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US ambassador to Honduras offers tacit support of brutal crackdown

American diplomat condemns campesino and indigenous groups for protesting land grabs for private development projects

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by [Lauren Carasik](#) @LCarasik

In remarks last month, U.S. Ambassador to Honduras Lisa Kubiske decried pervasive impunity in Honduras as the single biggest threat to human rights during an [International Human Rights Day](#) commemoration. In a country already plagued by grinding poverty and unrelenting violence, entrenched impunity does present a terrifying threat to justice. However, despite her own admission that the Honduran legal system is dysfunctional, Kubiske blamed those being oppressed by that impunity for taking the law into their own hands to defend their rights.

Kubiske specifically reproached peasant farmers in the fertile lands of the Lower Aguan Valley, who are engaged in a desperate struggle with local wealthy landowners and the government for control over their lands, which has left 113 members of their campesino community dead since the 2009 coup that overthrew democratically elected President Manuel Zelaya. Over the last two decades, campesinos lost the lands granted to them in the 1970s under agrarian reform initiatives through a combination of corruption, intimidation, intentional division, force and fraud. Efforts to seek legal redress were largely unsuccessful. Zelaya was ousted shortly after he vowed to institute measures that would reverse illegitimate land grabs by oligarchs, including Miguel Facusse Barjum, a palm-oil magnate. When land grabs continued under President Porfirio Lobo, a landowner, the campesinos, with no other options, resisted the encroachment by peacefully occupying their lands. State security and paramilitary forces responded with escalating repression and bloodshed. Last month, after a complaint lodged by Rights Action, an international human-rights organization, the World Bank's independent auditor issued a report on its private lending arm's

funding for Dinant Corp., which is headed by Facusse Barjum. World Bank President Jim Kim has indicated that he is preparing an action plan in response to the findings. As the investigative process drags on, repression continues unabated in the Lower Aguan.

Kubiske also admonished the indigenous Lenca community in Rio Blanco, which organized a peaceful blockade to halt the construction of a hydroelectric dam on their ancestral lands after exhausting legal efforts to challenge its development. After the 2009 coup, the Honduran government passed a number of neoliberal laws, including one granting water concessions to international companies essentially privatizing water resources in the country and spawning proposals for a number of hydroelectric dam projects. [Transnational investments](#) have since poured in. But investors face a problem: Under international law, including the International Labor Organization Convention 169, projects on indigenous territories require the informed consent of those communities. One project, the Agua Zarca, has gone ahead as planned despite a resounding nay vote by indigenous assemblies as well as public protests. The project is run by Honduras' Desarrollos Energeeticos S.A. (DESA) in partnership with Sinohydro, a Chinese-owned hydropower engineering and construction company. Agua Zarca's funding has come from [the Central American Bank for Economic Integration](#), which, according to a [report by Rights Action](#), appears to be funded by the World Bank and the Inter-American Development Bank (IDB) through the Central American Mezzanine Infrastructure Fund.

In recent years, the World Bank has retreated from funding large-scale hydroelectric dam projects after allegations of egregious human-rights violations and environmental concerns in Guatemala, India and other places. However, the bank has changed its policy and now supports hydroelectric [projects](#), claiming it has instituted protections to prevent human-rights violations from recurring.

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The Rio Blanco community filed numerous complaints, including to the special prosecutor for ethnic groups, the secretary for the environment and natural resources and the National Congress, with support from the Civic Council of Popular and Indigenous Organizations (COPINH). Because of pervasive and endemic corruption and inefficiency in the Honduran legal system, none of the complaints received a full and fair resolution of charges that construction of the dam and the associated repression violates international law. Finally, in April, when construction threatened irreparable harm to their community, the residents blocked access to the site. The government's response to protesters was swift and brutal, triggering a cycle of forcible evictions and community resurrections of their blockade. Since the crackdown, threats against and intimidation of Lenca protesters continue to escalate. On July 15, COPINH leader Tomas Garcia was killed by state security forces as he led a protest march, and his son was seriously injured. Despite efforts of the dam's proponents, the blockade continues, and tensions remain high.

Shortly after Honduran papers claimed in June of last year that [Kubiske called for the prosecution of those who engage in land occupations](#) and human-rights defense, DESA filed charges against COPINH leaders Berta Caceres, Tomas Gomez and Aureliano Molina for inciting the blockades, land usurpation and other charges that found a sympathetic audience in the Honduran courts, which issued an arrest warrant for Caceres. With understandable skepticism that the court would provide her with a fair hearing, Caceres is in hiding. Threats of violence against her, her elderly mother and her four children continue. [Amnesty International has indicated](#) that if Caceres is incarcerated, she would be a "prisoner of conscience." The criminalization of resistance sends an unmistakable message: The courts will protect the powerful and come down hard on those who challenge the status quo.

The wrong message

On International Human Rights Day, of all days, Kubiske should have sent a clear message to the Honduran government that its actions are unacceptable

and that the rights of the marginalized need the most protection. Instead she offered tacit endorsement of the crackdown.

While condemning the organized civil disobedience of campesino and indigenous communities, Kubiske failed to mention how exactly they should protect their rights in a state that does not respect the rule of law. Honduran elites control the courts, the security forces and the legislative and executive branches. Given the country's notoriously corrupt and ineffective legal system, which constantly fails to protect all Hondurans, the marginalized have no other option than peaceful resistance.

The Obama administration has a range of tools in its arsenal to encourage respect for human rights and the rule of law in Honduras. With the largest [voting share](#) in the World Bank and [30 percent of the voting shares in the IDB](#), which is also instrumental in funding development projects, the U.S. could push for making continued funding contingent on strict adherence to international human-rights standards. In addition, since the Leahy Law requires the U.S. government to withhold financial assistance to groups that commit verifiable gross human-rights violations, Washington should leverage its support for Honduran security forces to advance human rights. The law requires local embassies to [vet the credibility](#) of human-rights abuse reports compiled by nongovernmental organizations and media sources. Kubiske, therefore, is empowered to protect those targeted by the Honduran military and police. Instead of using that power, however, she has condemned the acts of dispossessed campesinos and indigenous populations. An alarming statement from a Honduran military official after the ambassador's comments suggest that the military feels it can act with relative impunity from U.S. interference.

On Dec. 12, in a statement reported by La Tribuna newspaper and repeated elsewhere, Col. German Alfaro, commander of the U.S.-funded and -trained Honduran military Xatruch III forces in the Aguan Valley, [declared](#) that Annie Bird, a highly respected human-rights advocate, was being investigated for alleged subversive activities related to her work defending the human rights of

the campesinos in the Lower Aguan. Bird is a U.S. citizen from Rights Action. [Human Rights Watch expressed alarm](#) about this development and denounced the U.S. for failing to repudiate Alfaro's comments.

At least one news story included Bird's photo, raising concerns that she will be targeted for an extrajudicial attack. Observers fear that the investigation is an attempt to intimidate and deter international human-rights defenders from working in Honduras or is a precursor to an imminent intensification of repression in the country. Others warn that Honduran authorities are testing international response to escalating violence in the aftermath of a contested presidential election, in which right-wing law-and-order candidate Juan Orlando Hernandez was declared the winner.

The United States has a long and shameful history of supporting anti-democratic and repressive regimes in Latin America. Despite its rhetoric on human rights, the U.S. government has failed yet again to use its influence in the region to promote justice for Honduras' most vulnerable and besieged inhabitants.

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