human rights situation in Honduras will need to be followed closely. Honduras is not on the agenda of the CHR.

BACKGROUND

Widespread poverty complicates the historically weak promotion of human, social and political rights in Honduras, and impedes the general population's ability to exercise their rights. Civil-military relations traditionally have been a major source of human rights problems in Honduras. The current President, Carlos Flores, is continuing with reforms initiated by his predecessor, Carlos Reina, to limit the powers of the armed forces.

On Jan. 26, 1999, the Honduran Legislature unanimously ratified a **Constitutional Amendment** transferring the authority of Commander-in-Chief from the Chief of the Armed Forces to the President. The President exercises this authority through the Secretary of Defence who, in turn has authority over the military Joint Chiefs of Staff. The current Minister of Defence is a military officer, Col. Cristobal Corrales, but the position is intended, eventually, to be filled by a civilian.

President Flores has also followed through on Reinas' initiative to create a **civilian police force** under the Public Security Secretariat (policing was formerly under military jurisdiction). Flores successfully responded to criticisms of the proposed law (approved December 5, 1998) to demilitarize the police by creating a Commission of national human rights NGOs to monitor the activities of the new police force. The new police force is severely handicapped by a lack of resources: the officers are not paid regularly, do not receive adequate training, and are not sufficiently equipped. The weakness of the police force is reflected in worsening and widespread criminal violence and in police violations of human rights. This situation also impedes the government's ability to keep the military out of the realm of public security.

Honduras remains mired in controversies over the **amnesty law** which protects those members of the armed forces who were implicated in gross crimes against humanity in the 1980s. Despite amnesty, however, the power of the Honduran military has been dramatically curtailed. Immunity is also a controversial requisite of elected office; legislators enjoy immunity from prosecution, a fact that contributes to rampant corruption in Honduras.

The **administration of justice** continues to be one of the greatest failings of the Honduran state. Criminal investigations are very slow, even when the culprits are known. The judiciary is underfunded, and many of the judges are corrupt or incompetent. The penal system is also problematic. Overcrowding is a real problem in the jails, with up to 90% of those incarcerated awaiting trial or formal charges. The weakness of the judicial system, particularly the

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