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Honduran Government Welcomes OAS Anti-corruption Team; Popular Movement Skeptical

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Corruption, invariably coupled with impunity, is a phenomenal enemy to be dealt with in Honduras and is the task assigned by the Organization of American States (OAS) to a work group enthusiastically welcomed by the government but seen with skepticism, at best, by the popular movement demanding effective, independent action against impunity.

This impoverished, violent Central American nation’s history is plagued by military dictatorships and corrupt civilian governments, among other negative factors that have kept the country from reaching at least acceptable levels of development.

The most recent dictatorship—in power for seven months following the June 2009 bloody civilian-military coup that toppled President Manuel "Mel" Zelaya (NotiCen, July 2, 2009)—marked a historic landmark: people decided to act, massively taking to the streets in nationwide rage to oppose the illegitimate military-civilian action whose participants included leaders of the party then in power.

Despite merciless repression—both massive and selective—popular resistance held on, elections—however doubtful—took place (NotiCen, March 4, 2010), and the country formally returned to normal. However, human rights and other civil-society organizations say "el golpe sigue" (the coup goes on). So does corruption—and the people’s will to confront it.

The second of the two post-coup elected presidents, Juan Orlando Hernandez, has now been the target of massive street demonstrations calling, among other demands, for his resignation. The spark igniting the fire was a major corruption scandal that tested the people’s patience: the plundering of the country’s social security system (NotiCen, Aug. 27, 2015).

Local media reports say the pillaging of the Instituto Hondureño de Seguridad Social (IHSS) two years ago caused the institution a 6.4 billion lempira (US$209 million) deficit. The rip-off, accomplished through overpriced or fake IHSS purchases of medical equipment to nonexistent pharmaceutical companies, led the social security system to collapse. As a consequence, as many as 3,000 patients died, the media reported (NotiCen, July 2, 2015).

Honduran journalist David Romero, director of Globo Radio and TV, who broke the news on May 8, said some of the money went to fund Hernández’s successful presidential campaign two years ago.

Immediately, hundreds of thousands of people—peacefully, but angrily—took to the streets in Tegucigalpa, the nation's capital, and other cities throughout the country. The spontaneous protests—torch-lit demonstrations usually held at dusk—soon became the massive Movimiento de Indignados—now the Oposición Indignada—which was backed by a 42-week hunger strike by some 20 persons, including members of indigenous communities.
Protesters call for international body

The Indignados demanded, along with Hernández's resignation, that an anti-impunity mechanism be created for Honduras similar to the one set up in Guatemala by the UN, which last month sent that corruption-ridden country’s president and vice president to jail under corruption charges (NotiCen, Sept. 3, 2015). They called the Honduran initiative the Comisión Internacional contra la Impunidad (CICI).

In a successful move to calm down the protestors, JOH—as Hernández is known—publicly declared himself indignado by corruption as well, launched a national dialogue, and, trying to outdo the popular movement, hastily proposed what he described as an even better anti-corruption structure: the Sistema Integral Hondureño de Combate a la Impunidad y la Corrupción (SIHCIC). He also quickly called on the UN and the Organization of American States (OAS) for backup, and got the continental body—however battered its image—to come to the rescue.

After holding talks with actors from both sides, the OAS came up with a proposal it labeled Misión de Apoyo contra la Corrupción y la Impunidad en Honduras (MACCIH). MACCIH’s work will aim to cover five main action areas, ranging from supporting Honduran investigation and prosecution bodies to creating a structure that will monitor and evaluate progress in the reform process of the country’s justice system, the OAS reported in a press release shortly after the initiative was announced.

The areas for this oversized project include establishing a group of international judges and attorneys whose task will be to supervise, advice, and support Honduran bodies in charge of the investigation and criminal prosecution of corruption-related crimes.

Also, through the Centro de Estudios Judiciales de las Américas (CEJA), the mission will assess the Honduran justice system. It will support the implementation of recommendations by the OAS's Inter-American Convention against Corruption and the Follow-Up Mechanism for its Implementation (MESICIC) and will assist in implementing recommendations by the Sistema Nacional de Seguridad Ciudadana (SNSC).

The mission will also work on creating an Observatorio Judicial, made up of academic as well as civil-society organizations, for follow-up and evaluation of progress in the Honduran justice system’s reform.

The start of the task force’s actual fieldwork will be laid out by an OAS delegation scheduled to visit the country this month.

OAS says solution will reflect Honduran reality

During the Sept. 28 announcement at OAS headquarters in Washington, DC, in the presence of Hernández, Foreign Minister Arturo Rosales, other Honduran officials, US government authorities, and ambassadors of member countries, OAS Secretary-General Luis Almagro said that the initiative "is oriented at reaching solutions that reflect the Honduran reality. In all this, the main aim is to strengthen Honduran institutions."

"The mission will seek to improve the services offered by the justice apparatus in Honduras, and, for this, it will work together with the state’s institutions and the civil society," Almagro, a former
Uruguayan foreign minister, said. "It is obvious that the mission will go beyond being a mechanism to fight corruption and impunity. Its spirit aims to contribute for the justice system to be an effective tool in the fight against impunity, to earn the Honduran people’s respect, and to become an essential part of the democratic system."

"It won’t be an easy task. It’s a transformation that requires support from all sectors in the country’s social, political, and economic spectrum, and also from the inter-American system," Almagro added. "The hemisphere will have its eyes on Honduras. Definitely, our job is to make us all equal before the law. The examples that Honduras is giving in this field are definitely examples for the entire continent."

"For Honduras, strengthening our justice system is a priority. ... I understand and share the criterion about making this strengthening deeper through ... a support, advice, and supervision dimension entrusted to external judges and attorneys, international professionals of the highest reputation and solvency," JOH said during the OAS ceremony.

Hernández pointed out that the starting point for dialogue is the need to strengthen people’s trust in state institutions through what he described as a relentless fight against corruption and impunity. "This was one of the core areas in our [election] campaign proposal and it has also been so for our government from day one," the president said. "What’s important is that, after the assistance from this mission, Honduran institutions are left solid and robust. Independence and respect of human rights is essential."

The reaction of the country’s civil society was divided, with some organizations skeptically backing the initiative and the Indignados rejecting it, as grassroots groups’ leaders told local media.

Omar Rivera, coordinator of the Asociación para una Sociedad más Justa (ASJ), said, "It’s important that the clamor of the people has been heard to put together a pool of international experts to provide technical support and advice in crime investigation and the fight against corruption. It is a model similar to what the people were asking for, similar to CICIG in Guatemala."

Referring to the judges and attorneys that would make up MACCIH, Carlos Hernández, local representative of Transparency International (TI) and coordinator of Transformemos Honduras (TH), said, "What we’d expect is for them to be high-level professionals but also people who are independent and who not only give advice but involve themselves in Ministerio Público attorneys’ investigations."

Meanwhile, Juan Ferrera, a member of the Consejo Nacional Anticorrupción (CAN) executive committee, said, "The opposition and the government must reach agreements to combat impunity and corruption." MACCIH, or a similar initiative, "must be accompanied by the entire Honduran society."

**Indignados not buying OAS idea**

In a letter Oposición Indignada leaders personally delivered to Almagro during a meeting at OAS headquarters on Nov. 4, they pointed out MACCIH's major flaws and said that the grassroots organization would not back the initiative unless it effectively contributes to tackling corruption and impunity in Honduras. The mission "shows a series of weaknesses that seriously worry us as a tool to fight against corruption and impunity," the organization warned in the four-point, two-page letter NotiCen had access to.
MACCIH "does not have an independent and impartial body to investigate corruption cases," and "recommendations made as a result of a diagnosis to be carried out are not binding," the group pointed out, adding that the previous government showed it lacked the will to comply with recommendations made by international organizations after the 2009 coup to set up an anti-corruption mechanism. In addition, the six-month report structure as a means for MACCIH to report to the OAS secretary-general on obstacles not solved by the government implies a major delay in solving the country’s corruption crisis.

Thus, "any proposal seeking real results in the struggle against corruption must include two essential elements," the group said. One is "a politically and economically independent investigation body in charge of solving and bringing to trial those involved in corruption cases that shake our society." Another is requiring "binding compliance to recommendations" by MACCIH; otherwise, "there is no certainty recommendations will be implemented and the crisis will continue."

"In case this initiative has no characteristics allowing it to solve the impunity and corruption crisis Honduras is faced with, we formally reject the proposal," Oposición Indignado stated. "The proposal for a Comisión Internacional contra la Impunidad (CICI) stands as an efficient tool and as an internationally-proved success case, since it has features for investigation and for strengthening national capabilities to fight impunity and corruption in institutional contexts similar to what we have in Honduras. This is unlike the so-called MACCIH, which still is only an unproved test lacking the previously referred to features."

-- End --