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Honduras: Gang-based violence, criminality and human rights violations against specific groups

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This report serves the specific purpose of collating legally relevant information on conditions in countries of origin pertinent to the assessment of claims for asylum. It is not intended to be a general report on human rights conditions. The report is prepared within a specified time frame on the basis of publicly available documents as well as information provided by experts. All sources are cited and fully referenced.

This report is not, and does not purport to be, either exhaustive with regard to conditions in the country surveyed, or conclusive as to the merits of any particular claim to refugee status or asylum. Every effort has been made to compile information from reliable sources; users should refer to the full text of documents cited and assess the credibility, relevance and timeliness of source material with reference to the specific research concerns arising from individual applications.

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List of abbreviations

CAMR	Centros de Atención al Migrante Retornado, Returned Migrant Assistance Centers
CARSI	Central American Regional Security Initiative
CDAJ	Centros de Alcance Juveniles, Youth Outreach Centers
CONADEH	Comisionado Nacional de los Derechos Humano, National Commissioner for Human Rights
FNAMP	Fuerza Nacional Anti Maras y Pandillas, National Anti-Maras and Gangs Force
GBV	Gender-based violence
GREAT	Gang Resistance Education and Training Programme
HNL	Lempira
LGBTIQ+	Lesbian, Gay, Bi, Trans, Inter, Queer + persons
LIBRE	Partido Libertad y Refundación, Liberty and Refoundation Party
MACCIH	Misión de Apoyo Contra la Corrupción y la Impunidad en Honduras, Mission to Support the Fight against Corruption and Impunity in Honduras
OFAMIR	Oficina de Asistencia al Migrante Retornado, Returned Migrant Assistance Office
PLH	Partido Liberal de Honduras, Liberal party
PNH	Partido Nacional de Honduras, National party
UFERCO	Unidad Fiscal Especializada Contra Redes de Corrupción, Special Prosecutor's Unit against Corruption Networks
UMAR	Unidades Municipales de Atención a Migrantes Retornados, Municipal Returnee Assistance Units

1 Background information

The Republic of Honduras is a Central American country bordering Guatemala, El Salvador and Nicaragua. According to data provided by the Honduran National Statistics Institute (Instituto Nacional de Estadística, INE), Honduras in 2022 has a total population of approximately 9.6 million inhabitants (INE, data retrieved on 6 December 2022). The national capital is Tegucigalpa, located on hilly terrain 975 metres above sea level (Encyclopaedia Britannica, updated 15 December 2020). Tegucigalpa is the administrative and political centre of Honduras; other major cities are San Pedro Sula, Choloma and La Ceiba (World Population Review, 2022).

The country's official language is Spanish (Encyclopaedia Britannica, updated 4 May 2022, Facts & Stats); other languages include Garífuna, English Creole and indigenous languages (MRG, updated May 2018). The Honduran currency is the Lempira (Encyclopaedia Britannica, updated 4 May 2022, Facts & Stats).

According to 2021 data compiled by the World Bank, 59 percent of Hondurans lived in urban areas and the literacy rate of people ages 15 and above was 89 percent in 2019 (World Bank, 2022). In an April 2022 overview The World Bank states that “prior to the twin shocks of 2020 [the World Bank here probably refers to the COVID-19 pandemic and the hurricanes Eta and Iota, remark Accord], 25.2 percent of the Honduran population lived in extreme poverty and almost half (4.4 million people) lived in poverty, based on the official poverty lines” (World Bank, updated 25 April 2022). Data provided by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) Institute for Statistics (UIS) shows that as of 2022 Honduras' population is relatively young with more than five million Hondurans, i.e., approximately half of the population, under the age of 25 (UIS, updated September 2022).

1.1 Geographical information

Honduras covers approximately 112,000 km² (Encyclopaedia Britannica, updated 4 May 2022, Facts & Stats; CIA, updated 31 August 2022) and has 823 km of coastline, the largest part of it along the Caribbean Sea (CIA, updated 31 August 2022).

The English-language online Encyclopaedia Britannica discerns four geographic regions:

“1. The eastern Caribbean lowlands (including the northern part of the Mosquito [Miskito] Coast, called La Mosquitia) and mountain slopes embrace about one-fifth of the total land area of Honduras. Hot and humid, this area is densely forested in the interior highlands, and lumbering is an important economic activity. Subsistence agriculture and fishing are the main support of the scattered population.

2. The northern coastal and alluvial plains and coastal sierras make up about one-eighth of the land area and contain about one-fourth of the population. This is an economically important region, the clayey and sandy loam soils producing rich crops of bananas, rice, cassava (manioc, or yuca), oil palm, corn (maize), citrus fruits, and beans. Cattle, poultry, and pigs are raised. The nation's railroads are confined to this northern area, which has four of the five important ports of entry.

3. The central highlands take up two-thirds of the national territory and contain the vast majority of the population. The mountains are rugged, rising in the west to 9,347 feet (2,849 metres) at Mount Las Minas, the highest point in the country. The numerous flat-

floored valleys lie between 2,000 and 4,000 feet (600 to 1,200 metres) in elevation. The generally fertile soils, derived from lava and volcanic ash, produce coffee, tobacco, wheat, corn, sorghum, beans, fruits, and vegetables and support cattle, poultry, and pigs.

4. The Pacific lowlands, centred on the Gulf of Fonseca, and the adjacent lower mountain slopes are only a small part of the land area and contain an equally small part of the population. The fertile soils, composed of alluvium or volcanic detritus, produce sesame seed, cotton, and some corn and sorghum. Cattle are raised on the lowland pastures, and coffee is grown on the nearby uplands.” (Encyclopaedia Britannica, updated 4 May 2022, The Land)

1.1.1 Map of Honduras



Source: [United Nations, 1 May 2004](https://www.un.org/locations/honduras/)

The French Ministry for Europe and Foreign Affairs (Ministère de l'Europe et des Affaires Étrangères) provides a more current map of Honduras which can be viewed in all its details here:

- French Ministry for Europe and Foreign Affairs (Ministère de l'Europe et des Affaires Étrangères): Honduras, January 2018

https://www.diplomatie.gouv.fr/IMG/jpg/honduras_cle876a88-1.jpg

1.1.2 Ethnic makeup

Approximately 90 percent of the Honduran population are mestizos, i.e., of mixed European and Amerindian ancestry (Encyclopaedia Britannica, updated 4 May 2022, The people; World Population Review, 2022). Concerning the numbers of indigenous and minority communities, Minority Rights Group International (MRG), an international NGO that campaigns for disadvantaged minorities and indigenous peoples, refers to two censuses with different findings:

“According to the 2013 Census, a total of 717,618 people, comprising nearly 9 per cent of the total population, self-identify as a member of either an indigenous or minority community. However, according to a 2007 census conducted by indigenous organizations, people who self-identified as indigenous or of African descent accounted for 20 per cent of the Honduran population.” (MRG, updated May 2018)

MRG lists the following main minorities and indigenous peoples:

“Lenca (453,672), Miskito (80,007), Garífuna (43,111), Maya Ch’ortí (33,256), Tolupán (19,033), Bay Creoles (12,337), Nahua (6,339), Pech (6,024), and Tawahka (2,690). The Lenca, Pech, Tawahka, Xicaque, Maya Ch’ortí, Misquito, and Garífuna are classified as indigenous. The Garífuna are of mixed Afro-Caribbean origin and moved to the area during the colonial period. There is also an Afro-Honduran Creole English-speaking minority community of around 12,337 who live mainly in the Honduran Bay Islands.” (MRG, updated May 2018)

According to MRG, indigenous and Afro-descendant populations face discrimination and marginalisation in many spheres, for example regarding their access to healthcare, education, and land. (MRG, updated May 2018). In a December 2022 e-mail response Elizabeth Kennedy, Central America Monitor Research Director for the Washington Office on Latin America (WOLA), social scientist and expert in Central American migration and indigenous and Garífuna people, adds that those populations also “face persecution by various actors, including the government” (Kennedy, 6 December 2022).

Most of these populations, around 80 percent, still live in rural areas, but due to violence, land grabbing and poverty, members of indigenous peoples have been forced to migrate to cities, where many of these migrants have settled in informal housing that lack basic services and public security. While members of minority and indigenous communities, among them particularly women, continue to live in poverty and face discrimination and marginalisation in the cities and are therefore highly vulnerable, “living in urban areas can offer opportunities for marginalized groups to access services and other benefits”, for example better access to education. (MRG, updated May 2018)

The 2016 Honduras report of the Special Rapporteur on the rights of indigenous peoples states:

“The situation of the indigenous peoples of Honduras is critical, since their rights over their lands, territories and natural resources are not protected, they face acts of violence when claiming their rights, in a general context of violence and impunity, and they lack access to justice. In addition, they suffer from inequality, poverty and a lack of basic social services, such as education and health. [...] Seventy-two per cent of indigenous households, as

against 41.6 per cent of households nationally, cannot afford a basic food basket, which puts them on the extreme poverty line. The worst percentages are found among the Tolupán (93.9 per cent), the Chortí (87.4 per cent) and the Pech (84.4 per cent). Of the indigenous child population, 88.7 per cent live in poverty, while more than 88 per cent of Tolupán, Lenca and Pech children live in extreme poverty. The unemployment rate among indigenous persons over the age of 18 years is 44.7 per cent. Women make up 83.6 per cent of unemployed persons. The average monthly income of indigenous people amounts to 36.8 per cent of the national average, and much less in the case of the Tolupán, Chortí, Pech and Lenca.” (HRC, 21 July 2016, p. 1; p. 14)

According to the 2021 Country Report on Human Rights Practices of the US Department of State (USDOS), the US federal department responsible for US foreign affairs, indigenous people in Honduras “had limited representation in the national government and consequently little direct input into decisions affecting their lands, cultures, traditions, and the allocation of natural resources” (USDOS, 12 April 2022). The report further notes:

“Indigenous communities continued to report threats and acts of violence against them and against community and environmental activists. Violence was often rooted in a broader context of conflict over land and natural resources, extensive corruption, lack of transparency and community consultation, other criminal activity, and limited state ability to protect the rights of vulnerable communities.

Ethnic minority rights leaders, international NGOs, and farmworker organizations claimed the government failed to redress actions taken by security forces, government agencies, private individuals, and businesses to dislodge farmers and indigenous persons from lands over which they claimed ownership based on land reform law or ancestral land titles.

Persons from indigenous and Afro-descendant communities continued to experience discrimination in employment, education, housing, and health services.” (USDOS, 12 April 2022)

Human Rights Watch (HRW), an international non-governmental organisation headquartered in New York, in its annual report on the human rights situation in 2021 states that members of ethnic minorities in Honduras belong to those most likely to be internally displaced and that they face violence and discrimination (HRW, 13 January 2022).

The US-based NGO Freedom House which researches and advocates in the field of democracy, political freedom and human rights reports that “[a]ctivists from the Garífuna community have been especially targeted in recent years” (Freedom House, 24 February 2022, E2). In 2020 there were cases of disappearance and murder targeting leaders from the Garífuna community (Bertelsmann Stiftung, 23 February 2022, p. 32). The Qatar-based TV news network Al Jazeera observes that the Garífuna population is a constant target of violence because intrusive tourism developers, palm oil plantations and criminal organisations all seek after their land along the Caribbean coast (Al Jazeera, 1 September 2022).

2 Political overview

The Republic of Honduras is a unitary state in which power is divided between legislative, executive and judicial branches (Encyclopaedia Britannica, updated 4 May 2022).

The president of Honduras, who is elected directly by popular vote for a four-year term, is both head of state and head of government (Encyclopaedia Britannica, updated 4 May 2022, Administration and social conditions; Freedom House, 24 February 2022). On 28 November 2021, Iris Xiomara Castro Sarmiento of the Liberty and Refoundation Party (Partido Libertad y Refundación, LIBRE), also known as Xiomara Castro de Zelaya, was elected first woman president of Honduras (Government of Honduras, Presidencia de la República, undated). The victory of Xiomara Castro ended 12 years of the National Party's (Partido Nacional de Honduras, PNH) control of the presidential office (Freedom House, 24 February 2022, A1).

The legislature is unicameral and the 128 members of the National Congress (Congreso Nacional) are elected to serve four-year terms (Encyclopaedia Britannica, updated 4 May 2022, Administration and social conditions; Political Handbook of the World 2020-2021, 2021, p. 702). Encyclopaedia Britannica states that "[a]lthough the legislature is given the power to pass laws, practically all important legislation is drafted by the president and other members of the executive branch" (Encyclopaedia Britannica, updated 4 May 2022, Administration and social conditions). According to Freedom House, "[p]olitical parties are largely free to operate, though power has mostly been concentrated in the hands of the PL [Partido Liberal de Honduras, remark ACCORD] and the PN [Partido Nacional de Honduras, remark ACCORD] since the early 1980s" (Freedom House, 24 February 2022, B1).

In the November 2021 election all 128 seats were contested. 50 seats were won by Xiomara Castro's LIBRE Party, followed by the National Party (PNH) which won 44 seats and lost its congressional majority. Other represented parties are the Liberal Party (Partido Liberal de Honduras, PLH, 22 seats), the Savior Party of Honduras (Partido Salvador de Honduras, 10 seats) and the Christian Democratic Party (one seat) as well the Anticorruption Party (one seat) (Freedom House, 24 February 2022, A2, B2; see also EU EOM, January 2022, p. 8; p. 39).

The president appoints the justices of the Supreme Court. The Supreme Court controls the lower courts and appoints their justices (Encyclopaedia Britannica, updated 4 May 2022, Administration and social conditions). According to the 2021 Country Report on Human Rights Practices of the US Department of State (USDOS), "[t]he law provides for an independent judiciary, but the justice system was poorly funded and staffed, inadequately equipped, often ineffective, and subject to intimidation, corruption, politicization, and patronage" (USDOS, 12 April 2022, section 1e). Freedom House in its Freedom in the World 2022 report similarly notes on Honduras' justice system:

"Political and business elites exert excessive influence over the judiciary, including the Supreme Court. Judicial appointments are made with little transparency, and the UN Special Rapporteur on the independence of judges and lawyers reported in June 2020 that the Supreme Court maintains excessive control over lower-level judicial appointments. The Special Rapporteur also noted Congress's excessive power over the judiciary. Judges have been removed from their posts for political reasons, and several lawyers have been killed in recent years." (Freedom House, 24 February 2022, F1)

Honduras is divided into 18 administrative departments (departamentos): Atlántida, Choluteca, Colón, Comayagua, Copán, Cortés, El Paraíso, Francisco Morazán, Gracias a Dios, Intibucá, Islas de la Bahía, La Paz, Lempira, Ocotepeque, Olancho, Santa Bárbara, Valle and Yoro (CIA, updated 31 August 2022). Each department is headed by a centrally appointed governor. The departments are further divided into municipalities, of which there are 298 in total. The municipalities provide the only form of local government in Honduras (OECD, October 2016, p. 1), with each municipality headed by an elected mayor and a municipal assembly (Political Handbook of the World, 2020-2021, 2021, p. 702). In 1990 a Municipalities Law was passed, stipulating municipal competences which are largely focused on local services like urban planning, sanitation, construction and maintenance of municipal roads, fire brigades, etc. (OECD, October 2016, p. 1).

3 Crimes and crime rates

Freedom House in its Freedom in the World 2022 report on political rights and civil liberties in 2021 states the following about crime in Honduras:

“The homicide rate has declined notably over the last decade, but violent crime and gang violence remain serious problems, and have prompted large-scale internal displacement and migration. More than 3,600 people were killed in 2021, resulting in a homicide rate of about 39 per 100,000 people.” (Freedom House, 24 February 2022, F3)

InSight Crime, a think tank and media organisation that seeks to deepen and inform the debate about organised crime and citizen security in the Americas, in a February 2022 article on homicide in 2021 states that with a homicide rate of 38.6 per 100,000 people, Honduras was Central America’s most deadly country in 2021 (InSight Crime, 1 February 2022).

According to a March 2022 El País.hn article, a Honduran newspaper based in San Pedro Sula, the most violent city in Honduras in 2021 was San Pedro Sula, followed by the capital Tegucigalpa. Both cities rank among the top 40 most violent cities without an open armed conflict in the world (El País.hn, 12 March 2022).

A January 2022 article by Human Rights Watch (HRW) observes that a large part of the violence happening in Honduras is gang-related:

“Gangs exercise territorial control over some neighborhoods and extort residents throughout the country. They forcibly recruit children and sexually abuse women, girls, and LGBT people. Gangs kill, disappear, rape, or displace those who resist. Gangs, particularly the Mara Salvatrucha (MS-13) and the 18th Street Gang (Barrio 18), are considered largely responsible for Honduras’ murder rate, and are infamous for extortion and drug peddling. Although Honduras has reduced its homicide rate by half since 2011, it remains one of the world’s highest, with 44.8 murders per 100,000 population in 2019.” (HRW, 13 January 2022)

The Honduras Profile by Insight Crime, which was last updated in February 2021, addresses Honduras’ drug trafficking issues and links between drug trafficking and politics:

“Honduras is one of the most important drug trafficking operation centers between South America and Mexico. With all of its branches of government and its armed forces plagued by corruption, Honduras has evolved into a transit nation in which criminal groups,

protected by the political system, have developed the capacity to produce cocaine hydrochloride in local laboratories. Since the end of the last decade, political protection has allowed the traditional drug trafficking groups to flourish. Testimony provided by drug traffickers and Honduran politicians on trial in the United States have revealed the deep-seated connection between organized crime and the governing National Party [the National Party's rule ended with the November 2021 elections, remark ACCORD; see [section 2](#) of this compilation]. [...] President Hernández himself has been mentioned in US court documents [Juan Orlando Hernández governed Honduras until January 2022 was extradited to the US in April 2022; BBC, 10 May 2022]. In March 2020, when the United States arrested the drug trafficker Geovanny Fuentes, prosecutors from the Southern District of New York reported that the president and his brother Tony had been protecting a laboratory, located in the Cortés department, capable of producing between 200 and 500 kilograms of cocaine per month. [...] Control of illegal activities in Honduras lies in the hands of local criminal groups connected with the country's political and economic elite. The judicial system suffers from political intervention and corruption, as well as a lack of transparency and capacity. Meanwhile, the Honduran police has proven to be one of the most corrupt public institutions and that generates the most distrust in Latin America, and the Army has also been accused of participating in criminal activities. [...] Several high-ranking officials within the country's armed forces have also had links to drug trafficking." (InSight Crime, updated 15 February 2021)

The National Violence Observatory (Observatorio Nacional de la Violencia, ONV), an institution of the University Institute for Democracy, Peace and Security (Instituto Universitario en Democracia, Paz y Seguridad) at the National Autonomous University of Honduras (UNAH, Universidad Nacional Autónoma de Honduras), in 2019 published results of a survey concerning citizen perception of insecurity and victimisation in Honduras, for which 3,000 questionnaires were analysed. The results of this survey show that in 2019 10.9 percent of respondents were victims of a crime (ONV, 8 October 2020, p. 16). The main crime reported was robbery with 86 percent, followed by theft (7.4 percent) and extortion (1.9 percent) (ONV, 8 October 2020, p. 17).

ASJ USA (Association for a More Just Society, Asociación para una Sociedad más Justa, ASJ), a US-based NGO with christian background that works on human rights and government transparency in Honduras, in March 2020 reports the following on violence in Honduras.

"Many Hondurans are at threat of theft and robbery on public transportation or when commuting to work. Business owners and bus drivers are extorted by gangs and forced to pay a 'war tax' just to stay in business. Women and children are often subjected to sexual abuse or domestic violence. Hondurans living in poor, urban neighborhoods could be caught in the crossfire of rival gang activity. [...] Honduras has the fifth-highest rate of violence against women in the world. Every 18 hours, a woman is a victim of a violent death. [...] Honduras has the highest youth homicide rate in the world. On average, children living in Guatemala, Honduras, and El Salvador are 10 times more likely to be killed than a child who lives in the United States. [...] Because of the threats of organized crime and gang activity, boys born in Honduras have a one-in-nine chance of being murdered during their life. [...] [C]riminal justice systems in the developing world often fail to protect the poor

from violence. This is the case in Honduras – especially in urban, marginalized neighborhoods.” (ASJ USA, March 2020)

3.1 Homicides

“From 2010-2014, Honduras had the highest homicide rate in the world for any country not actually at war [...]” (Yansura, September 2022, p. 3), states a September 2022 report on extortion in Central America by Julia Yansura, Program Director for Latin America & the Caribbean at Global Financial Integrity, a Washington, DC-based think tank focused on illicit financial flows, corruption, illicit trade and money laundering.

Honduras’ homicide rate went from 86.5 per 100,000 residents in 2011 to 60 per 100,000 in 2015 (InSight Crime, 19 February 2016) to 39 per 100,000 in 2021 (Freedom House, 24 February 2022, F3). Some sources report that official figures on homicides are questioned by some who believe them to be manipulated (InSight Crime, 13 August 2014; Freedom House, 27 January 2016; BBC, 2 February 2016). Marna Shorack, Elizabeth G. Kennedy and Amelia Frank-Vitale in a report on questionable homicide numbers published in 2020 state the following on the sharp drop in homicide figures:

“From 2012 to 2018, Honduras’s homicide rate fell year-after-year, usually in every department. By 2018, at 41.4 per 100,000, the rate—still fourth deadliest in the world—had dropped by more than half, and in the deadliest departments of Atlántida and Cortés, it had fallen to about a third or less. This remarkable decline should mean that people feel a marked difference in safety and security. But neighborhoods with particularly high rates of violence seemed unchanged, and as national homicide rates dropped, undetermined deaths and disappearances remained high, just as sexual violence, extortion, and other crimes continued unabated and under-reported. The more we heard authorities’ views on police, the heavier the words of one longtime crime analyst weighed: ‘If the police wanted to fake the numbers, they would just instruct the mareros [gang members] to hide the bodies.’ While the analyst meant hiding literal bodies, a numerical hiding of violent deaths may also contribute to the decline. In 2013, Honduras changed how it records homicide statistics, creating a separate violence observatory managed by the National Police. For a death to be counted as a murder, a medical examiner must conduct an autopsy and rule the death a homicide. However, Honduras has only three fully functional morgues, sometimes taxed beyond capacity.” (Shorack/Kennedy/Frank-Vitale, 5 November 2020)

As main drivers for homicides InSight Crime identifies gangs like Barrio 18 and MS-13 (InSight Crime, updated 15 February 2021). Most homicides are not prosecuted: a January 2022 publication by Pamela Ruiz, an expert on Central American gangs and a Honduras security expert, observes that according to official data of 2017, 87 percent of homicides went unpunished (Ruiz, January 2022, p. 5).

3.1.1 Homicides in 2020

Numbers retrieved by ACCORD on 24 November 2022 from SEPOL, the Online Police Statistical System (Sistema Estadístico Policial en Línea, SEPOL) database, show a total number of 3,496 homicides in 2020 (SEPOL, data retrieved on 24 November 2022).

Data by the ONV on violent and non-intentional deaths for the year 2020 (ONV, August 2022) counts 3,628 homicides in Honduras in 2020, a reduction of 470 homicides compared to 2019.

3,638 homicides a year means an average of 302 homicide victims per month and 10 per day (ONV, August 2022, p. 2). Of the 3,628 recorded homicide victims 3,294 or 90.8 percent were male and 326 or 9 percent female. Breaking down the data by age shows that homicidal violence affects all age groups, but the greatest vulnerability exists between 20 and 34 years of age with 1,879 cases, representing almost 52 percent of the total (ONV, August 2022, p. 3).

The same publication refers to the country's police investigation authorities and states that the main motive for homicides registered during 2020 was the settling of scores or hired killings, which led to 1,552 victims. 434 victims were the result of interpersonal disputes. Robbery with homicide or attempted robbery committed by common criminals and cases related to gangs and extortion together accounted for 11.7 percent of the total (423).

Other motives included homicides related to the sale and consumption of drugs, domestic and intra-family violence and police action. In 691 cases of homicide in 2020 no motive could be established (ONV, August 2022, p. 3).

3.1.2 Homicides in 2021

InSight Crime in its February 2022 article on homicides refers to preliminary government figures and states that in 2021 3,651 killings were recorded (InSight Crime, 1 February 2022).

Numbers retrieved by ACCORD on 24 November 2022 via the SEPOL database show a total of 3,893 homicides in 2021 (SEPOL, data retrieved on 24 November 2022).

ONV recorded 3,942 victims of violent death in 2021 (ONV, September 2022, p. 1), 314 more than in 2020. 3,942 victims a year means an average of 329 victims per month and 11 victims daily. The departments of Cortés, Francisco Morazán, Yoro and Olancho accounted for 52.8 percent of the total number of homicides. A total of 330 female victims were reported, an average of 28 each month (ONV, September 2022, p. 2). The main motive for homicides was the settling of scores or hired assassinations with 1,277 victims in 2021, followed by 789 victims of interpersonal quarrels and 256 gang-related cases (ONV, September 2022, p. 3).

InSight Crime reports on homicides committed in 2021, much of which were caused by gang violence, and on 68 cases of victims who were candidates in the November 2021 general elections:

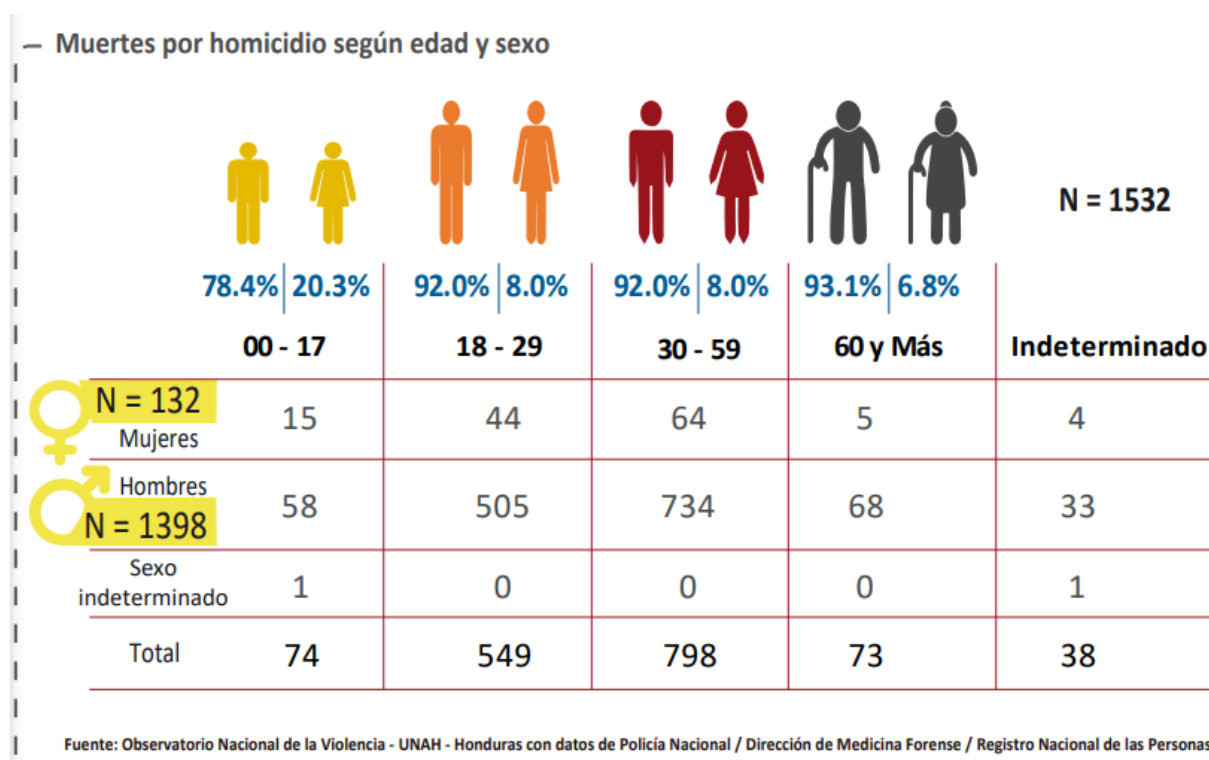
“Massacres – killings of three or more people – occurred at an alarming rate of about one a week in 2021. The 53 multiple killings were often the product of gang disputes or revenge assassinations. [...] In 2021, Honduras saw some of its worst political violence in the run-up to November's presidential elections. According to El Heraldito, 68 candidates in various local and national races were killed last year. Thirty-one belonged to former President Juan Orlando Hernández's right-wing National Party, which has long been accused of corruption and involvement in drug trafficking. Twenty murdered candidates had been part of the left-wing Libre Party headed by Xiomara Castro, whose win ended more than a decade of National Party rule. Members of the less influential Liberal Party were not spared. In the weeks leading up to the election, three Liberal candidates were assassinated, including a popular mayor seeking his fifth term.” (InSight Crime, 1 February 2022)

The above-mentioned article by the Honduran daily newspaper El Heraldito states that the number of 68 homicides of political candidates is taken from ONV and was registered during the period 23 December 2020 to 25 October 2021. To this number El Heraldito added four cases of murdered politicians in November (El Heraldito, 17 November 2021). This could not be verified

in sources provided on the ONV website. In a 2022 ONV publication on violence in connection with the November 2021 elections a different number is found: within the timeframe of 23 December 2020 until 27 January 2022 (that is the period beginning with the announcement of the 2021 elections until the day of inauguration of the new President of the Republic) 42 political homicide victims have been recorded (ONV, 24 June 2022, p. 11). In total, the publication counts 114 cases of political violence, a number that in addition to 42 homicides includes cases of for instance coercion, attacks (*atentados*) and threats (ONV, 24 June 2022, p. 11).

3.1.3 Homicides in 2022

Preliminary data on deaths from external causes for the period January to May 2022 is provided by the Observatorio Nacional de la Violencia (ONV): in a Special Bulletin on deaths from external causes ONV reports 1,532 homicides for the first five months of 2022, a figure 7 percent smaller than that for the same period in 2021 (ONV, 27 July 2022, p. 1). Of the homicide victims 1,398 or 91 percent are male, 132 or almost nine percent female. The age group mostly affected by homicides with 52 percent of the victims is between 30 and 59 years old, followed by 18- to 29-year-olds, who accounted for approximately 39 percent of homicide victims (ONV, 27 July 2022, p. 2):

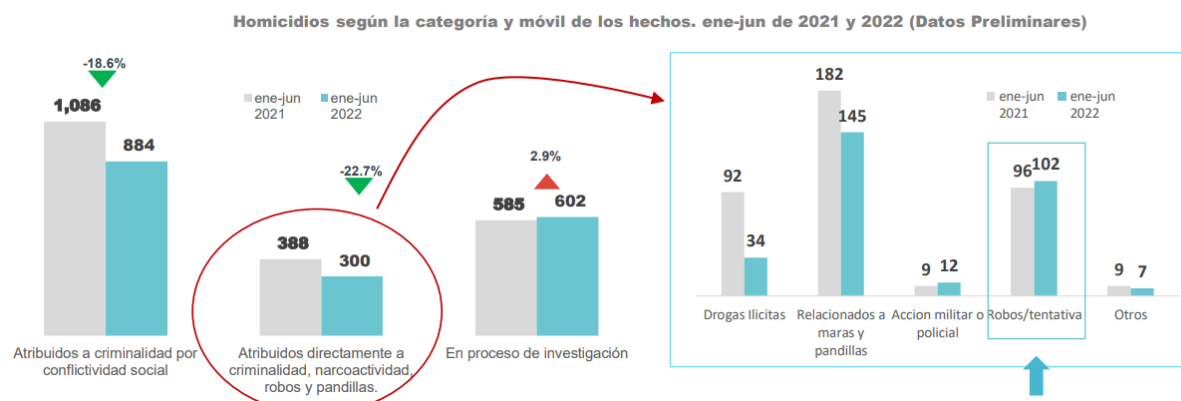


Source: ONV, 27 July 2022, p. 2

An August 2022 publication by the Honduran National Police (Policía Nacional de Honduras) records 1,786 homicides (preliminary data) for the first six months of 2022 (Policía Nacional de Honduras, August 2022, p.2). Of the total of 1,786 homicides 884 or 49 percent are attributed to criminality due to social conflict (*criminalidad por conflictividad social*), 300 or around 17 percent are attributed directly to criminality, drug activity, robberies and gangs (*atribuidos directamente a criminalidad, narcoactividad, robos y pandillas*) and the other 602 or 34 percent

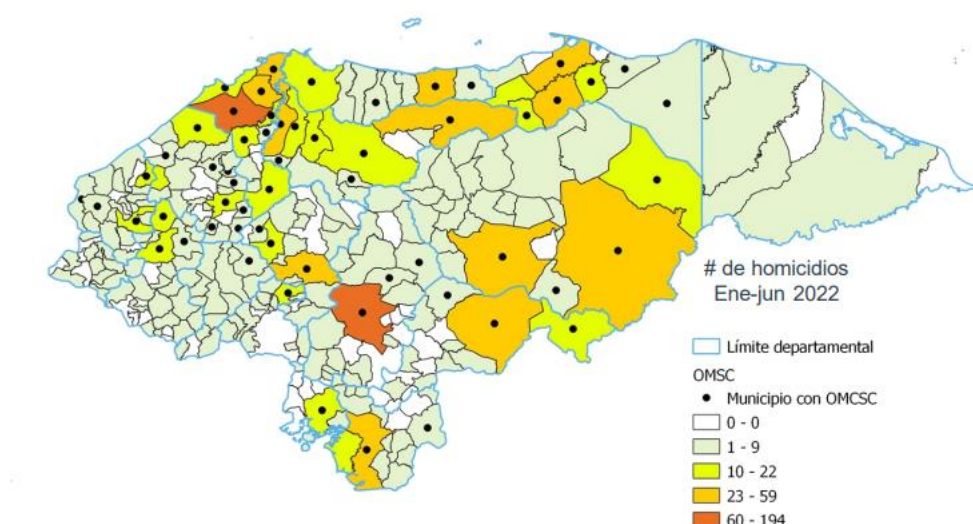
were still under investigation. 145 cases of homicide are attributed to gangs (*maras y pandillas*). (Policía Nacional de Honduras, August 2022, p. 4)

The publication also provides a chart referring to motives and background of homicides:



Source: Policía Nacional de Honduras, August 2022, p. 4

Another chart of the same publication shows the distribution of homicide cases (January to June 2022) among municipalities:

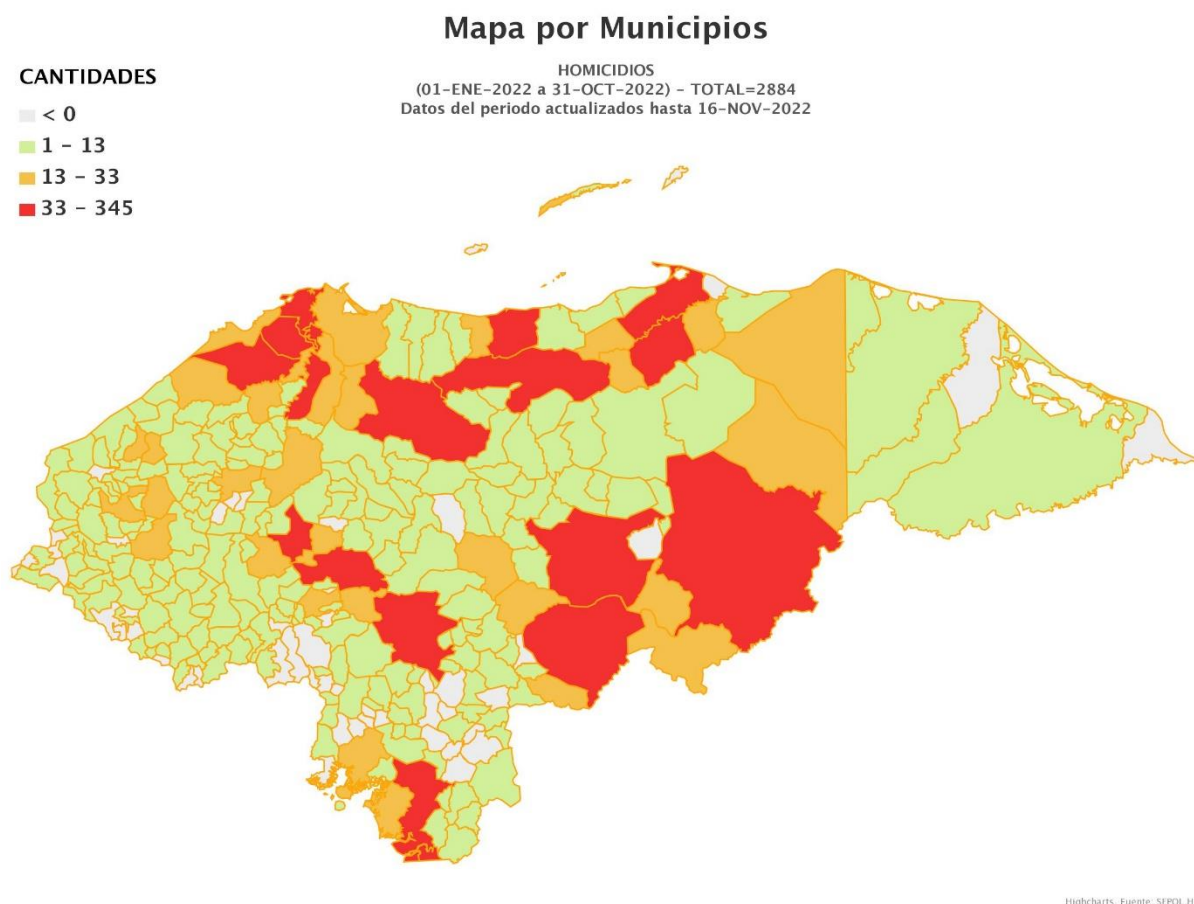


Source: Policía Nacional de Honduras, August 2022, p. 9

Data retrieved from SEPOL, the Online Police Statistical System (Sistema Estadístico Policial en Línea, SEPOL) that as of 24 November 2022 provides data up to 16 November 2022, reveals that the numbers of homicides for the first half of 2022 were corrected slightly upwards to 1,797. Of the 298 Honduran municipalities, the ones that show the highest homicide rates from 1 January to 30 June 2022 are Distrito Central, comprising Tegucigalpa (196 homicides) and San Pedro Sula (161), followed by Choloma (60), Catacamas (54), La Ceiba (52) and Danlí (45) (SEPOL, data retrieved on 24 November 2022).

SEPOL data for the period 1 January 2022 to 31 October 2022 counts 2,884 homicides for Honduras. The highest homicide rate show Distrito Central, comprising Tegucigalpa (345 homicides) and San Pedro Sula (237), followed by Choloma (111), La Ceiba (79), Catacamas (75) and Danlí (64) (SEPOL, data retrieved on 24 November 2022).

SEPOL also provides a chart showing the distribution of homicides (1 January – 31 October 2022) among municipalities:



Source: SEPOL, data retrieved on 24 November 2022

3.2 Extortion

The so-called Northern Triangle that comprises Guatemala, Honduras and El Salvador is “in the midst of an extortion crisis”, observes InSight Crime in an October 2022 article (InSight Crime, 3 October 2022). In a September 2022 report by Julia Yansura, the Program Director for Latin America and the Caribbean at Global Financial Integrity, a Washington, DC-based think tank focused on illicit financial flows, corruption, illicit trade and money laundering, the author estimates that extortion payments amount to a total of 52 million US Dollar and 72 million US Dollar per year in Honduras (Yansura, September 2022 p. 20). According to Elizabeth Kennedy the estimate by Julia Yansura is a very conservative estimate, she states that “in some neighborhoods all residents must pay extortion. Likewise, all companies/organizations in some industries – public transport, trash collection, etc. – must pay extortion” (Kennedy, 6 December 2022).

CONADEH (Comisionado Nacional de los Derechos Humanos), the Honduran National Commissioner for Human Rights, an institution with the aim of guaranteeing the rights and freedoms proclaimed by the Honduran constitution, between 2016 and 2021 handled around 5,000 complaints related to the forced displacement of people, of which more 1,700 were related to extortion, and adds that victims fear reporting this type of crime (CONADEH, 18 August 2022). According to CONADEH at least 13 of the country’s 18 departments were affected by extortion during this period, the majority of 79 percent of the complaints handled

by CONADEH were registered in either the department Francisco Morazán (56 percent) or Cortés (23 percent) (CONADEH, 18 August 2022). According to Elizabeth Kennedy, CONADEH does not have offices in all departments and therefore cannot receive reports in all departments of Honduras (Kennedy, 6 December 2022).

Regarding the portion of the Honduran population affected by extortion, numbers vary widely depending on the sources reporting on this issue.

A 2019 ONV survey concerning citizen perception on insecurity and victimisation in Honduras revealed that two in 1,000 Hondurans, or 0.2 percent, fell victim to extortion in 2019 (ONV, 8 October 2020, p. 6, pp. 16-17).

LAPOP, a survey research lab carrying out surveys of public opinion in the Americas at Vanderbilt University in Tennessee, based on a survey carried out from October to November 2018 including 1,560 interviews (LAPOP 2019, p. 6), reports a much higher number: it notes that 8.5 percent of Hondurans fell victim to extortion within 12 months preceding the survey period October/November 2018 (LAPOP, 2019, p. 22).

Ruiz lists the top 10 municipalities with the highest extortion rate for 2007 – 2015 in Honduras:

“The municipalities with the highest average extortion are San Pedro Sula (Cortes) with 4.10 per 10,000 residents, followed by La Ceiba (Atlántida) 3.48, La Esperanza (Intibucá) 3.30, Comayagua (Comayagua) 2.18, Distrito Central-Tegucigalpa (Francisco Morazán) 1.69, Roatan (Islas de la Bahia) 1.39, Santa Rosa de Copan (Copan) 1.29, Tela (Atlántida) 1.25, Puerto Cortes (Cortes) 1.09, and Siguatepeque (Comayagua) 1.04. 163 municipalities out of 298 did not report extortion.” (Ruiz, January 2022, p. 14)

Yansura explains that numbers given in official reports only include the cases brought to the authorities, while survey data suggests that only one in three extortion cases is reported (Yansura, September 2022, p. 20). Ruiz states that “[...] underreporting is due to fear and/or only reporting extortion when paying three or more groups” (Ruiz, January 2022, p. 19). Yansura also points to a matter of definition and refers to a study by the Global Initiative against Transnational Organized Crime (GITOC) noting that victims see extortion as an occasional or one-time act, whereas systematic or periodic payments are classified as “rent” (renta) or “war tax” (impuesto de Guerra) (Yansura, September 2022, p. 5). Yansura further refers to underreporting and mentions that not all extortion payments are provided in cash:

“Even survey data may underestimate victimization levels since many residents are so accustomed to paying ‘rents’ to criminal groups that they may not view them as extortion. Some extortion is in-kind, rather than financial, making the value very hard to assess. Finally, not all victims of extortion pay, and the percentage that do may rise or fall over time based on perceptions of the perpetrator, their power, and their capacity to follow through on threats of violence.” (Yansura, September 2022, p. 18)

InSight Crime in an undated article on responses to extortion mentions that campaigns to tackle the underreporting of extortions showed only minimal results: “The vast majority of extortion victims are still too afraid to speak up, especially as gangs often pay off local police. In addition, reporting rarely helps the victim, who often will face a second extortionist from the same gang shortly after the first is arrested” (InSight Crime, undated (a)).

According to the ONV Boletín Nacional on violent deaths for 2020, in 44 cases of homicides extortion was a possible motive (ONV, August 2022, p. 3), with a significantly higher number registered in 2019, when ONV observes 89 homicides possibly related to extortion motives (ONV, November 2020, p. 3).

3.2.1 Extortion methods

In a 2013 article InSight Crime refers to an investigation by the Honduran daily newspaper El Heraldo that identified four methods gangs use to collect their payments: “going door-to-door to demand money, slipping collection envelopes under the door, making threatening phone calls, and kidnapping family members. Many residents, unable to pay the sums demanded, have been displaced and their homes taken over by criminals” (InSight Crime, 26 April 2013). An undated InSight crime article on the modus operandi of extortion provides an insight in the methods used by extortionists in the Northern Triangle countries:

“Territorial Control: Street gangs demand weekly, bi-weekly or monthly payments from businesses in territories under their control. Though these payments are generally small, the sums add up, with many owners ultimately closing shop or being killed when they can no longer afford to make the payments. [...]

Copycats: Opportunistic extortionists — individuals or groups acting independently of the gangs — gather intelligence on their intended victims to learn, for example, whether they receive remittance payments from family members abroad. The copycats then make threatening phone calls, requesting large, one-off payments. The modus operandi of these criminals is different from the street gangs in a key aspect: they do not make physical contact with their victims, whereas the street gangs will send members to make threats and receive payments.

Prison Rackets: Old, neglected and overcrowded prisons have spawned massive extortion rackets. Gangs run cell blocks or even entire jails, and prisoners are forced to pay for basic needs, including sleeping spaces and food. Luxuries can also be had for a price: cell phones, televisions, drugs, and visits. In Honduras, deplorable conditions, underfunding, and a lack of guards has led authorities to largely surrender control to so-called ‘inmate coordinators’ who make sure that quotas are paid by all prisoners. In El Salvador, imprisoned Mara Salvatrucha (MS13) and Barrio 18 gang leaders use the country’s prisons like their headquarters, coordinating full extortion rings with members on the outside.

Produce and Goods: Gang members will receive extortion payments in the form of produce and other goods. Some do so to feed their families. Other gang leaders have developed more sophisticated schemes, demanding that propane gas, bottled water, and food distributors provide them with product that they alone sell off in the territories under their control.” (InSight Crime, undated (b))

If the victim does not pay or there is a delay in payment, a member of the family is kidnapped or killed to exert pressure (Pastor Gómez, 29 January 2020, p. 8). Non- or late payment can lead to attempts on people’s life and destruction of property. Payment of extortion does not

necessarily mean the transfer of money, in some cases it is about the provision of services in favor of members of criminal groups (CONADEH, 18 August 2022).

3.2.2 Perpetrators of extortion

The January 2022 publication by Pamela Ruiz on Gangs, violence and extortion that relies on data collected from September 2016 to August 2018, contains the following information on extortion and extortion perpetrators in Honduras:

“Multiple groups were identified to conduct extortion in Honduras. The Fuerza Nacional Anti-Extorsión, FNA (Anti-Extortion National Force) had identified 48 different gangs/criminal bands that commit extortion, including ‘independent’ actors. Officers had identified MS-13, Barrio 18, Los Chirizos, El Combo Que No Se Deja, individuals who use the gangs name, and corrupt police officers to commit extortion. Interviewees provided examples of transportation personnel collaborating with gangs to extort bus owners or competing companies, unhappy employees using the gangs name to extort their employers, and/or family members knowledgeable of individuals receiving remittances. Officers distinguished gangs extorted a specific amount on a routine basis while imitators asked for one large sums of cash. [...] Most disturbing in the case of Honduras, was the common theme of corrupt National Police officers involved in extortions. Participants described officers acting as delinquent groups committing extortion, involved with gangs committing extortion, and/or not arresting gang members in exchange for a portion of extortion funds.” (Ruiz, January 2022, pp. 19-20)

To the above-mentioned perpetrators Julia Yansura adds prisoners who are involved in extortion from behind bars. She explains that “[p]risons are poorly supervised and overcrowded, and authorities are not generally effective in combating prison extortion networks. Moreover, poor prison conditions and high levels of prison violence may necessitate some form of income [...] ‘people need money to survive prison as well as to pay extortion occurring within the prison itself.’” (Yansura, September 2022, p. 6).

Honduras Verifica, a digital source that aims to promote media education in Honduras and combat disinformation, published an article in March 2022 that reports on arrests of minors for extortion. From 2013 to 2021, 534 or 17 percent of persons detained for this crime were under the age of 18. Of those 25 percent were female minors. 2,606 arrests for extortion involved adults over the age of 18. The article states that in some parts of Honduras gang members force children to collect war taxes or otherwise threaten their families. Even so, the children benefit from the collection of the war tax, because they receive around 10 percent of the proceeds with which they support their families. The article further states that 20 to 40 percent of gangs are made up of women and among their most frequent tasks are the collection of extortion payments (Honduras Verifica, 14 March 2022).

3.2.3 Victims of extortion

On victims of extortion Julia Yansura’s September 2022 report provides the following information, based on an interview with Pamela Ruiz:

“Extortion impacts a wide cross-section of society. Victims include individuals, households, and businesses of all sizes. Victimization data suggests that men of working age in sectors

such as sales or transportation are particularly vulnerable. Victims come from a variety of socio-economic backgrounds. They include those perceived to have a little extra money, such as small business owners who are doing well or remittance recipients who are receiving money from abroad.” (Yansura, September 2022, p. 7)

CONADEH in August 2022 lists the following victims of extortion: merchants, housewives, people working in the transport sector, mechanics, teachers, members of the justice sector, journalists, teachers, doctors, lawyers, drivers of private student transport or employees of public or private companies, who must pay every time they enter neighbourhoods controlled by criminal groups, either to enter or leave the place (CONADEH, 18 August 2022). UNHCR in November 2022 also mentions sex workers being targeted for extortion by gangs (UNHCR, 25 November 2022, p. 10). Yansura adds that victims also include people living in poverty and prison-inmates (Yansura, September 2022, p. 7). InSight Crime in an undated article on extortion mentions that allegedly in Honduras political parties must often provide cash or other benefits to gangs to be able to campaign in certain territories under their control (InSight Crime, undated (c)).

The following table shows data from a survey conducted among 360 Honduran businesses from November 2016 to March 2017 asking about the years 2015 and 2016 (World Bank Microdata Library, 4 May 2017). The table by Julia Yansura is based on that survey and provides the information that businesses distinguish between different types of extortion:

<i>Table 1: Survey of Businesses in Honduras on Extortion, 2016-2017</i>		
MY BUSINESS HAS HAD A PROBLEM WITH:	2015	2016
Extortion via crime (“extorsión”)	12.9%	8.1%
Extortion via regular gang payments (“renta”)	4.8%	3.1%
Extortion by authorities (“corrupción”)	3.4%	2.2%

Source: Encuesta de Victimización de Empresas Centroamericanas 2016-2017, Foro Social de Deuda Externa y Desarrollo de Honduras (FOS-DEH). Available at <https://microdata.worldbank.org/index.php/catalog/2833/get-microdata>.

Source: Yansura, September 2022, p. 6

The public transport sector is especially affected by extortion payments. Transportation companies in San Pedro Sula report “paying extortion to up to five different criminal groups at the same time, in amounts reaching several million lempiras a month (for reference, HNL 2,000,000 would be US\$ 81,500)” (Yansura, September 2022, p. 9). El País.hn in May 2022 reports that this sector in recent years has lost more than 500 drivers and other personnel, who were killed by organised crime due to non-payment of the war tax. All of these murders have gone unpunished, reports the newspaper (El País.hn, 19 May 2022). Expediente público, a magazine for investigative journalism in Central America, in a video on extortion in Honduras dated May 2022, cites ONV data that recorded 1,781 drivers were murdered between 2010 and 2019. Between January and 23 March 2022 alone, ONV recorded 27 murdered drivers. (Expediente público, 2 May 2022, 1:50). The leader of the public transport sector, Wilmer Cáliz, notes that working in the transport sector is one of the most insecure professions in Honduras, as did CONADEH which categorised this profession as a high-risk job in 2019 (Contra Corriente,

16 March 2022). Approximately two million US Dollars are paid to criminal groups by the public transport sector in extortion per month (Expediente público, 2 May 2022).

Female and family victims of extortion

UNHCR in January 2021 provides the example of a Honduran girl named Ruth who fled her home together with her family because gang members tried to recruit the male members of the household:

“‘The gang members of the mara that began to control the banks of the river, came at any time asking for food, coffee, they demanded that we wash their clothes for them,’ says Ruth. ‘The women in my family and I did it to avoid problems.’ ‘But then they started asking my cousins and my uncles to join them, they wanted them to distribute their drugs, to collect their extortions.’ The gang began looking for boys and girls to be ‘flags’, vigilantes, or to do small favors for them, such as transporting small quantities of drugs, collecting extortion money or acting as messengers. Like the brothers and other members of Ruth's family, children and adolescents in the north of Central America are particularly vulnerable to the violence of maras and gangs, who have a special interest in connecting them from an early age. This risk increasingly forces entire families to flee their homes to escape violence and the recruitment of their children.” (UNHCR, 5 January 2021)

CONADEH identifies extortion as a key cause of displacement. The extortionists can identify the homes and families of their victims and threaten their lives. Between January 2016 and December 2021 CONADEH counts 5,081 cases of displacement, 10 percent of which it attributes to extortion (CONADEH, August 2022). UNHCR in a March 2021 report on displacement and violence against women in Honduras assesses that in Tegucigalpa, San Pedro Sula and Choloma crimes such as extortion, murder, kidnappings and other types of violence against women, against the LGBTQ+ population and other vulnerable groups are part of the daily life for a large number of inhabitants (UNHCR, March 2021, pp. 29-30). A November 2021 online article by the US Institute of Diplomacy and Human Rights (USIDHR) on gang violence in the Northern Triangle cites a statement given by an Oxfam program manager in El Salvador, who in 2018 explained the power exercised by gangs over women as follows:

“‘Gang violence exercises power over women by means of violence over their bodies. To resist is to die. So girls and young boys, some just 8 years old, are recruited to work for gangs or be girlfriends of gang members, and they are trying to survive in this complex and violent context.’” (USIDHR, 24 November 2021)

Thomas Boerman, an expert in the gang phenomenon in El Salvador, Honduras, Guatemala, Panama and Mexico, in December 2019 published an academic paper on the vulnerability of family members of individuals targeted by organised criminal groups. In this paper he points out that unprotected young people, for example “(1) children and youth in female-headed households or who are under the care of either young or elderly family members who are not perceived as representing a protective presence, (2) those from toxic, male-dominated households characterized by emotional, physical, sexual, and/or drug or alcohol abuse, (3) children forced to live on the streets [...]” are, together with their families, particularly at risk of getting coerced into serving gangs, which Boerman classifies as modern-day slavery

(Boerman, December 2019, pp. 8-9). In this context Boerman refers to a report by the US Embassy in Honduras on trafficking in persons, which was last updated in July 2014 and provides the following information:

“NGOs report that gangs and criminal organizations exploit girls in sex trafficking, and coerce and threaten young males in urban areas to transport drugs, engage in extortion, or to be hit men.” (US Embassy in Honduras, updated 28 July 2014)

WAGE, Women and Girls Empowered, a consortium led by the American Bar Association Rule of Law Initiative, in an October 2019 publication on women’s economic empowerment in Honduras states that gang members attack small and medium enterprises - such as those owned by women - rather than large businesses, because they have less power to react (WAGE, October 2019, p. 14). The publication observes:

“On average, women-owned enterprises are smaller and less profitable than men-owned businesses. Most are unregistered, which further hampers their sustainability and growth potential. It also increases their vulnerability to harassment and extortion from state and non-state actors.” (WAGE, October 2019, p. 2)

United Press International (UPI), a news provider based in Washington, D.C., in a November 2018 article reports the story of Marlene Trochez, a woman who fled Honduras to escape the violent consequences of not being able to pay the demanded extortion money for the family’s store in San Pedro Sula:

“For as long as she can remember, her family owned a domestic electrical appliances store and also sold clothes in San Pedro. [...] In 2013, gangs started to threaten the family of merchants, demanding 5,000 lempiras (\$200) each month as ‘a tax,’ she said. ‘It was extortion,’ Trochez said. [...] ‘My brother Manuel was killed in 2014 by the Calle 18 gang when we didn’t pay the extortion. We couldn’t put the money together to pay them,’ she said of her 38-year-old brother who had helped run the store. ‘First they kidnapped him, then they killed him.’ [...] The family filed charges with the police when Manuel was kidnapped and murdered but the police did not do anything. Honduran politicians are also corrupt, she said. ‘The police work with the gang members, so filing charges put us in real danger. They knew where we lived. Everything.’ Even though the family began to pay the gangsters again, the business went sour and they couldn’t afford the payments [...] ‘We were paying them everything we were making. [...] But they still told us we had to pay, and when we didn’t they burned the businesses down [...]’ That’s when I decided to come here. They told us if they didn’t pay, they would kidnap my girls and hurt them.” (UPI, 28 November 2018)

A 2015 UNHCR report on women refugees fleeing the Northern Triangle of Central America (NTCA, El Salvador, Guatemala and Honduras) and Mexico, published in 2015, found the following:

“More than 60 per cent of women interviewed for this report described direct threats and attacks by various criminal armed groups as at least one of the primary reasons for their flight. Some women described incidents in which criminal armed groups forcibly disappeared or murdered a loved one, whether a spouse, child, parent, sibling, or other

relative or close friend. These cases generally involved threats or extortion.” (UNHCR, October 2015, p. 19)

The report also provides examples of Honduran women affected by extortion and threats:

“One indigenous woman from Honduras, for example, said: ‘The gang members were persecuting and threatening me.... They used to tell me that they were going to kill me and my children... they had already killed two of [my friend’s] brothers, because he was a gang member.... They were upset with the father of my children and wanted money.’” (UNHCR, October 2015, pp. 19-20)

“Gloria, a Honduran woman, made and sold small amounts of food from her house. “I had to stop selling tortillas and other foods from my home, because when B18 [a Honduran gang] arrived, they wanted me to pay a certain amount to them, and I could not.” (UNHCR, October 2015, pp. 20-21)

A February 2022 publication by ONV concerning Femicides and violent deaths of women for the year 2020 shows that of the total of 105 femicides 46,3 percent are associated with organised crime. Two women lost their lives in consequence of incidents related to extortion (ONV, 2 February 2022, p. 9).

3.3 Criminal investigations and prosecutions

Impunity for all types of crime is high in Honduras (USDOS, 12 April 2022, section 6). The 2021 Country Report on human Rights Practices by the US Department of State (USDOS) notes:

“Organized criminal groups, including local and transnational gangs and narcotics traffickers, were significant perpetrators of violent crimes and committed acts of homicide, torture, kidnapping, extortion, human trafficking, intimidation, and other threats and violence directed against human rights defenders, judicial authorities, lawyers, business community members, journalists, bloggers, women, and other vulnerable populations. The government investigated and prosecuted some of these crimes, but impunity was widespread.” (USDOS, 12 April 2022, Executive Summary)

Criterio.hn, a Honduran investigative platform, in an August 2022 article refers to the director of the ONV, Migdonia Ayestas, who explains that since 2004 up to August 2022 more than 83,000 violent deaths are still under investigation in Honduras. The ONV director states that 95 percent of crimes in the country go unpunished because there is no criminal investigation. Another interview partner in the same article, the Fiscal Management coordinator of the Association for a Fairer Society (Asociación para una Sociedad más Justa, ASJ), Ninoska Reyes, stated that of 100 cases that are brought to the security and justice authorities, only six are followed up by prosecution and lead to a conviction (Criterio.hn, 12 August 2022). Even cases of homicides mostly go unpunished: the January 2022 publication by Pamela Ruiz observes that according to official data, 87 percent of homicides in 2017 went without punishment (Ruiz, January 2022, p. 5).

Human Rights Watch in its 2022 World Report on Honduras observes the following on the criminal justice system and impunity in Honduras:

“Impunity remains the norm. Efforts to reform public security institutions have stalled. Marred by corruption and abuse, the judiciary and police remain largely ineffective. Anti-corruption prosecutors have been left defenseless. [...] The criminal justice system regularly fails to hold accountable those responsible for crimes and abuses. Judges face interference—including political pressure, threats, and harassment—from the executive branch, private actors with connections to government, and gangs. Prosecutors and whistleblowers have received death threats. The Supreme Court, particularly its president, exerts excessive control over the appointment and removal of judges, and career instability limits judges’ independence. In January 2020, the government shut down the Mission to Support the Fight against Corruption and Impunity in Honduras (MACCIH). Established in 2016 by the government and the OAS [Organisation of American States, remark ACCORD], MACCIH contributed to the prosecution of 133 people, including congresspeople and senior officials, 14 of whom stood trial. Since MACCIH left, the Attorney General’s Office has harassed and intimidated the head of its own anti-corruption criminal enterprise office, Prosecutor Luis Javier Santos, and members of his team. International organizations, the United States, and the United Kingdom have expressed their support for Santos’ work. [...]

Historically, governments have responded to organized crime with iron-fist security strategies. In 2018, the government created a special force to fight gangs (Fuerza Nacional Anti Maras y Pandillas), with members from the police, military, and Attorney General’s Office. Weak state institutions and abuses by security forces have contributed to persistent gang violence. There have been repeated allegations of collusion between security forces and criminal organizations.” (HRW, 13 January 2022)

4 Gang-based violence

A publication on Gangs in Central America, published in 2016 by the Congressional Research Service (CRS), a research entity that provides policy and legal analysis to the US Congress, states that the characteristics that define a “gang” are not finalised, but definitions are evolving. Nevertheless, experts generally agree that “most gangs have a name and some sense of identity, which can sometimes be indicated by symbols such as clothing, graffiti, colors, and hand signs that are unique to the group. Gangs are thought to be composed of members ranging in age from 12 to 24, but some gang members are older adults and others are younger” (CRS, 29 August 2016, p. 2). In Central America, gangs are referred to as “maras” or “pandillas”, terms that some use interchangeably, while some studies “generally define *pandillas* as localized groups that have long been present in the region and *maras* as a more recent phenomenon with transnational roots” (CRS, 29 August 2016, p. 3). The publication also notes that even though *maras* are described as transnational criminal organisations, some researchers contend that the primary focus of gangs in Central America is on local issues like dominating a particular extortion racket or drug distribution area (CRS, 29 August 2016, p. 5). In an academic paper published in August 2022 Cristian Paredes and Keyla Navarrete emphasize that for gangs violence is not a potential outcome of crime activity, but a core element in their strategy, they use extreme violence to demonstrate their power

(Paredes/Navarrete, 26 August 2022, p. 5). Pamela Ruiz states the following concerning the motives behind the violence employed by MS-13 and Barrio 18:

“MS-13 and Barrio 18 exert violence to 1) maintain discipline within gangs (intra gang violence), 2) against rivals (inter gang violence), 3) against those who disobey orders, and 4) as sicarios (hitmen). Moreover, gang violence was described to have evolved from simple shootings to dismembering individuals.” (Ruiz, January 2022, p. 25)

Several sources agree on the fact that gangs are significant or even the primary drivers of violence in Honduras (InSight Crime, updated 15 February 2021; Ruiz, January 2022, p. 3; USDOS, 12 April 2022, Executive Summary). They are responsible for homicides, extortion (HRW, 13 January 2022; USDOS, 12 April 2022, section 1a), drug peddling (HRW, 13 January 2022), sex trafficking involving women and children (CRS, 29 August 2016, p. 7), human trafficking, kidnappings, torture, intimidation and violence against judicial authorities, journalists, women, human rights defenders and others (USDOS, 12 April 2022, Executive Summary). They forcibly recruit children, sexually abuse women, girls and LGBT people, disappear, rape, or displace those who try to stand up to them (HRW, 13 January 2022).

Gangs are mostly active in urban centers (USDOS, 12 April 2022, section 1a; HRW, 13 January 2022; InSight Crime, updated 15 February 2021), but extort residents throughout the country (HRW, 13 January 2022). MS-13 and Barrio 18 are the primary gangs present in Honduras and according to InSight Crime, they operate mainly in Tegucigalpa, San Pedro Sula, other urban areas or “in rural areas close to the border with El Salvador, where they find a safe haven” (InSight Crime, updated 15 February 2021).

HRW reports that estimates range from 5,000 to 40,000 active gang members in Honduras (HRW, 13 January 2022).

InSight Crime mentions that the gangs “recruit young people, many of whom are suffering from widespread economic inequality and a lack of opportunity.” (InSight Crime, updated 15 February 2021). A 2020 analytical paper on Central American *maras* by María Luisa Pastor Gómez of the Spanish governmental Institute for Strategic Studies, explains that gang members join as young people: mostly boys, who come from broken and low-income families and who usually left school before the age of 16. These children seek an alternative space for socialisation and solidarity in a hostile environment. Some join to protect themselves or because they are forced to (Pastor Gómez, 29 January 2020, p. 5). With respect to female gang members, the paper adds that they tend to join around the age of 18, often to escape family problems and in approximately 12 percent of cases, because they are forced to do so (Pastor Gómez, 29 January 2020, pp. 5-6). Joining a gang involves harsh and violent rites of passage. The paper continues:

“Once in, the new members accept a series of strict rules and values and find themselves forced to develop strong ties of belonging, unity, loyalty and solidarity with the new ‘family’ while simultaneously weakening their links to their own families and to society. In principle, joining a gang is an irreversible process, as the leaders do not allow anybody to leave, unless this is achieved through joining some evangelical church [...]” (Pastor Gómez, 29 January 2020, p. 5).

On the involvement of gang members over the years the publication observes:

“While the members are minors they are very active, but once they reach between 26 and 35 years, they tend to see fewer advantages of belonging to a *Mara*. On the contrary, the percentage of respondents who want to give up this way of life —this is called being in the process of ‘calming down’— grows significantly as they grow up, start their own families and are faced with the difficulties caused by the violence between gangs, police persecution and years spent in prison.” (Pastor Gómez, 29 January 2020, p. 6).

To quit a *mara* is a complicated and dangerous matter. María Luisa Pastor Gómez describes the process of disengagement from a *mara* as follows:

“If done without permission, [leaving a *mara*] [...] implies certain death, and obtaining the leaders’ blessings involves long and arduous negotiations. When a member is in the process of ‘calming down’, he or she progressively pulls out of the gang’s life but is still considered a member. This is the accepted way of leaving, but the steps to total withdrawal from the group need to constantly be negotiated with the *Mara*’s leadership. Many departures take place via religious conversion and integration into an evangelical church, an experience which provides a safe haven that allows aspiring deserters to reestablish links with the community, to build their families and to look for educational or job opportunities without harassment from the gang. However, this way is not easy either, as any members wishing to leave the *Mara* are subjected to very close monitoring [...]. Other challenges faced when leaving a gang are the total lack of the skills needed for regular work, the lack of training opportunities, the constant threat emanating from old gang rivals, harassment from the police and security forces, and social discrimination on account of their past and their appearance, since one of the most visible features of *Mara* members until recently were their tattoos, which are almost impossible to get rid of.” (Pastor Gómez, 29 January 2020, pp. 8-9)

4.1 Geographic control and influence

As mentioned above, *maras* are, according to the January 2020 publication by María Luisa Pastor Gómez, essentially an urban phenomenon. They are much more predominant in poor and marginalised neighbourhoods, where there is little state control (Pastor Gómez, 29 January 2020, p. 6). However, Elizabeth Kennedy disagrees with this statement and refers to interviews she has conducted with children and families from rural as well as from urban areas in 13 of 18 departments in Honduras, which showed that gangs operate in rural areas as well (Kennedy, 6 December 2022).

María Luisa Pastor Gómez writes the following on gangs and their relationship with territory:

“Gangs are groups that create their own rules and membership criteria and that are marked by an obsessive territorial logic. The territorial framework —usually a marginal neighbourhood or a hill— is their place of action which they consider their property. *Mara* members fight to maintain control over their physical space and defend it to the last. They even impose restrictions on the movement of its inhabitants, often according to the territorial limits established with the rival gang. *Maras* secure the support of local gang family members and also rely on ‘falcons’ or informers who act as their eyes and ears inside the neighbourhoods and supply them with all information. The *Mara* gangs have

established themselves on the ground as an alternative authority to the state that exacts 'taxes'. From that position, they run drug traffic or small dealing schemes as well as extorting small businesses and residents within their catchment area. The latter are charged 'rent' or 'housing'. [...] The Maras impose tacit codes of conduct on inhabitants, and if the latter reject those, they suffer violence. Refusing to collaborate also means death, as does accidentally trespassing on a rival gang's territory. Gang members lay down the rules in the communities. People can see and hear, but they must never speak about or report anything or they risk being tortured or, in the worst case, murdered. At night, vehicles trying to enter the neighbourhoods must switch off their lights, otherwise they can come under fire. If a person wants to move between neighbourhoods, they must request a permit and pay 5 dollars. Everyone is asked to produce their ID, and there are even rules regarding clothes. For example, wearing a Tshirt with the number 18 in a neighbourhood controlled by the MS13 Mara can be a reason to die." (Pastor Gómez, 29 January 2020, pp. 8-9)

The gang territories are marked by specific graffiti that adorns the walls of affected communities. Mostly the graffiti shows the numbers 18 for the Barrio 18 and 13 for the MS-13 (McGrath, 10 February 2021).

InSight Crime in its 2018 report on MS-13 also emphasizes that establishing physical borders for the *mara* is a necessity, because without territory, there is no extortion or other revenue. In El Salvador and Honduras gang-controlled areas are marked by what is referred to as "invisible borders" (*fronteras invisibles*) by residents (InSight Crime, February 2018, p. 48).

On invisible borders a UNHCR report states:

"By the establishment of invisible borders, the groups mark specific locations within the communities to delimit the presence of opposing criminal groups. In large cities, people cannot walk in certain areas after curfew within their neighborhoods nor trespass to other gangs' territory. In some sectors, police officers are not allowed entry. Children, adolescents and young men are disproportionately affected by invisible borders in their communities, whose risks often derive from crossfires and violent disputes between gang members; [...] To exert this control, gangs use 'flags' or watchmen, people located in strategic points in neighborhoods, who watch and inform the gang about who enters or leaves the neighborhood. Most of the time, these 'flags' are children and adolescents." (UNHCR, 25 November 2022, p. 9)

Those boundaries affect the freedom of movement for the inhabitants of gang territories. Freedom House notes that "authorities generally do not restrict movement, [but] ongoing violence and impunity have reduced personal autonomy for the country's residents, [...] dangerous conditions limit free movement and options for education and employment" (Freedom House, 24 February 2022, G1). Consequently, more than the graffiti it is "the controlled movement of people that most strongly speaks to the ways in which gangs materially construct, order and control urban space and the bodies and movement within them" as Antonia McGrath, director of a Honduras-based NGO, puts it in a February 2021 article (McGrath, 10 February 2021).

A September 2022 publication by the Global Protection Cluster (GPC), a network of NGOs, international organisations and UN agencies engaged in protection work, also explains that the

territorial control by the *maras* is reflected in the imposition of invisible borders, in curfews and dress codes. All persons living in gang-controlled areas face restrictions in accessing the rights to health, education, work and the use of public spaces. The publication further notes that territorial disputes in areas historically impacted by violence, such as San Pedro Sula, La Lima, Choloma and Tegucigalpa as well as in areas where the level of violent incidents was historically lower, such as Danlí, Choluteca, Olancho, Valle, La Ceiba and Gracias a Dios, have intensified. Controls and restrictions imposed by the *maras* have increased in recent years, especially in peripheral areas of urban centres, where restrictions on mobility have worsened. (GPC, 12 September 2022, p. 6)

France 24, a French state-owned international news television network that also broadcasts in Spanish, in July 2022 publishes an article on such an invisible boundary. The article describes a dirt road that separates the territories of MS-13 and Barrio 18 in the Chamelecón neighbourhood, a hotspot for gang violence in San Pedro Sula. (France 24, 23 July 2022). UNHCR describes Chamelecón as “one of the largest sectors of San Pedro Sula [...] [that] has historically suffered from the impact of violence and territorial control of two gangs over northern and southern areas of the sector, causing many families to abandon their homes in search of safer communities” (UNHCR, 3 March 2022). The dirt road is known as “la frontera” and in July 2022 was crossed by members of Barrio 18, who fired machine guns on a street and demanded of locals living on the MS-13 side to vacate the area. Ten families had to leave, and even though the police reinforced their presence, they didn’t return (France 24, 23 July 2022). An article published in 2017 by PRISM, a security studies journal of the Washington, D.C.-based National Defense University Press, describes what it means to move between territories controlled by different gangs:

“One resident who daily has to navigate between MS 13-controlled territory where she lives and numerous disputed territories to get to work described her life as one of tension-filled negotiations, seeking permission from each group in control (the Terecereños, Los Ponce, Los Chirisos, etc.). Control can change on a daily basis, adding to the stress, as does the constant worry that her young teenage daughter will be taken by one of the groups.” (PRISM, 14 September 2017)

The rivalry between MS-13 and Barrio 18 reportedly started in the 80s in Los Angeles, MS-13 and Barrio 18 were allies but as a result of a fight during a gang party night, the alliance broke and war between the two *maras* started (Pastor Gómez, 29 January 2020, pp. 6-7):

“Within this war logic, each action of MS 13 provokes a reaction from Barrio-18 and vice versa. [...] Each attack is followed by another, more forceful counter-attack. [...] The degree of respect commanded by a Mara member within his or her own Mara depends on the number of murders committed and the barbarity involved, as well as the victim’s status within the rival group.” (Pastor Gómez, 29 January 2020, pp. 7-8)

Thomas Boerman assesses in 2019 that financial resources can provide possibilities to shield oneself and one’s family from gang-violence, by moving to areas where the justice system works:

“In contrast to the common misperception in the U.S. that violence is ubiquitous throughout El Salvador, Honduras, and Guatemala and affects everyone, access to financial resources affords one the opportunity to situate himself or herself and their family and

kinship group members in more secure areas, to craft lives in which, generally speaking, they are shielded from violence and are reasonably assured of access to functional justice system mechanisms if they do find themselves at risk or being victimized.” (Boerman, December 2019, p. 6)

4.2 Mara Salvatrucha/MS-13

A book on gang strategies in the Northern Triangle released in 2022 by author Adam Golob, a political scientist with a geographic focus on Central America, relying on several sources, provides an overview of the origins of Mara Salvatrucha:

“The origins of MS 13 date back to the 1980s and the El Salvadorian civil war. At that time, many El Salvadorians fled their home country and moved to the United States [...] [where they] were exploited and preyed upon by members of Mexican gangs [...]. In response to these and other threats in the new city life, the youths banded together in *maras* or ‘posses,’ that they claimed were made up of *salvatruchas*, or street-tough Salvadorans. The ‘13’ was added due to neighborhood association.

As time progressed, the number of active gang members grew, and new additions included more ambitious recruits with paramilitary experience, a thirst for power, and many with weapons training. MS 13 activities slowly moved from the petty theft and low-level crimes of a juvenile street gang to more severe crimes of extortion, forcing ‘rent money,’ and drug trafficking. Finally, by 1984, the Los Angeles Police Department had begun massive anti-gang initiatives and was sweeping the Los Angeles area for anyone involved in gang activity. Many members of MS 13 and Barrio 18 found themselves behind bars where they were quickly indoctrinated into the prison-gang culture [...]. MS 13 was a small gang in the 1980s, and estimates are that fewer than 500 members were involved prior to the sweeping arrests and imprisonments. Following the massive arrests, law enforcement in the United States moved to phase two of their crack down on criminal gang activities; the favored move was deportation. [...] [T]he new deportees quickly created gang holdings for MS 13 in El Salvador, Honduras, and Guatemala before expanding their enterprise to encompass much of all three states. [...] Due to the chain of events following the establishment of the youth *maras* MS 13 is no longer a simple gang of youths trying to get along in a new and hostile environment – the victims have found power and community, and they are now the victimizers.” (Golob, 2022, pp. 39-40)

InSight Crime published a comprehensive report on MS-13 in the Americas in 2018. It describes the Mara Salvatrucha as one of the world’s largest and most violent street gangs that has spread to more than a half-dozen countries and operates on two continents. Altogether, the MS-13 has between 50,000 and 70,000 members (InSight Crime, February 2018, p. 3), although estimates of the gang’s size vary widely. In the US, the generally accepted number of MS-13 members lies between 8,000 and 10,000. The FBI estimates that internationally, there are approximately 30,000 to 50,000 members. El Salvador Security forces estimate that in El Salvador there are between 30,000 and 40,000 MS-13 members (InSight Crime, February 2018, p. 74).

Regarding the numbers of gang members in Honduras the most current information that could be found is provided in an April 2016 report by InSight Crime and the ASJ. The authors also

discuss that estimates vary widely and estimates of NGOs are considerably lower than official estimates by the Honduran police or the US Agency for International Development (USAID). While according to estimates by two NGOs the number of active gang members of both MS-13 and Barrio 18 together amounts to around 5,000 – 6,000, the UN Office on Drugs and Crime (UNODC) says Mara Salvatrucha has 5,000 and Barrio 18 has 7,000 members. The Honduran police contends that both gangs together have about 25,000 active members (InSight Crime/ASJ, 21 April 2016, p. 7) and according to a USAID report there are 36,000 active gang members in total (USAID, April 2006 p. 17), but this number is of 2006 and it includes members of other Honduran gangs as well. An article by InSight Crime, published in 2012, speaks of some 1,340 MS-13 members in San Pedro Sula and some 410 members in Tegucigalpa (InSight Crime, 19 July 2012).

On the relations between the MS-13 in Honduras with the MS-13 in other countries, Proceso Digital states that relations with the Salvadoran and Guatemalan gangs are cordial and supportive, but the Honduran MS-13 is more independent and that the sense of belonging to the Californian gangs and the influence of the Salvadoran and Guatemalan gangs is not very strong (Proceso Digital, 14 January 2021).

InSight Crime emphasizes that MS-13 is not first and foremost a criminal organisation, but it is primarily a social organisation. The Mara Salvatrucha is more about creating a collective identity than about generating revenue. This collective identity is “constructed and reinforced by shared, often criminal experiences, especially acts of violence and expressions of social control. The MS13 draws on a mythic notion of community, a team concept, and an ideology based on its bloody fight with its chief rival, the Barrio 18 (18th Street) gang, to sustain a huge, loosely organized social and criminal organization.” (InSight Crime, February 2018, pp. 3-4)

4.2.1 Structure

The InSight Crime 2018 report on the MS-13 in the Americas observes that “[t]he MS13 is a diffuse organization of sub-parts, with no single leader or leadership structure that directs the entire gang” (InSight Crime, February 2018, p. 4). Therefore, instead of a single boss and a clear hierarchy there are layers of leadership structures:

“In the top layer, there are leadership councils formed by seasoned veterans. Below that are what are called programs, which are managed by mid-level leaders. These programs manage the cells of the gang, or cliques [clicas]. These cliques are semi-autonomous and exert the most influence over their members.” (InSight Crime, February 2018, p. 29)

PRISM magazine in its 2017 article states that the leadership of the Honduran MS-13 differs from its counterpart in El Salvador:

“MS 13 in Honduras has maintained a unified gang leadership, largely in prison, which has proved capable of strategic thinking, including: initiating important changes, such as halting the extortion of businesses in their neighborhoods; expanding territorial control aimed at dominating urban and rural cocaine transport routes; enhancing military capacities and capabilities; and developing a more coherent political presence. By contrast, MS 13 leadership in El Salvador is deeply divided.” (PRISM, 14 September 2017)

The 2020 analytical paper by María Luisa Pastor Gómez provides the following summary on the bottom-up structure of the Mara Salvatrucha:

“The most basic cell of a Mara is the clique in the case of MS13 [...]. Cliques are semi-autonomous and not necessarily tied to any formal structure, which affords them a certain level of independence in their activities. Several cliques can constitute what MS13 calls a programme [...]. *Programmes* report to a governing board called *ranfla* (in Honduras: group of people heading for the same place) or *mesa* (table). These boards are made up of the most experienced and respected gang members, most of whom are in prison. The higher level of the hierarchy comprises the *palabrereros* (perhaps borrowed from Colombian/Venezuelan Guajiro culture: a sort of mediator or arbiter), i.e. leaders of *programmes* or of the national *ranfla*. They operate inside or outside of prisons and are responsible for coordinating all criminal activities, extortion being one of the most important.” (Pastor Gómez, 29 January 2020, p. 6, Fn. 9)

According to InSight Crime the clicas are the most important unit of the gang and the closest to a surrogate family a gang member has (InSight Crime, February 2018, pp. 29-30). Overall, there are hundreds of clicas, El Salvador for example has more than 250 clicas (InSight Crime, February 2018, p. 30). No information on the number of clicas in Honduras could be found. Clicas mostly draw their names from the territory they are tied to, after a street or a neighbourhood (InSight Crime, February 2018, p. 30). The clicas have a semi-autonomous status, each clica decides the type of its criminal activities and the violence applied. Clicas vary significantly in their size:

“This semi-independent nature of the cliques helps explain why there exist both ten member cliques that live from small extortion schemes and petty drug trafficking, and cliques that have hundreds of members, access to assault weapons and connections to international drug trafficking. The organic nature of this system has allowed for cliques to grow and expand their criminal economies.” (InSight Crime, February 2018, p. 30)

A November 2020 report by the US Agency for International Development (USAID) notes the following on the clicas of both MS-13 and Barrio 18:

“Each clique comprises regular members and collaborators or informants. Regular members make up the core and muscle of the gang. They are in charge of carrying out most of the criminal and revenue-generating activities, such as extortions and drug dealing. Depending on the gang organization, they take different titles: soldier, *paisa*, *paisa firme*, *gatillero*, or *traqueto*. Collaborators or informants are not considered official members of the gang; they have not undergone an initiation rite, and they function as aides to the regular members. Their activities include communications, transportation of drugs and weapons, and surveillance, flagging the presence of strangers and potential rivals in the territory. Collaborators take different titles, which also may reflect a hierarchy within the group of collaborators: *bandera*, *mula*, *aspirante*, *puntero*, and *colaborador* [...].” (USAID, November 2020, p. 23)

In El Salvador in the early 2000s, the MS-13 started to create a more hierarchical organisational structure and introduced “programmes” (*programas*). A programme coordinator controls

several *clicas*. They resolve issues between *clicas* or within a certain *clica* and can determine for example territorial boundaries or “the fate of individual gang members if they have committed major transgressions” (InSight Crime, February 2018, p. 31). If powerful *clicas* succeed in grouping other *clicas* beneath them, they themselves can become a programme. For the individual gang member solidarity is with the *clica*, the programme is mostly an organisational tool (InSight Crime, February 2018, p. 31).

On the higher hierarchy of MS-13 InSight Crime reports:

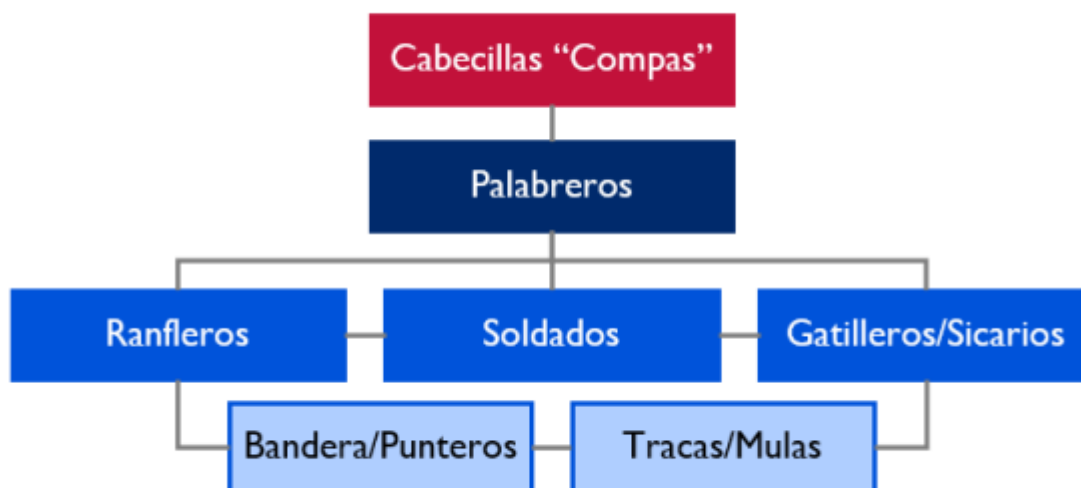
“In places where the MS13 is very organized, such as Los Angeles and El Salvador, these programs answer to a ruling council. This council goes by different names in the different countries and major metropolitan areas where the gang operates. In Los Angeles, this is called a ‘mesa,’ or ‘table.’ In El Salvador, it is known as the ‘ranfla,’ and the leaders who make it up are called ‘ranfleros.’ These are the maximum leaders of the MS13. There are generally two types of gang members that reach this level: 1) the older veterans of the organization that move up the ladder by virtue of their years of service and the fact that most of their colleagues are either dead or have transitioned into semi-retired (‘calmado’) status; and 2) those that show commitment to the gang, mostly through acts of violence against adversaries.” (InSight Crime, February 2018, p. 32)

No current information on higher organisational levels like programmes and ruling councils of the MS-13 in Honduras could be found.

An older InSight Crime report on Honduran gangs, published in 2016, states that at the top of the MS-13 structure in Honduras there is a “*palabrero*”, who typically acts from within a prison. *Palabrer*os communicate with their members on the street as well as with leaders of gangs in other countries (InSight Crime/ASJ, 21 April 2016, p. 28). Each Honduran MS-13 cell, or *clica* (InSight Crime/ASJ, 21 April 2016, p. 12) has a “chief” (*jefe*), who is referred to by a nickname. This *jefe* has a certain territory, a *colonia*, under his purview. The second in command to the *jefe* is a sergeant, who is responsible for the security of the territory under the *clica*’s control. For this reason, the sergeant has a small number of loyal soldiers. The soldiers on their part depend on the so-called *locos*, who are not yet members but on the verge of their initiation (InSight Crime/ASJ, 21 April 2016, p. 29). The *locos* keep an eye on the gang’s drug dealers, who are called “mules” (*mulas*) and are not members of the gang. The *locos* are in contact with the ubiquitous *banderas*, youths who, according to InSight Crime “are pulled into their operations at various levels and with varying responsibilities depending on their age, experience level, and perceived allegiance to the group, among other factors. At the most basic level, the *bandera* is responsible for notifying the *locos* whenever anyone who is not from the neighbourhood – such as a rival gang member or government authority – enters the *colonia*” (InSight Crime/ASJ, 21 April 2016, p. 29).

According to the November 2020 USAID report above the *palabrer*os there are the *compas*, “senior members who act as the ‘brains’ of the organization. *Compas* delegate their authority to Palabrer*os*, who are in charge of making sure that the orders are being followed inside each clique.” (USAID, November 2020, p. 24). The report further provides graphics that show the structure of MS-13:

Exhibit 17. MS-13 Structure



Source: In-depth interviews.

Source: USAID, November 2020, p. 25

4.2.2 Areas of operation

The 2016 report by InSight Crime and ASJ notes the following on the distribution of gangs in Honduras:

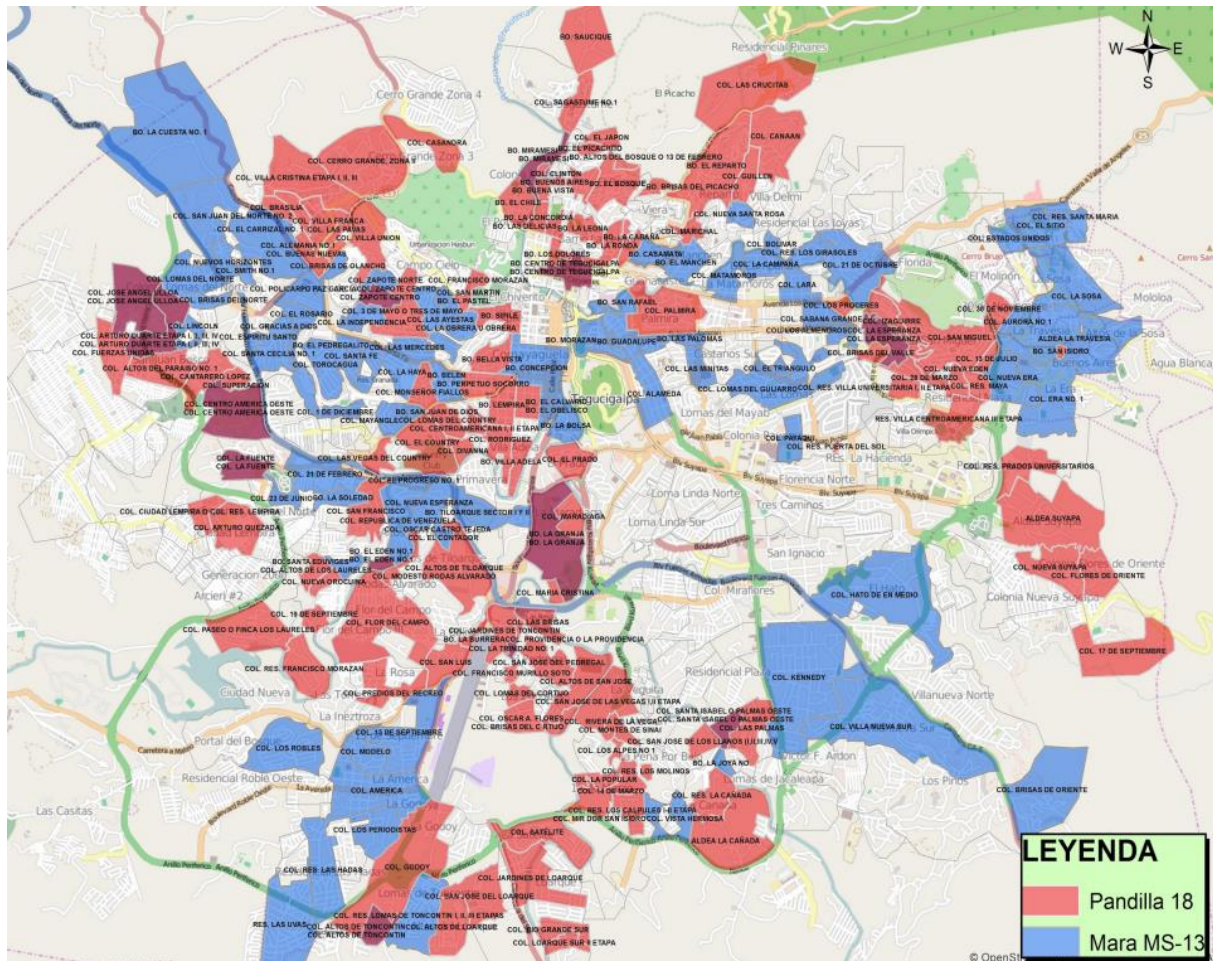
“Broadly speaking, gangs have little presence outside the three largest urban areas: the capital city of Tegucigalpa and its surrounding metropolitan area; the city of La Ceiba, the third-largest in the country, and Cortes province. In Cortes, most gangs are concentrated in greater San Pedro Sula, the country’s industrial and economic capital. That is not to say that there is not gang presence in some rural areas. A prime example is the municipality of Tela, between La Ceiba and San Pedro Sula, where the MS13 has established a strong base of operations.

The maps of gang presence in these cities gives no clear pattern of why gangs occupy certain territory and not others. According to police intelligence, the Barrio 18 is currently [2016] operational in approximately 150 neighborhoods or ‘colonias’ in Tegucigalpa. [...] Barrio 18’s largest extension of territory is in the southern part of the Capital District, including Tegucigalpa’s sister-city, Comayagua. Meanwhile, MS13 is operational in some 70 colonias in the capital district, while the gang’s largest concentration of forces is believed to be in the western part of the city. There are thought to be just 12 colonias out of 222 in which both gangs are present at the same time, including Tegucigalpa’s city center.” (InSight Crime/ASJ, 21 April 2016, p. 9)

“In San Pedro Sula, meanwhile, Barrio 18 is present in 22 colonias. The MS13 is also present in 11 of those, explaining in part why the city sees so much violence, as the gangs jostle for

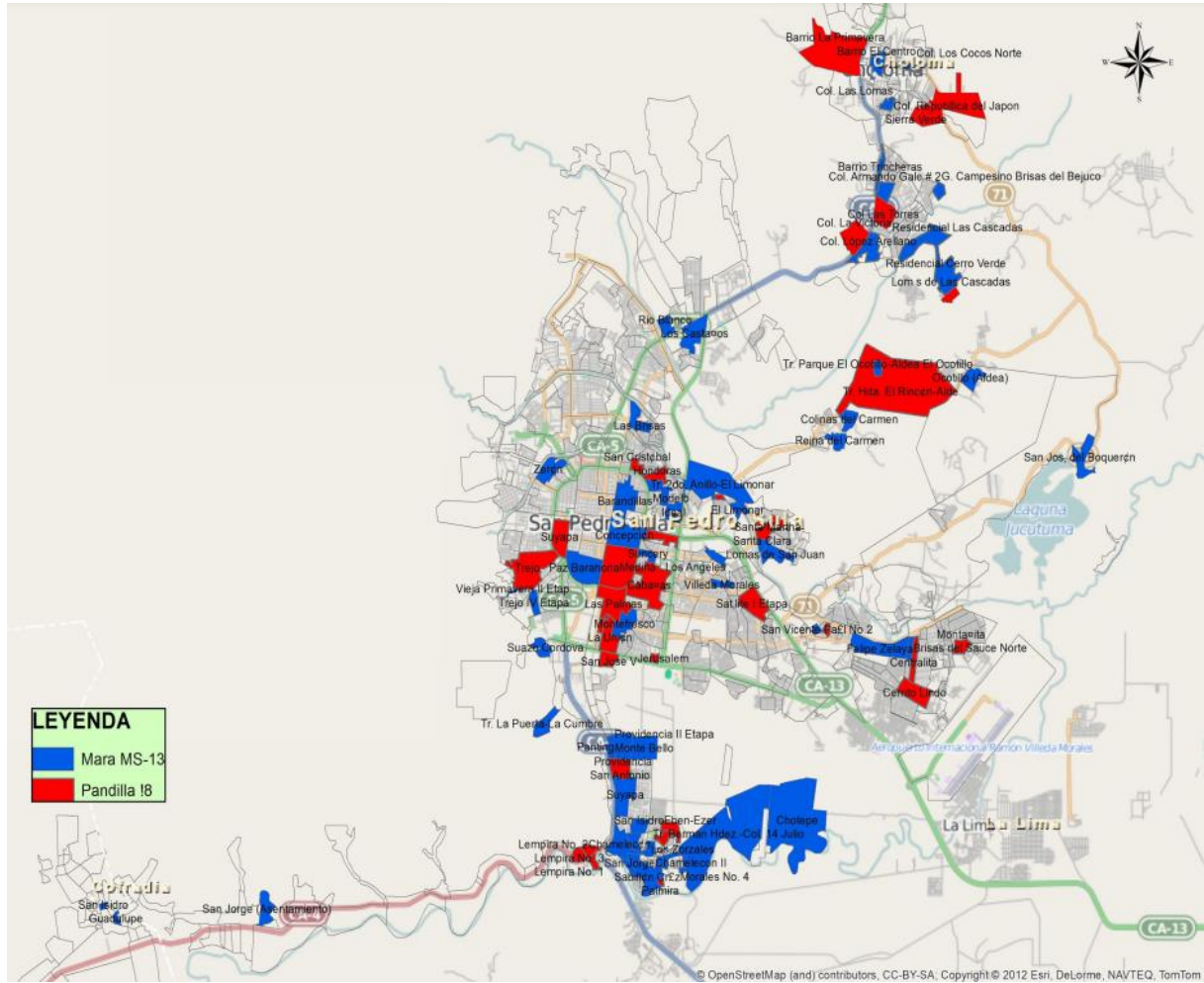
dominance within these contested areas. In addition to those 11 colonias, the MS13 is present in another 58 colonias in San Pedro Sula. It should also be noted that other gangs are interspersed in both San Pedro Sula and Tegucigalpa” (InSight Crime/ASJ, 21 April 2016, p. 10).

The same report provides two maps by Honduras Police Intelligence that show gang territories in Tegucigalpa and San Pedro Sula. MS-13 and Barrio 18 presence in Tegucigalpa in 2016:



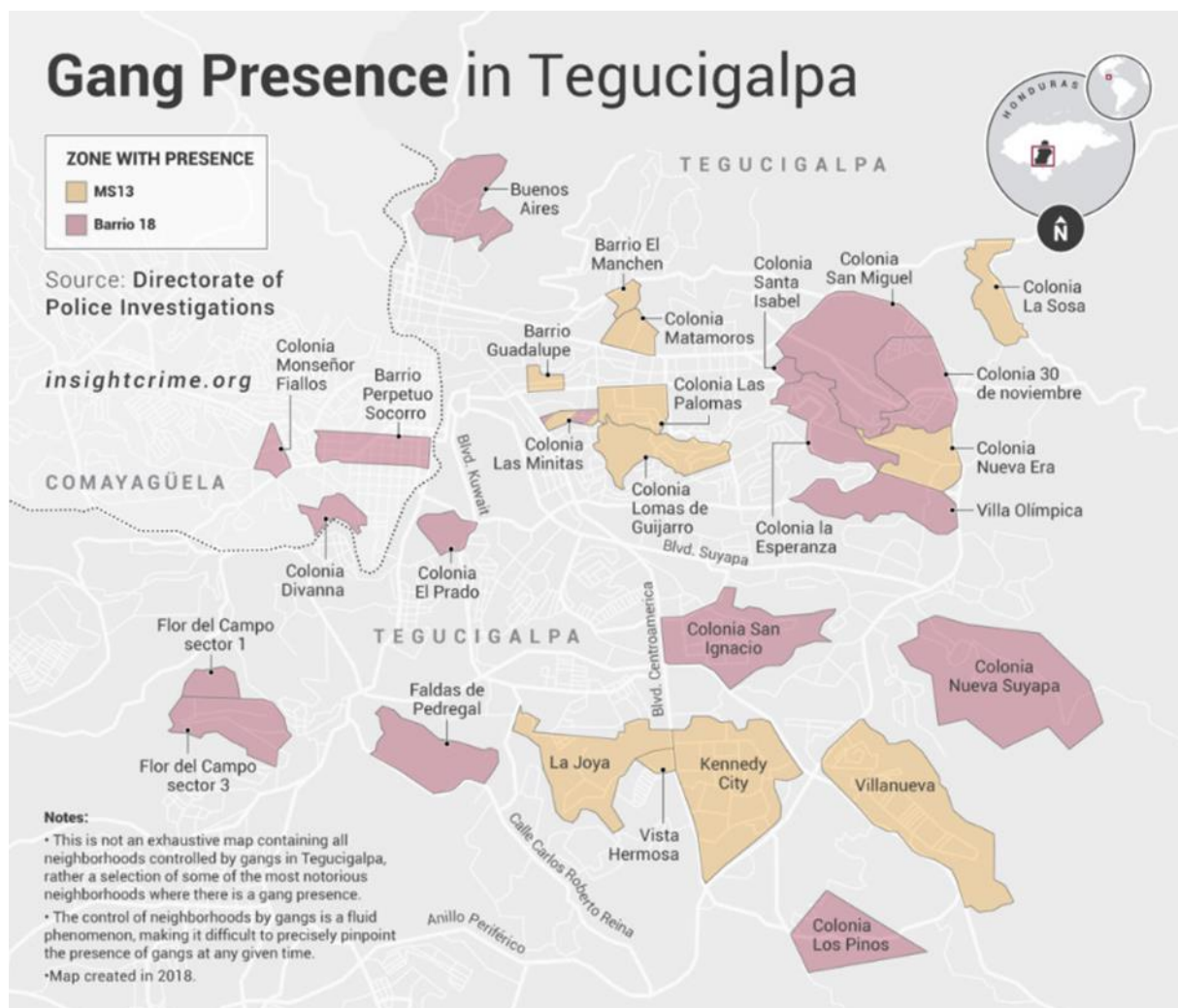
Source: [InSight Crime/ASJ, 21 April 2016](#), p. 10

MS-13 and Barrio 18 presence in San Pedro Sula in 2016:



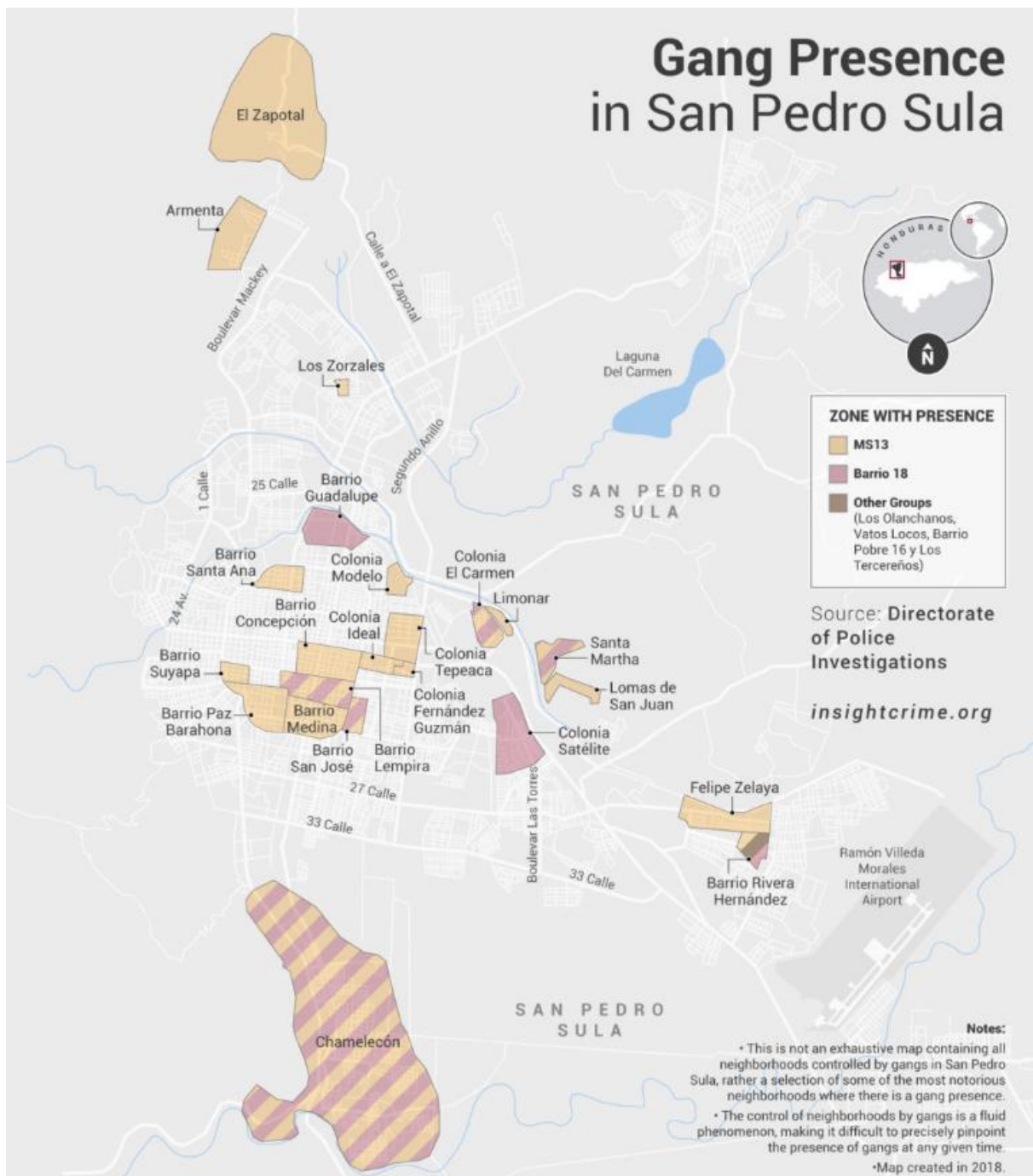
Source: [InSight Crime/ASJ, 21 April 2016](#), p. 11

A map created in 2018 by InSight Crime shows a selection of some of the most notorious neighbourhoods in Tegucigalpa with presence of MS-13 and Barrio 18:



Source: [InSight Crime](https://insightcrime.org), 2018

Another map, also created in 2018 by InSight Crime, shows a selection of some of the most notorious neighbourhoods in San Pedro Sula:



Source: [InSight Crime, 26 April 2019](#)

4.2.3 *Modus operandi/activities*

InSight Crime reports in 2018 that due to the lack of centralized leadership, MS-13 is relatively impoverished and describes the gang as a “hand-to-mouth criminal organization”. The most important revenue stream for MS-13 is extortion, but local drug peddling is increasing within the gang’s criminal portfolio. Additionally, MS-13 is involved in other criminal activities like, among others, human smuggling, prostitution, car theft and resale (InSight Crime, February 2018, p. 5), but also in assassinations for hire (USAID, November 2020, p. 22). Within international criminal schemes, Mara Salvatrucha is only a small player. It depends on bigger

criminal players like the Mexican Mafia [a Mexican American criminal organisation in the US] in cases of international drug trafficking, for instance. Because of its diffuse structure and violence, it is still a transnational gang and has not transformed into a transnational criminal organisation, as the 2018 InSight Crime report assesses (InSight Crime, February 2018, p. 5).

Violence

The 2018 InSight Crime publication on the MS-13 in the Americas observes that violence is a key element in the activities of the gang:

“MS13 violence is brutal and purposeful. Violence is at the heart of the MS13 and is what has made it a target of law enforcement in the United States, Central America and beyond. It is central to the MS13’s ethos, its modus operandi, and its evaluation and discipline of its own members. Violence also builds cohesion and comradery within the gang’s cliques. This use of violence has enhanced the MS13’s brand name, allowing it to expand in size and geographic reach, but it has undermined its ability to enter more sophisticated, money-making criminal economies. Potential partners see the gang as an unreliable, highly visible target, and the gang’s violent spasms only reinforce this notion.” (InSight Crime, February 2018, p. 4)

“[...] [I]n the end, violence is the ultimate proving ground of masculinity in the gang’s hypermasculine environment [...]. The MS13’s use of violence is motivated by two major external factors. To begin with, the MS13 has a need to establish physical boundaries. This is, in part, so the gang can secure ‘renta,’ or ‘rent,’ the MS13’s euphemism for extortion and other revenue. [...] Secondly, the gang uses violence to protect itself from prosecution. Specifically, it targets anyone that it believes is cooperating with law enforcement or security forces. In El Salvador and Honduras, this has led to what are referred to as ‘invisible boundaries’ (‘fronteras invisibles’), which residents understand are meant to mark gang-controlled areas. However, violence also offers the gang opportunity. If it holds a monopoly or near monopoly on violence, it can also exert social and political control. It can do this by policing criminal activities of its own members and other gangs. In some areas in Central America and in Los Angeles, law enforcement gang experts told InSight Crime that the MS13 has created rules limiting extortion in its own areas of influence, and has tried to enforce rules against domestic violence.” (InSight Crime, February 2018, pp. 47-48)

“Internally, violence is employed by the MS13 to exert discipline and to control dissent, gang members and gang experts said. Everything from missing meetings to eyeballing someone else’s girlfriend can incur a beating or worse. There are two transgressions that lead to an automatic death penalty: snitching and desertion. As it is with those outside of the gang, working with authorities is considered the ultimate betrayal. Closely related to snitching is leaving the gang without permission. Those who disappear for long periods without permission are presumed to be collaborating with authorities and are therefore often green-lit.” (InSight Crime, February 2018, p. 48)

PRISM journal in its 2017 article reports that MS-13 has set up military training camps in the department Olancho. There, members are trained by former security officers, policemen and former special forces combatants, veterans of Central American wars who have now been hired

by MS-13. Policemen are paid by MS-13 roughly 2.5 times of what they earned inside the police force. PRISM writes that many of the policemen now training the Mara Salvatrucha have previously been dismissed by the Honduran government for suspected corruption and/or human rights violations. In addition to military training, MS-13 members have access to improved weaponry, including machine guns, explosives and assault rifles (PRISM, 14 September 2017).

USAID in November 2020 reports that the MS-13 takes over police responsibilities in its territory:

“When a community member has a problem inside MS-13 gang territory, people go to the gang leaders before contacting authorities to solve the problem. These findings are consistent with past research which indicates that MS-13 gang members stopped extorting inside their neighborhoods to leverage support with the people who live in those communities. Regardless, MS-13 gang members are violent and constantly engaging in criminal behavior.” (USAID, November 2020, p. 26)

Extortion

Pamela Ruiz, for her January 2022 report on gang-violence and extortion in Northern Central America, conducted interviews with academics, police officers and NGO personnel (Ruiz, January 2022, pp. 7-8). She found that there are differences in the way of how MS-13 and Barrio 18 practice extortion:

“MS-13 and Barrio 18 were identified to extort differently. All participants described Barrio 18 to extort businesses within their territory, including the ladies who sold tortillas (most vulnerable). MS-13 was described to extort small amounts or no businesses within their territory, rather focusing extortion on the transportation sector. Officers described MS-13’s strategy to gain sympathy within their communities. NGO and officers identified this benefited MS-13 since neighbors would inform the gang of police patrols or if others tried to extort within the communities so the gang would eliminate competitors.” (Ruiz, January 2022, p. 19)

Other sources also mention that MS-13’s decision to stop extorting small businesses has bought them the goodwill of the residents within their territory (PRISM, 14 September 2017; Farah/Babineau, March 2018, p. 11). The loss resulting from this is compensated by the increased income from drug trade. However, MS-13 continues to extort larger business and transportation companies, which remains an important source of income: “The impact of such large business extortions has far less of an impact on communities, many of whom now actively support MS 13 efforts to expand their territorial control because of the halt to small business extortions.” (PRISM, 14 September 2017).

Drugs

As mentioned above, the Honduran MS-13 leadership’s strategic decision to give up extortion of small businesses, was made possible by increasing revenues from drug business (InSight Crime, 5 November 2021; PRISM, 14 September 2017). PRISM in its 2017 article describes the gang’s involvement in drug trade and explains that its members “primarily operate as hired transporters for multi-ton loads of cocaine (transportistas), and control the retail markets of

crack and cocaine (narcomenudeo).” (PRISM, 14 September 2017). InSight Crime in 2018 reports the following on the MS-13’s methods in the drug business:

“Drug peddling is a lucrative practice or piecemeal revenue stream, depending on which part of the drug distribution chain the gang is controlling or the area from which they are collecting. At its most basic level, clique leaders of the MS13 simply tax local drug dealers who operate in their area of influence. This appears to be the case in parts of Los Angeles, Honduras and El Salvador. Some members obtain and sell small amounts of drugs on an individual basis. More entrepreneurial clique leaders try to obtain a larger share of the distribution services, buying and selling to individual dealers. The most entrepreneurial among them try to control this wholesale market. We have only seen this in Honduras [...]” (InSight Crime, February 2018, p. 42)

Douglas Farah, the president of the national security consulting firm IBI Consultants, told InSight Crime in a November 2021 article that MS-13 tries to move into the drug trade in a more systematic and large-scale way, but the gang is still far from an international drug trafficking organisation, trading only hundreds of kilograms of cocaine (InSight Crime, 5 November 2021). MS-13 also profits from a surge in marijuana production (InSight Crime, 11 November 2021).

Other income sources

InSight Crime reports that the excess capital gained from the drug trade is invested in businesses like car wash services, hotels and restaurants (InSight Crime, February 2018, p. 42). InSight Crime in January 2022 publishes an article that describes MS-13’s involvement in a giant municipal trash dumping ground near San Pedro Sula, where the trash is sorted and some materials are sold to Honduras’ national recycling company (InSight Crime, 19 January 2022).

Politics

Douglas Farah and Kathryn Babineau in a March 2018 publication on the MS-13 mention a growing political interest of the gang:

“Despite the MS 13’s growing political awareness and activity, their involvement remained largely transactional rather than ideological. For example, both the MS 13 and Barrio 18 gangs negotiated directly with both the rightist ARENA [Alianza Republicana Nacionalista, remark ACCORD] party and the leftist FMLN [Frente Farabundo Martí para Liberación Nacional, remark ACCORD] in El Salvador’s 2014 presidential elections, essentially offering the votes of its members and members’ families to the highest bidder. The ideological content of those parties bidding for support was irrelevant as long as the money flowed. The November 2017 elections in Honduras heralded a seismic shift in the MS 13’s political involvement. In stark contrast to prior contests, the organization took the unprecedented step of allying itself with a particular ideology, and engaged in overt political violence in concert with some of the region’s criminalized populist movements from around the region in an attempt to reshape the country’s political order. implement a radical policy that threatened those who voted for Hernández [president at that time, remark ACCORD] with death or other serious retaliation. Furthermore, the gang’s leadership prohibited his campaign from operating or campaigning wherever they could. In many of the small

communities in question, where everyone knows everyone and the gang is the absolute arbiter of power, this step sent a powerful and effective message.” (Farah/Babineau, March 2018, pp. 16-17)

4.2.4 Recruitment and consequences of refusal or disengagement

According to the InSight Crime 2018 report on MS-13 in the Americas, usually the gang does not have to actively seek new members, but in most cases “[t]he gang’s community, its strong brand name and the individual’s sense of vulnerability to the MS13 or another gang, rather than any pro-active efforts by the gang itself, are what lead to a near endless stream of recruits” (InSight Crime, February 2018, p. 34). Financial rewards do not appear the driving force (InSight Crime, February 2018, p. 35). The cases where the gang actively approaches a potential recruit seem to be the exception (InSight Crime, February 2018, p. 34). For vulnerable and already troubled young people, the reputation of MS-13 as one of the most violent gangs worldwide is appealing, especially as joining the MS-13 can be a question of survival: “They are surrounded by what they perceive as hostile security forces and strong gangs like the MS13 and others. Faced with the prospect of being victimized, these youths seek protection” (InSight Crime, February 2018, p. 35). An article in the Spanish newspaper El País on the other hand, published in June 2022, tells the story of the director of a Honduran public educational center in Tegucigalpa. The director describes educational centers in the slums as misused by both, MS-13 and Barrio 18, as a place to store drugs and weapons. Furthermore, he reports that the gangs forcibly recruit school children and youths. Children who reject the forced risk being killed. (El País, 10 June 2022). UNHCR notes that “[f]orced recruitment was reported as a common problem in various neighborhoods of Tegucigalpa, mostly affecting young men and boys serving as informants or dealing drugs. However, girls and young women have also been forcibly recruited and used to carry drugs and weapons with them [....]” (UNHCR, 25 November 2022, p. 11). An older report of 2015 by UNHCR notes that women from the Northern Triangle of Central America “explained that refusal to join an armed group in their countries might be taken as a sign of allegiance to a rival group” (UNHCR, October 2015, p. 22).

Initiation

Becoming a member of Mara Salvatrucha can involve harsh rites of passage (Pastor Gómez, 29 January 2020, p. 5), including enduring a beating by gang members for 13 seconds (InSight Crime, 15 June 2022; ICE, 15 July 2020) or until someone counted up to 13 (InSight Crime, February 2018, p. 36). Female aspirants have to endure the same beating or are penetrated by a succession of *mareros* one after the other (InSight Crime, 15 June 2022). A survey by USAID, involving interviews with more than 1,000 people with a history of gang membership (USAID, November 2020, p. 5), showed that most of the respondents did not go through an initiation process, only some 34 percent of the Honduran MS-13 members said they joined through this process of initiation (USAID, November 2020, p. 35). A step-by-step description of the process of how joining the MS-13 can look like, is provided by the following InSight Crime report:

- InSight Crime: MS13 in the Americas, 2018, pp. 35-37
<https://insightcrime.org/wp-content/uploads/2018/02/MS13-in-the-Americas-InSight-Crime-English-3.pdf#page=47&zoom=100,0,0>

Disengagement

The survey results of the November 2020 USAID report show that 37 percent of gang-members (all gangs) said it is not possible to leave a gang while the rest knew about mechanisms to do so. Also, according to gang-members' responses, MS-13 has always been more open to the possibility of leaving the gang than Barrio 18 (USAID, November 2020, p. 44). Former gang members (MS-13 and others) explain that "the immediate challenge they faced as they tried to leave the gang was death" (USAID, November 2020, p. 45). More than half of respondents said that former gang members perpetually fear being killed by either a rival gang or their own former gang, if suspected to have leaked information (USAID, November 2020, p. 45).

InSight crime in its 2018 report observes the following on the topic of leaving the gang:

"In principle, gang members are not allowed to leave under any circumstances. They can, however, change status from 'active,' to 'passive,' or become what is known as 'semi-retired' ('calmado'). The gang leaders in that area have to grant permission to a member to change this status. That permission is usually contingent on a number of stated and unstated factors: the member's 'commitment' to el barrio [notion of community], the member's duration in the gang, and the member's current family situation. Obtaining permission to transition into a calmado is not easy, and being calmado does not mean the gang member is not governed by gang rules. A member that is calmado is still loyal to el barrio. He can even be called to assist the gang in extreme circumstances either through counsel or direct action with the gang. But for the most part, a calmado does not have to participate directly in gang life. He is not, however, left to live his life in the way that he sees fit. He is expected to comport with the rules or within the confines of his new circumstances. Calmados that have, for instance, embraced the evangelical church must show a dedication and commitment to that lifestyle. If they are found drinking, abusing their wives or showing in other ways that the church may have been a means by which to escape the gang, they can face serious consequences, including a death sentence." (InSight Crime, February 2018, p. 27)

The USAID report concludes:

"Despite the difficulties associated with leaving a gang, many people are successful in leaving the gang in Honduras. In fact, nearly half of our survey sample were no longer active in the gang and see themselves as former gang members. In addition, most respondents (62 percent) know someone who has done so." (USAID, November 2020, p. 45)

4.3 Barrio 18

The US Congressional Research Service (CRS) notes in a report of August 2016, that both, the 18th Street gang (Barrio 18) and Mara Salvatrucha (MS-13) have their origins in the USA, from where they later expanded their activities to Central America. While MS-13 was founded in the 1980s by Salvadorian immigrants, the 18th Street gang was created earlier - in the 1960s - by Mexican immigrants who were not accepted into existing Hispanic gangs. It became the first Latino gang to integrate members of other nationalities into their group (CRS, 29 August 2016, p. 3). According to other sources, such as InSight Crime and researcher Annibal Serrano, the 18th Street gang (in Spanish known as Barrio 18, Calle 18, Mara 18 or M-18) became either known after splitting from the exclusively Mexican Clanton 14 gang or was created as a reaction

to it by a mixed Latino group (InSight Crime, updated 8 September 2021; Serrano, 30 August 2020). The gangs' activities increasingly expanded to Central America following the US government's passing of the Illegal Immigration Reform and Immigrant Responsibility Act in 1996 and ensuing deportation of illegal immigrants, including convicted gang members, back to their countries of origin (CRS, 29 August 2016, p. 3). However, gangs with the names Barrio 18 and MS-13 have reportedly existed in Honduras since the early 1990s, already before these large-scale deportations (USAID, November 2020, p. 9). Both gangs never ceased their activities in the USA.

According to estimates by the United Nations Office on Drugs and Crimes (UNODC), Barrio 18 has 7,000 gang members in Honduras (InSight Crime/ASJ, 21 April 2016, p. 7), however, as discussed above ([section 4.2](#)), estimates vary.

4.3.1 Structure

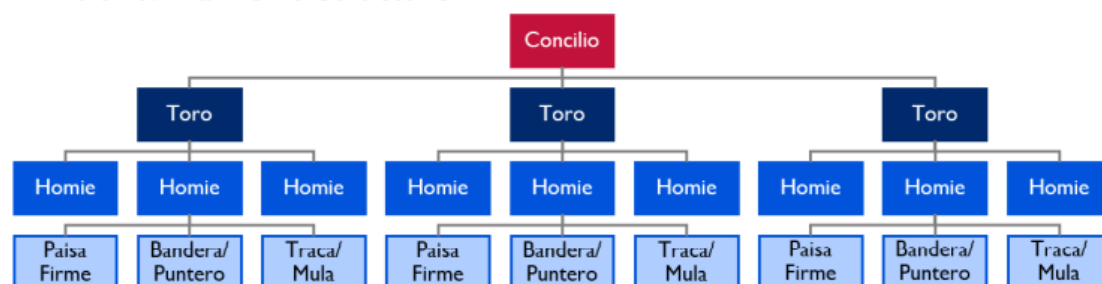
In two articles, including one of September 2021 and one with no date specified, InSight Crime describes the gang's structure as follows: At the top are leaders or *palabrer*os, who coordinate and keep record of all criminal activities. Most of the top leaders are imprisoned, but nevertheless keep operating from within the prison system (InSight Crime, updated 8 September 2021). *Palabrer*os, the most experienced and respected gang members, are also leaders of the national *ranfla* or of *canchas* (InSight Crime, undated (d)). *Canchas* are territorial units controlled by several tribes (*tribus*), the gang's smallest organisational units (InSight Crime, updated 8 September 2021). Tribes, according to InSight Crime, are semi-independent units, whose degree of autonomy, however, depends on external factors such as their geographical area of operation and their respective political and social environment. Moreover, personal factors, including the personal histories of the tribes' leaders and their relationships with other gang leaders, likewise influence a tribe's degree of autonomy. *Canchas*, in turn, are under the control of so-called oversight councils - *ranflas* or *mesas* (tables) -, composed of the most experienced gang leaders, including *palabrer*os (InSight Crime, undated (d)). No information on the number of Barrio 18 *tribus* or *clicas* in Honduras could be found.

Collaborators are frequently minors who are not formal members of the gang and perhaps never will be, but who support the gang with doing small jobs. Here a further distinction can be made between *paros* (who are, for example, running errands for gang members) and *chequeos* or *postes*, who carry out tasks such as hiding money or keeping watch (InSight Crime, updated 8 September 2021; InSight Crime, undated (d)). Barrio 18's structure is reportedly more open to accepting aspiring members than MS-13, which requires newcomers to work three to five years as *banderas* before they can rise to the rank of *soldados* (UNDP/ASJ, 2020, pp. 33-34).

InSight Crime and Pastor Gómez note that Barrio 18's *tribus* correspond to the cliques or *clicas* of the MS13, while *canchas* are referred to as *programs* by the latter group (InSight Crime, undated (d); Pastor Gómez, 29 January 2020, p. 6, FN 9).

In an older report of 2016, InSight Crime uses slightly different terminology and notes that Barrio 18 has a "nominally hierarchical" structure, with the leaders referred to as *toros* (bulls). Each *toro* has several *clicas* (cells) under his command. *Clicas* are usually headed by *homies*, who command a certain number of *soldados* (soldiers). *Soldados* differ in rank and with regard to the tasks they take on, such as collecting money from extortion and drug dealing, or serving as hitmen (*gatilleros*). *Soldados* control one or more territories and usually, they have five to ten so-called *paisas* under their command, including *paisas firmes* (literally: solid) – persons

who have proven to be loyal and/or able to work in the gang's interest and are close to becoming *soldados* themselves. On the bottom level of the gang hierarchy, but not members of the gang, are the *banderas* (literally: flags), boys between 6 and 14 years old, often forcibly recruited and working as messengers or lookouts. Other collaborators outside the formal gang structure are, for example, drug sellers (*traquetos*), lawyers and the girlfriends (*jainas*) of gang members (InSight Crime/ASJ, 21 April 2016, pp. 16-18). USAID in a report of November 2020 notes that at the top of Barrio 18's organisation is a *concilio* (council) formed by the gang's most senior leaders, the *toros*. USAID observes that the *concilio* "does not seem to operate permanently like the leadership councils in El Salvador, but it is called upon only when leaders need to check on the activities of their cliques and avoid conflicts between them". *Homies*, according to USAID, serve as the *toros'* soldiers outside the prison. In contrast to InSight Crime's hierarchical distinction between these two groups, USAID describes *banderas* (also referred to as *punteros*) and other collaborators such as *tracas* and *mulas* (tasked with transporting drugs and running errands) as being on the same level with *paisas* (USAID, November 2020, p. 24). The report further provides graphics that show the structure of Barrio 18:



Source: USAID, November 2020, p. 24

According to InSight Crime's report of 2016, Barrio 18 was present in about 150 neighbourhoods (*colonias*) in Honduras' capital city Tegucigalpa and in the city of Comayagua, bordering in the northwest to Tegucigalpa. In San Pedro Sula, Barrio 18 was active in 22 neighbourhoods, in half of which MS-13 was also present (InSight Crime/ASJ, 21 April 2016, pp. 9-10).

presence of the Barrio 18 was reportedly registered in the *barrios* of Suazo Córdova y La Bolívar, close to El Reparto, which was claimed by the MS-13 (El Heraldó, 9 May 2018a).

For maps depicting MS-13 and Barrio 18 presence in the cities Tegucigalpa and San Pedro Sula, please refer to [section 4.2.2](#) above.

4.3.3 *Modus operandi/activities*

Several sources note that Barrio 18 appears to be less “sophisticated” and is perceived as more violent than MS-13 (InSight Crime/ASJ, 21 April 2016, p. 18; UNDP/ASJ, 2020, p. 33; ICG, 25 October 2019, p. 17).

Some authors point to the connection between territory and gang activities: InSight Crime notes that having or gaining control over a specific territory and the population living within it raises the status of a gang or of a member within the gang. Moreover, it provides gang members with permanent access to potential new recruits, and, not least, it serves as a source of income as it enables gang members to carry out criminal activities such as extortion, drug dealing and others. For Barrio 18, the most important operational aspect is controlling territory, according to InSight Crime (InSight Crime/ASJ, 21 April 2016, pp. 13; 19). These are activities in which MS-13 and Barrio 18 reportedly both engage, although MS-13 seems to focus more on drug trafficking while Barrio 18’s main field of activity appears to be extortion (USAID, November 2020, p. 25; Yansura, September 2022, p. 9).

In this respect, several authors observe a difference between Barrio 18 and MS-13 with regard to their relationship with the population under their control: While MS-13 appears to avoid extortion within its communities, Barrio 18’s extortion activities extend to the businesses in the territory under its control, regardless of their size and the owner’s economic situation (Ruiz, January 2022, p. 19; USAID, November 2020, p. 25; UNDP/ASJ, 2020, p. 53). Gang members demand so-called war-taxes (*impuestos de guerra*) from all businesses, including from “the ladies who sold tortillas” (Ruiz, January 2022, p. 19) or “from the person selling candies on the corner of the street to formal businesses which operate inside the neighborhood”, according to USAID, who also notes that Barrio 18 members are perceived as “more ruthless” (USAID, November 2020, p. 26).

InSight Crime describes that extortion schemes usually begin with the demand for a large, allegedly one-time payment, after which smaller weekly payments are enforced. They are collected by the *banderas* for a *paisa* who is in control over a specific sector of the neighbourhood. The *paisa*, in turn, hands the money over to the *soldado* in charge and is also responsible to investigate in case the amount is incorrect. Extortion does not necessarily have to include the transfer of money, but can also refer to in-kind services, such as the free use of a vacant apartment (InSight Crime/ASJ, 21 April 2016, p. 19). Similarly, UNDP mentions that Barrio 18 members also put pressure on people living in their communities to do jobs (like transporting drugs) or use their cars to run errands for them. Children and teenagers are threatened with the death of their parents or another relative if they refuse to work for the gang. Girls who happen to be attractive for a gang member are at risk of being kidnapped and held by the gang for some time before being returned to the family but are expected to remain available to the gang member. UNDP notes that in interviews held for their report, respondents did not mention such incidents with regards to MS-13 (UNDP/ASJ, 2020, p. 54).

Pamela Ruiz notes in a report of January 2022 that in Honduras territorial control is exclusive to each group: while street gangs control specific neighbourhoods, narcotrafficking groups

control trafficking corridors (Ruiz, January 2022, p. 17). UNDP explains the conceptual differences between gangs and other organised crime groups such as narcotrafficking groups, with the gangs' specific subcultures and concepts of identity, solidarity, group loyalty and authority based on the number of missions ("*misiones*") completed, which other criminal groups are lacking (UNDP/ASJ, 2020, p. 17). This exclusivity of territorial control to each group, however, does not seem to apply to victims as well: Paying one gang does not protect a business from extortion by other gangs, as InSight Crime and Yansura note, citing the example of transport companies in Tegucigalpa and San Pedro Sula who had to pay four and five gangs, respectively, at the same time (InSight Crime/ASJ, 21 April 2016, p. 20; Yansura, September 2022, p. 9).

4.3.4 Recruitment and consequences of refusal or disengagement

Based on the results of a survey among 1 021 persons with a record of gang membership and 38 in-depth interviews with former gang members (including Barrio 18 members) and other community members in the period October to December 2019, USAID notes that young males joined their gang at an average age of 15 years, while girls joined at a somewhat younger age than that – an average of 13.2 years (USAID, November 2020, p. 1). According to UNDP/ASJ's findings – based on a survey among 52 members and ex-members of Barrio 18 and MS-13 and interviews with 31 of them –, the average age of joining the gang was 13 years (UNDP/ASJ, 2020, p. 38). Reasons to join the gang included "pull" factors such as the desire to be with peers, to find friends or to be with a friend who was already in the gang, or to get access to resources such as money or work. While respondents also mentioned "push" factors, including to get protection, escape from home or take revenge against someone, USAID notes that these reasons were mentioned much less and that most members had joined the gang because they felt attracted to it rather than being forced into it. Nevertheless, USAID notes that this attraction was also caused by a lack of alternatives such as school, work or leisure activities or a stable family environment at home (USAID, November 2020, pp. 30-31).

USAID concludes that:

"From the standpoint of former and active gang members, most (63 percent) joined the gang because of the 'pull forces' which peers in the gang exert over them in their teenage years. Gang involvement revolves around the opportunity of disenfranchised teens to join a group which provides them with affection and care, which many do not find at home. Thus, gang members value the 'solidarity,' 'social respect,' and resources the gang provides, which otherwise would be absent if they were not part of the organization. Evidence suggests that several gang members grew up in environments in which problematic families, lack of opportunities, and lack of respect and affection from their communities were common. Gang recruiters appeal to youth by promising to supply such needs to grow and exert stronger control inside their territories. Thus, findings suggest that most people end up joining gangs in Honduras for 'innocent' reasons rather than because of criminal intent." (USAID, November 2020, p. 2)

Similarly, other reports mentioned lack of family or community support and the search for social support, protection and a source of livelihood (CRS, 29 August 2016, p. 8), the search for identity, income and a sense of belonging (IDMC, March 2019, p. 15) and the chance to develop self-esteem, get recognition from the community and the search for protection or economic

benefits (Pastor Gómez, 29 January 2020, p. 5) as reasons for predominantly male unemployed and/or out-of-school youth to join a gang. Pastor Gómez further notes that only a minority says that they were forced to join a gang (Pastor Gómez, 29 January 2020, p. 5).

IDMC states that “all involvement of minors must be understood as forced recruitment because of their age”:

“Young people are particularly vulnerable to forced recruitment, which may start with grooming when children are given small gifts and attention in return for involvement. Boys are targeted from as young as six to act as lookouts, make deliveries and collect extortion money. Girls are targeted from the age of eight for sexual exploitation by the *clika*, and from 11 or 12 years to be sexually involved with a specific gang member. Forced recruitment in schools has triggered significant displacement. Gangs have infiltrated many education centres, particularly in urban areas, and pupils are targeted by their peers who try to convince them to become involved in gang activities. They must comply with the gang’s demands or leave.” (IDMC, March 2019, p. 22)

USAID observes that 80 percent of its study’s respondents said they had joined the gang in the first year they started spending time with them (USAID, November 2020, p. 29). In contrast, InSight Crime notes that gangs changed their mode of recruitment following large-scale incarceration of gang members after the government introduced tougher anti-gang legislation in 2002. The recruitment process became more selective, and, according to a former Barrio 18 member quoted in the report, could last for up to two years (InSight Crime/ASJ, 21 April 2016, pp. 5-6). Moreover, not everyone working for the gang becomes a full gang member, as InSight Crime explains: young boys recruited as *banderas* might stop working for the gang after a few years and leave without becoming a member; an option that *paisas* or other regular gang members – with a few exceptions – do not have (InSight Crime/ASJ, 21 April 2016, p. 18).

About one third of Barrio 18 members reported having to undergo an “initiation event” or “ritual” to be admitted into the gang, which usually was a beating lasting 18 seconds according to the gang members, but which in reality lasted much longer, as USAID notes. Women are sometimes raped by all members of the clique as part of their initiation ritual and most women are sexually abused once they are in the gang. USAID quotes a former Barrio 18 member saying that when a gang member wanted to have sex with a woman, she could not refuse unless she was committed to one specific member of the clique (USAID; November 2020 pp. 27; 30).

Persons refusing to work for the gang are threatened with being killed or with persons close to them being tortured, raped and/or killed (see for example, Boerman/Golob, 3 February 2020, pp. 14-15; 21-22; IDMC, March 2019, p. 22).

Similarly, some reports (for example, InSight Crime/ASJ, 21 April 2016, p. 27; Reuters, 21 November 2018; UNDP/ASJ, 2020, p. 98) indicate that disengaging from or leaving the gang is difficult. One of the few ways of managing to do so with the permission of the gang is joining an evangelical church. Even in this case, however, the gang might continue to watch ex-members to ensure they adhere to the religious lifestyle they have chosen:

“As mentioned above, leaving a Mara is a complicated matter. If done without permission, it implies certain death, and obtaining the leaders’ blessings involves long and arduous negotiations. When a member is in the process of ‘calming down’, he or she progressively pulls out of the gang’s life but is still considered a member. This is the accepted way of

leaving, but the steps to total withdrawal from the group need to constantly be negotiated with the Mara's leadership. Many departures take place via religious conversion and integration into an evangelical church, an experience which provides a safe haven that allows aspiring deserters to re-establish links with the community, to build their families and to look for educational or job opportunities without harassment from the gang. However, this way is not easy either, as any members wishing to leave the Mara are subjected to very close monitoring and relentless surveillance to make sure that the ex-member's commitment to the religious faith he or she embraces and to the values associated with a pious existence is absolute." (Pastor Gómez, 29 January 2020, pp. 9-10)

4.4 Minor gangs

According to a 2020 report by the United Nations Development Programme on the situation of *maras* and *pandillas* in Honduras in the year 2019, there is much more gang diversity in Honduras than in the other two countries in the Northern Triangle, El Salvador and Guatemala (UNDP/ASJ, 2020, p. 26). Pamela Ruiz notes that the Honduran National Anti-Extortion Force (Fuerza Nacional Anti-Extorsión) identified 48 different gangs/criminal bands guilty of extortion, but the number includes "independent actors" (Ruiz, January 2022, p. 19).

The following minor gangs are mentioned by several sources: Chirizos, El Combo que no se Deja, Los Benjamins (UNDP/ASJ, 2020, pp. 11, 26; InSight Crime, 2015, p. 37; Ruiz, January 2022, p. 17; p. 19), Los Tercereños, Vatos Locos, Olanchanos (UNDP/ASJ, 2020, p. 11, p. 26; InSight Crime, 20 November 2015, p. 37; ICG, 25 October 2019). Sources further mentioned other small gangs such as Los Ponce and Parqueños, however, virtually no information could be found on them.

InSight Crime in a publication of 2015 sorts the gangs other than the MS-13 and Barrio 18 into three categories: derivatives, militias and "*barras bravas*". Derivatives are gangs that emerged from another gang. Militias originally emerged in opposition to street gangs, for reasons of protection, but eventually became themselves exploitative in nature and simply supplanted the original gang. The *barras bravas* are soccer clubs, young, urban males, with complex and evolving relationships with street gangs like MS13 and Barrio 18: "While in San Pedro Sula the two main gang factions outlawed the *barras*, in Tegucigalpa there appears to be some connection between them. According to authorities, at least two *barras* have made an alliance with the gangs [...]" (InSight Crime, 20 November 2015, p. 38).

The UNDP/ASJ 2020 report distinguishes between "gangs" whose identity revolves around reciprocal aggression with one or several similar groups and which are based on concepts like prestige and respect and specialised "criminal gangs", whose self-conception is dominated by enrichment through illicit activities and is controlled by a single patron (UNDP/ASJ, 2020, p. 26).

While in Honduras about one-third of the members of MS-13 and Barrio 18 went through an initiation event to join one of the two large gangs, this is less common with the smaller gangs. USAID reports that only "17.1 percent of respondents who had belonged to other gang groups (Los Chirizos, El Combo que no se Deja, etc.) went through a ritual to join the gang" (USAID, November 2020, p. 30). USAID also found that the intention to leave a gang is much greater with members of smaller gangs: "[...] on average, members of small gangs have a 90 percent probability of intending to leave the gang. This probability is 32 percentage points higher than

that for members of Barrio 18 and 38 percentage points higher for members of MS-13.” (USAID, November 2020, p. 38)

In some areas or territories, a variety of criminal gangs is active and operates in violent competition. This is the case in the Rivera Hernández sector of San Pedro Sula, where MS-13, Barrio 18, the Tercereños, the Olanchanos, the Vatos Locos and the Combo Que No Se Deja are present. (UNDP/ASJ, 2020, p. 49)

A New York Times article provides a map of gang territories in the Rivera Hernández sector of San Pedro Sula as of 2019:



Source: [New York Times](#), 13 May 2019

Another such hotspot is the Colonia Nueva Suyapa in Tegucigalpa, where UNDP and ASJ report three operating criminal gangs, the MS-13, Barrio 18 and the Benjamins (UNDP/ASJ, 2020, p. 49). By competing for territorial control, the gangs generate more violence and leave the population in the concerned areas trapped in the middle of the conflict (Proceso Digital, 12 January 2021).

4.4.1 *Los Olanchanos*

According to the UNDP/ASJ 2020 report, Los Olanchanos is a specialised criminal gang. It was founded by migrants from Olancho department and focuses, among others, on contract killings, smuggling and extortion. The report mentions Olanchanos activity in the Rivera Hernández sector of San Pedro Sula, and in the Valles de Sula and Cerrito Lindos neighbourhoods of San Pedro Sula (UNDP/ASJ, 2020, pp. 26-27). They disguise their illicit income through security services, renting houses, selling drinking water and electricity services to the inhabitants of those neighbourhoods, who accept security services as defence from attacks by MS-13 and Barrio 18. In the Rivera Hernández sector, the Olanchanos are paid weekly “vigilance” fees for each house. If a family refuses to pay or does not pay on time, they run the risk of being robbed or their houses are broken into. The gang also charges extortion money from businesses and the female members of the gang sell illegal lottery tickets to generate income. For the younger Olanchanos reciprocal aggression with other gangs is important, the veterans only exercise violence when rival gangs interfere with their economic interests (UNDP/ASJ, 2020, pp. 26-27; p. 27, Fn. 44; p. 54; p. 56). La Prensa, a Honduran newspaper based in San Pedro Sula, reports

in February 2022 that two alleged members of the Olanchanos were arrested for the possession of drugs and firearms in Rivera Hernández, San Pedro Sula (La Prensa, 23 February 2022). In May 2022 the National Police reports the arrest of an alleged Olanchanos member for the murder of a car salesman in Rivera Hernández neighbourhood of San Pedro Sula (Policía Nacional de Honduras, 26 May 2022).

4.4.2 Los Chirizos

According to UNDP/ASJ the Chirizos is a criminal gang formed by former MS-13 and Barrio 18 members who deserted from their respective gang but were unable to rehabilitate or reintegrate and ended up forming their own group (UNDP/ASJ, 2020, p. 45). According to USAID the cliques from Los Chirizos “[...] tend to be larger on average [than those of MS-13 and Barrio 18], with 45.8 members per clique” (USAID, November 2020, p. 2). The Chirizos are in violent competition with Barrio 18 over control of extortion business (UNDP/ASJ, 2020, p. 27). InSight Crime reports in 2015 that the Chirizos appear to survive mostly from extortion and are extremely violent (InSight Crime, 20 November 2015, p. 37), while Pamela Ruiz mentions that they engage in street level drug sales (Ruiz, January 2022, p. 17) and El Heraldito adds that they engage in contract killings as well (El Heraldito, 9 May 2018b). According to USAID Los Chirizos are one of the “smaller groups with comparatively limited reach” (USAID, November 2020, p. 7). A 2015 article by the Italian criminological newspaper Scena Criminis reports that this criminal gang was founded in 2010 and the majority of Los Chirizos’ members are between nine and 15 years old. They are only found in neighbourhoods of the Central District, such as San Martín, 14 de Febrero, the market area and the General Cemetery, where the authorities discovered several mass graves with victims of the Chirizos (Scena Criminis, 17 June 2015). In March 2021 two members of the Chirizos who were accused of extortion of public transport carriers were captured in the neighbourhood of Nueva Suyapa in Tegucigalpa (La Tribuna, 24 March 2021). El Heraldito in May 2018 reports that Los Chirizos together with El Combo que no se Deja are responsible for an increase in the incidence of crime in several neighbourhoods of the capital Tegucigalpa like El Picachito, The El Japon neighbourhood, El Bosque, El Eden 2, and others (El Heraldito, 9 May 2018b). El Heraldito reports in June 2022 that an alleged member of the Chirizos was arrested in Tegucigalpa for homicide (El Heraldito, 13 June 2022), the Public Prosecutor’s Office posted in September 2022 that the National Anti-Maras and Gangs Force (Fuerza Nacional Anti Maras y Pandillas, FNAMP) arrested a member of the Chirizos for extorting at least ten transportation terminals in Tegucigalpa (Honduras Public Prosecutor’s Office, 12 September 2022).

4.4.3 El Combo que no se Deja and Los Benjamins

InSight Crime reports in 2015 that those two are gang factions that emerged from the Chirizos. They have their origins in the world of drug trafficking, but “appear to survive mostly from extortion. They are also extremely violent” (InSight Crime, 20 November 2015, p. 37).

Pamela Ruiz in January 2022 refers to academic and law enforcement interviewees who reported that El Combo que no se Deja and Los Benjamins conduct street level drug sales and extortion (Ruiz, January 2022, p. 17), according to El Heraldito El Combo que no se Deja also engages in contract killings (El Heraldito, 9 May 2018b). According to USAID the cliques from El Combo que no se Deja “[...] tend to be larger on average [than those of MS-13 and Barrio 18],

with 45.8 members per clique” (USAID, November 2020, p. 2), but calls the Combo que no se Deja a smaller gang group with comparatively limited reach (USAID, November 2020, p. 7).

El Combo que no se Deja is mentioned by sources to be active in the Rivera Hernández Sector of San Pedro Sula (UNDP/ASJ, 2020, p. 26) as well as in Tegucigalpa neighbourhoods (La Tribuna, 9 September 2021; Criterio.hn, 25 August 2022). As already mentioned above, the Benjamins operate in Tegucigalpa’s Colonia Nueva Suyapa (UNDP/ASJ, 2020, p. 49; New York Times, 26 July 2019), no information on activities in other areas of Honduras could be found.

4.4.4 *Los Vatos Locos*

Like Los Chirizos and El Combo que no se Deja, USAID counts Los Vatos Locos among the “smaller gang groups with comparatively limited reach” (USAID, November 2020, p. 7). The Vatos Locos are one of the gangs who are present in the Rivera Hernández Sector of San Pedro Sula (UNDP/ASJ, 2020, p. 26). The 2020 report by UNDP and ASJ provides the following on the origin of this gang:

This gang takes its name from the film directed by Tylor Hackford Blood in Blood Out (1993), which tells the story of the East Los Angeles, California gang, the Vatos Locos. The film's release in Honduran cinemas, but above all its reproduction on Channel 11 in 1996, generated a cultural boom in many of the country's neighbourhoods, and it came to take root as a medium-sized gang in San Pedro Sula. (UNDP/ASJ, 2020, p. 26, Fn. 39; working translation from Spanish)

A March 2019 article by El País.hn reports that the Vatos Locos were strongest in the period between 1993 and 1996, when they were active in Tegucigalpa, Puerto Cortés and La Ceiba. After weakening, the members of Los Vatos Locos merged with MS-13 or Barrio 18. The newspaper refers to authorities reporting that MS-13 has revived some weakened old gangs, among them the Vatos Locos, in order to divert the attention of the authorities away from MS-13 towards other gangs (El País.hn, 5 March 2019). In October 2021 six members of the Vatos Locos were arrested in the Rivera Hernández sector of San Pedro Sula for selling drugs, extortion and the intimidation of business owners (Tiempo, 25 October 2021). In August 2022 several Honduran newspapers report that members of the Vatos Locos murdered a young woman in the Rivera Hernández sector of San Pedro Sula (El Herald, 27 August 2022; La Prensa, 27 August 2022; Tiempo, 28 August 2022).

4.4.5 *Los Tercereños*

The gang’s name is related to the third bus stop at the entrance to the Rivera Hernández sector of San Pedro Sula (UNDP/ASJ, 2020, p. 26, Fn. 38), where the Tercereños gang is based. They are involved in contract killings, car theft and drug sales (UNDP/ASJ, 2020, p. 26 Fn. 38). El País.hn in February 2022 reports that eight members of Los Tercereños are being investigated for contract killings, extortion, drug trafficking, storage of weapons and ammunition of permitted and prohibited use, robbery of homes, robbery of persons, forced displacement, rape and coercion, among other crimes in San Pedro Sula and surrounding areas (El País.hn, 5 February 2022). In May 2022 the Ministerio Público, the public prosecutor’s office, posted on its website that a series of raids in the Rivera Hernández neighbourhood were carried out to investigate the involvement of supposed members of the Tercereños in criminal acts, specifically some violent deaths in the area (Honduras Public Prosecutor’s Office, 30 May 2022).

5 State services and protection from gangs

5.1 Anti-recruitment and reintegration measures

CRS notes in 2016 that “government-sponsored gang prevention programs in the northern triangle” tend to be “relatively small scale, ad hoc, and underfunded”, calculating that only 6 percent of the USD 318.2 million in security taxes that the Honduran government collected in the period 2012 to 2016 were assigned to prevention programmes. Moreover, according to CRS, there was a lack in the region of government-sponsored rehabilitation programmes for gang members trying or wishing to leave the gang, with most of these programmes being funded by church groups or NGOs. In Honduras, CRS notes, some projects, including anti-violence and rehabilitation programmes did show “nascent” success. CRS also points at gang-prevention programmes implemented by USAID under the US-government’s Central American Regional Security Initiative (CARSI), such as installing streetlights and providing materials to schools and recreational institutions, and notes that some programmes did receive some financial support from the Honduran government’s security tax revenues (CRS, 29 August 2016, pp. 13-14; 17). According to data provided on the Population Security Tax website (Tasa de Seguridad Poblacional), administered by the Committee for the Administration of the Population Security Tax Trust Fund, 28.47 percent of the security taxes collected in the year 2021 were assigned to prevention programmes, split between the Ministry of Interior (Security Secretary), Ministry of Defence, Ministry of Education, Public Prosecutor’s Office (Public Ministry) and the Judiciary (Committee for the Administration of the Population Security Tax Trust Fund, undated).

Similarly, the International Crisis Group (ICG) in a 2019 report notes a lack of rehabilitation and reintegration policies and mentions the “limited success” of violence-prevention programmes and initiatives introduced by the administration of former president Juan Orlando Hernández [in office from 2014 to 2022, remark ACCORD]:

“It has created a dedicated (though underfunded) ministerial office to oversee the construction of infrastructure for these initiatives (for example new parks and ‘outreach centres’ that are essentially recreational centres located in crime hotspots) as well as sports and cultural events. USAID officials tend to tout the outreach centres as successful, and there is some evidence linking them to homicide reduction in some neighbourhoods of San Pedro Sula. Still, the security gains resulting from these new public spaces appear somewhat superficial: critics maintain they have to be guarded by military units all day long, while gangs take back control at night. Residents have complained that the initiatives do not match communities’ needs, while consultants familiar with these projects suggest that their reliance on foreign government funding imperils their sustainability and prospects for long-term impact.” (ICG, 25 October 2019, p. 21)

The Inter-American Commission on Human Rights (IACHR) in a country report of 2019 and based on information provided by the Honduran government describes several violence prevention measures adopted by the authorities, including strengthening of the Gang Resistance Education and Training Programme (GREAT) and of 65 Youth Outreach Centers (CDAJ, Centros de Alcance Juveniles) in seven departments across Honduras (namely in Tegucigalpa, San Pedro Sula, Choloma, La Lima, Tela, La Ceiba and Puerto Lempira, according to the national foundation for the development of Honduras (FUNADEH, Fundación Nacional

para el Desarrollo de Honduras, undated)). The GREAT programme has, according to the Honduran authorities “benefited more than 200,000 children and adolescents in 348 educational centers in 18 departments of the country” while the CDAJs aimed at “establishing the creative use of free time, job training and school reinforcement”. Moreover, the government informed about the planned creation of prevention programmes “Honduras Joven”, “Por mi Barrio” and “Mi Segunda Oportunidad” in collaboration with the Tegucigalpa Chamber of Commerce and on implementing the “Miles de Manos” programme, which reportedly trained 45,000 young people in pregnancy prevention and sexual and reproductive health. The government also reported on the implementation of the “Safer Municipalities” project (IACHR, 27 August 2019, pp. 36-37). According to an evaluation report by the World Bank Group’s independent evaluation group IEG, the project’s objectives were: “(a) to improve the capacity of national and local authorities in violence prevention; (b) to address risk factors of crime and violence in selected municipalities; and (c) to improve its capacity to respond promptly and effectively to an eligible emergency”. The project ended in December 2018, apparently with mixed results (World Bank - IEG, undated, pp. 1; 16).

GREAT is, according to the programme’s website, a gang and violence prevention programme “built around school-based, law enforcement officer-instructed classroom curricula”. It was created in the USA in the early 1990s and, in 2009 entered a partnership with the US Department of State to expand the programme to Central America (GREAT, undated). Human Rights Watch (HRW) notes in its World Report of 2021 that the programme has been implemented in Honduras since 2012 by the Honduran police, but that there was only “limited data on the effectiveness of the program” available (HRW, 13 January 2022). Researcher Antonia McGrath points out that:

“The program’s existence meant that the physical presence of blue-uniformed police officers at the school became commonplace, reflecting wider trends of increasing securitization of the margins, the criminalization of (ever-younger) poor urban youth, and the use of policing and militarization strategies to get out of attempting to address pressing social issues that have led to youth engaging in violence and criminal groups in the first place.” (McGrath, 10 February 2021)

Moreover, based on her research at a Honduran school, McGrath notes that the presence of police officers does not undermine gang control, since many perceive the boundaries between police and gang members as “deeply blurred” (McGrath, 10 February 2021). UNDP/ASJ point out that some police officers involved in the programme said they were not able to enter territories with a large presence of gangs, such as the Sector Rivera Hernández of San Pedro Sula. Other challenges identified by UNDP/ASJ include ensuring the programme’s sustainability given its dependency on US-funding, and the search for a way to also address children that have dropped out of school and were thus in an even more vulnerable situation (UNDP/ASJ, 2020, p. 85).

Similarly, the IACHR in its 2019 country report on Honduras refers to the presence of military and police forces in the educational sector:

“The IACHR has further followed with special attention the expansion of the field of action of the Armed Forces and the police in the field of education. The purpose of their participation in the school environment would be to control the presence of maras and

gangs in schools, as well as to control the sale and consumption of drugs. According to information available, more than 56 schools and colleges nationwide have the presence of the National and Military Police. In addition, during its visit, the Commission again received information on the ‘Guardianes de la Patria’ program, emphasizing that it would put children at risk and would promote in the country a military culture contrary to a culture of peace. The IACHR expressed its concern about this programme in its 2015 country report and reiterates its concern about this programme, since it is not adequate to the objectives that education should pursue and promotes in the country a military culture contrary to a culture of peace, in addition to stigmatizing and putting at risk children from certain social sectors.” (IACHR, 27 August 2019, pp. 102-103)

“Guardianes de la Patria” (Guardians of the Fatherland) is, according to the Honduran Armed Forces, a programme for children between 6 and 18 years of age, that lasts three months and includes, among others, talks on principles and values, environmental education, sports programmes to reduce juvenile gang delinquency, and aims at strengthening love for fatherland and family unity (“*fortalecen el amor a la patria y la unidad familiar*”). (Fuerzas Armadas de Honduras, 21 February 2018). Instructors include members of the armed forces, evangelical pastors, priests, scouts, fire brigades and university volunteers (SEDENA, 19 August 2019). According to UNDP/ASJ, some organisations are critical that such programmes take over tasks from other, child-specific, state institutions and also contribute to reduced funding for these institutions (UNDP/ASJ, 2020, p. 86).

IACHR notes that children living in gang-controlled areas are not only exposed to the violent activities of the gang members but also to discrimination and ill-treatment from the police who perceives them as potential criminals. The authorities, on the other hand, sometimes fail to understand the existing vulnerabilities and violence that drive children and adolescents to participate in a gang. In this context, IACHR observes that:

“It is the responsibility of the State to prevent the recruitment of children and adolescents by the maras, considering the root causes of this participation in the maras, such as multidimensional poverty and discrimination. Likewise, the IACHR considers it essential that more resources are invested in adequate and effective family and community disassociation and reintegration programs, and that they are provided with sufficient human, technical, and financial resources, strengthening the positive and promising experiences that exist.” (IACHR, 27 August 2019, p. 106)

While IACHR notes the lack of resources for disassociation and reintegration initiatives, the commission acknowledges existing projects for vulnerable children such as the Comprehensive Care and Social Protection Project for vulnerable children and the Comprehensive Care and Social Protection Project for Young People and Women, Children and Girls in Situations of Vulnerability, Domestic Violence and Social Risk, both implemented by the Secretariat of Development and Social Inclusion (SEDIS, Secretaría de Desarrollo e Inclusión Social) (IACHR, 27 August 2019, p. 107). Current information on these programmes could not be found.

The state-sponsored national programme for prevention, rehabilitation and social reinsertion (PNPRRS, Programa Nacional de Prevención, Rehabilitación y Reinserción Social) is a decentralised unit in the Secretariat of the Presidency, that was created in 2001 by Law 141-2001 and is responsible for coordinating, strengthening and implementing projects in the areas

of violence prevention and rehabilitation and social reintegration of gang members (PNPRRS, undated, p. 2). According to a report by the Honduran government of February 2022, the National Prevention Programme completed implementation of the following projects in 2021:

“i) Development of 17,192 training courses aimed at prevention, rehabilitation and reintegration of people trained in values and skills for life, building a culture of peace; ii) Performing of 1,021 tattoo removals and, iii) Establishment of 75 strategic alliances with community networks, organizations and institutions aimed at prevention, rehabilitation and social reintegration.” (Government of Honduras, February 2022, p. 109, working translation from Spanish)

According to the report, the tattoo removal component of the project was the only one with a performance less than expected. The report explains the project’s execution rate of 92% with the fact that visits to the removal centres were still limited due to Covid-19 related factors (Government of Honduras, February 2022, p. 109).

5.2 Witness protection programmes

In 2007, Honduras passed Decree 63-2007, the Law on Witness Protection in Criminal Proceedings (Ley de Protección a Testigos en el Proceso Penal) (Decreto No. 63-2007, 21 June 2007), and subsequently established a witness protection programme at the Public Prosecutor’s Office. The Washington Office of Latin America (WOLA) explains in a joint report with the University Institute for Democracy, Peace and Security (IUDPAS, Instituto Universitario En Democracia, Paz Y Seguridad) that:

“With this law, the Witness Protection Program was created in the Public Prosecutor’s Office to provide greater protection to witnesses at risk who are admitted to the program. This protection includes their family circle, their spouse, housemates, relatives, or other people with ties to the witness. The program can also include temporary or permanent relocation, an identity change, or physical modifications. Additional protection measures are also contemplated, such as police measures (bodyguards, surveillance, communication modalities, etc.), prison measures, and judicial measures (videoconferencing, voice distortion, anonymity, or identity protection, etc.).” (WOLA/IUDPAS, June 2020, pp. 22-23)

In an article about ASJ’s work with helping the victims of crime, National Public Radio (NPR), a US-based, independent non-profit media organisation, describes how testifying under such protection measures might take place in practice: A witness, completely dressed in black clothes, including boots, head and face cover, being brought into the courtroom inside a windowed booth to testify using a voice distortion device (NPR, 25 May 2021).

Implementation of the witness protection programme, however, appears to be challenging, for example due to underfunding and -staffing: WOLA and IUDPAS describe that in 2014, the programme had only one office in Tegucigalpa with ten employees, but without social workers, psychologists and other experts as foreseen by the law, and a budget of USD 119 941. In 2017, the number of staff members had reportedly risen to 13 and the budget increased to USD 383 812. In comparison, the entire budget for the units investigating alleged violent crimes or organised crimes within the Public Prosecutor’s office (including the Witness Protection

Programme) was USD 5,673,226 in 2014 and USD 15,476,432 in 2017 (WOLA/IUDPAS, June 2020, pp. 23; 27-28).

Similarly, the Canadian Immigration and Refugee Board (IRB) quotes in an information gathering mission report of February 2018 the Honduran National Commissioner for Human Rights (CONADEH, Comisionado Nacional de los Derechos Humanos), saying that the number of protection requests was “out of proportion” considering the lack of funds of staff, which affected the state’s ability to provide effective protection (IRB, February 2018). Moreover, the US Department of State (USDOS) states in its Honduras Country Report on Human Rights Practices of 2021 that “[c]redible observers noted problems in trial procedures, such as a lack of admissible evidence, judicial corruption, witness intimidation, and an ineffective witness protection program” (USDOS, 12 April 2022, section 1e).

The Internal Displacement Monitoring Centre (IDMC) in a report of March 2019 notes:

“Witnesses and informants are regularly killed, disappeared, tortured or raped. Given the acute risks they face, witnesses to crime may be forced to flee. Reporting a crime is doubly risky, given that gangs have infiltrated the police, who are often also inefficient and may leak information, unwittingly or otherwise. A witness protection scheme exists, but there is understandably little confidence in it, leaving those who do report crimes no choice but to flee immediately, most often outside the country.” (IDMC, March 2019, p. 22)

Similarly, El Heraldito in July 2022 reports on the murder of a young woman who was allegedly killed by members of a gang she had previously denounced and for which she was in a witness protection programme. El Heraldito notes that there have been frequent complaints that the programme did not work due to lack of funding, among other reasons. In some cases, a protected witness has been killed before being able to testify before a court (El Heraldito, 27 July 2022).

IRB notes that according to the Centre for the Prevention, Treatment and Rehabilitation for Victims of Torture (CPTRT, Centro de Prevención, Tratamiento y Rehabilitación de Víctimas de la Tortura), the average period of time that protection was offered to a witness was six months, while trials could last up to two and a half years, putting the witness at risk in case the protection period ended before a trial was closed (IRB, February 2018). IDMC points out that even in case of a conviction, witnesses remain at risk, since in that case the protection programme ends, however, “orders to kill witnesses and their family members may still be issued from prison” (IDMC, March 2019, p. 22).

In some cases, witnesses were relocated for their protection:

“CONADEH indicated that it provides, in coordination with the Public Ministry, economic assistance to protected witnesses, including assistance to relocate witnesses to other parts of the country, depending on the particular situation of the person. In some cases, CONADEH coordinates with NGOs to relocate protected witnesses abroad. PMH [Pastoral de Movilidad Humana] has documented cases of persons in the witness protection program who were turned over to their aggressors by the officials that were in charge of protecting them.” (IRB, February 2018)

Moreover, special witness protection measures seemingly fail to apply to some population groups: WOLA and IUDPAS note in a report on combatting corruption of 2019 that there was

no specific legislation protecting whistleblowers who report corruption (WOLA/IUDPAS, December 2019, p. 14). USDOS observes in its 2022 Trafficking in Persons Report that:

“The government provided witness protection services to some victims participating in investigations or prosecutions. Authorities permitted victims to provide testimony through written statements or pre-recorded interviews in one of its four secure Gesell chambers. IRT [Immediate Response Team] members accompanied victims throughout their participation in the criminal justice process and referred some victims to legal aid services for additional assistance.” (USDOS, 29 July 2022)

USDOS also notes that Honduran law does not allow to prosecute victims of trafficking for crimes they were forced to commit by their traffickers. However, USDOS writes, in the case of children detained for gang-related criminal activities, the authorities did not have formal procedures that would enable them to identify possible victims of trafficking among these children. According to NGO reports, the authorities might therefore have treated such children as criminals and not as victims of trafficking (USDOS, 29 July 2022).

5.3 Miscellaneous

Several reports point at the difficulties that people targeted by a gang, or attempting to leave a gang, face: IRB reports on information provided by local stakeholders about cases where people have been persecuted by the gang throughout the country and even abroad. In one case, Honduran asylum seekers held in a Mexican detention centre were reportedly found by their persecutors because of gang members being held in the same detention centre. Reportedly, gangs have communication networks between *clicas* of the same gang operating in different countries across the Northern Triangle, including “communication networks inside state institutions” (IRB, February 2018). Similarly, IDMC notes that:

“If gangs and other criminal groups believe someone is guilty of betrayal or enmity or they have another serious grievance, they may track that person down in their place of displacement. Their extensive network of lookouts, strong communications networks and the fact that Honduras is a relatively small country combine to mean that internal displacement may not be a viable option for many people.” (IDMC, March 2019, p. 35)

UNDP notes the main obstacles for rehabilitation and social reintegration that gang members face: neglect by the state, material and emotional shortcomings in one’s personal environment and stigmatisation by the society, as well as the constant threat of being killed by one’s former or a rival gang, all of which limits one’s options of securing an income. Tattoos, area of residence or having a criminal record are some of the reasons for which companies are reluctant to hire (former) gang members (UNDP/ASJ, 2020, pp. 45; 98).

USAID draws the following conclusion:

“A range of societal factors prevents many gang members from disengagement, even when they have reached the maturational age and are willing to disengage from a gang. Major challenges include the lack of economic opportunities, the threat of being harassed by security forces, the threat of being killed by a rival gang once left without protection, and the stigmatization of former gang members by community residents. Former gang members often lack the basic professional and social skills necessary to reintegrate into

society. In addition, the discrimination by potential employers results in the inability to find legitimate employment, thus discouraging many from abandoning their criminal activities. This array of inter-related challenges makes many reconsider their decision to leave the gang, even if they have entertained the idea for several years. The inability of former gang members to fulfill their basic economic and security needs undermines crime prevention and rehabilitation efforts by negating any positive impact these might produce. Effective interventions aimed at tackling criminal violence in Honduras require a large-scale, comprehensive approach which addresses the root causes of gang involvement.” (USAID, November 2020, p. 46)

6 Rule of law

According to the World Justice Project’s (WJP’s) General Population Poll of 2021 on the rule of law in Honduras – based on interviews with 3,003 households across the country – only 29 percent of respondents reported having trust in police officers and 44 percent of respondents believed that police officers were involved in corrupt practices. WJP notes that:

“While most Honduran respondents (56%) believe that the police are not involved in corrupt practices, only 40% believe that the police do not serve the interests of gangs and even fewer (25%) believe that the police do not serve the interests of politicians. Only 26% of respondents believe that the police are held accountable for violating the law and 28% of respondents believe that accusations of police misconduct are investigated”. (WJP, 2022, p. 7)

Confidence in the police responding to crime reports or leading effective and lawful investigations was equally low (31 and 32 percent, respectively). Less than a fifth of respondents believed that victims of crime receive adequate resources and protection (WJP, 2022, pp. 7-8).

With regard to criminal justice actors, 38 percent responded that they have at least some trust in public defence attorneys, 31 percent reported at least some trust in judges and magistrates and 28 percent in prosecutors. 46 percent expressed confidence that “the criminal justice is effective at bringing people who commit crimes to justice”, which still represented an increase by 9 percentage points compared to 2019 (WJP, 2022, p. 7). 33 percent of respondents believed that “most or all” public defence attorneys were corrupt, 37 percent believed the same about judges and magistrates and 38 percent about prosecutors (WJP, 2022, p. 14).

6.1 Police

As of August 2022, the Honduran National Police has a total of 17,320 police officers, including 2,667 women (15.40 percent), according to an article by Honduras Verifica, a media organisation focused on fact-checking and countering disinformation (Honduras Verifica, 10 August 2022). It consists of several units, including for prevention and community security, criminal investigations, protection and special services, anti-drug operations, special forces and others (Policía Nacional de Honduras, undated).

The Office of the High Commissioner for Human Rights (OHCHR) states in its 2021 country reports on human rights that the public security sector in Honduras continues to be dominated by the armed forces, in particular, the Public Order Military Police (Policía Militar de Orden Público). It further notes that the budget of the Ministry of Defence was 21 percent larger than

that of the Security Secretary (the Ministry of Interior), with the former receiving 24 percent of the proceeds from the population security tax, and the latter 21 percent (OHCHR, 4 March 2022, p. 14). Several reports mention the government's "iron fist"-approach with regard to security policies and its militarisation of police tasks over the last decades, including giving police surveillance authority to the military in 2011 (InSight Crime, 15 February 2021) and creating a special military police force in 2013 within the National Police (TIGRES, Toma Integral Gubernamental de Respuesta Especial de Seguridad (Decreto 103-2013, 26 June 2013)). Involvement of the military police in public security has reportedly led to human rights violations (InSight Crime, 15 February 2021, IACHR, 26 May 2022, p. 991) and the use of "excessive or unlawful force" against protesters and civil society activists (ICG, 25 October 2019, p. 19). In 2018, the government created a special force to combat gangs that included members from the police, military and the Attorney General's Office (FNAMP, Fuerza Nacional Anti Maras y Pandillas) (ICG, 25 October 2019, p. 19; HRW, 13 January 2022). In July 2022, the Honduran online medium *Hondudiarario* reports that FNAMP was integrated by the government into a new directorate inside the National Police, the Anti-Gangs and Organised Crime Police Directorate (Dirección Policial Antimaras, Pandillas y Crimen Organizado, DIPAMCO) (*Hondudiarario*, 13 July 2022).

At the same time, there are reports on corruption within the National Police and allegations of security forces collaborating with criminal groups, including by HRW (13 January 2022), the Borgen Project (26 July 2019) and researcher Pamela Ruiz in the context of a study on gangs, violence and extortion, that includes interviews with stakeholders:

"Most disturbing in the case of Honduras, was the common theme of corrupt National Police officers involved in extortions. Participants described officers acting as delinquent groups committing extortion, involved with gangs committing extortion, and/or not arresting gang members in exchange for a portion of extortion funds. An NGO participant shared local vendors perspective: '*Si la policía es ineficiente, mejor le pago a los pandilleros. Además, no me van a matar y me va a cuidar.*' (If the police are inefficient, it's better to pay gang members. Besides, they won't kill me and will take care of me.) (Personal Interview with NGO #2, March 2018). Academic and NGO participants described extortion to function as an informal form of security. In conclusion, violence is not exclusive to gangs in Honduras, but aggravated with domestic narco-trafficking groups, imitators, and corrupt police officers. While gangs are prevalent in urban centers, narco-trafficking groups are prevalent in trafficking corridors. It should be noted that territory control is exclusive for these groups. Extortions were also committed by imitators and more concerning is the involvement of corrupt police officers." (Ruiz, January 2022, pp. 19-20)

InSight Crime notes attempts by the government to implement police reforms in light of these allegations:

Honduran police are one of the most corrupt forces in the region. Honduran police agents have been accused of a great variety of criminal activities, including corruption, passing on information to criminal groups, letting drug shipments pass without inspection, and the presumed participation in violent criminal operations, in some cases also directing them. At the beginning of 2016, Honduras created a commission for purging the police, after revelations that members of the police leadership had participated in the 2009 killing of

the Honduran anti-drug czar. In contrast to previous attempts of purging the police force, the commission made early progress, reviewing hundreds of high-ranking officials and dismissing thousands of agents from the institution. The commission's mandate is still in force and by January 2020 already more than 6,000 agents have been removed. However, scandals over relations between organised crime and police leadership have called into question the commission's legitimacy. (InSight Crime, 15 February 2021; working translation from Spanish)

Similarly, the ICG notes the "mixed results" of efforts to reform the National Police:

"These reform efforts have yielded mixed results. On the one hand, over three years, the special commission has dismissed 5,775 officers for corruption and other misdeeds, and pushed through new legislation to ensure better working conditions, including improved training and greater internal oversight for police officers. On the other hand, only 2,100 of those dismissed officials were denounced by the commission and investigated by public prosecutors for alleged collusion with illicit activities, and only one has been sentenced so far. Moreover, critics of the reform worry that the process has been insufficiently transparent and may in part be driven by political motivations – namely the desire to purge government detractors from the force. They add that the failure to take prosecutorial action against or provide alternative employment for sacked personnel is particularly worrying given that many were dismissed for alleged links to criminal networks." (ICG, 25 October 2019, p. 20)

OHCHR notes in its 2021 country report on human rights that as of October 2021, the country's Public Ministry (Ministerio Público) – the Public Prosecutor's Office – had received 49 complaints of torture, 70 of cruel, inhuman and degrading treatment, and 34 complaints of enforced disappearance. Moreover, OHCHR notes that it has documented cases of possible human rights violations involving members of the security forces and particularly in the context of detentions and arrests, including the death of three persons. In the context of the death of Keyla Martínez in February 2021, a young woman who died of strangulation while in police custody, the Public Prosecutor's Office filed a charge of femicide against one police officer. It was the first time such an accusation was brought against a member of the security forces, as OHCHR notes. However, the charge was later changed into homicide (*homicidio simple*) by a court of appeals (OHCHR, 4 March 2022, pp. 14-15). In October 2022, the Honduran news-site *Criterio.hn* reports that the court hearing the case has entered the stage of deliberation where evidence presented during the trial will be evaluated (Criterio.hn, 17 October 2022).

OHCHR indicates that it has also documented cases of excessive force by prison staff against inmates that might qualify as torture, or cruel, inhuman or degrading treatment. The office notes that at least 63.5 percent of the prison population are held in institutions that are controlled by military forces, and only 19.4 percent are held in institutions controlled by the National Police and by civilian personnel (17.1 percent). Moreover, OHCHR notes that about 51 percent of the prison population are held in detention without a sentence (OHCHR, 4 March 2022, p. 16).

Peace Brigades International (PBI) points to the fact that police officers have also been involved in attacks on human rights defenders and journalists, making their role in the state-sponsored National Protective Mechanism designed for these vulnerable groups ambiguous:

“More than a quarter of the measures implemented by the Mechanism are based on the police forces. However, state security forces have been identified as aggressors in numerous cases of human rights violations perpetrated against defenders, which has created deep-rooted feelings of mistrust towards the police. Moreover, the agents assigned to implement the measures frequently lack knowledge and training in human rights matters, and the constant rotation of personnel leads to a lack of coordination.” (PBI, May 2022 (a), p. 52)

6.2 Judiciary

InSight Crime describes the country’s judicial system as follows:

“Honduras’ highest judicial body is the Supreme Court of Justice, which includes chambers for constitutional, criminal and civil cases. Below this are an appeals court, first instance trial courts for criminal and civil cases, and municipal and district-level justices of the peace. Honduras has an Attorney General’s Office (Fiscalía General) that functions as part of the independent Public Ministry (Ministerio Público) and handles criminal investigations.” (InSight Crime, 15 February 2021)

Several reports point to limitations regarding access to justice and judicial protection: OHCHR underlines the lack of full judicial independence – due to the lack of a competence-based selection process –, unjustified process delays, lack of sufficiently motivated judicial decisions, impunity as well as legal provisions that prevent the full participation of victims of human rights violations to participate in the criminal proceedings. Covid-19 aggravated these shortcomings, in particular with regard to the publicity of the proceedings. OHCHR presents as examples the trial in connection with the murder of environmental activist Berta Cáceres, where victims experienced restrictions in participating in the hearings, or the extended period of pre-trial detention in the case of eight environmental defenders of the Guapinol community (OHCHR, 4 March 2022, pp. 12-13). The Bertelsmann Stiftung’s Transformation Index (BTI) 2022 country report (covering the period from 1 February 2019 to 31 January 2021) points to an erosion of the separation of powers since the military coup in 2009, severely undermining the independence of the judiciary. Turning to the court in case of violations of civil and human rights has become “essentially unavailable” (Bertelsmann Stiftung, 23 February 2022, pp. 12-13). Moreover, Bertelsmann Stiftung notes:

“In terms of law enforcement and access to justice, Honduras’s security and judicial institutions are centralized, and access to these institutions in rural areas is compromised by criminal structures and the private security industry. Women and other vulnerable populations, such as indigenous peoples and Garifunas, have less access to justice, security and basic services, because state infrastructure and resources are inadequate and do not cover the entire territory.” (Bertelsmann Stiftung, 23 February 2022, p. 9)

The Special Rapporteur to the UN Human Rights Council on the independence of judges and lawyers in a report of June 2020 draws the following conclusion:

“Underfunding, poorly trained staff and ineffectiveness result in lengthy judicial proceedings and a backlog of cases, while political influence and other forms of interference and pressure from non-State actors, along with low salaries, are at the root of the high level of judicial corruption, with bribes and irregular payments often being exchanged for favourable court decisions.” (HRC, 2 June 2020, p. 13)

The report continues to note that more than 90 percent of crimes - and more than 97 percent in case of crimes against human rights defenders - remain unpunished, as well as many crimes allegedly committed by State agents, thus contributing to the low level of trust in the judiciary (HRC, 2 June 2020, p. 13). The Honduran judiciary notes in a Statistical Bulletin of 2021 that the country’s courts and tribunals received a total of 120,620 cases and issued a total of 83,509 decisions. Of these, 46,876 decisions were made in cases opened in the same year, while 36,633 decisions were made in cases opened in previous years. With regards to cases of extortion and corruption, the country’s courts received a total of 911 cases and issued a total of 1,301 decisions, including 532 decisions in cases opened in the same year and 769 decisions in cases opened in previous years (Poder Judicial de Honduras, 2021a, pp. 6-8).

However, in its Judicial Management Report of 2021, the judiciary reports on the opening of a total of 104,699 cases in the period January to December 2021, with decisions issued in 68,371 cases (Poder Judicial de Honduras, 2021b, p. 7).

6.3 Corruption/impunity

In the 2021 Corruption Perception Index of Transparency International (TI), Honduras received a score of 23/100, which constitutes a loss of 6 points in the period 2017 to 2021 and the lowest score since 2012, the earliest comparable year of available data, as TI notes (TI, January 2022, pp. 3; 7; 16). Moreover, according to TI’s Corruption Barometer of 2019 (no newer data available), 54 percent believed that corruption has increased in the previous 12 months, and more than 80 percent were concerned that they would suffer retaliation if they report corruption (TI, 2019, pp. 8; 30).

In January 2020, the work of the Mission to Support the Fight against Corruption and Impunity in Honduras (MACCIH, Misión de Apoyo Contra la Corrupción y la Impunidad en Honduras) ended, after negotiations between OAS and the Honduran government over a renewal of the Mission’s mandate failed (OAS, 17 January 2020). WOLA calls the end of the Mission’s mandate “the first of several deliberate setbacks to efforts to combat corruption in Honduras”. Other controversial measures included the adoption of a new criminal code that foresees the reduction of sentences for corruption-related and drug trafficking crimes and allows persons sentenced to less than five years in prison to have their sentence replaced with “less restrictive measures” if they repay the money lost to corruption. Moreover, WOLA notes, the new code negatively affected corruption investigations (WOLA, 4 February 2021), an issue that is also stressed by the BTI:

“In four of the 13 corruption cases investigated by MACCIH, at least half of the individuals involved were acquitted. One case involved a network of members of Congress who embezzled public funds to finance political campaigns, most of whom will run again in the

next election. Many of the legal provisions that were modified in favor of public officials accused of corruption have remained in effect to this day, popularly known as the ‘corruption pact.’ The end of MACCIH also led to the end of the Special Prosecutor’s Unit against Impunity and Corruption (UFECIC), which was replaced by the Special Prosecutor’s Unit against Corruption Networks (UFERCO). Understaffed and with scarce resources, UFERCO has faced endless political interference from the executive and legislative branches, which has significantly affected its ability to carry out its duties. Only one year into its existence, UFERCO operates in complete isolation, with no support from the Attorney General’s Office, and is at risk of disappearing.” (BTI, 2022, p. 14)

WOLA also mentions the creation of the Secretariat of Transparency in November 2020 and related concerns it might “weaken existing accountability and anti-corruption initiatives” or might centralise access to public data in the executive branch and have the power to decide which irregularities to investigate (WOLA, 4 February 2021).

6.4 Influence of gangs on state structures

HRW and InSight Crime report on collaboration or alleged collaboration between security forces and criminal organisations (HRW, 13 January 2022; InSight Crime, updated 15 February 2021). IDMC notes that organised criminal groups have infiltrated security forces and the judicial system to a degree that this compromises security forces’ ability to effectively fight organised crime. Moreover, victims were often reluctant to report a crime fearing that gang-related police officers might leak the information (IDMC, March 2019, pp. 16; 22). IACHR notes that the “State recognizes that in the last decade it has been one of the most violent countries in the world, and that drug trafficking and organized crime are factors generating violence, which have infiltrated several State institutions” (IACHR, 27 August 2019, p. 12).

UNDP/ASJ describe the role of state officials within a gang’s network of sympathisers and collaborators, including police officers and other officials:

This network of collaborators includes senior police officers with the power to let them [the gangs] free to pursue their criminal activities. Low-ranking police officers are also involved. Moreover, this organisational structure includes a more clandestine but equally important figure – that of professionals and political operators. These people have university studies, knowledge and contacts to the world of legitimate business with levels of influence in state institutions. They communicate directly with the more socially acceptable-looking gang leaders. They act to resolve gang-related problems such as defence in courts or procedures to obtain transport operating licences. These are people who have influence with the police, prosecutors and even judges. The political figure is tasked with buying friendship with the authorities. (UNDP/ASJ, 2020, p. 31, working translation from Spanish)

Al Jazeera reports in August 2022 on an investigation by Honduran journalists into the collaboration between security forces and MS-13:

“Amid allegations that an elite Honduran police force colluded with a notorious gang while carrying out death-squad activities, observers are asking whether the administration of President Xiomara Castro has the political power or will to reform the country’s security

forces. According to an investigation last month by Honduran journalists, the National Anti-Gang Police Force and military police conducted extrajudicial executions and torture, while planting evidence and working in collusion with MS-13, the most prominent street gang in Honduras.

‘Cases were fabricated, evidence was planted, and false positives were created in exchange for bribes,’ said Wendy Funes, who runs Reporteros de Investigacion, the media outlet that uncovered the allegations. The police squad was ‘embedded in the Honduran state [and] existed to execute people’, she told Al Jazeera.” (Al Jazeera, 24 August 2022)

7 LGBTIQ+ individuals

According to USDOS, “[s]ame-sex sexual activity has been legal since 1899; however, same-sex couples and households headed by same-sex couples are not eligible for the same legal protections available to opposite-sex married couples”. Discrimination based on sexual orientation or gender identity characteristics is prohibited by law and the law foresees higher penalties for crimes committed on these grounds. Nevertheless, social discrimination and acts of physical violence against LGBTIQ+¹ persons continue and impunity for such acts remains high. Transgender persons are not allowed to change their legal gender status (USDOS, 12 April 2022, section 6). HRW notes that in May 2022, President Xiomara Castro publicly promised to create a legal gender recognition procedure. As of September 2022, however, no such procedure had been established (HRW, 20 September 2022).

Discrimination-related provisions are covered by several articles of the Criminal Code (e.g., 211, 212, 213, 295), and discrimination as an aggravating fact is provided for in Article 32(8) of the same code (Decreto No. 130-2017, 31 January 2019). Article 213 states that any conduct that constitutes an incitement to discrimination is punishable as a crime of public prosecution due to the severity of its effects (CONADEH, 5 September 2022).

The constitution prohibits same-sex marriages. In January 2021, the threshold for changing this provision was increased from a two-thirds to a three-quarters majority, and at a later occasion President Hernández accused those advocating for same-sex marriages of “attacking Christian principles” and “the notion of the family”, according to HRW (HRW, 13 January 2022). In September 2022, El Heraldo reports that the office of the General Attorney has contacted the National Congress with regard to a recommendation from the IACHR urging the government to allow for same-sex marriage and the adoption of children by members of the LGTBIQ+ community by reforming articles 112-116 of the country’s constitution. According to El Heraldo, the office has reportedly asked the National Congress to appoint an interlocutor in this respect; reforms of the Law on Families and the Special Law on Adoptions were reportedly also recommended (El Heraldo, 28 September 2022).

7.1 Hate crimes

HRW in its 2021 report on human rights states that “LGBT people are frequently targets of discrimination, extortion, and violence from gangs, the national civil police and military police, and members of the public. Discrimination is also common in schools, the workplace, and in

¹ In this report, LGBTIQ+ individuals are referred to according to the term used in the respective source.

the home. Violence against LGBT individuals displaces many internally and forces others to leave the country to seek asylum “(HRW, 13 January 2022).

According to information provided by the Honduran organisation Cattrachas, a lesbian feminist organisation defending the human rights of LGBTI persons, a total of 372 LGBTI individuals have been killed in the period 2009 to 2020, including 211 gay, 43 lesbian and 118 trans persons. Cattrachas has also recorded one case of disappearance: a transwoman who disappeared in 2016. All victims were of a variety of occupational groups, however, the largest group among gay and lesbian victims were those with unknown professions, while with trans persons, 58 of the 119 victims were sex workers. In more than half of the cases (64) in this group, the victim’s body was found in the street, continuing – as Cattrachas notes – the tendency that the killing of trans persons happens predominantly in public places. With regard to the violent deaths of women, Cattrachas stresses the difficulty to identify the killing of lesbian or bisexual women in the context of femicides (Cattrachas, 2020, pp. 4; 9; 14-15; 19). In 2021, Cattrachas recorded the killing of 29 LGBTI persons, while in 2022, the organisation recorded violent deaths of 39 and the disappearance of 2 LGBTI persons until the beginning of December (Cattrachas, data retrieved on 4 December 2022).

The number of killings of LGBTI persons peaked in the years 2012 and 2019 (with 41 killings each) as well as 2015 (37 killings) (Cattrachas, 2020, p. 21). The two of the country’s eighteen departments with the by far highest number of recorded killings were Cortés (145 cases) and Francisco Morazán (143 cases). The municipalities with the highest number of such killings were the Central District, including Tegucigalpa and Comayagüela (133 cases), followed by San Pedro Sula (86 cases) (Cattrachas, 2020, pp. 17-18).

Data provided by CONADEH indicate a slightly higher number of violent deaths of LGBTI+ persons for the period 2009 to 2021, namely 434, including gay men (about 59 percent), trans persons (about 29 percent) and lesbians (about 10 percent). The remaining victims’ identities were not revealed. According to the incumbent commissioner Blanca Izaguirre, in 2021 alone, her institution dealt with 74 complaints, most of them related to threats against life and integrity of LGBTI+ persons. Due to the same threats, CONADEH received 33 complaints in the first five months of 2022 (CONADEH, 15 August 2022).

The Unidad de Vigilancia KAI, a coalition of three associations (Kukulcán, Awilix and Ixchel) working on violence and LGBTI+ issues, reports the killing of 423 LGBTI+ persons in the period 2004 to 2021, based on official data of the Violent Deaths Crime Unit (Unidad de Delitos de Muertes Violentas) of the Honduran police. In the period January to March 2022, KAI recorded 11 killings of LGBTI+ persons, noting that 4 of them were human rights defenders. As of April 2022, only one of these cases had been tried; nine cases continued to be under preliminary investigation (Unidad de Vigilancia KAI, April 2022, pp. 1; 3; 5).

Cattrachas notes that of the 373 violent deaths [including one case of disappearance] of LGBTI persons recorded in the period 2009 to 2020, only 79 cases have been prosecuted and 35 of these have ended with a conviction. Moreover, the organisation points to the fact that in none of the prosecuted cases the aspect of discrimination on the grounds of sexual orientation and gender identity was taken into consideration as an aggravating fact, although the Honduran criminal code does provide for this offence (Cattrachas, 2020, p. 23). Similarly, HRW notes that the criminal code provides “for higher penalties for all bias-motivated crimes on grounds including sexual orientation and gender identity”. According to information provided by the

Attorney General's office to HRW in September 2020, no one has been convicted under this law (HRW, 20 September 2022).

7.2 Treatment by non-state actors

USDOS notes that although Honduran law prohibits discrimination on grounds of sexual orientation and gender-identity, "social discrimination against LGBTI persons persisted, as did physical violence. Impunity for such crimes was a problem, as was the impunity rate for all types of crime" (USDOS, 12 April 2022, section 6). In addition, many LGBTI persons experience rejection by their own families and report being beaten, insulted and kicked out of the house (HRW, October 2020, pp. 100-102; Cooperación LGBTI, 2 December 2019). An article published by swissinfo.ch, originally provided by the Spanish news agency EFE, quotes a trans activist who explains that the community was living in difficult circumstances, sometime not knowing whether they would survive the day. Trans-persons engaged in sex work would face daily insults and attacks. According to her, Honduras was abundant of "machismo" and religious fundamentalism, both of which produced the hatred, discrimination and contempt that was directed against LGBTI persons and that was reflected in the way LGBTI persons were killed (swissinfo.ch, 7 February 2022).

In August 2022, the Honduran online newspapers La Tribuna and El Heraldo report on a press release by the Association of Pastors of Tegucigalpa speaking out against the participation of the LGBTI community in a patriotic parade celebrating Honduras' Independence Day, traditionally formed by students and staff of educational centres. They called on the Minister of Education and President Iris Xiomara Castro to intervene to that effect (La Tribuna, 30 August 2022; El Heraldo, 30 August 2022). CONADEH reacted with a public statement, condemning calls for hatred and reminding the public that discrimination was prohibited by law (CONADEH, 5 September 2022). Eventually, members of the LGBTI+-community had their request rejected by the committee responsible for organising the parade but did participate in a parallel parade together with other civil society and political movements (La Prensa, 15 September 2022). Similarly, the Association of Evangelical Pastors took a strong stance against the legalisation of same-sex marriages. El Heraldo quotes the association's president saying that this kind of laws would be messing with God himself ("*sería meterse con Dios mismo*") and bring disgrace to the country ("*nos puede traer [...] una desgracia a nuestro país*") (El Heraldo, 28 September 2022). Several reports and articles point to the fact that many LGBT+ people, due to the violence they face, are forced into displacement.

IDMC notes in a report of March 2019:

"Violence and abuse is particularly extreme for those who do not conform to patriarchal gender norms and for LGBT+ rights defenders. Street gangs' macho codes or *códigos* mean LGBT+ people living in areas they control face particular risks and movement restrictions. They may simply not be allowed to live in some areas, or they may face violence. They may also be forced to sell drugs or store illicit goods, and trans women who engage in sex work may be extorted. [...]"

Gangs may forbid LGBT+ people to live in areas they control and may harass them and order them to leave. They may also flee to avoid being forced to undertake criminal activities. Trans women engaged in sex work flee if they [...] experience difficulties in paying extortion or if they are targeted with violence as a result." (IDMC, March 2019, pp. 26; 28)

Similarly, HRW noted in November 2020, that “in some cases gangs specifically target LGBT people” for reasons that might be connected to personal aversion to LGBT persons, to show social control or dominance, or because they are aware that LGBT persons lack a strong social support system to protect them (HRW, November 2020, p. 12).

A representative of the NGO Somos CDC (Centro para el Desarrollo y la Cooperación LGBTI, Centre for Development and Cooperation LGBTI) speaks in an interview about LGBTI persons being forced by gangs to sell drugs or engage in sex work and share the money with the gang. Moreover, homophobic gangs would often force LGBTI persons out of the areas they controlled under the threat of death. Given the level of violence in the country, LGBTI persons in search for a safe place would therefore often opt for leaving the country (Cooperación LGBTI, 2 December 2019).

In a report on LGBT asylum seekers from Central America at the US-Mexican border, HRW includes interviews with Honduran asylum seekers, who say they fled because of the violence they experienced due to their sexual orientation and activism for LGBTI rights. One person reports that his partner was killed by gang members who had threatened them before, and that the police would not investigate the killing. A transgender woman reports having been raped and threatened with death by gang members who tried to force her to sell drugs for them (HRW, 31 May 2022).

According to HRW, “[e]very year, more than 100,000 Hondurans are internally displaced, migrate, seek protection abroad, or are deported back to Honduras”, and the “groups most likely to be internally displaced or leave the country” include, among others, “LGBT people and members of ethnic minorities who face violence and discrimination” (HRW, 13 January 2021).

7.3 Treatment by state actors

Swissinfo.ch, in an article originally provided by EFE, quotes an LGBT activist saying that many would not report incidents of violence or aggression to the police for fear of repressions or because of mistrust of the authorities. Should a case indeed be reported, there would be no investigation if the victim was not able to name the aggressor (swissinfo.ch, 7 February 2022). PBI notes in relation to the killings of LGBTIQ+ people that “at times, families and public institutions do not recognise or report that these killings are related to sexual orientation or gender identity, reporting them as common crimes”. PBI adds that “LGBTIQ+ organisations frequently report that the perpetrators are members of the state security forces” (PBI, December 2019).

HRW notes that since 2017, victims could tick a box included in the criminal complaint forms if they self-identified as a LGBTI person. HRW notes further that it was informed by the Attorney General’s office in 2020 that a lack of cases indicates that this possibility was “being ignored by the officials receiving the complaints” (HRW, November 2020, p. 14).

PBI indicates that many of the LGBTIQ+ murder victims were trans women, quoting an activist that this group was “more exposed to attacks” as they were often “forced to engage in street sex work” (PBI, December 2019). This became particularly obvious in the context of the Covid-19 pandemic: In May 2020, PBI states that in recent weeks the organisation had “received reports of at least 10 attacks against trans women by soldiers, the National Police and private security agents, including verbal and physical attacks, threats and the use of tear gas” for violating the lockdown order. Some victims reported to have been forced into having sex to avoid being arrested (PBI, May 2020 (b)). Similarly, HRW describes a case of alleged sexual

extortion by an officer of the national police (HRW, November 2020, p. 26). HRW also observes that transgender women are placed in men's prisons where they are forced to have sex with male inmates and notes that it was informed by a judge about a case where a trans woman was raped by fellow inmates "with the complicity of prison guards" (HRW, October 2020, pp. 77; 99).

In its 2019 Country Report on Human Rights, the IACHR notes:

"[...] LGBTI persons in the country continue to live in contexts characterized by frequent physical, psychological and sexual violence. Furthermore, these persons do not have effective access to justice. In that sense, their claims to justice face obstacles and the respective cases result in widespread impunity. In this regard, despite some convictions in judicial cases of violence against LGBTI persons, rulings are scarce and do not take into account possible motivations based on prejudice as a factor for the commission of crimes. This transmits a social message that legitimizes discrimination and hatred against LGBTI persons." (IACHR, 27 August 2019, p. 121)

In March 2021, the Inter-American Court of Human Rights (IACtHR) found the Honduran state responsible for the violation of the right to life and personal integrity of Vicky Hernandez, a trans woman and human rights defender who was killed during the 2009 state coup. According to the court's decision, she was harassed by the police before she was killed, police and military had effective control of the streets in the night of her death, and her death had not been properly investigated (HRW, 13 January 2022). Representatives of the NGO Cattrachas (one of the petitioners in the case) note that the judgement was important because the Court had "identified the context of violence and systemic discrimination experienced by LGBTQI people" in Honduras (ISHR, 8 July 2021). The court ordered the government to continue the investigation, to hold a public act to acknowledge "international responsibility for the facts of this case" and to implement several other reparation measures (IACtHR, 26 March 2021, pp. 51-52). In May 2022, the newly elected president Xiomara Castro formally acknowledged the state's responsibility for the crime and said the government would also implement the other reparation measures issued by the court, such as a training program for security forces and the elaboration of a process that would allow people to adapt their identity document according to their self-perceived gender identity (El País, 10 May 2022), the latter a long-standing concern for the LGBTQI+ community (see, for example, Proceso Digital, 6 November 2021).

7.4 Access to services

According to the BTI, several groups, including minority groups such as LGBTQ+ persons suffer not only from violence but are also "systematically discriminated against when it comes to accessing social and other state services as well as the labor market" (BTI, 2022, p. 15). Articles 211 and 212 of the criminal code prohibit discrimination on grounds of one's sexual orientation with regard to access to public services and to services provided by other professionals and companies (ILGA, December 2020, p. 198).

Swissinfo.ch, in an article originally provided by EFE, quotes an activist saying that LGBTI persons needed more job opportunities, including in the fields of education, health and security (swissinfo.ch, 7 February 2022).

HRW notes with regard to access to employment:

“LGBT people in Honduras experience discrimination both during job searches and in the workplace. Of the twenty-five LGBT Hondurans interviewed by Human Rights Watch, eight, including seven trans people and one gay man, described experiences of employment discrimination. [...] Carla T., a 24-year-old trans woman from Comayagüela, said she applied for a job at a clothing store but was turned away on grounds that she would ‘ruin the clientele.’ She also tried to get a job washing dishes and cleaning homes, but was unsuccessful.” (HRW, October 2020, p. 121)

In its annual report of 2020, CONADEH expresses the hope that initiatives related to business and human rights will promote the right to work of LGBTI persons as they still faced problems in accessing and keeping jobs. In terms of health services, CONADEH notes that although authorities had expanded the network of specialised services for the LGTBI community, more needed to be done to ensure the provision of health services free from stigma and discrimination (CONADEH, 2021, p. 204). According to a study on mental health and sexual diversity by the political movement Diversity Movement in Resistance (MDR, Movimiento de Diversidad en Resistencia), based on interviews with 151 LGBTIQI+ persons and 27 key informants, health services were poorly rated in terms of respect for the rights of LGBTIQI+ persons: 73.5 percent of respondents stated that they were respected little or not at all. At the same time, 55.5 percent of the health personnel also admitted to the lack of respect for LGBTQ+ people in this context (MDR, August 2022, p. 9). PBI notes in 2020, that the situation of the LGBTI community, especially of people living with HIV/AIDS has worsened in the context of the Covid-19 pandemic, as it was difficult to access health services during lockdown. According to an activist, people could not access medication due to a lack of means of transport, identity documents and food, necessary to be taken with the medication (PBI, May 2020 (b)).

In terms of education, CONADEH states that although the situation has improved, there are still reports of educators marginalising LGBTI students and there are cases where school bullying leads to students dropping out of school or committing suicide (CONADEH, 2021, p. 204).

In the context of interviews conducted by HRW for its report on violence and discrimination against LGBT people in Central America, HRW notes that several respondents described being bullied and discriminated in school.

“They described being targeted by peers, teachers, and administrators. Some said that they felt compelled to leave school as a result, reducing their life chances and placing them on a path to heightened economic insecurity. Interviewees described school as an unsafe space, especially for those who are visibly gender non-conforming. For two trans people interviewed by Human Rights Watch, pervasive bullying led them to drop out of school.” (HRW, October 2020, p. 103)

8 Gender-based violence (GBV)

According to USDOS, all forms of rape of women or men, including marital rape, are considered a crime under Honduran law and are punishable with 9 to 13 years of imprisonment. Rape is considered a crime of public concern and is prosecuted by the state regardless of whether the victim files a charge or not. Sexual harassment, including in employment, is punishable with imprisonment of one to three years and the possible suspension of the violator's professional license. USDOS notes that neither law is effectively enforced by the state, including due to "weak public institutional structures" (USDOS, 12 April 2022, section 6).

OHCHR notes a lack of progress regarding legislative proposals such as the Comprehensive Law on Violence against Women (*Ley Integral sobre las Violencias contra la Mujer*) and the Law on Safe Houses for Victims of Gender-Based Violence (*Ley de Casas Refugios para las Víctimas de la Violencia*) (OHCHR, 4 March 2022, p. 28).

Similarly, USDOS states with regard to domestic violence that:

"The law does not criminalize domestic violence but provides penalties of up to 12 years in prison for violence against a family member, depending on the severity of the assault and aggravating circumstances. If a victim's physical injuries do not reach the severity required to categorize the violence as a criminal act, the legal penalty for a first offense is a sentence of one to three months of community service. Survivors of domestic violence are entitled to certain protective measures, such as removing the abuser from the home and prohibiting the abuser from visiting the victim's work or other frequently visited places. Abusers caught in the act may be detained for up to 24 hours as a preventive measure. The law provides a maximum sentence of three years in prison for disobeying a restraining order connected with the crime of violence against a woman." (USDOS, 12 April 2022, section 6)

However, USDOS notes that according to civil society groups, women often refrain from reporting domestic violence or withdraw charges out of fear or economic dependency on the aggressor. Moreover, delays by the police in dealing with complaints and postponement of already scheduled court hearings by judicial officials hampered women's access to justice (USDOS, 12 April 2022, section 6).

Honduras has a total ban on abortion and emergency contraception under all circumstances, including in case of rape, incest, or if the woman's life or that of the foetus is in danger. Undergoing an abortion or providing for it, is punishable with up to six years in prison. A constitutional reform in January 2021 increased the majority necessary for amending the relevant legal provision (Article 67) from two-thirds to three-quarters and complicated future reform (HRW, 20 September 2022; openDemocracy, 22 January 2021). An announcement by President Xiomara Castro on a possible partial lifting of the ban on a few selected grounds was met with vehement protests by the political opposition (PBI, May 2022 (a), p. 46).

8.1 Statistics

8.1.1 *Femicides and domestic violence*

Honduras has the highest femicide rate in the region with 6.79 femicides per 100,000 inhabitants, according to an analysis by the Global Protection Cluster (GPC) of September 2022 (GPC, 12 September 2022, p. 4).

In 2021 and based on data collected from reports in print and digital national media, the Centre for the Rights of Women (CDM) recorded the violent deaths of 342 women, almost half of them in the departments Cortés (72) and Francisco Morazán (74) alone. The majority of victims were killed with firearms (216). In the same year, according to data of the Public Ministry, the National Emergency System (911) recorded 46,016 complaints of domestic violence and 61,450 complaints of intrafamily violence. The two departments with the largest share of recorded complaints were Cortés (7,347) and Francisco Morazán (11,707) (CDM, undated (a)). ONV has recorded 330 violent deaths of women in 2021, 234 of which the organisation classifies as femicides, including 52 cases of intimate femicide (by a current or former intimate partner), 9 cases of femicide in the context of a sexual crime and 9 cases of intrafamilial femicide, committed by a family member (ONV, 21 November 2022, pp. 3; 6).

In 2022, CDM recorded the violent deaths of 240 women until the end of October, including 60 in the department of Cortés and 46 in Francisco Morazán. As in 2021, more than half of the victims were shot and the age group most affected - apart from those cases where no data on age were available - was 20 to 29 years of age. Until the end of August 2022, the National Emergency System (911) recorded 31,810 complaints of domestic violence (including 8,975 in the department Francisco Morazán alone) and 50,351 complaints of abuse within the family (*maltrato familiar*, previously recorded as intrafamily violence). Most of these complaints were recorded in Cortés (13,746), Francisco Morazán (7,605) and Yoro (5,568) departments (CDM, undated (b)).

8.1.2 *Femicides in the context of organised crime*

ONV has recorded 96 femicides in the context of organized crime for the period January to December 2021, that is, 41 percent of the total number of victims (234) recorded by ONV. Almost half of these deaths occurred in the context of hired killings, 18.8 percent were connected to *maras* or gangs and 11.5 percent to family killings, where women were killed together with other family members. 11 women were killed out of revenge and 9 after having been abducted. Victims were registered in all age groups, with those aged 15-49 years most affected, while five victims were younger than 15 years old. Most of the victims (84 women) were killed with firearms (ONV, 21 November 2022, pp. 6; 9).

8.1.3 *Sexual violence*

In the first six months of 2022, the Public Ministry received 2,232 complaints for sexual violence: in 1,615 cases the aggression was directed against women and girls and in 446 cases against men and boys. In 171 cases the victim's sex was not identified. In 1,093 cases the victim of sexual violence was a child, including 960 girls and 133 boys under the age of 18. Almost half of all complaints on acts of sexual violence against women and girls were about rape (47 percent). That percentage was even higher when considering only the underage female victims: 520 of the 960 complaints were about rape (54 percent), and another 89 for *violación especial*

(rape under specific circumstances; CDM notes that the new criminal code [of 2020] no longer uses this notion, but that the Public Ministry continues to record offences according to the old typification). In half of all registered complaints, the victim was between 10 and 19 years of age (51.6 percent), in 12 percent 20 to 29 years and in 9.4 percent 9 years or younger (CDM, September 2022, pp. 1-4).

openDemocracy reports in January 2021 that according to a government survey, 40 percent of unwanted pregnancies are the result of rape, while more than 30,000 girls aged 10 to 19 have given birth to a child in the past year (openDemocracy, 22 January 2021).

8.2 Access to justice

The UN Committee on the Elimination of Discrimination against Women (CEDAW) in its concluding observations on Honduras' ninth period report of 1 November 2022 continues to be concerned about certain issues regarding women's access to justice including:

“(a) The lack of independence, impartiality and gender-responsiveness of the justice system, which is reinforced by insufficient resource allocation, poor infrastructure and a lack of specialized gender-based violence units and personnel, including police officers, prosecutors and judges trained on gender issues, resulting in a dysfunctional and corrupt judiciary and an overall culture of impunity;

(b) The lack of proper investigation, evidence collection and forensic facilities and capacities, which results in lengthy delays in legal proceedings and the revictimization of women;

(c) Legal illiteracy among many women and girls and the persistent reluctance of women to file complaints owing to judicial gender bias and discriminatory attitudes among law enforcement personnel;

(d) The lack of an effective witness protection programme.” (CEDAW, 1 November 2022, p. 4)

Similarly, several other sources mention the high level of impunity in cases of gender-based violence, such as PBI (May 2022 (a), p. 46) and the IACHR in its 2019 report on human rights, where it also notes its concern about the “particular aggression” with which these crimes against women are carried out, which “indicate a pattern of extreme violence against them that includes kidnappings, disappearances, torture in so-called ‘mad houses’, mutilations, dismemberments, face crushing, body burns, and other hate crimes” (IACHR, 27 August 2019, p. 112). “Mad houses” are houses whose owners have been forced out and forcibly displaced by gangs. These houses are then used by the gangs as places where they hide people they abducted and where they torture and kill their victims (OMCT, 25 July 2016). Similarly, in 2021, the IACHR notes:

“[...] the Commission also received information from civil society and CONADEH indicating that more than 90% of the femicides registered between January 1 and September 30, 2021 remain in impunity. Also, in the framework of its virtual promotional work visit to the

State, the Commission received information on the prevalence of impunity for sex crimes. [...]

The Commission indicated the negative repercussions of a failure to investigate and punish acts of gender-based violence with due diligence and prevent their repetition; in particular, it sends a message to society that such violence is tolerated or is not a serious problem, and fosters its perpetuation. For this reason, the IACHR has urged States to combat the pattern of impunity in cases of violence against women through effective investigations and consistent prosecution, thus guaranteeing adequate punishment and reparation.” (IACHR, 26 May 2022, p. 1019)

CDM in a report of August 2021 notes that of 1,892 femicides registered by the IUDPAS Observatory in the period 2014 to 2020, only 118 cases reached the courts of first instance, that is, a total of 6.2 percent of all registered cases. In 80 of these cases, the courts issued a sentence, however, only in 25 of the 80 cases did the courts convict the perpetrator(s). 17 cases ended with an acquittal, 34 cases were forwarded to a sentencing court (Tribunal de Sentencia) for a public and oral trial, 1 case ended with a reconciliation and in 3 cases the outcome was not specified in the register (CDM, August 2021, pp. 45-46). The United Nations High Commissioner for Human Rights in its 2021 report on the situation of human rights states “that the capacity of State institutions to address violence against women remained limited, especially regarding investigations of femicide” (HRC, 15 March 2021, p. 11).

According to the Global Protection Cluster’s Analysis of September 2022 and based on information provided by the Norwegian Refugee Council (NRC), women were also particularly affected by eviction from or dispossession of their homes, land and property by *maras* and gangs, either due to extortion or because they were living in places of strategic interest to these groups. Women faced greater difficulties in having their rights guaranteed as they often lacked economic independence or any property of their own, and due to restrictive social and cultural norms (GPC, 12 September 2022, pp. 7-8).

8.3 Societal attitudes

According to a survey by the Honduran Christian social research centre ERIC-SJ (*Equipo de Reflexión, Investigación y Comunicación*), conducted in the period 28 March to 7 April 2022, more than 85 percent of respondents believe that violence against women is increasing. Nevertheless, when asked why people think that women are killed, 30 percent said that this was due to the women’s own fault. 32.9 percent named machismo and jealousy, 8.3 percent extortion and “war tax” (extortion by gangs) and 7.6 percent the absence of the state (ERIC-SJ, July 2022, p. 12).

PBI and OHCHR mention the number of instances of gender-based violence against female candidates during the 2021 elections which led the National Electoral Council to issue a protocol against gender-based violence such as online harassment, defamation campaigns, and physical and sexual assaults on women as some examples of this violence and to propose an initiative to amend the electoral code in this regard (PBI, May 2022 (a), p. 46; OHCHR, 4 March 2022, p. 11).

Doctors without Borders (MSF) in an article about its work with low-income communities in northern Honduras indicates the lack of access to sexual and reproductive health care

particularly for teenagers, noting that they “do not have a place where they can go and where they are treated without being stigmatised, without the influence of religion, or without an accusing finger. [...] They don't go to health centres if they have a sexually transmitted infection (STIs), because they feel judged. They feel discriminated against and, above all, there are many medical staff who do not want to treat minors” (MSF, 2 September 2022).

8.3.1 Situation of female human rights defenders

Another issue of concern for OHCHR is the situation of human rights defenders and journalists. In March 2022, the office notes that it has collected information about at least 209 human rights defenders (including 67 women and 7 trans women) and 93 journalists (including 26 females) who were threatened, harassed or even killed in 2021. Ten of the total number of victims have been killed, including one woman and two trans women, at least seven had suffered previous attacks and two of the victims had benefited from protection measures from the Inter-American Commission on Human Rights and the National Protection Mechanism since 2014 and 2018, respectively, according to OHCHR. Departments with the highest rates of attacks on human rights defenders were Francisco Morazán (69 cases), Colón (18), Cortés (17) and Yoro (15). (OHCHR, 4 March 2022, pp. 19-20).

The most frequent forms of attack were harassment and intimidations (44 cases), threats (36), undue limitations to freedom of expression (23) and physical violence (16).

Previously, the IACHR stated in its 2019 country report on human rights:

“The Commission also warns of an aggravated risk for women human rights defenders. According to the information received by the Commission during the visit, attacks on the integrity and reputation of women human rights defenders represent the highest percentage in relation to other forms of aggression, accounting for 24% of all aggressions suffered in 2016 and 2017. In this category of aggressions, smear campaigns stand out, which in the case of women human rights defenders, are also developed around the domestic, family and community environments and attack the role of women in society, as well as their sexuality. Defamation campaigns against women human rights defenders, for example, often contain a high degree of gender-based violence, with accusations based on their sexual, family and work lives”. (IACHR, 27 August 2019, p. 76)

In its annual report of 2021, the IACHR notes that it receives information on several cases of criminalisation of human rights defenders, especially with regard to the defence of the territory of indigenous and Afro-Honduran communities. In this context, the Commission notes that

“the criminalization of human rights defenders encourages collective stigma and sends a message of intimidation to those who want to report or have reported human rights violations. The IACHR has indicated that launching groundless criminal investigations or lawsuits against human rights defenders not only has a chilling effect on their work to defend human rights, but can completely paralyze it. When it is women doing this work, criminalization inhibits the human rights defense work they do while increasing and exacerbating existing social inequalities.” (IACHR, 26 May 2022, pp. 1003-1004)

8.3.2 Forced displacement due to gender-based violence

In its annual report on forced displacement, CONADEH informs that in the year 2021, it recorded a total of 917 complaints related to forced displacement, affecting 2,529 persons. In 338 of these cases, a total of 942 persons had already been forcibly displaced, while 579 complaints (affecting 1,587 persons) were submitted by persons at risk of being forcibly displaced. The main violent incidents causing forced displacement or the risk of it were threats (56.1 percent), the killing of family members (14.4 percent), extortion (10.6 percent) and attempted murder (5.9 percent). The main perpetrators continue to be gangs and *maras*: in 260 of the 917 complaints, they were identified as aggressors. Of the 338 complaints submitted by persons in a situation of forced displacement, 47 percent were submitted by women reporting violent incidents such as sexual abuse, violence within the family, the forced recruitment of children and adolescents, and other incidents. The group most affected by forced displacement in 2021 were housewives (160 of the 917 complaints) due to gender-based and intra-family violence (CONADEH, 11 October 2022, pp. 14; 19-20; 22; 28). During visits to several regions particularly affected by forced displacement, CONADEH identified seven cases of forced displacement caused by gender-based violence such as domestic violence or the forced recruitment of young women to force them to become partners of gang members. CONADEH notes that only three of these cases had been reported (CONADEH, 11 October 2022, p. 8).

Boerman describes that any refusal of a female to enter into a relationship with a gang member is perceived as challenge to the gang member's dominant position over women and therefore entails a "punitive response" that is visible also to the other gang members and "demonstrates and reinforces their dominance over 'their woman.'" Boerman goes on to explain:

"Once females have entered into relationships with a gang member—or have been targeted for such a relationship—they are considered to be that gang member's *jaina* or *morra*, his property and, at times, the property of the gang itself. Because they are perceived as 'property' with no rights, authenticity or authority, in addition to being subjected to extreme and routine physical violence, women often become sex slaves and are also frequently forced to engage in criminal activity on behalf of the gang under threat of death to them and their family members, including smuggling drugs and other contraband into prisons." (Boerman, October 2018, p. 15).

IDMC points to the connection between gender-based gang violence and forced displacement:

"Women and girls who refuse sexual involvement with gang members or who want to remove themselves from such a situation are at high risk of extremely violent reprisals. This includes former partners and those forced or coerced into sexual involvement. Failure to comply with demands may be met with murder, sexual violence or death threats that extend to the whole family. Killings tend to involve torture and the mutilation or dismemberment of the victim's body. People flee in response to such risks, but may also do so pre-emptively if, for example, parents have been told to bring their young daughter to a gang leader.

Because gangs perceive failure to comply as an act of betrayal, the risk of those who flee being sought out and persecuted is high, making safe options within the country extremely

limited. The risks before and after displacement are even more acute if a gang leader is involved.” (IDMC, March 2019, p. 22)

8.4 Access to services

IACHR notes in its annual report of 2021 that it was informed by the state on measures related to care and protection mechanisms for women victims of gender-based violence, including the opening of a sixth Women’s City Center in Cholula city where 2,700 clients have received care. The State also reported on 25 Specialized Comprehensive Care Modules (MAIE) by the Office of the Public Prosecutor that provide care to female victims of gender-based violence, vulnerable victims and witnesses (IACHR, 26 May 2022, p. 1017). According to the website of the state-run programme “Ciudad Mujer Honduras” (Women’s City), there are currently seven centres (including one mobile centre) in the cities of Cholulaca, Choloma, Juticalpa, Tegucigalpa, Ceiba, San Pedro Pula and the mobile centre covering Cofradía, Cortés, Colonia la Pradera, San Pedro Sula and Naco, Cortés), offering services in the fields of economic autonomy, women’s rights, attention to violence, sexual and reproductive health and community education and a service for adolescents (Ciudad Mujer Honduras, undated).

The Honduran news site *Contra Corriente* quotes Ana Cruz, leader of the Association Quality of Life (*Asociación Calidad de Vida*) who mentions that ten safe houses (*casas refugios*) existed in Honduras as of October 2021, all of them funded by international donors. She states that the houses’ budgets had to cover, among other things, expenses for personnel, including personnel specialised in dealing with gender-based violence, but also specialised medical personnel as women often came with severe injuries including by beatings, bullets or machetes. Referring to the state’s “Ciudad Mujer” program she notes the limited office hours of these centres. She also mentions that her organisation is advocating for a Law on Shelters (*Ley de Casas de Refugio*) – a draft of which was passed by the National Congress in 2018 but has since then not been put to debate. The law would ensure public funding for the existing shelters and end their dependence on funding by foreign donors (*Contra Corriente*, 22 October 2021). In October 2022, CONADEH reports on only eight shelters for women victims of violence operating nationwide, despite the fact that according to the Law against Domestic Violence (*Ley contra la Violencia Doméstica*) each of the country’s 298 municipalities should have one such shelter (CONADEH, 14 October 2022).

According to USDOS, the government operates in cooperation with the UN Development Programme UNDP “consolidated reporting centers in Tegucigalpa and San Pedro Sula where women could report crimes, seek medical and psychological attention, and receive other services”. USDOS notes that in addition to these centres, the government operates 298 women’s offices – one in each municipality –, which provide services in the fields of prevention of gender-based violence, education, health, personal finance and other services (USDOS, 12 April 2022, section 6). These offices operate on municipal level and are supervised by the National Women’s Institute (INAM, Instituto Nacional de la Mujer) (INAM, undated).

9 Returnees

9.1 Treatment of returnees by non-state actors

The Latin America Working Group (LAWG), a non-profit advocacy group calling for just US policies towards Latin America based in Washington D.C., in a 2018 publication writes about what awaits deportees from the US upon their return to El Salvador and Honduras. The LAWG describes the situation as “one of uncertainty, fear, and little hope for their future outside of a life in hiding”. It continues:

“The situation of insecurity, corruption, and impunity that all deported migrants return to remains the same and in some cases has deteriorated. In the worst cases, an individual may face direct threats to their life or be assassinated shortly after returning. In the best cases, returning often means a life in hiding and facing daily challenges alone, including possible trauma from the journey and rights violations suffered at the hands of organized crime, authorities, and immigrant enforcement agents. [...]

In many cases, the fears migrants have of returning to their communities are the same ones that propelled them to leave in the first place, including threats from gangs and organized crime. These risks are heightened for unaccompanied children, women, youth, and LGBTI individuals. Deported migrants may be targeted for various reasons: they may have already been under threat before they left, the gang control in the community may have worsened, or perhaps they may be perceived as returning from the United States with money and become immediate targets for extortion.

Fear may also be compounded with other stigmas upon return to the community. Deported migrants might experience feelings of failure and disappointment at the way things turned out and rejection by family members. Stigmas can be greater for deported women, especially because they might suffer sexual and gender-based violence along the migration journey. In some cases, deported migrants may fear the situation so much that they may not want to return to their home communities at all. Some NGOs report that they have witnessed cases where children don’t want to leave the repatriation centers due to fear. [...] [H]alf of the people interviewed were displaced internally before deciding to leave the country, and when they returned, these individuals again depended on family so as not to return to the community from which they fled. Thus, upon deportation to their home country, they also return to the very situation of displacement, uncertainty, and fear they fled from in the first place. In instances where deported migrants do return to their communities, many resign to living in states of confinement and being locked up in their own homes to avoid threats, suffering restrictions on their personal freedoms. Individuals at risk often turn to their families for protection instead of the state, and those without families, such as unaccompanied children or youth, are often at most risk.” (LAWG, 11 January 2018)

In her December 2022 e-mail response Elizabeth Kennedy states that the risks upon return to Honduras are probably the highest for males, aged 15 to 39, LGBTI individuals, indigenous and Garifuna persons as well as for persons from neighbourhoods with high levels of violence.

Kennedy has documented 100 persons killed after their deportation to Honduras since 2014, and she stresses that this number does not reflect the total of cases of persons deported to and then killed in Honduras. She has identified some of the reasons why persons are killed after their deportation: residence in a neighbourhood with high levels of violence, long-term residence in the US, tattoos, perceived or actual past or current organised crime membership (Kennedy, 6 December 2022).

Several other sources also report cases of migrants to the US who were deported to Honduras and killed shortly after their return. Among those sources are Just Security, an online forum for analysis of US security based at the New York University School of Law, The San Diego Union-Tribune, San Diego's largest media company and an older article of 2015 by UNHCR, all of which report that killings of returnees are not exceptional events:

"Santos Chirino pleaded with an immigration judge to not return him to Honduras, where he feared he would be killed by the gang members against whom he had testified in court. The judge denied his asylum claim and he was shot to death less than a year after being deported. Chirino's case was unusual only in that his fate upon return was documented." (Just Security, 17 February 2022)

"[...] Yovin Estrada Villanueva returned to his family home just months after fleeing for his life [...]. His attempt to win asylum in the United States had failed. Just over a year later, shortly before his 28th birthday, Villanueva was killed by the very people he fled. He was shot while driving his mototaxi — a dangerous occupation in neighborhoods under gang control. [...] Villanueva's decision to seek asylum [...] began with a murder — he witnessed a fellow mototaxi driver get killed. Details of what happened that day are not safe to talk about and remain unclear. [...]"

Villanueva's murder was not an isolated incident. [...] In Honduras, that violence is far from a private matter. A complex web of issues, from economic struggles to corrupt government, have created an environment ripe for gang domination that touches the majority of its citizens' lives. [...] There is no comprehensive database that tracks exactly how many people were deported to their deaths after telling the United States they were afraid to go home. But in places like San Pedro Sula, it is difficult to find someone who doesn't know of at least one person who was returned and killed." (San Diego Union-Tribune, 11 October 2020)

"The gunman was waiting as Marco Antonio Cortés boarded a bus in the north-west Honduran city of San Pedro Sula. One pull of the trigger and the 18-year-old was dead, adding to the alarming toll of young Honduran males who are attacked, killed or simply disappear after being deported from the United States or Mexico. 'It's not just one, two or three that are killed after their deportation,' says Sister Valdete Wilemann, who runs a state-owned centre that puts up some of the deportees who return to Honduras." (UNHCR, 29 January 2015)

Thomas Boerman notes in his 2019 paper on the visibility and vulnerability of family members of individuals targeted by organized criminal groups that the act of fleeing can increase the risk of gang violence a person faces upon return:

“[...] [T]he act of fleeing or going into hiding to avoid gangs’ demands and risk of harm is perceived as a challenge and antagonistic act, so if one flees and is forced by circumstances to return to the area or relocates and is later found, the level of risk that he or she encounters is likely to be substantially higher than at the time of his or her departure. Beyond a desire to punish the individual who fled, the intent is to convey a message to the larger community that attempting to escape by fleeing will result in even more serious reprisals. The act of fleeing may also result in risk to the family members left behind as gangs routinely seek them out to coerce information on the person who fled [...]” (Boerman, December 2019, p. 11)

Elizabeth Kennedy, in a February 2020 article for HRW, describes the dangerous situation in which returnees to El Salvador find themselves in. In her December 2022 e-mail response, Kennedy explains that Honduran returnees who had fled neighbourhoods with high levels of violence face the same neighbourhood dynamics upon return that she described for deported Salvadorans in the February 2020 article (Kennedy, 6 December 2022):

- HRW – Human Rights Watch: Deported to Danger, 5 February 2020
<https://www.hrw.org/report/2020/02/05/deported-danger/united-states-deportation-policies-expose-salvadorans-death-and>

9.2 Treatment of returnees by state actors

Due to the requirements of the Law for the Protection of Honduran Migrants and their Families of 2013 (Ley de Protección de los Hondureños Migrantes y sus Familiares), the General Directorate for the Protection of Honduran Migrants (Dirección General de Protección al Hondureño Migrante), an executive body of the Ministry of Foreign Affairs (Secretaría de Relaciones Exteriores y Cooperación Internacional), is in charge of the following offices and centres, which are concerned with the affairs of returnees:

The Returned Migrant Assistance Office (Oficina de Asistencia al Migrante Retornado, OFAMIR), the Returned Migrant Assistance Centres (Centros de Atención al Migrante Retornado, CAMR) and the Municipal Returnee Assistance Units (Unidades Municipales de Atención al Retornado, UMAR) (CONMIGHO, undated (a); RedHonduras, undated).

Regarding the OFAMIR, a factsheet by the European Union Global Diaspora Facility (EUDiF), which was updated in October 2021, states:

“The Office for Assistance to Returned Migrants promotes and executes policies and programmes for the return of Hondurans abroad and the achievement of their social and labour reintegration. As well as providing technical and financial support to Centros de Atención al Migrante Retornado (CAMR).” (EUDiF, updated October 2021)

Concerning the Returned Migrant Assistance Centres (CAMR), the same factsheet states:

“The Centros de Atención al Migrante Retornado (CAMR) 2000 is an entity operating on the basis of an agreement between the Scalabrinian Sisters Association/Catholic Church,

the International Organization for Migration (IOM) and the Secretariat of Foreign Relations and International Cooperation of Honduras. Their main goal is to provide immediate assistance (food, lodging, transportation, and health) to returned migrants from the United States and to promote their full reintegration through technical training and relocation for new jobs. In 2019, more than 60,000 Hondurans benefited from this initiative, 14,000 of them were minors.” (EUDiF, updated October 2021)

According to Elizabeth Kennedy the above-described assistance by the CAMRs is a one-time assistance and usually consists only of a toiletry kit and a small snack, which includes a beverage (Kennedy, 6 December 2022).

An August 2022 publication by the International Federation of Red Cross and Red Crescent Societies (IFRC) mentions the CAMRs and calls them Centres for Care for the Returned Migrant:

“Returning Honduran migrants [...] continue to enter the country by air and land through Centres for Care for the Returned Migrant (CAMR by the Spanish acronym) in the municipalities of Omoa, La Lima and San Pedro Sula, all in the department of Cortés. [...] According to national legislation, every migrant and Honduras national who enters the country irregularly must pay a fine and must regularise their transit or entry.” (IFRC, 26 August 2022, p. 3)

In accordance with the IFRC August 2022 publication cited above, the undated website of the Observatorio Consular y Migratorio de Honduras (CONMIGHO) lists three CAMRs (CONMIGHO, undated (b)), but while the IFRC located one of the centres in La Lima (a municipality located about 15 kilometres from San Pedro Sula (Municipios de Honduras, undated)), the three CAMRs mentioned by CONMIGHO are located in Omoa and two in San Pedro Sula: the Returned Migrant Assistance Centre in Omoa, administered by the Honduran Red Cross (CONMIGHO, undated (c)) the Returned Migrant Assistance Centre in San Pedro Sula, administered by the Association of the Scalabrinian Sisters (CONMIGHO, undated (d)) and the Assistance Centre for children and migrant families Belén, situated in San Pedro Sula (Latina Republic, 1 September 2022) previously known as “El Edén” Center, where minors and their families who return from the United States are received and which is administered by IOM (CONMIGHO, undated (e)). According to Elizabeth Kennedy, the CAMR in Omoa is for adults deported by land from Guatemala or Mexico. The first-mentioned centre in San Pedro Sula is located at the San Pedro Sula airport, which is actually located in the La Lima municipality. Returnees who are being deported by air from the US, Mexico, Europe or elsewhere arrive there. The CAMR Belén in San Pedro Sula, according to Elizabeth Kennedy, receives children deported by land from Guatemala or Mexico (Kennedy, 6 December 2022).

According to CONMIGHO the three Assistance Centres provide the following services: complete provision of meals, processing re-entry with biometric system, information on available social programmes, recording of the data for the registration form, transportation to their places of origin, medical and psychological services, national or international phone call, locker room, accommodation, special services for people displaced by violence (together with UNHCR and the Norwegian Refugee Council) (CONMIGHO, undated (c); CONMIGHO, undated (d); CONMIGHO, undated (e)). On the services of the CAMRs Elizabeth Kennedy notes that for a meal only a snack including a beverage is provided. The transportation to the places of origin of the returnees takes them to their municipality of origin. Returnees may have to organise any

necessary further transport from the municipal centre to their community by themselves. She also explains that the special services for people displaced by violence comprise a screening but do not provide further care or services (Kennedy, 6 December 2022).

The CAMR in San Pedro Sula was in November 2020 flooded due to the impact of the Hurricanes Eta and Iota, seriously damaged and not functional for six months. After that a temporary CAMR was opened and finally the new one was inaugurated in 2022 (SELA, 12 May 2022).

According to an August 2021 article by El País.hn there were 15 Municipal Returnee Assistance Units (UMARs) nationwide, located in “1) Gracias, Lempira; 2) La Esperanza, Intibucá; 3) Choluteca, Choluteca; 4) Catacamas, Olancho; 5) Paradise, Paradise; 6) Siguatepeque, Comayagua; 7) Quimistan, Santa Barbara; 8) Concepcion, Ocotepeque; 9) Yoro, Yoro; 10) Nacaome, Valley; 11) Central District, Francisco Morazán; 12) San Pedro Sula, Cortes; 13) La Ceiba, Atlantis; 14) Tocoa, Colón, and 15), in Lima, Cortés” (El País.hn, 18 August 2021). The article explains that the purpose of the UMARs is to contribute to the reintegration of returnees into society and the economy, providing care and identifying projects aimed at generating employment and improving skills (El País.hn, 18 August 2021). On the UMARs Elizabeth Kennedy in her e-mail response notes that she together with colleagues visited some of the UMARs outside of San Pedro Sula and Tegucigalpa, but the UMARs were not actually operating (Kennedy, 6 December 2022).

Due to the large numbers of deportees Honduras receives from Mexico and the United States, the Latin America Working group in two publications of 2018 and 2019 expresses concern about Honduras’ capacity to absorb them and report a lack of or doubt the ability of programs to address the needs of returnees (LAWG, 11 January 2018; LAWG, 5 December 2019).

A report on the human rights situation in Honduras by the Inter-American Commission on Human Rights (IACHR) published in August 2019, provides the following information on returnees and their treatment by state actors:

“[...] [T]he Commission notes with concern that the measures adopted by the Honduran State for the care of returnees and deportees focus almost exclusively on the prevention of and response to economic migration and on the reintegration of migrants into the country through labor insertion. In this regard, the State does not have adequate programs to identify and assist deportees in need of protection, i.e. Hondurans who were forced to flee the country and are unable to return to their place of residence because of the risk that this would pose to their lives and physical integrity. As a consequence, people identified with protection needs are often referred to civil society organizations for assistance and protection. In addition, the Commission received information that only children and adolescents, families with minor children and persons deported by air are automatically taken to the CAMR for reception and care. In the case of adults who are deported or returned by land, they are not usually taken to a CAMR, but directly to the San Pedro Sula bus terminal, where the only assistance they receive is the bus ticket to reach their destination, without any additional support. Similarly, only children and adolescents, families with minor children would be assisted by the UMAR, while adults who are deported alone would not have access to their services.” (IACHR, 27 August 2019, pp. 136-137)

The 2018 publication by LAWG comprehensively criticises the institutions for returnees as well as the legal framework to protect returnees as insufficient and inefficient:

“The process by which individuals are deported back to Honduras or El Salvador from the United States involves ICE-chartered flights that depart from different cities in the United States and on which individuals often spend hours handcuffed. Upon arrival to their home country, migrants are received at repatriation centers, usually run by a combination of religious orders, NGOs, international organizations, and the government. The attention that they offered is limited to receiving water and snacks, a cursory medical checkup, perhaps some financial support to return to their home communities, and an intake interview to document their arrival to the country.

After that, deported migrants are usually on their own—a reflection of how governments view their arrival, welcoming them in nice-looking buildings and registering them as statistics, but failing to recognize their rights, urgent needs, and potential to contribute to society. The repatriation centers - such as the Centro de Atención al Migrante Retornado (CAMR) in San Pedro Sula, Omoa, and El Edén, Honduras [...] - are key in providing the basic services migrants often need upon arrival. However, these centers often lack the capacity to identify the broader protection needs migrants might have and often do not provide or coordinate for longer-term reintegration support with other agencies. Most migrants are out of the center in about an hour and then face the difficult situation of figuring out what to do. [...]

What these laws [the Honduran Law for the Protection of Honduran Migrants and their Families of 2013 and a similar one in El Salvador] did create is an alphabet soup of a few, small government programs meant to support deported migrants but no actual, comprehensive policies that holistically address the issue. In El Salvador and Honduras, initiatives to follow-up with deported migrants once they have left repatriation centers are run by a very limited number of international organizations, churches, and local NGOs.

Often institutional support is missing from the beginning of the process, at the repatriation centers where they should be providing attention and services to deported migrants leaving the centers, such as unaccompanied children or women. Yet, they fail to do so. [...] Local nonprofits and churches often have difficulty accessing repatriation centers or coordinating with the government agencies that run them, specifically in obtaining contact information of deported individuals so that they can provide support and follow-up services in their local communities. In general, individuals are also not screened for protection needs or concerns at the repatriation centers, although the Norwegian Refugee Council has been doing so for the past year in San Pedro Sula, Honduras, albeit on a small scale. [...] Beyond the repatriation centers, the programs that do exist are extremely limited in design. They usually involve small centers in major cities or municipal capitals where migrants should already be able to register and access support and service information. For example in Honduras, we heard of new, one-stop shop centers called the Unidades Municipales de Atención a Migrantes Retornados (UMAR) (Municipal Units for the care of returned migrants). These were emerging in at least San Pedro Sula and Tegucigalpa in 2017. Conceptually, these centers should provide deported migrants information on how

to access services upon their return. According to UNHCR staff in Honduras, however, these persons with protection needs go to these centers only to turn right back around to the seek help from international organizations such as the UNHCR, or simply to migrate again.” (LAWG, 11 January 2018)

The CRS in an April 2020 report also mentions that “Honduran policymakers have expressed concerns about their country’s ability to absorb the large volume of deportees, as it is often difficult for those returning to the country to find gainful employment, and deported criminals may exacerbate gang activity and crime” (CRS, updated 27 April 2020).

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