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Mission Impossible: Cracking Down on Honduran Corruption and Impunity

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Corruption and impunity go hand in hand, and in Honduras, they have been there—as a sort of negative country trademark—for as long as Hondurans can remember.

Tackling both is an uphill battle, to say the least, but the Organization of American States (OAS) and the Honduran government say that, together, they can do it. Nevertheless, skepticism runs considerably high in civil society quarters, where indignation has surfaced strongly.

The straw that broke the camel’s back in Honduras—and brought the OAS into the picture—was the phenomenal rip-off against the Instituto Hondureño de Seguridad Social (IHSS), which left a deficit of 6.4-billion lempiras (just under US$280 million) and collapsed the institution. The plundering was perpetrated three years ago by means of high-priced, fictitious IHSS acquisitions of medical equipment and drugs from nonexistent pharmaceutical companies.

### 3000 deaths
According to local media reports, as a consequence of the scam, some 3,000 IHSS patients died. And as Honduran journalist David Romero, director of Radio Globo and Globo TV reported on May 8, 2015, some of the money was funneled into President Juan Orlando Hernández’s successful 2013 election campaign.

After the news broke last year, angry but peaceful Hondurans all over the country took to the streets by the thousands to express their disgust and outrage at unpunished corruption, and to demand Hernández’s resignation as well as the creation of what they named a Comisión Internacional Contra la Impunidad (International Commission Against Impunity, CICI). The Oposición Indignada (Indignant Opposition)—initially called Movimiento de Indignados (Indignants’ Movement)—was thus born, and for months held weekly torchlight demonstrations at dusk to back their demands.

JOH—as Hernández is usually referred to in Honduras—immediately reacted with a television address declaring himself an indignado as well. He decried endemic, unpunished corruption, and in an attempt to weaken civil society’s demands and ease the pressure, called for a national dialogue on the issue (NotiCen, July 2, 2015). He even went as far as proposing what he then said was something even better that CICI: the Sistema Integral Hondureño de Combate a la Impunidad y la Corrupción (Integrated Honduran System to Combat Impunity and Corruption, SIHCIC).

The unrelenting marches—along with a 42-week hunger strike outside the Casa Presidencial—led Hernández to call on the OAS and the United Nations to step in and help find a solution (NotiCen, Aug. 27, 2015). The OAS answered the call, and after holding talks with actors from both sides, came up with a proposal: the Misión de Apoyo contra la Corrupción y la Impunidad en Honduras (Support Mission Against Corruption and Impunity in Honduras, MACCIH).
The 16-article, 17-page agreement that gave birth to the mission was signed Jan. 19 at OAS headquarters in Washington, DC, by JOH and Luis Almagro, the OAS secretary general. The mission is to be presented later this month in Honduras, the OAS has announced.

According to the lengthy agreement, MACCIH’S main aims include “supporting, strengthening and actively cooperating with the institutions of the Honduran state in charge of preventing, investigating, and sanctioning acts of corruption,” as well as “contributing to improve coordination between different state institutions that work on this issue.” It must also present the government with proposals “to reform the Honduran justice system, including legislation to strengthen the struggle against corruption within and from the private sector,” and it has to contribute to “strengthen the accountability mechanisms of the country’s justice system ... as well as civil society’s mechanisms for observation and follow-up of the justice system,” according to the text.

As a means to achieve its goals, MACCIH will work along four basic lines of action—corruption prevention and combat, criminal justice reform, political-electoral reform, and public security. The first component includes monitoring and technical support by an international team of judges and attorneys regarding Honduran justice institutions. The second aims at reviewing and analyzing work done by the country’s justice system and at making recommendations to improve the system, as well as “cooperating with the civil society in building a set of instruments for establishing a decentralized observation and follow-up system regarding criminal justice.”

The political-electoral reform item prioritizes “advice on drawing up rules about funding of political parties and election justice bodies.” The public security point refers to “supporting the generation of institutional capacities for protecting human rights defenders, journalists, social communicators, and justice operators, among others.”

The mission will also have a corruption-prevention and combat division, made up of three units. One is charged with the support, supervision and active cooperation in corruption cases in Honduras. Another will provide “legal and institutional framework reform for corruption prevention and combat in the private and public sector in Honduras,” the agreement says. The third will “follow-up on MESICIC recommendations.” MESICIC is the Spanish acronym for the OAS’ Mechanism for Follow-Up on the Implementation of the Inter-American Convention against Corruption. It supports OAS member countries in implementing the provisions of the convention through recommendations regarding areas showing legal gaps or in need of further progress.

To carry out its ambitious task, “MACCIH will act with absolute independence, autonomy, impartiality, neutrality, and transparency, through active cooperation with the Honduran state’s institutions,” the document adds.

**Freedom of Movement**

At the same time, the government will, among other obligations, “guarantee MACCIH … freedom of movement and access throughout the territory of the Republic of Honduras without any restriction whatsoever,” it points out.

“The executive branch will present Congress … and will promote a set of legislative reforms needed to guarantee the Honduran justice system’s proper functioning. Those … proposals will be drawn up by the government of Honduras with support from MACCIH in order to strengthen Honduras’ justice system to fight against corruption and impunity,” the agreement notes.
Back in Tegucigalpa, reacting to the signing of the agreement, a skeptical Oposición Indignada gave MACCIH a six-month deadline to come up with results, and insisted that the mission’s priority must be the IHSS scandal.

“We expect results during the first six months—evidence of significant progress in the Social Security case. That’s the main case we’ll be asking for results on,” Oposición Indignada leader Ariel Varela told local and international media.

“If they come up with results in other [cases], that’s fine,” he added, but “this is the first case. Cases must be prioritized. After that, we’ll go for cases of previous governments and of this government.”

MACCIH will kick off with actually two major challenges: the IHSS scam and enormous police corruption, a deeply rooted problem that has spun out of control in Honduras.

Different government initiatives to cleanse the Policía Nacional (PN) have systematically failed. In a recent example, corruption immediately infiltrated two of the new militarized police forces—the Tropa de Inteligencia y Grupos de Respuesta Especial de Seguridad (TIGRES, an acronym spelling the Spanish word for “tigers”), and the Policía Militar de Orden Público (PMOP).

Last year, in little over a month, corruption scandals broke in these two security projects promoted by Hernández (NotiCen, April 2, 2015). In the first case, 22 “tigers” were arrested under charges of having stolen US$1.3 million of the US$12.5 million they had confiscated while arresting the leaders of a drug-trafficking structure. Then, four PMOP officers were arrested while kidnapping the owner of a fruit shop in a market in the southern sector of Tegucigalpa, the country’s capital.

Honduran General Prosecutor Oscar Fernando Chinchilla said he strongly believes MACCIH must dive deeply into police corruption. The mission’s work on this issue must be “comprehensive,” he told local media. “In the police, there’s a pending issue, which is cleansing, which must be carried out with continuity and effectively, as it must be carried out elsewhere,” Chinchilla said.

His view is shared by the top leader of the private sector in Honduras. “We hope police cleansing and those types of issues are part of MACCIH’s agenda,” said Aline Flores, president of the Consejo Hondureño de la Empresa Privada (Honduran Council of Private Enterprise, COHEP).

According to an unnamed “source close to the OAS” quoted Jan. 21 by the local daily La Tribuna, the IHSS scandal and police corruption will be first on MACCIH’s agenda. The paper quoted the source as saying that “the cases that will be investigated are being determined, but for starters, the first ones they will tackle will be the IHSS squandering and police corruption.”

MACCIH is scheduled to be formally introduced in Honduras on Feb. 22, with Hernández and Almagro heading the ceremony, according to and OAS press release issued Feb. 3. Both officials are to present the mission’s mandates and will introduce the officials in charge of the work group’s components, it added.

**Invitation to civil society**

Representatives of the public sector and the country’s civil society have been invited to attend. OAS Secretary for Strengthening Democracy Francisco Guerrero and MACCIH spokesperson Juan Jiménez are scheduled to present the mission’s aims and scope during the event, the OAS also reported.
The Oposición Indignada will be closely watching MACCIH’s performance, Varela warned. “We hope society will come out demanding results from this support mission, and that progress will be seen during the first six months,” he said.

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