



CATHOLIC LEGAL IMMIGRATION NETWORK, INC.

Department of State Country Report on Human Rights Practices: Honduras: Comparison Chart¹: 2016² and 2019³

Department of State (DOS) Human Rights Reports play a critical role in immigration cases, especially applications for asylum and related humanitarian relief. However, the DOS Human Rights reports issued during the Trump administration are markedly different from those issued during past administrations. Several non-governmental organizations have critiqued the changes in DOS Human Rights Reports because of omissions relating to vulnerable groups and watered-down assessments⁴ and a Department of Homeland Security whistleblower has testified that political considerations have influenced the reports.⁵

This chart compares the last DOS report under the Obama administration⁶ with the most recent DOS report under the Trump administration with the aim of determining whether the sources have changed, which sections have reduced in scope, and the overall shift in tone and language while acknowledging that some changes reflect the actual shift in conditions during the three years between the two reports. At the outset, it is worth noting that the 2016 report was 43 pages long whereas the 2019 report is 26 pages long.

¹ This chart was created by Victoria Neilson, Managing Attorney of CLINIC's Defending Vulnerable Populations Program.

² Department of State Honduras Human Rights Report 2016, [justice.gov/sites/default/files/pages/attachments/2017/03/06/dos-hrr_2016_honduras.pdf](https://www.justice.gov/sites/default/files/pages/attachments/2017/03/06/dos-hrr_2016_honduras.pdf).

³ Department of State Honduras Human Rights Report 2019, state.gov/wp-content/uploads/2020/02/HONDURAS-2019-HUMAN-RIGHTS-REPORT.pdf.

⁴ See Amanda Klasing and Elisa Epstein, Human Rights Watch, *US Again Cuts Women from State Department's Human Rights Reports Trump Administration Removes Data on Global Reproductive Rights*, March 13, 2019, [hrw.org/news/2019/03/13/us-again-cuts-women-state-departments-human-rights-reports](https://www.hrw.org/news/2019/03/13/us-again-cuts-women-state-departments-human-rights-reports); Rebecca Cordell et al., *How Does the Trump Administration Think About Human Rights? Evidence from the State Department Country Reports*, POLITICAL VIOLENCE AT A GLANCE, June 1, 2018, politicalviolenceataglance.org/2018/06/01/how-does-the-trump-administration-think-about-human-rights-evidence-from-the-state-department-country-reports/; Tarah Demant, Amnesty International, *A Critique of the US Department of State 2017 Country Reports on Human Rights Practices*, May 8, 2018, medium.com/@amnestyusa/a-critique-of-the-us-department-of-state-2017-country-reports-on-human-rights-practices-f313ec5fe8ca.

⁵ Whistleblower Reprisal Complaint by Mr. Brian Murphy, Principal Deputy Under Secretary, DHS Office of Intelligence and Analysis, (Sept. 8, 2020), intelligence.house.gov/uploadedfiles/murphy_wb_dhs_oig_complaint9.8.20.pdf?fbclid=IwAR1gn8fjs2abNFSAnwYrw541D1-xHPHlxoUA7qe09Vp0h61rqujjDdnd4qs. [Emphasis added.]

⁶ The reports are generally released in the early spring of each year and cover the previous year. Thus, the 2016 report was actually released in early 2017 and the 2019 report was released in 2020.

2016 Report	2019 Report	Notes
Executive Summary		
"There were multiple reports that the government or its agents committed arbitrary or unlawful killings." P. 2	"There were several reports that the government or its agents committed arbitrary or unlawful killings." P. 2	
Section 1. Respect for the Integrity of the Person, Including Freedom from: a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings		
"Media reported that as of September 7, 176 individuals working in the transportation sector had been killed during the year, often for failing to make extortion payments. The Violence Observatory of the National Autonomous University of Honduras (UNAH) reported that 290 workers from the transportation sector were killed in 2015, a 40 percent increase from 2014." P. 4	"The Violence Observatory of the Autonomous University of Honduras (UNAH) reported that as of June, 87 individuals working in the transportation sector, including taxi, bus, motorcycle taxi, and private company drivers, had been killed by criminal gangs." P. 3	UNAH did report decreased numbers but U.S. report left out media accounts which were much higher.
"According to the UNAH Violence Observatory, there was no significant change in the overall annual homicide rate in the first six months of the year compared with 2015, which remained at approximately 60 per 100,000 after several years of steep decline. Reports linked many of these homicides to organized crime and gangs." P. 4	<i>No comparable data on killings per 100,000</i>	
c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment		
"Although the constitution and law prohibit such practices, human rights nongovernmental organizations (NGOs) received complaints of abuse by members of the security forces on the streets and in detention centers." P. 5	"Although the law prohibits such practices, government officials received complaints and investigated alleged abuse by members of the security forces on the streets and in detention centers." P. 4	Added "alleged" before abuse
"As of September the National Human Rights Commission (CONADEH) reported 221 complaints implicating members of the security forces or other government officials in torture or other cruel or inhuman treatment, whereas the quasi-governmental National Committee for the Prevention of Torture, Cruel, Inhuman, or Degrading Treatment (CONAPREV) reported 70 complaints against government officials for human rights violations, the	"The Public Ministry reported 23 cases of alleged torture by security forces through September." P. 4	2019 report only cites Public Ministry numbers which are significantly lower than CONADEH numbers in 2016.

majority relating to detention conditions. The Public Ministry had 49 active torture cases against members of police and military as of October." P. 5		2019 uses word "alleged" torture; 2016 report uses "active torture cases."
"There were reports that criminal gangs tortured individuals." P. 5	<i>Eliminated mention of torture by gangs</i>	
Prison and Detention Center Conditions		
"Prisoners suffered from overcrowding, insufficient access to food and water, violence, and abuse by prison officials." P. 5.	"Prisoners suffered from overcrowding, insufficient access to food and water, violence, and alleged abuse by prison officials." P. 4	Added "alleged."
"There were credible reports from human rights organizations that, in addition to subjecting prisoners to isolation and threats, prison officials used excessive force, such as beatings, to control prisoners." P. 7	"As of August CONAPREV received 199 complaints of alleged use of excessive force against prisoners." P. 5.	Added "alleged."
"In most prisons only inmates who purchased bottled water or had water filters in their cells had access to potable water." P. 7	<i>Eliminated information about conditions for female prisoners and greatly reduces information about physical conditions</i>	
d. Arbitrary Arrest or Detention		
"The constitution and law prohibit arbitrary arrest and detention, but human rights NGOs reported that authorities at times failed to enforce these prohibitions effectively. CONADEH reported 12 cases of arbitrary arrest as of September. The Committee of Relatives of the Disappeared in Honduras reported 23 illegal or arbitrary arrests: five by the PMOP, 13 by the HNP, and five by municipal police." P. 9	"The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The Inter-American Commission on Human Rights (IACHR) reported that authorities at times failed to enforce these requirements effectively." P. 5	2019 report removes numbers of complaints, emphasizes rights of prisoners over abuses
Role of the Police and Security Apparatus P. 9-11	<i>Section eliminated</i>	
Arrest Procedures and Treatment of Detainees		
"Arbitrary Arrest: The Public Ministry reported 35 cases of illegal detention or arbitrary arrest as of October." P. 12	"Arbitrary Arrest: The Public Ministry reported 19 cases of alleged illegal detention or arbitrary arrest as of September, and the National Human Rights Commission of Honduras (CONADEH) reported 80 cases of arbitrary or illegal arrests by security forces." P. 6	2019 report contains more sources than 2016 report. Adds "alleged" before "illegal detention."

<p>“Detainee’s Ability to Challenge Lawfulness of Detention before a Court: Persons are entitled to challenge the legal basis or assert the arbitrary nature of their arrest or detention. Judicial inefficiency, corruption, and insufficient resources delayed proceedings, however, and excessively protracted legal processes were a serious problem.” P. 12</p>	<p><i>Section eliminated</i></p>	
<p>f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence</p>		
<p>. . . “Ethnic minority rights leaders and farmworker organizations continued to claim that the government failed to redress actions taken by the security forces, government agencies, and private individuals and businesses to dislodge farmers and indigenous people from lands over which they claimed ownership based on land reform laws or ancestral land titles (see section 6, Indigenous People).” P. 14</p>	<p><i>Quoted paragraph was eliminated.</i></p>	

2016 Report	2019 Report	Notes
Section 2. Respect for Civil Liberties, Including: a. Freedom of Speech and Press		
"Human rights defenders, including indigenous and environmental rights activists, political activists, labor activists, and representatives of civil society working to combat corruption, reported threats and acts of violence." P. 15	<i>Eliminated mention of threats against these groups. Section reduced from 3 pages to 1.</i>	
b. Freedoms of Peaceful Assembly and Association, Freedom of Peaceful Assembly		
Incident not included because it happened after the report	Freedom of Peaceful Assembly "On June 19, a soldier allegedly killed Eblin Noel Corea Maradiaga, a 17-year-old student, in Yarumela, La Paz, where a road had been blocked during a protest earlier that day. On September 19, the Office of the Special Prosecutor for Crimes against Life and ATIC arrested Adan Garcia Banegas, a member of the armed forces, for his alleged role in Maradiaga's death. The Secretariat of Defense's Human Rights Division worked with the Attorney General's Office to investigate the June 19 incident, which occurred in the context of widespread unrest in the country." P. 10	2019 report includes specific details about a soldier killing a civilian. Tone of report—describing "widespread unrest"—appears to excuse soldier's actions.
e. Internally Displaced Persons		
No similar language in this report	"As of November 14, the government had implemented 15 of the 28 actions to promote the safe, voluntary, dignified return, resettlement, or local integration of IDPs [internally displaced persons]." P. 11	2019 Report uses positive language to describe Honduran government's actions such as "dignified return" with no detail of what steps it has taken and what steps remain.
f. Protection of Refugees		

<i>No similar language in this report</i>	"Transiting migrants were vulnerable to abuse by criminal organizations." P. 12	
"Access to Asylum: The law allows for the granting of asylum or refugee status. The government has established a system to provide protection to refugees, but at times there were significant delays in processing provisional permits for asylum applicants." pp. 19-20	"Access to Asylum: The law provides for the granting of asylum or refugee status. The government has a nascent system to provide protection to refugees, the effectiveness of which had not been fully proven by year's end, but at times there were delays in processing provisional permits for asylum applicants." P. 12	2019 Report includes similar information, but word choice, "nascent system" implies, with no supporting evidence, that the system is new but will function in the future.
Elections and Political Participation		
	Elections and Political Participation Recent Elections P. 12	2019 Report included information about problems with legitimacy of most recent election; these events had not occurred before the 2016 Report.
<i>No similar language in this report</i>	"Women, however, suffered political violence, which ranged from harassment for voting against party lines to receiving death threats for their political participation." P. 13	2019 Report here included more critical information than 2016 Report.

2016 Report	2019 Report	Notes
Section 3. Freedom to Participate in the Political Process		
<i>Changes to this section reflected changes in events but did not include changes in length or tone</i>		
Section 4. Corruption and Lack of Transparency in Government		
Corruption and Lack of Transparency in Government pp. 20-22	Corruption and Lack of Transparency in Government pp. 13-14	Both reports are detailed; details are different based on changes over three-year time span
Public Access to Information pp. 22-23	<i>2019 Report omitted this section</i>	

2016 Report	2019 Report	Notes
Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights		
<p>"Although attentive to NGO views, officials often were not responsive to their recommendations. Some NGOs claimed that some government officials made statements about NGOs that constituted threats or harassment. Citizens may file complaints of human rights violations with the IACHR." P. 23</p>	<p>"Government officials were somewhat cooperative and responsive to their views, but some human rights organizations criticized government officials for lack of access and responsiveness." P. 14</p>	<p>2019 Report changes language from "often were not responsive" to "somewhat cooperative and responsive," saying the same thing but with a more positive spin for the government's actions</p>
<p><i>No similar language in this report</i></p>	<p>"The United Nations or Other International Bodies: Some civil society organizations criticized the government for failing to comply with, or inadequately complying with, recommendations by the Inter-American Commission of Human Rights and protection measures ordered by the government and recommended by the IACHR." P. 14</p>	
<p><i>Report predates the commissioner</i></p>	<p>"A semiautonomous commissioner for human rights served as an ombudsman and investigated complaints of human rights abuses. With offices throughout the country, the ombudsman received cases that otherwise may not have risen to national attention. The Secretariat of Human Rights served as an effective advocate for human rights within the government." pp. 14-15</p>	<p>2019 Report editorializes that the Secretariat was "effective" but includes no data on actions taken by the government as a result of the Secretariat's advocacy.</p>

2016 Report	2019 Report	Notes
Section 6. Discrimination, Societal Abuses, and Trafficking in Persons		
<p>“Rape and Domestic Violence: Violence against women and impunity for perpetrators continued to be a serious problem. . . . Rape was a serious and pervasive societal problem. The law criminalizes all forms of rape, including spousal rape. The government considers rape a crime of public concern, and the state prosecutes rapists even if victims do not press charges.” P. 24</p>	<p>“Rape and Domestic Violence: The law criminalizes all forms of rape of men or women, including spousal rape. The government considers rape a crime of public concern, and the state prosecutes rapists even if victims do not press charges. The penalties for rape range from three to nine years’ imprisonment, and the courts enforced these penalties.” P. 15</p>	<p>2019 Report eliminated the language “Rape was a serious and pervasive societal problem” focusing on laws on books rather than actual experiences of sexual violence survivors.</p>
<p>“The UNAH Violence Observatory reported 222 violent deaths of women in the first six months of the year, compared with 478 violent deaths of women during 2015.” P. 24</p>	<p>“According to UNAH Violence Observatory statistics, killings of women decreased from 9.1 deaths per 100,000 in 2016 to 8.2 per 100,000 in 2018, and to 7.9 per 100,000 as of June..” P. 15</p>	<p>2019 Report emphasizes decreased percentages of femicides, but does not give actual numbers of women’s deaths, so hard to compare across years. Implication is that 7.9 per 100,000 is acceptable because the percentage has gone down (slightly) over time.</p>
<p>“Rape continued to be underreported, however, due to fear of stigma, retribution, and further violence.” P. 24</p>	<p>“Due to impunity rates of up to 90 percent in the courts, women often did not report the crime, or withdrew the case, because they feared or were economically dependent on the aggressor.” P. 15</p>	<p>Language in 2019 Report places some blame for under-reporting on aggressor rather than state.</p>

<p>"The quantity and quality of services that these [government-operated women's] offices provided was uneven." P. 25</p>	<p><i>No similar language in this report</i></p>	
<p>"Sexual harassment was a serious societal problem but was underreported because of fear of stigma and reprisal." P. 26</p>	<p><i>No similar language in this report</i></p>	<p>2019 Report emphasizes laws on the books rather than their lack of enforcement</p>
<p>Reproductive Rights Section, pp. 26-27</p>	<p><i>Section eliminated and replaced with the following:</i> Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization, P. 16</p>	<p>The 4 paragraph section on women's access to family planning was renamed and reduced to a single sentence about coerced population control.</p>
<p>Discrimination</p>		
<p>"On July 11, the CDESCR expressed concern that women living in rural areas, indigenous women, and women of African descent continued to be victims of multiple and cross-sectoral forms of discrimination, as reflected in their high rates of poverty." P. 27</p>	<p><i>No similar language in this report</i></p>	<p>The 2019 Report cut this 8 paragraph section to only 3 paragraphs</p>
<p>"Children: Birth Registration: . . . Although birth registration was widely available in 2015, the UN Children's Fund (UNICEF) reported that, according to the National Population and Housing Census of 2013, an estimated 65,000 children did not have birth registration documents. The largest numbers of unregistered children were in indigenous and Afro-Honduran communities." P. 27</p>	<p><i>No similar language in this report</i></p>	<p>Language about discrimination against indigenous and Afro-Hondurans eliminated</p>
<p>Education pp. 27-28</p>	<p><i>2019 Report omitted this section</i></p>	
<p>Child Abuse</p>		
<p>"Because the country's antigang legislation specifies lower penalties for minors, gangs continued to employ underage youth in their operations. Children from eight to 12 years old frequently worked as lookouts and</p>	<p><i>No similar language in this report</i></p>	<p>2019 Report reduces section from 4 paragraphs to 1</p>

collected “war taxes” (that is, extortion payments). Consequently, rival gangs often disputed recruiting areas around schools.” Pp. 28-29		
Displaced children P. 27	Displaced children P. 17	Section reduced in 2019 Report from 8 sentences to 1.
Institutionalized Children		
“Between January 2015 and September 2016, at least 10 juveniles were killed while in detention in government facilities, nine of them in the Renaciendo center. CONAPREV reported four incidents at Renaciendo as of August, including violence between members of MS-18 and another gang, Los Chirizos, resulting in the deaths of two minors affiliated with Los Chirizos and injuries to 11 other detainees.” P. 29	<i>2019 Report omitted this section</i>	
Persons with Disabilities , pp. 29-30	Persons with Disabilities, P. 18	2019 Report eliminates paragraph on lack of educational opportunities for persons with disabilities
National /Racial/Ethnic Minorities , P. 31	<i>2019 Report omitted this section</i>	
Indigenous People		
“On July 21, the UN special rapporteur on the rights of indigenous peoples categorized the situation of the indigenous peoples of the country as critical. She stated that their rights over their lands, territories, and natural resources were not protected, that they faced acts of violence when claiming their rights in a general environment of violence and impunity, and that they lacked access to justice. Additionally, they suffered from inequality, poverty, and a lack of basic social services such as education and healthcare.” pp. 31-32.	“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.” P. 18	2019 Report discusses “threats” reported by indigenous community and “limited ability” of state to provide protection rather than a “critical” situation where indigenous people “lacked access to justice.”

		Section reduced from over 2 pages, to less than 1 page.
Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity , P. 35	“Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity, . . . Local media and LGBTI human rights NGOs reported an increase in the number of killings of LGBTI persons during the year. Impunity for such crimes was a problem, as was the impunity rate for all types of crime.” P. 19	Both reports include similar level of detail with 2019 Report emphasizing worse conditions
HIV and AIDS Social Stigma pp. 19-20	“HIV and AIDS Social Stigma, . . .According to NGO Association for a Better Life, there were reports of forced sterilization of women with HIV, and they suffered disproportionately from gender-based violence.” pp. 19-20	Note 2019 Report says on p. 16 there were no reports of forced sterilization. This seems to indicate that a different person wrote the LGBTI and HIV sections from the author(s) of other sections.

2016 Report	2019 Report	Notes
Section 7. Worker Rights		
a. Freedom of Association and the Right to Collective Bargaining, pp. 35-38	a. Freedom of Association and the Right to Collective Bargaining, pp. 20-22	Section shortened in 2019 Report, but not significantly altered in tone
b. Prohibition of Forced or Compulsory Labor, pp. 38-39	b. Prohibition of Forced or Compulsory Labor, pp. 22-23	No significant change in length or tone
c. Prohibition of Child Labor and Minimum Age for Employment, pp. 39-40	c. Prohibition of Child Labor and Minimum Age for Employment, pp. 23-24	No significant change in length or tone
d. Discrimination with Respect to Employment and Occupation, pp. 40-41	d. Discrimination with Respect to Employment and Occupation P. 24	No significant change in length or tone
e. Acceptable Conditions of Work, pp. 41-43	e. Acceptable Conditions of Work, pp. 24-26	No significant change in length or tone