



**Mr. Petros Mavromichalis**  
Head of Unit Mexico and Central America  
RELEX  
European Commission

Brussels, 15 November 2010

Dear Mr. Mavromichalis,

On the behalf of the undersigned networks, we would like to thank you for the reply on the 19<sup>th</sup> of October to our letter addressed to Mrs. Ashton on the 5<sup>th</sup> of October<sup>1</sup> regarding the situation of human rights in Honduras.

We are pleased to hear that the European Union shares our concerns regarding the human rights situation in Honduras and the high levels of impunity, as well as recognizing the major role that the civil society plays in strengthening democratic institutions and promoting tolerance and respect for human rights.

In this regards, we also welcome the joint declaration of the G-16 to the government of Honduras as well as the initiatives taken by the European Commission (EC) to support national civil society organizations. In particular, we take note of the specific support to the Human Rights defenders, notably through the EIDHR and the direct financial support of 10.000 EUR each to three organizations through the special procedures providing ad hoc measures for human rights defenders in urgent need for protection. We are confident that the EU delegation will maintain and increase this support during its tempore delegations presidency of the G-16 donor's group starting in the beginning of 2011.

Endorsing this important space for dialogue between the undersigned civil society networks and the Commission, we would like to take the opportunity to raise some continued concerns and pose a few follow-up questions.

### **1. The Security Program (PASS)**

As stated in our letter from the 5th of October, the undersigned civil society networks have expressed our concern regarding the impacts of the PASS program focusing on the Security sector.

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<sup>1</sup> ALOP, APRODEV, CIDSE, CIFCA, FIAN International, Grupo SUR and OXFAM: The European Union must respond to human rights situation in Honduras. October 5, 2010.

[http://www.aprodev.eu/files/Central\\_America/201010\\_cs\\_letter\\_to\\_eu\\_on\\_honduras.pdf](http://www.aprodev.eu/files/Central_America/201010_cs_letter_to_eu_on_honduras.pdf)

This sector, includes the National Police, and other organisms who were directly or indirectly involved in the coup d'etat on the 28th of June 2009 in Honduras and responsible for many of the human rights violations committed. Furthermore, charges against officials of the National Police have been presented to the International Criminal Court (ICC) on the grounds of participation in crimes of humanity committed in the context of the coup d'etat.<sup>2</sup> It also strikes us as incoherent that that while on the one hand high authorities of the Judicial Power and the Honduran General Attorney's Office were denied migratory access to the territory of certain EU countries, on the other hand they were made into direct beneficiaries of the PASS.

We note with some reassurance that the second phase of the program will no longer support the National Police, the Security Secretariat, the Supreme Court of Justice. We take note that the new counterparts will include the Human Rights Public Prosecutor, the Secretary of Justice and Human rights and the National Torture Prevention. We look forward to receiving more information regarding other possible institutions that will benefit from the program as well as the activities planned.

We would like to know if the EC has done a thorough assessment of the efficiency and effectiveness of the Human Rights Public Prosecutors Office. National and international Human Rights organization have complained that announced investigations of human rights violations were not carried out by the Human Rights Public Prosecutor, not only and foremost due to lack of financial means, but because of de facto restrictions to the work of the office in politically sensitive cases, especially those related to homicides of persons opposed to the coup d'etat.

Considering that there has not been a redefinition of the counterparts of the first phase of the program (9 millions) as recommended by various civil society actors, we would be interested to hear what activities have been implemented in relation to this first phase, which institutions have benefited and what results have been and can be expected to be achieved during 2010?

In relation to the announced support to the Secretary of Justice and Human Rights, we acknowledge that this support would indeed solve one of the problems mentioned in our previous letter, i.e. the lack of resources assigned by the government to its newly created Secretariat. However, the previous and current levels of high impunity and the weakness of institutions such as the Public Prosecutors Office and the National Ombudsman, continues to be a grave impediment towards any expected results of the new Secretariat for Justice and Human Rights and needs to be addressed before proceeding with this support. Furthermore, there is still no indication of any efforts made by the Secretary of Human Rights, Ana Pineda, to approach neither the human rights organisations and defenders nor the victims. Instead it appears that her actions have been aimed at achieving international recognition of the government. In this sense, what measures has the EC taken or foresees to take in order to ensure that its support to the Ministry will include the participation of human rights defenders and organisations as well as the victims? Will the EU insist that the Honduran government also allocates some own funding to the Ministry, in order to ensure enhance government commitment as well as the sustainability of the institution?

- In relation to the announced support to the approval and publication of a strategy for the Security Sector, we would like to appeal to the EU to ensure that a wide range of civil society actors are involved already in the identification phase and elaboration of this strategy and not only its implementation.

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<sup>2</sup> FIDH and APDHE. 23 September 2009: [http://www.fidh.org/IMG/article\\_PDF/article\\_a6986.pdf](http://www.fidh.org/IMG/article_PDF/article_a6986.pdf)

In relation to PASS, the Mid-Term Review (MTR) of the Country Strategy for 2007-2013 for Honduras states that “A campaign to inform the public about the actual role of the security and justice institutions, which are more efficient than perceived by the public, is necessary.” (p. 13). We are surprised by this statement, considering the very high level of impunity in the country, and would like more information regarding the campaign mentioned. Also, in the MTR it is said that “The sustainability of the project requires finance to be secured for further investment in technical equipment...” (p. 13). We would like to have more information regarding the kind of technical equipment that is referred to.

Finally, we welcome the decision to include a grant for civil society actors within the framework of PASS in order to promote preventive actions and rehabilitation in the sector of security and justice in Honduras. Nevertheless, after having revised the guidelines for the calls for proposal we have a few questions and concerns.

The contracting party of these civil society grants is the Honduran Security Secretariat, despite the criticism that has been raised towards this institution. Furthermore, the Guidelines do not make reference to any correlation between these civil society grants and the work of the Security Secretariat or any other state institutions, nor the possible impacts that these might have. More specifically there is no mention of activities that are directed towards monitoring the work of the Security Secretary.

With the above mentioned in mind, and considering the institutional weaknesses previously highlighted, what monitoring activities for civil society actors or other parts are planned for the program?

## **2. Stability Instrument**

We welcome the increased efforts of the EU, through the Instrument for Stability, to support Honduras to consolidate peace and democracy. However, in regards to the project implemented under this instrument we would like to reiterate our concerns regarding the EUs support for the Truth and Reconciliation Commission, as raised both in our last letter as well as in follow-up meetings.

More specifically, we would like to receive more information regarding:

The interpretation of "aspects of human rights" (as mentioned in your letter) in relation to the mandate of the Truth and Reconciliation Commission and the possibility of the EU to support the modification of the mandate in order to include directly the investigation of human rights violations?

What mechanisms of participation have been established or are foreseen for the civil society in the framework of the project financed by the Stability Instrument?

Does the European Commission consider supporting the independent Truth Commission established on June 28, 2010, on initiative of the Honduran National Human Rights Platform?

We hope that you find these considerations useful and remain at your disposal for discussing these issues more profoundly.

We look forward to hearing from you.

Yours Sincerely,



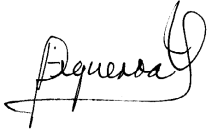
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**CC:**

Members of the European Parliament: Sub Committee on Human Rights, Development Committee, Delegation for Relations with Central America.

Representatives of EU member states: COHOM, COLAT, AMLAT.