

8-3-2017

Honduras Aiming for "Clean Politics" in November Elections

George Rodríguez

Follow this and additional works at: <https://digitalrepository.unm.edu/noticen>

Recommended Citation

Rodríguez, George. "Honduras Aiming for "Clean Politics" in November Elections." (2017).
<https://digitalrepository.unm.edu/noticen/10452>

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in NotiCen by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.

Honduras Aiming for “Clean Politics” in November Elections

by George Rodríguez

Category/Department: Honduras

Published: 2017-08-03

This year’s general elections in Honduras will be the 10th after 1981, when Honduras formally returned to democracy after two decades of military regimes; it will be the second since the 2009 coup; and it will be the first that allows an incumbent president to seek re-election.

The vote will also be the first under recently enacted legislation designed to create a climate of “clean politics” in a country where political activity has been historically the exact opposite of that.

The 2001 election, for example, was characterized by an unethical campaign launched by the then-ruling, rightist Partido Liberal (Liberal Party, PL) against Ricardo Maduro, the presidential candidate of the also rightist Partido Nacional (National Party, PN). The campaign focused mainly on Maduro’s birth in Panama, which should have prevented him from running for the presidency, or so the PL argued. But after a lengthy legal battle, the PN’s position that Maduro’s Honduran nationality originated in his Honduran grandmother prevailed in court, and he was allowed to run. He won, as the PL feared, and served between 2002 and 2006 ([NotiCen, Nov. 29, 2001](#), [Jan. 31, 2002](#), [April 18, 2002](#)).

In 2009, elections were held under the de facto regime established through the bloody coup that took place in June 28 of that year ([NotiCen, Aug. 10, 2006](#), [Aug. 6, 2009](#), [Nov. 5, 2009](#)). The coup was staged, among other actors, by the military and the PL leadership against populist president Manuel “Mel” Zelaya, himself a PL member, seven months before the end of his term (2006-2010). The prevailing environment of repression and suspended rights led opposition sectors, as well as the deposed president, to label the vote as unconstitutional ([NotiCen, July 23, 2009](#), [March 4, 2010](#), [June 24, 2010](#)).

PN candidate Porfirio “Pepe” Lobo won, completed his term (2010-2014) ([NotiCen, Feb. 4, 2010](#)), and was succeeded by fellow PN member Juan Orlando Hernández in 2014 ([NotiCen, Feb. 6, 2014](#)). Hernández is now seeking re-election in the vote scheduled for Nov. 26.

Curiously enough, a disagreement over presidential re-election was the reason the 2009 coup leaders offered when they toppled Zelaya. Zelaya had tried to hold a referendum on a constitutional reform to eliminate the ban on re-election, which was contained in what was then described as an unchangeable constitutional article—one of the Constitution’s artículos pétreos, meaning articles written in stone.

But last year, the nation’s top court, the Corte Suprema de Justicia (CSJ), cleared the way for re-election bids, and Hernández decided to run again ([NotiCen, Oct. 6, 2016](#), and [Jan. 5, 2017](#)).

Disputed campaign funds

In a country where corruption is deeply rooted—in politics and government, in the police, in the private sector—the election process has historically been another link in the lengthy chain of illegal activities.

Money and other contributions of unknown or dubious origins often enter campaigns. Such was the case in Hernández's presidential campaign four years ago, which according to local media reports, received around 2 billion lempiras (US\$85 million) of the close to 7 billion lempiras (just under US\$300 million) pillaged from the country's social security agency, the Instituto Hondureño de Seguridad Social (IHSS) ([NotiCen, July 2, 2015](#), [Oct. 29, 2015](#), [Feb. 18, 2016](#)).

Also, as revealed by more recent local media and other reports, drug money has made its way into political campaign funding. In an analysis issued in June, the Honduran think tank Centro de Estudios para la Democracia (Center for Democracy Studies, CESPAD) asked, "Who pays for political campaigns and according to what interests do elected officials govern? Do they represent the electors' interests or those of their campaigns funders?"

Pointing to the testimony given by Leonel Rivera Maradiaga, leader of the Los Cachiros ([NotiCen, July 14, 2016](#)) drug cartel at a New York Court, CESPAD said, "From this set of evidences, it is possible to summarize that public-private corruption networks operate in Honduras, nurturing politics, and [that] the state facilitates concession contracts that generate enormous fortunes, and in some cases ... launder money and assets coming from drug trafficking and organized crime."

Calling it "the heart of political corruption," CESPAD added, "These networks are reinforced, reproduced and broadened every four years, when an election process takes place."

The long-prevailing phenomenon of massive corruption led the Organization of American States (OAS) to create the Misión de Apoyo contra la Corrupción y la Impunidad en Honduras (Mission to Support the Fight against Corruption and Impunity in Honduras, MACCIH), which began work in 2016 ([NotiCen, May 26, 2016](#)).

Besides helping investigate the IHSS and other corruption incidents, MACCIH contributed to drawing up the new campaign oversight and funding law called the Ley de Fiscalización, Transparencia y Financiamiento de Partidos Políticos y Campañas.

Passed by Congress on Oct. 20, 2016, and signed into law by Hernández on Jan. 17, the law has been dubbed la ley de política limpia, or the clean politics law.

Transparency and oversight

Among other provisions, it establishes that through every stage of the election process, pre-candidates, candidates, political parties, and political alliances must declare the funds they receive and how much they spend. The information is to be submitted to a technical unit in charge of oversight, the Unidad Técnica de Financiamiento, Transparencia y Fiscalización, created by the law as an autonomous body within the top electoral court, the Tribunal Supremo Electoral (TSE).

The unit has the power to lift banking secrecy if suspicious operations are discovered, and to propose the annulment of an election should there be proof that illicit money was introduced to finance a campaign.

The unit is made up of three commissioners who are charged with investigating candidates as well as political parties suspected of being funded with money of an illicit origin.

During the signing ceremony, Hernández said the law guaranteed “that no political party will receive money from organized crime ... ill-gotten money, for example, from drug trafficking.” And OAS Secretary General Luis Almagro said the law would be Honduras’ “vaccine against the serious illness represented by bad election financial practices and the accessory silence of those who look the other way, accepting the rules of the game” (NotiCen, Feb. 16, 2017).

The law, Almagro said, would not only be a tool to combat corruption, “but also a tool [that would allow] all Hondurans to begin to rebuild their bonds of confidence with their leaders and representatives in anti-corruption issues ... Without a doubt, it will strengthen the country’s democracy.”

But Almagro’s and the government’s optimism has been chipped away, to some extent, by reality.

When the law was published by the official government publication, the *Diario Oficial La Gaceta* anomalies immediately surfaced—an article had been omitted, the law’s enforcement date had been pushed back by 90 days, and the contents of a second article had been changed, altering the starting date of the technical unit’s work.

On March 24, the local electronic news outlet *Criterio* quoted Carlos López, production manager of the organization that prints *La Gaceta*, the *Empresa Nacional de Artes Gráficas (ENAG)* as saying, “We have no knowledge [of what happened] ... The only thing we do is receive the documents ... and we immediately carry out the publication.”

Criterio also reported that the opposition *Partido Anti Corrupción (PAC)* had warned about the risk of the technical unit not being set up in time, which would be advantageous for the PN, “because it disposes of the state’s funds.”

Observers skeptical

Exactly a month later, *Criterio* quoted *CESPAD* as having sent out an alert regarding the manipulation of the law’s contents, among other “complaints that place at risk its implementation in the [November] general elections.”

CESPAD added that “*MACCIH* representatives had requested ... from Congress the recordings of the session in which the law was passed, in order to verify” those reports, and pointed out that “Congress has had to publish a correction about the law in the official journal.”

It also mentioned that “unjustified delays have been reported [that are] aimed at extending” the creation of the technical unit and the election of its members “for the purpose of preventing the law from being in force for the November general elections.”

CESPAD, for its part, asked for guarantees that the country’s general elections take place based on what the “clean politics” law established. And the *Grupo de 16 (G-16)*, made up of 16 interested countries, sent a letter to Mauricio Oliva, the president of Honduras’ Congress, expressing “concern over the changes made to the text of the law since its original approval.”

The initiative was “modified in a way that limits its original scope,” the G-16 added in the letter, signed by the group’s pro-tempore president, Pierre-Christian Soccoja, the French ambassador to Honduras.

“In its present form, both the legal text’s spirit and its original scope have been reduced, which could limit action by election authorities, particularly by the new Funding, Transparency and Oversight Technical Unit attached to the Supreme Electoral Court,” it said.

On May 30, the technical unit’s three members were finally selected by Congress, and Oliva immediately swore them in. But a week after the appointment of the three members, Honduran sociologist Eugenio Sosa voiced skepticism about the technical unit’s ability.

“It remains to be seen whether the unit will be able to prevent the use of public funds in the president’s campaign,” he said.

-- End --