



## **Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Honduras**

**United Nations High Commissioner for Refugees (UNHCR)**

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## **NOTE**

UNHCR Eligibility Guidelines are issued by the Office to assist decision-makers, including UNHCR staff, Governments and private practitioners, in assessing the international protection needs of asylum-seekers. They are legal interpretations of the refugee criteria in respect of specific profiles on the basis of social, economic, security, human rights and humanitarian conditions in the country/territory of origin concerned. The pertinent international protection needs are analysed in detail, and recommendations made as to how the applications in question relate to the relevant principles and criteria of international refugee law as per, notably, the UNHCR Statute, the 1951 Refugee Convention and its 1967 Protocol, and relevant regional instruments such as the Cartagena Declaration, the 1969 OAU Convention and the EU Qualification Directive. The recommendations may also touch upon, as relevant, complementary or subsidiary protection regimes.

UNHCR issues Eligibility Guidelines to promote the accurate interpretation and application of the abovementioned refugee criteria in line with its supervisory responsibility as contained in paragraph 8 of its Statute in conjunction with Article 35 of the 1951 Convention and Article II of its 1967 Protocol and based on the expertise it has developed over the years in matters related to eligibility and refugee status determination. It is hoped that the guidance and information contained in the Guidelines will be considered carefully by the authorities and the judiciary in reaching decisions on asylum applications. The Guidelines are based on in-depth research, information provided by UNHCR's global network of field offices and material from independent country specialists, researchers and other sources, rigorously reviewed for reliability. The Guidelines are posted on UNHCR's Refworld website at <http://www.refworld.org>.

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## Abbreviations

B-18	<i>Barrio 18</i> . Note that in Honduras, the B-18 gang is also referred to as the 18th Street Gang or <i>Mara 18</i> , or as <i>Pandilla 18</i> .
CIPPDV	Comisión Interinstitucional para la Protección de las Personas Desplazadas por la Violencia (Inter-Agency Commission for the Protection of Persons Displaced by Violence)
FNA	<i>Fuerza Nacional Antiextorsión</i> (National Anti-Extortion Taskforce)
FUSINA	<i>Fuerza Nacional de Seguridad Interinstitucional</i> (National Interagency Security Taskforce)
IACHR	Inter-American Commission on Human Rights
IDPs	Internally Displaced Persons
IUDPAS	Instituto Universitario en Democracia, Paz y Seguridad
LAWG	Latin America Working Group
MS	<i>Mara Salvatrucha</i> . Note that in Honduras, the MS gang is also referred to as the MS-13 or <i>Mara 13</i> .
OAS	Organization of American States
PLH	<i>Partido Liberal de Honduras</i> (Liberal Party of Honduras)
PMOP	<i>Policía Militar de Orden Público</i> (Public Order Military Police)
PNH	<i>Partido Nacional de Honduras</i> (National Party of Honduras)
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime

## I. Introduction

Over the last few years, Honduran nationals have been seeking international protection as refugees in the region of the Americas and beyond in increasing numbers. These Eligibility Guidelines provide guidance on deciding claims for international protection lodged by Honduran asylum-seekers who fall within certain risk profiles or who find themselves in certain circumstances. The risk profiles outlined in this document are based on UNHCR's legal assessment of available country of origin information and informed by UNHCR's experience in working with asylum-seekers from Honduras.

This document is based on information available to UNHCR up to April 2016, unless otherwise stated.

## II. Overview of the Situation in Honduras

### A. Background

The contemporary exodus of Hondurans in search of international protection is rooted in the human rights, social, political and economic impact of the increasing reach, power and violence of gangs and other organized criminal groups in Honduras. The extent of the violence is reflected in the fact that over the past five years Honduras has recorded some of the highest homicide rates of any country in the world. This surge of violence has been driven by the activities of organized criminal groups linked to international drug-trafficking, a multitude of street gangs, and also by the severe response of the State security forces. Societal conflicts over land and politics, as well as widespread domestic and societal abuse of women and children, also fuels the flight of Hondurans seeking international protection.

The total population of Honduras is estimated to be 8.5 million. In 2014, the latest year for which data are available, more than 63 per cent of the population were reported to live in poverty; in rural zones, approximately 60 per cent of households were living in extreme poverty.<sup>1</sup> The country's population is largely *mestizo*, although seven indigenous peoples and two Afro-Honduran peoples make up some seven per cent of its total population.<sup>2</sup>

Through the 1990s and 2000s, gang members deported from the USA and local gang members reportedly built up 'hybrid' gangs based on the violent Californian gang model.<sup>3</sup> This new generation of gangs drew upon the long history of well-established local street gangs among the youth of Honduras,<sup>4</sup> many of which were co-opted or destroyed by the new gangs.<sup>5</sup> Analysts note that with the relative institutional weakness and corruption of the State in Honduras and social deprivation among Honduran youths, these violent 'hybrid' gangs rapidly consolidated themselves in many poorer neighbourhoods in San Pedro Sula, Tegucigalpa and other urban centres.<sup>6</sup> As a result, many gangs in Honduras are presently reported to be affiliated to one of the two main gang structures also imported from the USA, the *Mara Salvatrucha* (MS) – which in Honduras is also commonly referred to as the MS-13 or *Mara 13* – and its rival *Barrio 18* (B-18) – which in Honduras is also referred to as the 18th

<sup>1</sup> World Bank, *Honduras: Overview*, undated, <http://www.worldbank.org/en/country/honduras/overview> (date accessed: 14 April 2016).

<sup>2</sup> Honduran indigenous and Afro-Honduran peoples include the Lenca (mainly in La Paz, Intibucá, Lempira, Francisco Morazán, Santa Bárbara, Comayagua y Valle departments; 279,507 persons making up 4.6% of the Honduran population); Miskitu (Gracias a Dios department; 51,607 persons, 0.85% of the national population); Garífuna (Islas de la Bahía, Cortés, Atlántida, Colón y Gracias a Dios departments; 46,448 persons, 0.76%); Maya Ch'ortí (Copán, Ocotepeque, Cortés y Santa Bárbara departments; 34,453 persons, 0.57%); English-speaking Afro-Hondurans (Islas de la Bahía department; 12,370 persons, 0.2%); Pech (Olancho, Colón y Gracias a Dios departments; 3,848 persons, 0.06%); Tawahkas (Olancho y Gracias a Dios departments; 2,463 persons, 0.04%). United Nations Development Programme, *Política Nacional contra el racismo y la discriminación, 2014-2022*, 2014, [http://issuu.com/danacruz/docs/3\\_pncrdr\\_informe\\_final](http://issuu.com/danacruz/docs/3_pncrdr_informe_final).

<sup>3</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 4-5.

<sup>4</sup> T. Andino Mencía, *Las maras en la sombra: Ensayo de actualización del fenómeno pandillero en Honduras*, September 2006, [http://www.wola.org/sites/default/files/downloadable/Citizen%20Security/past/diagnostico\\_honduras.pdf](http://www.wola.org/sites/default/files/downloadable/Citizen%20Security/past/diagnostico_honduras.pdf), pp. 3-5.

<sup>5</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 3.

<sup>6</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 4-5.

Street Gang or *Mara 18*.<sup>7</sup> However, there are also a wide range of other local gangs and criminal bands (*bandas*), including the powerful *Chirizos*.<sup>8</sup>

During the 2000s, the Honduran State responded to the gangs' increasing territorial dominance and escalating criminality and violence by adopting a strategy of *mano dura* ('Firm Hand'), based on repressive security measures, and the *Plan Libertad Azul* ('Blue Security Plan'). A wave of hundreds of extrajudicial executions of youths suspected of gang membership started in 2001. In 2003 Honduras became the first country in Central America to incorporate *mano dura* measures into law, criminalizing suspected gang membership with lengthy prison terms.<sup>9</sup> The use of these extreme repressive measures by the security forces resulted in the detention of large numbers of poor (especially tattooed) youths.<sup>10</sup> Yet, whilst this *mano dura* strategy contained the gang violence for several years, analysts note that it failed to eliminate the gangs and instead provided the impetus for them to reorganize and emerge as more violent and disciplined structures in the late 2000s.<sup>11</sup>

President Porfirio Lobo Sosa of the *Partido Nacional de Honduras* (PNH) took office in 2010. It is reported that during his administration (2010-2014) the country saw some of the highest levels of violence ever experienced, with unprecedented homicide rates accompanied by apparent increases in drug-trafficking in Honduras, in the power of the gangs and in police involvement in criminality.<sup>12</sup> By 2011,<sup>13</sup> a large number of Honduran drug smuggling structures (sometimes also referred to as *transportistas*) were reportedly trafficking cocaine through the country for larger regional drug-

<sup>7</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 4-5.

<sup>8</sup> The distinction between *bandas* and local street gangs is not clear-cut since both tend to be localized groups of youth and young men who are armed and carry out criminal activities in a distinct territory. However, in their origins, many such *bandas* appear to be constituted less explicitly around the youth-based forms of cultural identity that are central to the gangs and are often formed instead with professional criminal objectives as their primary objective. See also Section II.B.2.

<sup>9</sup> Insight Crime, *Tracing the History of Failed Gang Policies in US, Northern Triangle*, 3 December 2015, <http://www.insightcrime.org/news-analysis/tracing-the-history-of-failed-gang-policies-in-us-northern-triangle>; T. Andino Mencía, *Las maras en la sombra: Ensayo de actualización del fenómeno pandillero en Honduras*, September 2006, [http://www.wola.org/sites/default/files/downloadable/Citizen%20Security/past/diagnostico\\_honduras.pdf](http://www.wola.org/sites/default/files/downloadable/Citizen%20Security/past/diagnostico_honduras.pdf), pp. 12-13, 55.

<sup>10</sup> A Presidential Decree was also adopted in August 2003 (Decree No. 117-2003) that allowed the police and military to search dwellings without a judicial order or control. See Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de maras y pandillas en Honduras*, 2011, [http://www.unicef.org/honduras/Informe\\_situacion\\_maras\\_pandillas\\_honduras.pdf](http://www.unicef.org/honduras/Informe_situacion_maras_pandillas_honduras.pdf), p. 74. Reportedly, the repression against the gangs reached its peak between 2003 and 2006, with a total of 6,711 suspected gang members arrested; 66 per cent of these were eventually released. See Insight Crime, *Tracing the History of Failed Gang Policies in US, Northern Triangle*, 3 December 2015, <http://www.insightcrime.org/news-analysis/tracing-the-history-of-failed-gang-policies-in-us-northern-triangle>. In practice, these measures effectively sidelined the 2001 Law for the Prevention, Rehabilitation and Social Reinsertion of Members of Gangs or Maras, which encouraged an integral response to the gang phenomenon that included the social reinsertion of children and young gang members. See Honduras, *Ley para la prevención, rehabilitación y reinserción social de personas integrantes de pandillas o maras*, Decreto No. 141-2001, 31 October 2001, <http://pdba.georgetown.edu/Security/citizenssecurity/honduras/leyes/8.pdf>.

<sup>11</sup> Insight Crime, *Tracing the History of Failed Gang Policies in US, Northern Triangle*, 3 December 2015, <http://www.insightcrime.com/news-analysis/tracing-the-history-of-failed-gang-policies-in-us-northern-triangle>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 5-6; Insight Crime, *How "Mano Dura" Is Strengthening Gangs*, 21 November 2010, <http://www.insightcrime.org/investigations/how-mano-dura-is-strengthening-gangs>; Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de maras y pandillas en Honduras*, 2011, [http://www.unicef.org/honduras/Informe\\_situacion\\_maras\\_pandillas\\_honduras.pdf](http://www.unicef.org/honduras/Informe_situacion_maras_pandillas_honduras.pdf), pp. 75-78.

<sup>12</sup> During the 1970s and 80s, Honduras represented a relatively safe transit point in a dangerous region blighted by civil wars. Indeed, Honduras has periodically been an important staging post for trafficking cocaine from South America through Central America. During the 2000s, and particularly from 2006 onwards, increasing quantities of cocaine were once again trafficked from the Andean region into Honduras by air and by sea, from where they were then smuggled by land across the border into Guatemala to continue the journey northwards. However, a boom in drug-trafficking through Honduras ensued after the 2009 coup, with greatly increased numbers of direct flights from the Colombia-Venezuela border to airstrips in Honduras and the violent struggle between Honduran drug-smuggling structures (*transportistas*) for control of these largely rural drug routes intensified. The proliferation of land routes to take shipments across the border into Guatemala also provided greater opportunities for the theft of shipments by rival organisations and independent tumbadores and thus for conflict. See International Crisis Group, *Corridor of Violence: the Guatemala-Honduras Border*, *Latin America Report* N°52, 4 June 2014, <http://www.refworld.org/docid/539014d84.html>; Plaza Pública, *Guatemala: la cambiante cara del narco*, 18 July 2013, <https://www.plazapublica.com.gt/content/guatemala-la-cambiante-cara-del-narco>; UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, September 2012, <http://www.refworld.org/docid/569f3aaa4.html>, pp. 19-20, 32, 37; S.S. Dudley, 'Drug-trafficking Organizations in Central America: *Transportistas*, Mexican Cartels and *Maras*', in C.J. Arnsen and E.L. Olson (eds), *Organized Crime in Central America: The Northern Triangle*, September 2011, [https://www.wilsoncenter.org/sites/default/files/LAP\\_single\\_page.pdf](https://www.wilsoncenter.org/sites/default/files/LAP_single_page.pdf), p. 20; J. Bosworth, 'Honduras: Organized Crime Gained Amid Political Crisis', in C.J. Arnsen and E.L. Olson (eds), *ibid.*, pp. 82-87.

<sup>13</sup> By 2011, Honduras was the most popular point of entry for sending cocaine north to Guatemala by land, predominantly via official checkpoints but also via clandestine border-crossings, and it is estimated that some 30% of the cocaine destined for the United States passed through Honduras in those years. See UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, September 2012, <http://www.refworld.org/docid/569f3aaa4.html>, p. 37.

trafficking organizations.<sup>14</sup> In the early 2000s, a pact among the principal drug smuggling structures reportedly carved out distinct territorial spaces in Honduras in which each would carry out its drug-trafficking activities.<sup>15</sup> Many areas of Honduras where the drug smuggling structures operated were reported to be under the complete control of these networks, which reportedly also drew in mayors, businessmen and landowners.<sup>16</sup> The drug smuggling structures were reported to have significant influence in the security forces and the judiciary. Moreover, political candidates supported by, or linked to, these structures reportedly entered Congress, became mayors and entered important posts in the Executive.<sup>17</sup> Some Honduran drug smuggling structures reportedly had connections with Colombian cartels, but most worked also with the Mexican cartels – particularly the Sinaloa cartel – that have been present in Honduras since the late 1990s and which, from 2007 onwards, reportedly began to expand their power in the country.<sup>18</sup>

The 2013 elections were characterized by political violence, with candidates for political office threatened, attacked and in some cases killed.<sup>19</sup> The PNH candidate, Juan Orlando Hernández, was victorious and assumed the Presidency in 2014. Faced by high levels of violence and widespread police corruption, the Hernández administration promoted the increased use of the military to assist with internal security functions, creating inter-agency structures to bring together a range of State institutions to combat organized crime.<sup>20</sup> The Hernández administration also collaborated closely with the United States, which from 2013 onwards began to publicly identify persons suspected of being leading figures in drug-trafficking organizations.<sup>21</sup> Since then, various drug smuggling structures and the main Sinaloa cartel network in Honduras are reported to have been dismantled, with the majority of the persons designated as “specially designated narcotics traffickers” by the U.S. authorities now detained and/or extradited to the United States.<sup>22</sup> The measures taken by the Hernández administration are also reported to have contributed to a significant reduction in homicide rates.<sup>23</sup>

From 2014 onwards, these developments have reportedly generated renewed conflict within and between Honduran drug smuggling structures and rising levels of violence in the territories controlled by such structures, apparently due to the breakdown of the territorial pact and internal struggles for control of the remnants of the larger structures.<sup>24</sup> This state of flux has reportedly resulted in renewed efforts by the Sinaloa cartel, and by other Mexican cartels as well, to build alliances with the newly emerging groups.<sup>25</sup> In 2015, the release by the United States of indictments against former Vice-

<sup>14</sup> UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, September 2012, <http://www.refworld.org/docid/569f3aaa4.html>, p. 42.

<sup>15</sup> El Heraldo, *Honduras: identificado el grupo de los 14E, informe de inteligencia*, 27 May 2015, <http://www.elheraldo.hn/inicio/843774-331/honduras-identificado-el-grupo-de-los-14e-informe-de-inteligencia>; El Heraldo, *El Heraldo muestra cómo carteles de la droga se distribuyeron el país*, 27 May 2015, <http://www.elheraldo.hn/alfrente/844138-209/el-heraldo-revela-cómo-se-distribuyeron-el-pa%C3%ADs-los-carteles-de-la>.

<sup>16</sup> UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, September 2012, <http://www.refworld.org/docid/569f3aaa4.html>, pp. 41-42.

<sup>17</sup> El Heraldo, *Honduras: identificado el grupo de los 14E, informe de inteligencia*, 27 May 2015, <http://www.elheraldo.hn/inicio/843774-331/honduras-identificado-el-grupo-de-los-14e-informe-de-inteligencia>; El Heraldo, *El Heraldo muestra cómo carteles de la droga se distribuyeron el país*, 27 May 2015, <http://www.elheraldo.hn/alfrente/844138-209/el-heraldo-revela-cómo-se-distribuyeron-el-pa%C3%ADs-los-carteles-de-la>.

<sup>18</sup> L. Ten Velde, ‘El nexo entre drogas y violencia en el Triángulo del Norte’, *Transnational Institute Briefing Series*, No. 19, November 2012, <https://www.tni.org/files/download/debate19s.pdf>, p. 10.

<sup>19</sup> IUDPAS-UNAH / Instituto Nacional Democrata, *Informe final de la conflictividad y violencia política electoral: elecciones generales de 2013*, June 2014, <https://www.ndi.org/files/Appendix%20IUDPAS%20Final%20Report%20Informe%20Final%20de%20la%20Conflictividad%20y%20Violencia.pdf>.

<sup>20</sup> Latin America Goes Global, *Honduras – Innovation in the Fight Against Gangs and Narcotrafficking*, 24 September 2015, <http://latinamericagoesglobal.org/2015/09/honduras-innovation-in-the-fight-against-gangs-and-narcotrafficking/>.

<sup>21</sup> Insight Crime, *The US Govt’s Dangerous Dance with Honduras*, 8 October 2013, <http://www.insightcrime.org/news-analysis/the-us-govts-dangerous-dance-with-honduras>.

<sup>22</sup> See for example Insight Crime, *US ‘Kingpin’ Designation Exposes Sinaloa Cartel Head in Central America*, 7 January 2015, <http://www.insightcrime.org/news-analysis/us-kingpin-designation-exposes-sinaloa-cartel-head-central-america>.

<sup>23</sup> Insight Crime, *Grading Honduras President’s Security Performance*, 12 February 2016, <http://www.insightcrime.org/news-analysis/grading-honduras-president-security-performance>.

<sup>24</sup> La Prensa, *Los Valle se reorganizan y siguen operando en Copán: DLCN*, 21 July 2015, <http://www.laprensa.hn/honduras/861098-410/los-valle-se-reorganizan-y-siguen-operando-en-cop%C3%A1n-dlcn>; Proceso Digital, *Crimen organizado en reacomodo de plazas, territorio y poder*, 23 March 2015, <http://www.proceso.hn/component/k2/item/99047-crimen-organizado-en-reacomodo-de-plazas-territorio-y-poder.html>.

<sup>25</sup> El Heraldo, *Carteles mexicanos en labores de reclutamiento en Honduras*, 29 May 2015, <http://www.elheraldo.hn/alfrente/844491-209/carteles-mexicanos-en-labores-de-reclutamiento-en-honduras>.



President Jaime Rosenthal and a number of his family members exposed the apparent extent of the links between criminal structures in Honduras and influential members of the Honduran political and economic elites.<sup>26</sup> Moreover, a 2015 corruption scandal in the Social Security Institute (*Instituto Hondureño de Seguridad Social*, IHSS) is reported to have provoked mass anti-government protests by citizens calling themselves the *Indignados* ('the Indignants') movement.<sup>27</sup> In 2016, in an effort to address the high levels of corruption in both political circles and government institutions, an OAS-mandated anti-impunity body was created in Honduras.<sup>28</sup>

Despite the success of the Hernández administration in dismantling a number of smaller gangs and criminal bands, gangs are reported to remain entrenched in the everyday life of Honduras' cities and towns.<sup>29</sup> They are reportedly increasing their recruitment of children and youth, while levels of extortion are reported to have greatly increased.<sup>30</sup> Moreover, incidents of gang violence, including killings of civilians, are regularly reported, largely as a result of new disputes for territory and the control of local drug markets (*plazas*).<sup>31</sup> A non-violence pact proposed by *Barrio 18* and *MS* in 2013, and modelled on the El Salvador gang truce,<sup>32</sup> was apparently ignored by the government and has since been abandoned.<sup>33</sup> Rather, the government reportedly directed that imprisoned gang leaders be kept in isolation cells<sup>34</sup> and, in 2015, adopted new legislation that increased the punishment for gang members and leaders.<sup>35</sup>

- <sup>26</sup> Insight Crime, *US Requests Extradition of Honduras Political, Economic Elite*, 4 January 2016, <http://www.insightcrime.org/news-briefs/us-requests-extradition-of-honduras-political-economic-elite>; Insight Crime, *Why Elites Do Business with Criminals in Honduras*, 8 October 2015, <http://www.insightcrime.org/news-analysis/why-elites-do-business-with-criminals-in-honduras>.
- <sup>27</sup> Foreign Policy, *Honduras's Aborted Mission for Political Reform*, 28 October 2015, <http://foreignpolicy.com/2015/10/28/honduras-guatemala-corruption-oas/>.
- <sup>28</sup> The new OAS Support Mission Against Corruption and Impunity in Honduras (*Misión de Apoyo Contra la Corrupción y la Impunidad*, MACCIH) is modelled on the UN-mandated International Commission Against Impunity in Guatemala (*Comisión Internacional contra la Impunidad en Guatemala*). See Insight Crime, *As Honduras' MACCIH Aims High, Judicial Reform Still a Concern*, 25 January 2016, <http://www.insightcrime.org/news-briefs/all-eyes-on-honduras-corruption-and-justice-system-reforms>; Organization of American States, *Misión de Apoyo contra la corrupción y la impunidad en Honduras* (MACCIH), nd, <https://www.oas.org/documents/spa/press/Mision-Apoyo-contra-Corupcion-Impunidad-Honduras-MACCIH.pdf>.
- <sup>29</sup> Insight Crime, *Grading Honduras President's Security Performance*, 12 February 2016, <http://www.insightcrime.org/news-analysis/grading-honduras-president-security-performance>.
- <sup>30</sup> Quien Opina, "Ustedes nos pagan para que no los matemos", les dicen mareros, 27 November 2015, <http://www.quienopina.com/2015/11/honduras-ustedes-nos-pagan-para-que-no-los-matemos-les-dicen-mareros/>; BBC, *Las niñas reclutadas por las maras en Honduras para cobrar extorsiones*, 30 October 2015, [http://www.bbc.com/mundo/noticias/2015/10/151028\\_honduras\\_bandas\\_extorsion\\_ninas\\_ep](http://www.bbc.com/mundo/noticias/2015/10/151028_honduras_bandas_extorsion_ninas_ep); Proceso Digital, *Imparables las extorsiones en Honduras*, 23 October 2012, <http://www.proceso.hn/component/k2/item/30725-Imparables-las-extorsiones-en-Honduras.html>.
- <sup>31</sup> Tiempo, *Tras masacre: "El Infiernito" arde en zozobra por control territorial*, 7 December 2015, <http://www.tiempo.hn/tras-masacre-el-infiernito-arde-en-zozobra-por-control-territorial/>.
- <sup>32</sup> UNHCR, *Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from El Salvador*, 15 March 2016, HCR/EG/SLV/16/01, <http://www.refworld.org/docid/56e706e94.html>, p. 5.
- <sup>33</sup> El Heraldo, *Maras hondureñas dialogan con las salvadoreñas para emular tregua*, 23 July 2013, <http://www.elheraldo.hn/alfrente/565230-209/maras-hondurenas-dialogan-con-las-salvadorenas-para-emular-tregua>; El Heraldo, *Pandilla 18 y MS13 firman cese de violencia en todo Honduras*, 28 May 2013, <http://www.elheraldo.hn/pais/581506-214/pandilla-18-y-ms13-firman-cese-de-violencia-en-todo-honduras>.
- <sup>34</sup> La Prensa, *51 cabecillas de bandas criminales están en celdas de máxima seguridad*, 11 March 2015, <http://www.laprensa.hn/sucesos/821440-410/51-cabecillas-de-bandas-criminales-est%C3%A1n-en-celdas-de-m%C3%A1xima-seguridad>.
- <sup>35</sup> Congreso Nacional de Honduras, *CN aprueba en su totalidad "Ley Antimaras" donde destaca la inclusión del beneficio premial*, 22 July 2015, <http://www.congresonacional.hn/index.php/2014-02-10-22-24-42/2013-03-22-09-53-34/item/1051-cn-aprueba-en-su-totalidad-lev-antimaras-donde-destaca-la-inclusion-del-beneficio-premial.html>. Members of the *Barrio 18* and *MS* gang structures in Honduras are not incarcerated separately in designated prisons but are instead sent into regular prisons, where they are normally outnumbered by the non-gang prisoners (*paisas*). They serve their time in separate sectors or cellblocks under the control of a 'bull' ('toro'), usually a *paisa* who acts as a 'boss' and maintains order over the inmates of that prison. Sala Negra de El Faro, *El país que mata a sus presos*, 4 May 2014, <http://www.salanegra.elfaro.net/es/201404/cronicas/15320/>; El Heraldo, *Jugosos y millonarios negocios en Penitenciaría Nacional*, 7 April 2014, <http://www.elheraldo.hn/csp/mediapool/sites/ElHeraldo/AlFrente/story.csp?cid=565171&sid=300&fid=209>; Sala Negra de El Faro, *El rey justo de la cárcel del infierno*, 13 January 2014, <http://www.salanegra.elfaro.net/es/201401/cronicas/14394/>. Violence against inmates and killings, especially of gang members, are common in the prisons, including mass killings such as the February 2012 fire in Comayagua prison in which over 300 people died. Sala Negra de El Faro, *El país que mata a sus presos*, 4 May 2014, <http://www.salanegra.elfaro.net/es/201404/cronicas/15320/>; Inter-American Commission on Human Rights, *Report on the Situation of Persons Deprived of Liberty in Honduras*, 18 March 2013, <http://www.oas.org/en/iachr/pdl/docs/pdf/honduras-ppl-2013eng.pdf>, pp. 11-22.

## B. Structures and Patterns of Organized Violence

### 1. Levels of Violence

In recent years, the homicide rates in Honduras have been among the highest in the world. In 2011 and 2012, official sources in Honduras reported a rate of over 90 homicides per 100,000 inhabitants,<sup>36</sup> the highest homicide rate recorded in any country up to that point.<sup>37</sup> The homicide rate fell significantly between 2013 and 2015. However, even this reduced homicide rate – of between 56.74 and 60 homicides per 100,000 inhabitants, depending on the source – still remains one of the highest in the world.<sup>38</sup> It should be noted in this context that four of the five countries with the highest homicide rates in the world are located in Central America.<sup>39</sup>

Since the start of the 2010s, most homicide victims in Honduras are reported to have been male,<sup>40</sup> with the vast majority between the ages of 15 and 39 and particularly between the ages of 20 and 34.<sup>41</sup> Moreover, the overwhelming majority of homicides in Honduras are reportedly carried out using a firearm,<sup>42</sup> reflecting the widespread availability of both legal and illegal firearms in the country.<sup>43</sup>

<sup>36</sup> In 2011, Honduras recorded 7,104 intentional homicides, giving it a rate of 91.4 homicides per 100,000 inhabitants for that year. In 2012, Honduras recorded 7,172 intentional homicides, producing a rate of 90.4 homicides per 100,000 of population in that year. See UNODC, *Global Study on Homicide 2013: Trends, Contexts, Data*, 10 April 2014, [https://www.unodc.org/documents/gsh/pdfs/2014\\_GLOBAL\\_HOMICIDE\\_BOOK\\_web.pdf](https://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf), p. 126. The exact homicide figures are the subject of disagreement and dispute between different Honduran national entities. The official figures released by the government thus differ from those released by the National Observatory on Violence (*Observatorio Nacional de la Violencia*) of the University Institute on Democracy, Peace and Security (*Instituto Universitario en Democracia, Paz y Seguridad*, IUDPAS) of the Autonomous National University of Honduras (*Universidad Nacional Autónoma de Honduras*, UNAH), despite the fact that the latter uses figures provided by the National Police, including its State Office of Forensic Medicine (*Dirección General de Medicina Forense*). As the figures and analysis released by the UNAH National Observatory on Violence are generally considered to be more complete and transparent, they will be used here preferentially, except where otherwise indicated.

<sup>37</sup> UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, September 2012, <http://www.refworld.org/docid/569f3aaa4.html>, p. 15.

<sup>38</sup> There is some disagreement between sources about the precise extent of the drop in the homicide rate. Thus, police officials publicly cited the following figures for the rate of intentional homicides per 100,000 of population between 2013 and 2015: 75.1 (2013); 66.49 (2014); 56.74 (2015). See Presencia Universitaria, *Honduras Supera el Número de Homicidios Múltiples Registrados en el 2015*, 9 March 2016, <https://presencia.unah.edu.hn/seguiridad/articulo/honduras-supera-el-numero-de-homicidios-multiples-registrados-en-el-2015>; El Heraldo, *Tasa de homicidios bajó 30 puntos en cinco años*, 2 January 2016, <http://www.elheraldo.hn/pais/916006-466/honduras-tasa-de-homicidios-baj%C3%B3-30-puntos-en-cinco-a%C3%B1os>; El Heraldo, *Tasa de homicidios fue de 68 en Honduras durante 2014*, 25 March 2015, <http://www.elheraldo.hn/pais/825615-214/tasa-de-homicidios-fue-de-68-en-honduras-durante-2014>; La Prensa, *Autoridades discrepan por tasa de homicidios en Honduras*, 2 January 2014, <http://www.laprensa.hn/honduras/tegucigalpa/440816-98/autoridades-discrepan-por-tasa-de-homicidios-en-honduras>. The UNAH figures suggest a similar pattern of decline, but one that is less acute than that publicly suggested by officials: 79 (2013); 68 (2014); 60 (2015). See figures in the annual bulletins produced by IUDPAS-UNAH and available here: <http://www.iudpas.org/boletines/boletines-nacionales>. See also: El Heraldo, *El 31% de muertes indeterminadas fueron homicidios*, 10 May 2016, <http://www.elheraldo.hn/pais/958664-466/el-31-de-muertes-indeterminadas-fueron-homicidios>.

<sup>39</sup> The Huffington Post, *These 10 Countries Have the World's Highest Murder Rates*, 4 October 2014, [http://www.huffingtonpost.com/2014/04/10/worlds-highest-murder-rates\\_n\\_5125188.html](http://www.huffingtonpost.com/2014/04/10/worlds-highest-murder-rates_n_5125188.html). The five countries are Guatemala, El Salvador, Belize, Venezuela and Honduras. This ranking is based on data from 2012, the most recent year for which comparable global data on homicide figures were published by UNODC, *Global Study on Homicide 2013: Trends, Contexts, Data*, 10 April 2014, [https://www.unodc.org/documents/gsh/pdfs/2014\\_GLOBAL\\_HOMICIDE\\_BOOK\\_web.pdf](https://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf), p. 126. Note that already throughout the decade of the 2000s, i.e. even before the country's murder rate started to spiral upwards from 2007 onwards, official sources in Honduras reported the highest average homicide rates in the whole of Central America. The average homicide rate per 100,000 of population for the ten years between 2000 and 2009 was 54.91 for Honduras, closely followed by 50.17 for El Salvador. UNODC, *Global Study on Homicide 2013: Trends, Contexts, Data*, 10 April 2014, [https://www.unodc.org/documents/gsh/pdfs/2014\\_GLOBAL\\_HOMICIDE\\_BOOK\\_web.pdf](https://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf), p. 126. The official figures for the rate of intentional homicides per 100,000 of population between 2006 and 2012 are as follows: 44.3 (2006); 50.0 (2007); 60.8 (2008); 70.7 (2009); 81.8 (2010); 91.4 (2011); 90.4 (2012). See UNODC, *Global Study on Homicide 2013: Trends, Contexts, Data*, 10 April 2014, [https://www.unodc.org/documents/gsh/pdfs/2014\\_GLOBAL\\_HOMICIDE\\_BOOK\\_web.pdf](https://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf), p. 126. The IUDPAS-UNAH figures suggest a similar pattern between 2006 and 2012, albeit one that is only slightly less extreme in terms of its rises (and, after 2012, its falls): 46.2 (2006); 49.9 (2007); 57.9 (2008) 66.8 (2009); 77.5 (2010); 86.5 (2011); 85.5 (2012). See figures in the annual bulletins produced by IUDPAS-UNAH and available here: <http://www.iudpas.org/boletines/boletines-nacionales>.

<sup>40</sup> Between 2010 and 2015, the proportion of homicide victims for each year who are male has not dropped below 90%. See figures in the annual bulletins produced by UNAH and available here: <http://www.iudpas.org/boletines/boletines-nacionales>.

<sup>41</sup> The five-year age bracket with the highest homicide rate is generally that of 25-29 year olds. In 2015, despite the overall decrease in national homicide rates, the homicide rate for males aged 25-29 per 100,000 of the national population of Honduras was 233.9. See IUDPAS-UNAH, 'Mortalidad y Otros (Enero-Diciembre 2015)', *Boletín*, No. 40, March 2016, p. 3. However, this still represents a decrease from the peak in 2011, when the homicide rate for males aged 25-29 per 100,000 of the national population of Honduras was 386.0. See IUDPAS-UNAH, 'Mortalidad y Otros (Enero-Diciembre 2011)', *Boletín*, No. 24, March 2012, <http://www.iudpas.org/pdf/Boletines/Nacional/NEd24EneDic2011.pdf>, p. 3.

<sup>42</sup> Between 2010 and 2015, the proportion of homicide victims killed each year by firearms has not dropped below 75% and is generally a little above 80%. See figures in the annual bulletins produced by UNAH and available here: <http://www.iudpas.org/boletines/boletines-nacionales>.

<sup>43</sup> In 2014, there were estimated to be up to 1.8 million guns in circulation in Honduras, of which only 600,000 were legally registered. This equates to approximately one firearm per every four people in the country. See Insight Crime, *Insecurity Fuels Honduras Illegal Gun*

Assassination (*sicariato*) is among the leading registered causes of homicides in the country.<sup>44</sup> Moreover, official sources indicate that a high proportion of the homicides registered in Honduras are related to the activities of organized criminal groups, including gangs and groups involved in drug-trafficking.<sup>45</sup>

Homicides tend to be concentrated in particular parts of Honduras. Thus, at least since the start of the 2010s, some departments have consistently recorded very high homicide rates. These include Cortés, Atlántida and (to a lesser extent) Francisco Morazán, where the cities of, respectively, San Pedro Sula, La Ceiba and Distrito Central (Tegucigalpa / Comayagüela) are located.<sup>46</sup> Crucially, the reported murder rate for each city is high in comparison to the average for the rest of the respective department,<sup>47</sup> suggesting that the cities represent particular hotspots of violence in these departments.<sup>48</sup> Indeed, for several years, San Pedro Sula, with a murder rate almost double that of even the national capital city of Distrito Central, was reported to be the city with the world's highest murder rate.<sup>49</sup> The mapping of homicides in each of these cities suggests that, although some neighbourhoods have persistently high homicide levels, patterns of violence also move between neighbourhoods over time.<sup>50</sup> Organized violence in these cities reportedly revolves principally around the activities of street gangs,<sup>51</sup> although the international drug trade is also reported to be an important factor in the violence in San Pedro Sula and La Ceiba.<sup>52</sup>

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*Ownership of over 1 Mn*, 13 February 2014, <http://www.insightcrime.org/news-briefs/insecurity-fuels-honduras-illegal-gun-ownership-of-over-1-mn>. Under Honduran law (*Control de Armas de Fuego, Municiones, Explosivos y Otros*, Decreto No. 30-2000, 19 June 2000, <http://www.unlirc.org/Documents/Centroamerica/Honduras/LeyControlArmasFuegoMunicionesExplosivosOtrosSimilaresDecretoN30-2000.pdf>, Art. 17), a person can register up to 5 fire-arms. Moreover, there is no minimum age for purchasing a firearm; there is a gap of 12 months between the moment a person purchase a firearm and the obligation to obtain a licence; and a licence lasts for four years and the cost of a licence is low. Since 2014 there have been several discussions to bring forward a new draft law: see El Heraldito, *Fuertes medidas para uso y portación de armas en Honduras*, 4 July 2014, <http://www.elheraldo.hn/alfrente/566149-209/fuertes-medidas-para-uso-y-portacion-de-armas-en-honduras>; Proceso Digital, *Ley para controlar uso de armas a la Cámara, tras muerte violenta de taxista*, 20 July 2014, <http://www.proceso.hn/component/k2/item/459.html>.

<sup>44</sup> It should be noted that for each of the years between 2010 and 2015, the proportion of homicide victims for whom no data exists as to the reason for the killing is usually above 50% and sometimes as high as over 70%. Nonetheless, for those for whom a motive for the killing is listed, assassination (*sicariato*) is the leading reason for the homicide in most years. See figures in the annual bulletins produced by UNAH and available here: <http://www.iudpas.org/boletines/boletines-nacionales>.

<sup>45</sup> In 2014, a senior police official suggested that 90% of homicides in Honduras are linked to organized crime. See El Heraldito, *El 90% de homicidios en Honduras están relacionados con maras y narcotráfico*, 3 May 2014, <http://www.laprensa.hn/sucesos/policiales/705545-98/el-90-de-homicidios-en-honduras-est%C3%A1n-relacionados-con-maras-y-narcotr%C3%A1fico>. This figure is clearly an estimate rather than an official statistic and of doubtful accuracy, especially in view of the already relatively elevated homicide rate in Honduras prior to the emergence of gangs and organized criminal groups linked to drug-trafficking. Nonetheless, a high proportion of the increased homicides since 2007 are likely due to the activities of organized crime. See also United States Department of State, *2015 Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>; UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, September 2012, <http://www.refworld.org/docid/569f3aaa4.html>, p. 11.

<sup>46</sup> From 2010 to 2012, Atlántida department, on the northern coast of Honduras, had the highest departmental homicide rates per 100,000 inhabitants (peaking at 149.2 in 2011), whereas this was the case for Cortés from 2013 onwards (peaking at 133.3 in 2013). Whilst both Atlántida and Cortés have always been above the national average in this regard, the homicide rate per 100,000 inhabitants in the central department of Francisco Morazán has generally been just above or just below the national average, hovering relatively consistently at between 65.5 (2015) and 87.6 (2011). See figures in the annual bulletins produced by IUDPAS-UNAH and available here: <http://www.iudpas.org/boletines/boletines-nacionales>.

<sup>47</sup> From 2010 to 2015, the homicide rate per 100,000 inhabitants for Distrito Central has oscillated between 73.3 (2015) and 99.9 (2011), which has generally been around double that of the average for the rest of the department of Francisco Morazán. During the same period, the homicide rate per 100,000 inhabitants for San Pedro Sula has oscillated between 110.5 (2015) and 193.4 (2013), which has generally been around double that of the average for the rest of the department of Cortés. For La Ceiba, the rate has oscillated between 95.1 (2014) and 181.5 (2011), usually about 50% higher than the average for the rest of the department of Atlántida. See figures in the annual bulletins produced by IUDPAS-UNAH and available here: <http://www.iudpas.org/boletines/boletines-nacionales>.

<sup>48</sup> Between 2010 and 2015, other principal urban centres of other departments that have also reported high homicide rates, despite the average homicide rates in other parts of their respective departments being less accentuated, include Juticalpa in Olancho department (2010-2013), Comayagua in Comayagua department (2010-2014) and Santa Bárbara in Santa Bárbara department (2010-2013). See figures in the annual bulletins produced by IUDPAS-UNAH and available here: <http://www.iudpas.org/boletines/boletines-nacionales>.

<sup>49</sup> This ranking refers to cities with over 300,000 inhabitants. See Consejo Ciudadano para la Seguridad Pública y la Justicia Penal, *For the Fourth Consecutive Year, San Pedro Sula is the Most Violent City in the World*, 20 January 2015, [http://www.seguridadjusticiaypaz.org.mx/lib/Prensa/2015\\_01\\_20\\_seguridad\\_justicia\\_y\\_paz-50\\_most\\_violent\\_cities\\_2014.pdf](http://www.seguridadjusticiaypaz.org.mx/lib/Prensa/2015_01_20_seguridad_justicia_y_paz-50_most_violent_cities_2014.pdf).

<sup>50</sup> For the Distrito Central, see figures in the annual bulletins produced by IUDPAS-UNAH and available here: <http://www.iudpas.org/boletines/boletines-dc>. For San Pedro Sula, see figures in the annual bulletins produced by IUDPAS-UNAH and available here: <http://www.iudpas.org/boletines/boletines-san-pedro-sula>. For La Ceiba, see figures in the annual bulletins produced by IUDPAS-UNAH and available here: <http://www.iudpas.org/boletines/boletines-ceiba>.

<sup>51</sup> Insight Crime, *Honduras Govt Identifies Murder Hotspots*, 22 July 2015, <http://www.insightcrime.org/news-briefs/regional-murder-hotspots-in-honduras>.

<sup>52</sup> Insight Crime, *Who is Behind Honduras Morgue Massacre?*, 20 August 2014, <http://www.insightcrime.org/news-briefs/who-behind-honduras-morgue-massacre>; La Prensa, *La Ceiba intenta borrar su reciente pasado violento*, 30 August 2014, <http://www.laprensa.hn/honduras/apertura/743213-98/honduras-la-ceiba-intenta-borrar-su-reciente-pasado-violento>; La Prensa, *Dos bandas*

Outside those departments with big cities, other departments have also registered homicide rates well above the national average. Since 2010, this has been the case consistently for Yoro and Colón departments in the north of the country and, more sporadically, also for Copán (up to 2012) and Ocotepeque (2011-13) departments on the poor western border with Guatemala.<sup>53</sup> However, the main urban centres of these departments often have homicide rates that are reported to be either on par with, or consistently less, than the rest of the department,<sup>54</sup> suggesting that the violence in these areas is not tied exclusively to urban dynamics and may even have a more rural character. Crucially, whereas street gangs are reported to have a more minimal presence here, these departments reportedly serve as important areas of operation for powerful and sometimes conflictive drug-trafficking groups.<sup>55</sup>

Violence against women is also reported to be prevalent in Honduras.<sup>56</sup> In 2014, the most recent year for which comparative figures are available, Honduras had by far the highest absolute number of femicides (murders of women because of their gender) in Central America, as well as the highest rate per 100,000 of population in Latin America.<sup>57</sup> In 2015, the rate of female homicides per 100,000 inhabitants in Honduras had reduced slightly from the peak of the preceding few years but remained extremely high.<sup>58</sup> While domestic violence against women and girls is the most reported crime at the national level and has traditionally been the leading cause of femicide in Honduras,<sup>59</sup> a significant proportion of female homicides were reportedly the result of violence by organized criminal groups rather than domestic violence.<sup>60</sup> New forms of gang-related violence have emerged in Honduras in which women and girls linked with one gang are reported to be considered a target for vengeance by rival gangs. Women are reported to be abused, (gang) raped and killed as part of gang initiation rites or if they try to leave the gang to which they belong or with which they are affiliated or forced to collaborate.<sup>61</sup>

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*siembran el terror en La Ceiba*, 15 August 2013, <http://www.laprensa.hn/honduras/apertura/328244-98/dos-bandas-siembran-el-terror-en-la-ceiba>.

<sup>53</sup> From 2010 to 2015, the departmental rate of homicides per 100,000 of population has oscillated between 65 (2015) and 102.7 (2011) for Colón and 77.8 and (2015) and 105.3 (2013) for Yoro. Copán vastly exceeded the national average between 2010 and 2012, recording rates as high as 113.9 (2011) and 104.7 (2012) before halving to 61.9 (2013). Ocotepeque's rate effectively doubled between 2011 and 2013, reaching a peak of 99.8 (2012), before halving to 45.8 (2014). It should also be noted that in 2012 Olancho department registered homicide rates above the national average (92.5), although the figures have diminished again considerably since then. See figures in the annual bulletins produced by IUDPAS-UNAH and available here: <http://www.iudpas.org/boletines/boletines-nacionales>.

<sup>54</sup> Between 2010 and 2015, this was particularly the case for Copán, where the annual figures for homicides in the main urban centre have been lower than those for the rest of the department in all years bar one (2013), and for Ocotepeque, where the urban figures have been on par with or less than those in the rest for the department in all years bar two (2011 and 2013). See figures in the annual bulletins produced by IUDPAS-UNAH and available here: <http://www.iudpas.org/boletines/boletines-nacionales>.

<sup>55</sup> See section II.B.2.c.

<sup>56</sup> United States Department of State, *2015 Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>.

<sup>57</sup> The figures compare only 14 countries in Latin America but include many of those where rates of femicide have traditionally been high. See UN Comisión Económica para América Latina y el Caribe (CEPAL), *Femicidio*, 16 November 2015, <http://www.cepal.org/es/infografias/femicidio>.

<sup>58</sup> The rate was reported to be 10.9 per 100,000 of population. See IUDPAS-UNAH, 'Mortalidad y Otros (Enero-Diciembre 2015)', *Boletín*, No. 40, February 2016, <http://www.iudpas.org/pdf/Boletines/Nacional/NEd40EneDic2015.pdf>, p. 3.

<sup>59</sup> UN Human Rights Council, *Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences, Addendum: Mission to Honduras*, 31 March 2015, A/HRC/29/27/Add.1, <http://www.refworld.org/docid/5583f5fe4.html>, p. 5.

<sup>60</sup> Geneva Declaration, *Global Burden of Armed Violence 2015*, October 2015, Chapter Three, [http://www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3\\_Ch3\\_pp87-120.pdf](http://www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3_Ch3_pp87-120.pdf), pp. 97 and 109. This is certainly suggested by the fact that for 2013 (the latest year for which gender disaggregated data is available on this point) – of the cases of female homicides where the location of death was known – 82% (403 of 494) were carried out in the street. IUDPAS-UNAH, 'Resultados del análisis enero-diciembre 2013', *Boletín Muerte Violenta de Mujeres y Femicidios*, No. 8, June 2014, <http://www.iudpas.org/pdf/Boletines/Genero/MMEd08EneDic2013.pdf>, p. 6-9.

<sup>61</sup> La Tribuna, *Mujeres obligadas a vender droga y cobrar "impuesto"*, 20 March 2016, <http://www.latribuna.hn/2016/03/10/mujeres-obligadas-vender-droga-cobrar-impuesto/>; La Noticia, *Control del cuerpo y sus comunidades nueva formas de violencia contra las mujeres*, 9 March 2016, <http://lanoticia.hn/nacionales/control-del-cuerpo-y-sus-comunidades-nueva-formas-de-violencia-contra-las-mujeres/>; Hondudiaro, *Mujeres enfrentan nuevas formas de violencia, según Sociedad Civil*, 10 March 2016, <http://www.hondudiaro.com/?q=node/23573>; Global Voices, *Las mujeres y las maras: otra vuelta de tuerca en el complejo mundo de las pandillas centroamericanas*, 3 December 2015, <https://es.globalvoices.org/2015/12/03/las-mujeres-y-las-maras-otra-vuelta-de-tuerca-en-el-complejo-mundo-de-las-pandillas-centroamericanas/>; UN Human Rights Council, *Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences, Addendum: Mission to Honduras*, 31 March 2015, <http://www.refworld.org/docid/5583f5fe4.html>, p. 5; Insight Crime, *The Mara Women: Gender Roles in CentAm Street Gangs*, 5 September 2013, <http://www.insightcrime.org/news-analysis/centam-street-gangs-reject-rely-on-women-study/>; Interpeace, *Violentas y violentadas: relaciones de género en las maras Salvatrucha y Barrio 18 del triángulo norte de Centroamérica*, 14 May 2013, [http://www.interpeace.org/latinoamerica/wp-content/uploads/sites/7/2015/08/2013\\_05\\_14\\_Central\\_Am\\_Violentas\\_y\\_Violentadas\\_es.pdf](http://www.interpeace.org/latinoamerica/wp-content/uploads/sites/7/2015/08/2013_05_14_Central_Am_Violentas_y_Violentadas_es.pdf).



Large numbers of Honduran girls and women from both poor and middle-class families are also reported to be forced into prostitution in Honduras and trafficked into sex slavery in Mexico, Guatemala, El Salvador, the US and elsewhere,<sup>62</sup> with members of the Honduran security forces reportedly participating in some of these prostitution networks.<sup>63</sup>

Women and girls are also reported to be forcibly disappeared in Honduras. 697 forced disappearances of women and girls were reportedly registered with the authorities between January and September 2015.<sup>64</sup> Many forced disappearances are reported in zones where organized criminal groups, particularly gangs, operate. Clandestine cemeteries have reportedly been found in these areas; the victims buried there reportedly include not only women but also persons in military uniforms.<sup>65</sup>

Children are reported to be heavily impacted by the violence in Honduras. Between 2010 and 2015, the vast majority of victims of sexual violence were girls aged 10 to 19 years.<sup>66</sup> Homicide rates are reported to be extremely high for children, including in particular for girls.<sup>67</sup> The overwhelming majority of these deaths are reportedly caused by firearms and carried out in the street.<sup>68</sup> Moreover, it is reported that some 70 per cent of child homicides in Honduras are committed by other children, which suggests a strong linkage to gang dynamics.<sup>69</sup> Domestic abuse of children, both boys and girls, is also reported to be a serious problem in Honduras.<sup>70</sup> Alongside homicides, forced disappearances, and widespread forms of violence against women, a range of other types of violent crimes are prevalent in Honduras. Many of these are less easily documented than homicides and are known to be underreported because victims do not report these crimes to the police, reportedly for fear of retribution and due to a lack of confidence in the authorities.<sup>71</sup> Such crimes include extortion, usually

<sup>62</sup> United States Department of State, 2016 *Trafficking in Persons Report - Honduras*, 30 June 2016, <http://www.refworld.org/docid/577f95fc6.html>; Insight Crime, *Honduras Busts Child Prostitution Ring Used by Security Forces*, 17 October 2014, <http://www.insightcrime.org/news-briefs/honduras-busts-child-prostitution-ring-used-by-security-forces>. In 2012, it was reported that hundreds of Honduran women in El Progreso in Honduras had likely been forced to go and work as prostitutes in Mexico. See Insight Crime, *Honduras' New Human Trafficking Law Faces Enormous Challenges*, 19 July 2012, <http://www.insightcrime.org/news-analysis/honduras-new-human-trafficking-law-faces-enormous-challenges>.

<sup>63</sup> Insight Crime, *Honduras Busts Child Prostitution Ring Used by Security Forces*, 17 October 2014, <http://www.insightcrime.org/news-briefs/honduras-busts-child-prostitution-ring-used-by-security-forces>.

<sup>64</sup> Última Hora, *Casi 700 mujeres desaparecidas en 2015 registran datos de ONG*, 5 November 2015, <http://ultimahora.hn/content/casi-700-mujeres-desaparecidas-en-2015-registran-datos-de-ong>. In 2014, the forced disappearance of Miss Honduras and her sister was widely reported, with both later found murdered by a 'machista' boyfriend. See Irish Times, *Boyfriend of Sister Confesses to Shooting Dead Miss Honduras*, 20 November 2014, <http://www.irishtimes.com/news/world/boyfriend-of-sister-confesses-to-shooting-dead-miss-honduras-1.2008633>. See also La Tribuna, *Más de 1,200 mujeres están desaparecidas*, 3 December 2014, <http://www.latribuna.hn/2014/12/03/mas-de-1200-mujeres-estan-desaparecidas/>; Sala Negra de El Faro, *Los desaparecidos no existen en el país más violenta del mundo*, 17 November 2014, <http://www.salanegra.elfaro.net/es/201411/cronicas/16196/Los-desaparecidos-no-existen-en-el-pa%C3%ADs-m%C3%A1s-violento-del-mundo.htm>.

<sup>65</sup> La Tribuna, *Más de 1,200 mujeres están desaparecidas*, 3 December 2014, <http://www.latribuna.hn/2014/12/03/mas-de-1200-mujeres-estan-desaparecidas/>.

<sup>66</sup> For each year between 2010 and 2015, females were overwhelmingly the victims of sexual violence, representing between 84.7% and 92.6% of reported cases in the respective year. The vast majority of these female victims were in the age range 10 to 19 years. See figures in the annual bulletins produced by IUDPAS-UNAH and available here: <http://www.iudpas.org/boletines/boletines-nacionales>.

<sup>67</sup> In 2014, UNICEF reported that in 2012 the homicide rate per 100,000 of population in Honduras was reported to be 11 for girls aged 0-19 years in 2012, making Honduras the country with the fifth highest level of such violence in the world. See United Nations Children's Fund (UNICEF), *Hidden in Plain Sight: A Statistical Analysis of Violence against Children*, 3 September 2014, [http://files.unicef.org/publications/files/Hidden\\_in\\_plain\\_sight\\_statistical\\_analysis\\_EN\\_3\\_Sept\\_2014.pdf](http://files.unicef.org/publications/files/Hidden_in_plain_sight_statistical_analysis_EN_3_Sept_2014.pdf), pp. 37 and 197. For both girls and boys, homicide rates in Honduras showed a general pattern of increase between 2008 and 2013. IUDPAS-UNAH, 'Boletín Especial Sobre Violencia Contra Niñas y Niños (Enero-Diciembre 2013)', *Boletín Especial*, No. 19, May 2014, [http://www.iudpas.org/pdf/Boletines/Especiales/BEP\\_Ed19.pdf](http://www.iudpas.org/pdf/Boletines/Especiales/BEP_Ed19.pdf), p. 3.

<sup>68</sup> The most recent figures released to the public (relating to 2013), show that 79% of the homicides of children were carried out using a firearm and 91% of the cases where the location of death was identified were carried out in the street (25.2% of the total number of cases did not contain data about where the death occurred). See IUDPAS-UNAH, 'Boletín Especial Sobre Violencia Contra Niñas y Niños (Enero-Diciembre 2013)', *Boletín Especial*, No. 19, May 2014, [http://www.iudpas.org/pdf/Boletines/Especiales/BEP\\_Ed19.pdf](http://www.iudpas.org/pdf/Boletines/Especiales/BEP_Ed19.pdf), p. 3.

<sup>69</sup> Office of the High Commissioner for Human Rights, *Committee on the Rights of the Child Reviews the Reports of Honduras*, 21 May 2015, <http://www.refworld.org/docid/5729972c4.html>. The resulting report suggests that 70 per cent of child homicides are related to gangs and organized crime. See Committee on the Rights of the Child, *Concluding Observations on the Combined Fourth and Fifth Periodic Reports of Honduras*, 8 June 2015, <http://www.refworld.org/docid/566fc4334.html>, p. 8.

<sup>70</sup> United States Department of State, 2015 *Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>. 24 per cent of the Honduran children in the USA who were interviewed for a UNHCR study disclosed abuse in the home. UNHCR, *Children on the Run; Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection*, 2014, [http://www.unhcrwashington.org/sites/default/files/1\\_UAC\\_Children%20on%20the%20Run\\_Full%20Report.pdf](http://www.unhcrwashington.org/sites/default/files/1_UAC_Children%20on%20the%20Run_Full%20Report.pdf), p. 37.

<sup>71</sup> La Prensa, *"Hasta a tres grupos pagan extorsión los taxistas"*, 13 May 2015, <http://www.laprensa.hn/honduras/839667-410/hasta-a-tres-grupos-pagan-extorsi%C3%B3n-los-taxistas>; El Heraldo, *Extorsiones en capital de Honduras generan desplazamientos internos*, 7 April 2014, <http://www.elheraldo.hn/sucesos/619934-219/extorsiones-en-capital-de-honduras-generan-desplazamientos-internos>; Proceso Digital,

by gangs; collectively, the population of Honduras reportedly pays an estimated US\$200 million per year in extortion money, which is often called a ‘war tax’ (*‘impuesto de guerra’*) by the gangs. Those who do not pay are reportedly murdered or see their businesses burned down as a reprisal.<sup>72</sup> The transport sector is reported to be particularly affected,<sup>73</sup> but extortion by gangs also reportedly impacts upon many other sectors of society, including business owners and workers, street sellers, teachers, judges, lawyers, politicians, nurses, farmers, schoolchildren, police officers, home owners and even priests.<sup>74</sup>

## 2. Armed Actors

The current dynamics of violence in Honduras stem from the presence and activities of four main forms of armed actors: gangs and criminal bands, including those affiliated with the *Barrio 18*, *Mara Salvatrucha (MS)* and *Chirizos* gang structures; drug smuggling structures (sometimes also referred to as *transportistas*); the State security forces, particularly the police and the armed forces; and private security forces. In practice, it may not always be possible for victims to make a clear distinction between the various actors, in part because of allegations of high levels of infiltration of the State security forces by organized criminal structures, and of high levels of corruption within many organs of the State.<sup>75</sup>

### a) Gangs in Honduras<sup>76</sup>

One of the poorest countries in Central America, Honduras is particularly affected by the violence of street gangs (*pandillas*). Within the region, it reportedly has one of the highest concentrations of gang members after El Salvador, although estimates of the number of gang members in Honduras vary considerably. Recent estimates of gang membership range from 4,728 to 70,000 individuals across the different gangs in Honduras.<sup>77</sup> Observers consider these gangs to be among the principal actors that

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*Imparables las extorsiones en Honduras*, 23 October 2012, <http://www.proceso.hn/component/k2/item/30725-Imparables-las-extorsiones-en-Honduras.html>.

<sup>72</sup> La Prensa, “Imperios de la extorsión” están en Honduras y El Salvador, 1 July 2015, <http://www.laprensa.hn/honduras/854572-410/imperios-de-la-extorsi%C3%B3n-est%C3%A1n-en-honduras-y-el-salvador>; La Nación, *El infierno del ‘impuesto de guerra’ de los pandilleros en Honduras*, 13 June 2015, [http://www.nacion.com/mundo/centroamerica/Honduras-Tegucigalpa-Centroamerica-impuesto-pandillas\\_0\\_1493250773.html](http://www.nacion.com/mundo/centroamerica/Honduras-Tegucigalpa-Centroamerica-impuesto-pandillas_0_1493250773.html).

<sup>73</sup> For example, Proceso Digital, *Emergencia por constantes muertes en transporte público*, 31 March 2016, <http://www.proceso.hn/nacionales/item/121628-emergencia-por-constantes-muertes-en-transporte-publico.html>; Tiempo, *La Extorsión Abarca Esferas Inimaginables en Honduras*, 2 March 2016, <http://www.tiempo.hn/la-extorsion-abarca-esferas-inimaginables-en-honduras/>. In 2014, over 15,000 buses and taxis in Tegucigalpa and San Pedro Sula were said to pay extortion demands and, in the four previous years, there were over 350 killings of transport sector employees, of which 80% were related to extortion. El Heraldo, *Buses y taxis estarían financiando al crimen organizado en Honduras*, 28 April 2014, <http://www.elheraldo.hn/csp/mediapool/sites/ElHeraldo/Pais/story.csp?cid=702738&sid=299&fid=214>.

<sup>74</sup> Tiempo, *La Extorsión Abarca Esferas Inimaginables en Honduras*, 2 March 2016, <http://www.tiempo.hn/la-extorsion-abarca-esferas-inimaginables-en-honduras/>; El Nuevo Diario, *Maras quiebran los pequeños negocios en Honduras*, 13 May 2015, <http://www.elnuevodiario.com.ni/internacionales/359903-maras-quiebran-pequenos-negocios-honduras/>; El Heraldo, *La extorsión ataca chicleras y pulperías*, 7 April 2014, <http://www.elheraldo.hn/metro/587187-213/la-extorsion-ataca-chicleras-y-pulperias/>; El Heraldo, *Extorsiones en capital de Honduras generan desplazamientos internos*, 7 April 2014, <http://www.elheraldo.hn/sucesos/619934-219/extorsiones-en-capital-de-honduras-generan-desplazamientos-internos/>; La Prensa, *Con cámaras de seguridad y trancas se cuidan mareros en Honduras*, 25 August 2013, <http://www.laprensa.hn/especiales/328419-273/con-c%C3%A1maras-de-seguridad-y-trancas-se-cuidan-mareros-en-honduras/>; La Prensa, *Extorsiones dejan al año L1,200 millones a mareros en Honduras*, 7 May 2013, <http://www.laprensa.hn/especiales/328424-273/extorsiones-dejan-al-a%C3%B1o-L1200-millones-a-mareros-en-honduras/>; Associated Press, *Gangs Extort Cash from Honduran Homeowners*, 8 August 2012, <http://bigstory.ap.org/article/gangs-extort-cash-honduran-homeowners>.

<sup>75</sup> See Section II.C.

<sup>76</sup> UNHCR treats gangs as ‘the relatively durable, predominantly street-based groups of young people for whom crime and violence is integral to the group’s identity. The term is also used to refer to organized criminal groups of individuals for whom involvement in crime is for personal gain (financial or otherwise) and their primary “occupation”.’ See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), pp. 1-2.

<sup>77</sup> A 2011 study stated that there were 4,728 active gang members in Honduras. This figure probably represents the best and most transparent estimate of the number of active initiated members of the two main gangs in Honduras at the time, *Barrio 18* and *MS*. However, the figure was certainly an underestimate of the total number of gang members in Honduras since: (i) it did not appear to take active but uninitiated gang members into consideration, when these represent a sizeable proportion of gang members, especially after the adoption of a *pocos pero locos* (‘few but crazy’) recruitment strategy by the two main gangs in Honduras, *Barrio 18* and *MS*; (ii) it represents the number of gang members in only 14 locations in the country (and in prison), although perhaps at the time these were some of the more important concentrations of gang members; (iii) the study focused unduly on *Barrio 18* and *MS* when it was known that, already in 2011, there were a wide number of other gangs present, especially in locations selected for the study, such as San Pedro Sula and its environs. It is difficult to make valid inferences from the 2011 study for the situation at present, as appropriate regard must be paid to the expansion of *Barrio 18* and *MS* post-2011, and the emergence of other relatively powerful gang structures such as the *Chirizos*. Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de maras y pandillas en Honduras*, 2011, [http://www.unicef.org/honduras/Informe\\_situacion\\_maras\\_pandillas\\_honduras.pdf](http://www.unicef.org/honduras/Informe_situacion_maras_pandillas_honduras.pdf), p. 9. As early as 2006, the US Agency for International

have made Honduras one of the most violent countries in the world and that have provoked the current crisis of forced displacement.<sup>78</sup>

A large number of local street gangs are reportedly concentrated in the three main urban areas of Honduras: (i) Tegucigalpa, the national capital, and its sister city of Comayagüela, which jointly make up the country's Central District (*Distrito Central*); (ii) the city of San Pedro Sula and its surrounding environs in the department of Cortés, the economic powerhouse of the country; and (iii) La Ceiba, located in coastal Atlántida department.<sup>79</sup> Yet local street gangs are also reported to operate in many other cities and towns of Honduras.<sup>80</sup> Nowadays, there are reportedly few neighbourhoods (*barrios* or *colonias*) in the larger cities that are free from the influence of the gangs; even those neighbourhoods where the gangs do not exercise control are not exempt from extortion and gang attacks.<sup>81</sup>

Honduran street gangs are usually based in marginal poor or lower-middle-class urban zones, at times comprised of just a single neighbourhood (*colonia* or *barrio*) or a few such neighbourhoods, and also in some rural zones.<sup>82</sup> However, despite a culture of identification with their home territory, these gangs are also considered capable of great mobility and can rapidly expand their influence to nearby neighbourhoods.<sup>83</sup> They may reportedly also relocate to new neighbourhoods (and even sometimes new towns or cities) to seek refuge from offensives against them by the security forces or other gangs.<sup>84</sup> Similarly, while physical reference points such as streets, streams, graffiti, or other markings

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Development (USAID) suggested that there were around 36,000 active gang members in Honduras. See USAID, *Central America and Mexico Gang Assessment*, April 2006, [http://pdf.usaid.gov/pdf\\_docs/PNADG834.pdf](http://pdf.usaid.gov/pdf_docs/PNADG834.pdf), p. 17. More recent estimates of the membership of just the main two gang structures, *Barrio 18* and *MS*, suggest that these jointly number between 12,000 and 25,000 individuals. See Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 7-8. Other recent unofficial estimates by the Fundación Compartir Honduras and Proyecto Victoria placed the total number of gang members in Honduras at, respectively, 34,000 individuals in 2014 and 70,000 individuals in 2015. See Estrategia y Negocios, *Honduras: 70.000 pandilleros actúan en el país*, 24 July 2015, <http://www.estrategiaynegocios.net/lasclavesdelodia/862245-330/honduras-70000-pandilleros-act%C3%BAan-en-el-pa%C3%ADs>; ABC, *Las maras de Honduras matan a los niños que no se unen a la banda*, 10 May 2014, <http://www.abc.es/internacional/20140510/abci-maras-honduras-matan-ninos-201405092000.html>. The discrepancies in such figures are partly due to the difficulties of defining accurately what a 'gang' is, who is an 'active' member etc. See Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 7-8.

<sup>78</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 13; D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, No. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 39-42. The situation in Honduras coheres with that across Central America, with gang violence identified as the main driver for the rapid increase in homicide rates in some countries from 2007 to 2011. See UNODC, *Global Study on Homicide 2013: Trends, Contexts, Data*, 10 April 2014, [https://www.unodc.org/documents/gsh/pdfs/2014\\_GLOBAL\\_HOMICIDE\\_BOOK\\_web.pdf](https://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf), pp. 40, 43, 45. See also Section II.D below.

<sup>79</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 9. Although Honduras has a long history of street gangs, many of the gangs now present in the country are reported to have their origins and/or inspiration in the violent California-style gang culture brought back by Honduran gang members deported from the United States of America from the 1990s onwards. The mixing of Californian gang culture with local gang traditions first developed in San Pedro Sula and then spread to Tegucigalpa and other parts of Honduras; it is partly for this reason that, even today, the gangs of San Pedro Sula tend to be more numerous and experienced than those in Tegucigalpa and elsewhere. Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 3-4; T. Andino Mencía, *Las maras en la sombra: Ensayo de actualización del fenómeno pandillero en Honduras*, September 2006, [http://www.wola.org/sites/default/files/downloadable/Citizen%20Security/past/diagnostico\\_honduras.pdf](http://www.wola.org/sites/default/files/downloadable/Citizen%20Security/past/diagnostico_honduras.pdf), pp. 3-9.

<sup>80</sup> The presence of gangs in more provincial zones reportedly increased as some gang members fled there to escape the authorities' robust implementation of anti-gang policies in the cities during the mid-to-late 2000s. Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 9; Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de maras y pandillas en Honduras*, 2011, [http://www.unicef.org/honduras/Informe\\_situacion\\_maras\\_pandillas\\_honduras.pdf](http://www.unicef.org/honduras/Informe_situacion_maras_pandillas_honduras.pdf), p. 75.

<sup>81</sup> El Heraldo, *Así operan las maras y bandas en la capital de Honduras*, 18 August 2014, <http://www.elheraldo.hn/pais/739126-214/as%C3%AD-operan-las-maras-y-bandas-en-la-capital-de-honduras>.

<sup>82</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 12; Casa Alianza Honduras, *Niñez y juventud en las redes del crimen organizado, una aproximación a las principales formas de involucramiento y participación de niñas, niños y jóvenes en los grupos delictivos de Tegucigalpa*, April 2014, [http://www.casa-alianza.org.hn/images/documentos/Informes.Especiales/Inf.2014/1.%20informe%20niez%20y%20crimen%20organizado%20en%20tegucigalpa\\_cah.pdf](http://www.casa-alianza.org.hn/images/documentos/Informes.Especiales/Inf.2014/1.%20informe%20niez%20y%20crimen%20organizado%20en%20tegucigalpa_cah.pdf), p. 4.

<sup>83</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 12.

<sup>84</sup> La Prensa, *Pandilleros de Chamelecón emigran por presencia policial*, 31 May 2015, <http://www.laprensa.hn/honduras/845216-410/pandilleros-de-chamelec%C3%B3n-emigran-por-presencia-policial>; El Heraldo, *Tegucigalpa: diez colonias sometidas por dos bandas criminales*, 5 October 2014, <http://www.elheraldo.hn/sucesos/754920-219/tegucigalpa-diez-colonias-sometidas-por-dos-bandas-criminales>; Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de maras y pandillas en Honduras*, 2011, [http://www.unicef.org/honduras/Informe\\_situacion\\_maras\\_pandillas\\_honduras.pdf](http://www.unicef.org/honduras/Informe_situacion_maras_pandillas_honduras.pdf), p. 75.



often mark the dividing lines between gang territories, these ‘invisible’ boundaries can reportedly also shift literally overnight as one gang pushes into, or disputes, the territory of another.<sup>85</sup> Zones where two or more gangs are disputing control are usually extremely violent, and the gangs may be separated by as little as a single street.<sup>86</sup>

One important feature of contemporary gang dynamics in Honduras is the relative diversity of gangs. The two major transnational gang structures in Central America – the *Barrio 18* (B-18) and the *Mara Salvatrucha* (MS) – are both present in Honduras (where they are also referred to as *Mara 18* and *Mara 13* respectively), with many local gangs affiliated to one or other structure.<sup>87</sup> However, on the margins of these powerful structures, a number of local gangs presently exist in Honduras that identify with one of the ‘home-grown’ Honduran gang structures (e.g. the *Chirizos* etc.), or simply do not identify with any wider gang structure.<sup>88</sup> Subtle variations in the *modus operandi* of these different gangs and gang structures and their dynamic nature are reported to produce a complex gang demography, in which shifting fortunes, alliances and disputes can lead local gangs to disappear or be displaced, just as new ones may suddenly emerge or grow in power.

Most Honduran gangs reportedly pursue a strategy of exclusive control over their home territories, using violence to repel other gangs or challengers. Within its own territory, each gang reportedly tries to control the specific localized criminal enterprises which sustain members’ livelihoods, including extortion, drug-selling, prostitution and other crimes.<sup>89</sup> Many gangs are also reported to target businesses, (public) transport routes and even homes in their own and other nearby neighbourhoods for extortion.<sup>90</sup> The practice of extortion in one form or another – often called the ‘war tax’ (*impuesto de guerra*) – has reportedly been an important source of revenue for most gangs since the late 1990s and has often been carried out from the prisons by gang leaders by telephone and, more recently, via social networking sites.<sup>91</sup>

Each local gang is reported to have its own active membership that can range in size from a handful to several dozen members, organized in nominal hierarchies under the leadership of more senior members.<sup>92</sup> Local gangs in Honduras are reported to be largely composed of youth and young adults (although senior members are often older), and male-dominated, with girls and women usually participating only in more peripheral roles.<sup>93</sup> Recruitment is reported to be increasingly selective and

<sup>85</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 11-12.

<sup>86</sup> *Tiempo*, *Tras masacre: “El Infiernito” arde en zozobra por control territorial*, 7 December 2015, <http://www.tiempo.hn/tras-masacre-el-infiernito-arde-en-zozobra-por-control-teritorial/>; *El Heraldo*, *Así operan las maras y bandas en la capital de Honduras*, 18 August 2014, <http://www.elheraldo.hn/pais/739126-214/as%C3%AD-operan-las-maras-y-bandas-en-la-capital-de-honduras>; *La Prensa*, *‘Leyes’ de maras siguen imperando en barrios*, 15 August 2013, <http://www.laprensa.hn/honduras/apertura/328837-98/leyes-de-maras-siguen-imperando-en-barrios>. This is the case, for example, with the ‘transit zones’ (*zonas de pase*) in the Honduran capital, where both *Barrio 18* and *MS* have a presence, and which have recently been the site of massacres by the gangs. See *El Heraldo*, *Las peleas por territorio dejan sangre, luto y dolor en la capital hondureña*, 14 March 2016, <http://www.elheraldo.hn/pais/939563-466/las-peleas-por-territorio-dejan-sangre-luto-y-dolor-en-la-capital>.

<sup>87</sup> See Section II.B.2.a – *Mara Salvatrucha (MS) and Barrio 18 (B-18) gang structures*.

<sup>88</sup> See Section II.B.2.a – *Chirizos gang structure and its derivatives*.

<sup>89</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 6, 11-13; D.J. Cantor, ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, *Refugee Survey Quarterly*, No. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 40. UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, September 2012, <http://www.refworld.org/docid/569f3aaa4.html>, p. 28.

<sup>90</sup> *El Heraldo*, *Mareros son relevados por compinches en sus territorios*, 19 August 2014, <http://www.elheraldo.hn/pais/739437-214/mareros-son-relevados-por-compinches-en-sus-territorios>; *El Heraldo*, *La extorsión ataca chicleras y pulperías*, 7 April 2014, <http://www.elheraldo.hn/metro/587187-213/la-extorsion-ataca-chicleras-y-pulperias>; *El Heraldo*, *Extorsiones en capital de Honduras generan desplazamientos internos*, 7 April 2014, <http://www.elheraldo.hn/sucesos/619934-219/extorsiones-en-capital-de-honduras-generan-desplazamientos-internos>; D.J. Cantor, ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, *Refugee Survey Quarterly*, No. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 40.

<sup>91</sup> *El Heraldo*, *Pandilla 18, la más violenta y sanguinaria*, 21 April 2015, <http://www.elheraldo.hn/alfrente/833220-209/pandilla-18-la-m%C3%A1s-violenta-y-sanguinaria>; *El Heraldo*, *Dios es el único que lo puede sacar a uno de la mara*, 24 April 2015, <http://www.elheraldo.hn/alfrente/834339-209/dios-es-el-%C3%BAnico-que-lo-puede-sacar-a-uno-de-la>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 19-21, 30-31, 37 and 39. Proceso Digital, *Redes sociales, una vía expedita para extorsiones y chantajes en Honduras*, 2 July 2013, <http://www.proceso.hn/component/k2/item/18800.html>.

<sup>92</sup> Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de maras y pandillas en Honduras*, 2011, [http://www.unicef.org/honduras/Informe\\_situacion\\_maras\\_pandillas\\_honduras.pdf](http://www.unicef.org/honduras/Informe_situacion_maras_pandillas_honduras.pdf), pp. 28-29.

<sup>93</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 116-18 and 28-29. Women and girls often participate in Honduran



based on the idea of ‘*pocos pero locos*’ (‘few but crazy’), with a smaller and tougher core of initiated members supplemented by a larger periphery of relatively disposable younger aspirants, including forcibly recruited children as young as six years old.<sup>94</sup> Although many gang members traditionally used to identify themselves through highly visible gang-related tattoos and style of dress, these practices are reported to now be somewhat discouraged by the gangs as they also helped to identify members to the security forces and other gangs.<sup>95</sup> Imprisoned members are reported to remain active in the gang structure, with imprisoned leaders often having directed the activities of those on the street.<sup>96</sup>

Once initiated into a gang, members must follow the code of conduct established by the gang. The violation of different rules is reported to lead to different punishments, commonly serious beatings or even death.<sup>97</sup> Lifelong loyalty to the gang is required and those who desert or cooperate with the security forces or rival gangs are reported to be routinely pursued and killed by members of their own gang as a punishment.<sup>98</sup> The gangs are reportedly assisted by many ‘anonymous’ voluntary or

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gangs, albeit that roles within the gang are, for the most part, strongly gendered, with relatively few women taking on a leadership role. (Influential female gang members such as the women known by the aliases ‘La Diabla’, ‘La Camu’ and ‘La Chucky’, all members of Barrio 18, are notable exceptions.) See La Prensa, *Capturan a “La Chucky” acusada de ordenar matanzas en Honduras*, 23 March 2016, <http://www.laprensa.hn/sucesos/942711-410/capturan-a-la-chucky-acusada-de-ordenar-matanzas-en-honduras>; El Heraldo, *Mujeres en pandillas, un fenómeno social en incremento en Honduras*, 16 April 2015, <http://www.elheraldo.hn/sucesos/831605-219/mujeres-en-pandillas-un-fen%C3%B3meno-social-en-incremento-en-honduras>; Interpeace, *Violentas y violentadas: relaciones de género en las maras Salvatrucha y Barrio 18 del triángulo norte de Centroamérica*, 14 May 2013, [http://www.interpeace.org/latinoamerica/wp-content/uploads/sites/7/2015/08/2013\\_05\\_14\\_Central\\_Am\\_Violentas\\_y\\_Violentadas\\_es.pdf](http://www.interpeace.org/latinoamerica/wp-content/uploads/sites/7/2015/08/2013_05_14_Central_Am_Violentas_y_Violentadas_es.pdf); Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de maras y pandillas en Honduras*, 2011, [http://www.unicef.org/honduras/Informe\\_situacion\\_maras\\_pandillas\\_honduras.pdf](http://www.unicef.org/honduras/Informe_situacion_maras_pandillas_honduras.pdf), pp. 43-44, 67-69.

<sup>94</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 6; El Heraldo, *Una docena de colonias invadidas por la MS-13*, 20 April 2015, <http://www.elheraldo.hn/alfrente/832905-209/una-docena-de-colonias-invadidas-por-la-ms-13>; La Prensa, *Sitiados centros educativos por las maras en Honduras*, 3 September 2013, <http://www.laprensa.hn/especiales/381915-273/sitiados-centros-educativos-por-las-maras-en-honduras>; Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de maras y pandillas en Honduras*, 2011, [http://www.unicef.org/honduras/Informe\\_situacion\\_maras\\_pandillas\\_honduras.pdf](http://www.unicef.org/honduras/Informe_situacion_maras_pandillas_honduras.pdf), p. 77. Children and adolescents are particularly recruited by gangs to carry out risky and menial tasks. They are perceived as having less fear, possibly due to the fact that some act due to threats against them and their families. From the perspective of the gangs, children and adolescents also have the advantage that, if captured, they are not prosecuted but rather may be sent to child rehabilitation centres for shorter periods of time. It is reported that this has led to a dramatic increase in 2015 of the number of children arrested for collecting extortion monies; a third of these children are girls. Children who resist recruitment have been killed, as have members of their families. See BBC, *Las niñas reclutadas por las maras en Honduras para cobrar extorsiones*, 30 October 2015, [http://www.bbc.com/mundo/noticias/2015/10/151028\\_honduras\\_bandas\\_extorsion\\_ninas\\_ep](http://www.bbc.com/mundo/noticias/2015/10/151028_honduras_bandas_extorsion_ninas_ep); ABC, *Las maras de Honduras matan a los niños que no se unen a la banda*, 10 May 2014, <http://www.abc.es/internacional/20140510/abci-maras-honduras-matan-ninos-201405092000.html>; Casa Alianza Honduras, *Niñez y juventud en las redes del crimen organizado, una aproximación a las principales formas de involucramiento y participación de niñas, niños y jóvenes en los grupos delictivos de Tegucigalpa*, April 2014, [http://www.casa-alianza.org.hn/images/documentos/Informes.Especiales/Inf.2014/1.%20informe%20niez%20y%20crimen%20organizado%20en%20tegucigalpa\\_cah.pdf](http://www.casa-alianza.org.hn/images/documentos/Informes.Especiales/Inf.2014/1.%20informe%20niez%20y%20crimen%20organizado%20en%20tegucigalpa_cah.pdf), pp. 4 and 22-23.

<sup>95</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 5-6 and 26; El Heraldo, *MS-13, de mara callejera a organización transnacional*, 6 August 2014, <http://www.elheraldo.hn/alfrente/735683-331/ms-13-de-mara-callejera-a-organización-transnacional>; Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de maras y pandillas en Honduras*, 2011, [http://www.unicef.org/honduras/Informe\\_situacion\\_maras\\_pandillas\\_honduras.pdf](http://www.unicef.org/honduras/Informe_situacion_maras_pandillas_honduras.pdf), pp. 75-76. In the case of MS, the banning of tattoos is apparently less related to potential police harassment than to the desire of gang leaders to re-forge the image of the gang in a new and more professional light. See Foreign Policy, *Central America's Gangs Are All Grown Up*, 19 January 2016, <http://foreignpolicy.com/2016/01/19/central-americas-gangs-are-all-grown-up/>.

<sup>96</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 5-6, 18, 28.

<sup>97</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 19, 25-26 and 35-36; UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, September 2012, <http://www.refworld.org/docid/569f3aaa4.html>, p. 27.

<sup>98</sup> Permission to leave the gangs, usually conceded only on religious grounds, is reportedly given much less frequently than in the past and those few who are able to leave peacefully and become ‘*calmado*’ are usually considered merely as ‘inactive’ members who still have ties and duties to the gang in certain circumstances. See Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 18, 26-27; R. Brennenman, *Homies and Hermanos: God and Gangs in Central America*, Oxford University Press, 2012, pp. 117-152; UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, September 2012, <http://www.refworld.org/docid/569f3aaa4.html>, p. 27; Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de maras y pandillas en Honduras*, 2011, [http://www.unicef.org/honduras/Informe\\_situacion\\_maras\\_pandillas\\_honduras.pdf](http://www.unicef.org/honduras/Informe_situacion_maras_pandillas_honduras.pdf), pp. 28, 76. It appears that female members are sometimes allowed to leave in order to raise children, but this is not always permitted. Those who are permitted to leave are expected to maintain a relationship with the gang and often face social problems. Male members who seek to leave to raise a family are reported to have been killed. See El Heraldo, *Dios es el único que lo puede sacar a uno de la mara*, 24 April 2015, <http://www.elheraldo.hn/alfrente/834339-209/dios-es-el-%C3%BAnico-que-lo-puede-sacar-a-uno-de-la>; El Heraldo, *Amor y muerte en pandillas de Honduras*, 28 April 2014, <http://www.elheraldo.hn/pais/702709-214/amor-y-muerte-en-pandillas-de-honduras>; Interpeace, *Violentas y violentadas: relaciones de género en las maras Salvatrucha y Barrio 18 del triángulo norte de Centroamérica*, 14 May 2013,

involuntary collaborators in the territories where they operate, including family members, women, youth and children from the neighbourhood, who are not initiated gang members but act as lookouts, help to collect and launder extortion money and perform other tasks, and who sometimes collect a salary from the gang.<sup>99</sup> Gangs are reported to often take over houses in the areas where they operate, sometimes after displacing the families living there, to use them as a base for rest, storage, interrogation and torture.<sup>100</sup>

Gangs are reported to exercise extraordinary levels of social control over the population in their territories (and, to a lesser extent, over other territories where they may also practise extortion). In these zones, inhabitants reportedly must stay 'silent' about the gang and its activities and often face a plethora of gang-imposed restrictions on whom they can talk to and what about, what time they must be inside their homes, where they can walk or go to school, whom they can visit and who can visit them, what they can wear, and even, reportedly, the colour of their hair.<sup>101</sup> Many gangs are reported to forbid inhabitants to show 'disrespect' for the gang, a subjective evaluation on the part of gang members that, especially in the case of the more violent gangs, can reportedly encompass a multitude of perceived slights and offences such as arguing with a gang member or refusing a request, resisting a child's recruitment into gang activities, or rejecting the amorous attentions of a gang member.<sup>102</sup>

Civic organisations and societies, especially those that represent an alternative source of authority to that of the gang, are often reported to be prevented from holding meetings in territories controlled by the gangs, with communal leaders also having been killed by the gangs.<sup>103</sup> In the 2013 national elections, presidential candidates reported that they had to ask permission from the gangs to carry out

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[http://www.interpeace.org/latinoamerica/wp-content/uploads/sites/7/2015/08/2013\\_05\\_14\\_Central\\_Am\\_Violentas\\_y\\_Violentadas\\_es.pdf](http://www.interpeace.org/latinoamerica/wp-content/uploads/sites/7/2015/08/2013_05_14_Central_Am_Violentas_y_Violentadas_es.pdf), pp. 34-37.

<sup>99</sup> La Tribuna, *Mujeres obligadas a vender droga y cobrar "impuesto"*, 10 March 2016, <http://www.latribuna.hn/2016/03/10/mujeres-obligadas-vender-droga-cobrar-impuesto/>; Insight Crime, *Maras y Pandillas en Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/MarasHonduras.pdf>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 8, 17-18 and 29; Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de maras y pandillas en Honduras*, 2011, [http://www.unicef.org/honduras/Informe\\_situacion\\_maras\\_pandillas\\_honduras.pdf](http://www.unicef.org/honduras/Informe_situacion_maras_pandillas_honduras.pdf), pp. 28-29.

<sup>100</sup> Such houses, especially those used for torture, are often known colloquially as 'crazy houses' ('casas locas'). See Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 24 and 35.

<sup>101</sup> La Tribuna, *Mujeres obligadas a vender droga y cobrar "impuesto"*, 10 March 2016, <http://www.latribuna.hn/2016/03/10/mujeres-obligadas-vender-droga-cobrar-impuesto/>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 25-26 and 36; La Prensa, *Hondureños cambian su estilo de vida por la violencia*, 30 October 2015, <http://www.laprensa.hn/honduras/895794-410/hondure%C3%B1os-cambian-su-estilo-de-vida-por-la-violencia>; La Prensa, *Pandilleros de Chamelecón emigran por presencia policial*, 31 May 2015, <http://www.laprensa.hn/honduras/845216-410/pandilleros-de-chamelec%C3%B3n-emigran-por-presencia-policial>; El Herald, *MS-13, de mara callejera a organización transnacional*, 6 August 2014, <http://www.elheraldo.hn/alfrente/735683-331/ms-13-de-mara-callejera-a-organización-transnacional>; D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 46-48; La Prensa, *Hay medio millón de hondureños secuestrados por maras*, 25 August 2013, <http://www.laprensa.hn/especiales/328418-273/hay-medio-mill%C3%B3n-de-hondure%C3%B1os-secuestrados-por-maras>; La Prensa, *Escuelas y patronatos de San Pedro Sula de rodillas por maras*, 25 August 2013, <http://www.laprensa.hn/especiales/328421-273/escuelas-y-patronatos-de-san-pedro-sula-de-rodillas-por-maras>; La Prensa, *'Leyes' de maras siguen imperando en barrios*, 15 August 2013, <http://www.laprensa.hn/honduras/apertura/328837-98/leyes-de-maras-siguen-imperando-en-barrios>.

<sup>102</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 25-26; D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 46-48.

<sup>103</sup> D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 47; La Prensa, *Escuelas y patronatos de San Pedro Sula de rodillas por maras*, 25 August 2013, <http://www.laprensa.hn/especiales/328421-273/escuelas-y-patronatos-de-san-pedro-sula-de-rodillas-por-maras>. However, a particularity of the 39 gang-controlled neighbourhoods of Rivera Hernández in San Pedro Sula is that certain pastors are revered. See Insight Crime, *Poor 'Hood, Mean 'Hood: the Violent History of Rivera Hernandez, Honduras*, 9 December 2015, <http://www.insightcrime.org/investigations/gang-history-rivera-hernandez-honduras>. Insecurity reportedly has had implications for the delivery of humanitarian assistance in Honduras. See for instance, Assessment Capacities Project, *Central America - Drought in El Salvador, Guatemala, Honduras, Nicaragua*, 29 September 2015, [http://www.acaps.org/sites/acaps/files/products/files/central\\_america\\_drought.pdf](http://www.acaps.org/sites/acaps/files/products/files/central_america_drought.pdf); Internal Displacement Monitoring Centre, *New Humanitarian Frontiers – Addressing Criminal Violence in Mexico and Central America*, October 2015, <http://www.internal-displacement.org/assets/publications/2015/201510-am-central-americas-violence-en.pdf>; Assessment Capacities Project, *Otras situaciones de violencia en el Triangulo del Norte Centroamericano, impacto humanitario*, May 2014, [http://reliefweb.int/sites/reliefweb.int/files/resources/otras\\_situaciones\\_de\\_violencia\\_en\\_el\\_triangu\\_lo\\_del\\_norte\\_centroamericano\\_impacto\\_humanitario\\_mayo\\_2014.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/otras_situaciones_de_violencia_en_el_triangu_lo_del_norte_centroamericano_impacto_humanitario_mayo_2014.pdf).

political activities or hold political gatherings in the neighbourhoods controlled by the gangs and pay extortion money for the privilege.<sup>104</sup>

While *MS* gangs in particular have reportedly worked hard to also build positive support from their local communities through dialogue and even to develop social projects for the benefit of inhabitants,<sup>105</sup> most gangs in Honduras reportedly achieve this degree of social control principally through the use of threats and violence to create a pervasive atmosphere of fear among inhabitants, especially amongst those without family or other links to the local gang.<sup>106</sup> For instance, in some neighbourhoods, local gangs are reported to have installed barriers and gates at the entrance to the neighbourhood in order to monitor the community and also prevent the entry of those considered as undesirable by the gang, who may be killed by gang members.<sup>107</sup> In some cases, gangs controlling strategic neighbourhoods have reportedly issued threats to multiple residents with an ultimatum to leave, apparently on the basis that the gangs considered these residents as “enemies” who had intruded into the neighbourhood.<sup>108</sup>

As noted above, persons who resist the authority of the local gang or who even inadvertently cross it, or who collaborate with the security forces or with rival gangs, are reportedly subjected to swift retaliation from the gang, including being killed.<sup>109</sup> Moreover, it is reported that their family members are often targeted as well.<sup>110</sup> Especially in territories disputed by two or more gangs, collective threats and punishments may reportedly be imposed by the gangs upon several families or even whole streets for a perceived infraction or disloyalty, leading to group displacements.<sup>111</sup>

The strongly macho ethos of the Honduran gangs expresses itself through their reported virulent hatred and ill-treatment of persons of (perceived) diverse sexual orientations and/or gender identities and in the reported widespread use of sexual and gender-based violence against women and girls living in many gang territories, including forcing girls into prostitution and killing those who resist.<sup>112</sup>

<sup>104</sup> El Heraldo, *Presidenciales pagan “impuesto de guerra”*, 7 April 2014, <http://www.elheraldo.hn/pais/583880-214/presidenciales-pagan-impuesto-de-guerra>. Moreover, in such zones, the arranged political meetings had to finish promptly at 6pm because of the risks of being caught up in armed hostilities between gangs disputing control of the territory. *Ibid*.

<sup>105</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 35-36.

<sup>106</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 25-26 and 36; El Proceso, “Casas de horror” continúan aterrorizando a los hondureños, 30 March 2015, <http://www.proceso.hn/component/k2/item/99530-%E2%80%9C9Ccasas-de-horror%E2%80%9D-contin%C3%BAan-atorrizando-a-los-hondure%C3%B1os.html>; La Prensa, *Recuperan una 100 viviendas ocupadas por pandillas*, 19 June 2013, <http://www.laprensa.com.ni/2013/06/19/internacionales/151467-honduras-recuperan-unas-100-viviendas-ocupadas-por-pandillas>.

<sup>107</sup> La Prensa, *Colonias bajo dominio de bandas criminales son recuperadas*, 14 March 2016, <http://www.laprensa.hn/sucesos/939988-410/colonias-bajo-dominio-de-bandas-criminales-son-recuperadas>; La Prensa, *Con cámaras de seguridad y trancas se cuidan mareros en Honduras*, 25 August 2013, <http://www.laprensa.hn/especiales/328419-273/con-c%C3%A1maras-de-seguridad-y-trancas-se-cuidan-mareros-en-honduras>.

<sup>108</sup> For example, in March 2016 multiple families in the neighbourhood of Reparto Lempira of San Pedro Sula and three days later at least thirty families from a specific sector of the Las Torres neighbourhood of Tegucigalpa reportedly received a written threat signed by Barrio 18, instructing them to move out of the neighbourhood within 24 to 48 hours. The families concerned reportedly did as they were told. El Heraldo, *Mareros provocan Nuevo desalojo en colonia tras amenazas a muerte*, 24 March 2016, <http://www.elheraldo.hn/pais/942867-466/honduras-mareros-provocan-nuevo-desalojo-en-colonia-tras-amenazas-a-muerte>; La Tribuna, *Esa es la intimidante carta que mareros enviaron a pobladores*, 22 March 2016, <http://www.latribuna.hn/2016/03/22/esta-la-intimidante-carta-mareros-enviaron-pobladores/>; La Tribuna, *Mareros exigen a pobladores de colonia sampedrana desalojar sus viviendas*, 22 March 2016, <http://www.latribuna.hn/2016/03/22/mareros-exigen-pobladores-colonia-sampedrana-desalojar-viviendas/>.

<sup>109</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 25-26 and 36.

<sup>110</sup> UNHCR, *Women on the Run: First-Hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico*, 26 October 2015, <http://www.refworld.org/docid/56307e2a4.html>.

<sup>111</sup> La Prensa, “No me quiero ir, quiero quedarme aquí. Dios me va a cuidar”: vecino de Las Torres, 24 March 2016, <http://www.laprensa.hn/sucesos/943063-410/no-me-quiero-ir-quiero-quedarme-aquí-dios-me-va-a-cuidar>; La Tribuna, *Pandilleros corrieron a 30 familias de “El Infiernito”*, 7 December 2015, <http://www.latribuna.hn/2015/12/07/pandilleros-corrieron-a-30-familias-de-el-infiernito/>; D.J. Cantor, “The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico”, *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 49-50; La Prensa, *El drama de las familias desplazadas por maras en Honduras*, 26 August 2013, <http://www.laprensa.hn/especiales/328425-273/el-drama-de-las-familias-desplazadas-por-maras-en-honduras>; La Prensa, *Escuelas y patronatos de San Pedro Sula de rodillas por maras*, 25 August 2013, <http://www.laprensa.hn/especiales/328421-273/escuelas-y-patronatos-de-san-pedro-sula-de-rodillas-por-maras>.

<sup>112</sup> UNHCR, *Women on the Run: First-Hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico*, 26 October 2015, <http://www.refworld.org/docid/56307e2a4.html>; El Heraldo, *MS-13, de mara callejera a organización transnacional*, 6 August 2014, <http://www.elheraldo.hn/alfrente/735683-331/ms-13-de-mara-callejera-a-organización-transnacional>; Centro de Derechos de Mujeres



Women and girls are subject to extensive forms of control by local gangs and reportedly are increasingly threatened and forced to carry out activities for the gangs, such as acting as a look-out (*bandera*), dealing drugs and collecting extortion payments.<sup>113</sup> The gangs also appear to be increasing their attacks against police and military officials and their family members living in gang-controlled zones.<sup>114</sup>

### **Barrio 18 (B-18) and Mara Salvatrucha (MS) gang structures**

The majority of local gangs in Honduras are reported to be affiliated with either the *Barrio 18* (B-18, also referred to as the *Mara 18*), or the *Mara Salvatrucha* (MS), also referred to as the *Mara 13*.<sup>115</sup> The most recent estimates (going back to 2012) suggest that their combined active membership is likely to be between 12,000 and 25,000 persons, of which perhaps 5,000 to 6,000 make up the core of the gangs of active and initiated members.<sup>116</sup> Both *B-18* and *MS* are large transnational gang structures that have their origins in the Californian gang scene, where *B-18* was formed by Mexicans and *MS* by the children of Salvadorians fleeing the civil war.<sup>117</sup> Both *B-18* and *MS* are themselves reported to be affiliated in turn with the Southern (*Sureño*) gang movement: this reportedly unites Hispanic gangs originating from southern California under the aegis of the powerful Mexican Mafia and is reported to offer a form of collective security (against attack by non-*Sureño* gangs) for members of these gangs when incarcerated in the USA.<sup>118</sup> However, in both the streets and prisons of Honduras, *Barrio 18* and *MS* are reported to remain implacable enemies.<sup>119</sup>

During the early 2000s, the *Barrio 18* and *MS* gang structures reportedly managed to successfully absorb, co-opt or displace many rival street gangs in Honduras, emerging as the main two gang structures in the country.<sup>120</sup> Yet, in a number of towns and cities where *Barrio 18* or *MS* gangs are present, they reportedly exist alongside other, more ‘home-grown’ local gangs.<sup>121</sup>

The *Barrio 18* gang structure is reported to be well-established in Honduras, where it is said to have greater numbers and reach than *MS*.<sup>122</sup> *Barrio 18* in Honduras is generally considered to be less

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(CDM), *Violencia contra las mujeres hondureñas*, February 2014, [http://www.derechosdelamujer.org/tl\\_files/documentos/violencia/Misoginia-armada-2013.pdf](http://www.derechosdelamujer.org/tl_files/documentos/violencia/Misoginia-armada-2013.pdf).

<sup>113</sup> La Tribuna, *Mujeres obligadas a vender droga y cobrar “impuesto”*, 20 March 2016, <http://www.latribuna.hn/2016/03/10/mujeres-obligadas-vender-droga-cobrar-impuesto/>.

<sup>114</sup> El Heraldo, *Presuntos pandilleros asesinan a soldado y tres familiares*, 9 March 2016, <http://www.elheraldo.hn/mundo/938274-466/presuntos-pandilleros-asesinan-a-soldado-y-tres-familiares>.

<sup>115</sup> The *Barrio 18* (“18 Street”) gang structure is sometimes also referred to as *Mara 18*, reflecting the common tendency in general parlance also to refer to both *MS* and *Barrio 18* (and sometimes other gangs as well) as ‘*maras*’, a Central American shorthand for gangs. Note, however, that *Barrio 18* members do not generally themselves refer to *Barrio 18* as a ‘*mara*’, a term which they see as associated with their hated rival, the *Mara Salvatrucha* (*MS*). The term ‘*salvatrucha*’ derives from the Salvadorian origin of the founders and many original members of the *MS* in the United States.

<sup>116</sup> See figures cited in Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 7. The 2012 estimate of 12,000 members across the two structures in Honduras suggests that 7,000 are *Barrio 18* members and 5,000 are *MS* members. See UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, September 2012, <http://www.refworld.org/docid/569f3aaa4.html>, pp. 27-28.

<sup>117</sup> El Heraldo, *Pandilla 18, la más violenta y sanguinaria*, 21 April 2015, <http://www.elheraldo.hn/alfrente/833220-209/pandilla-18-la-m%C3%A1s-violenta-y-sanguinaria>; Sala Negra de El Faro, *La letra 13*, 8 August 2013, <http://www.salanegra.elfaro.net/es/201208/cronicas/9302>; Sala Negra de El Faro, *El origen del odio*, 6 August 2012, <http://www.salanegra.elfaro.net/es/201208/cronicas/9301/>.

<sup>118</sup> Thus, both *MS* and *B-18* add the number 13 after their gang names to reference their *Sureño* gang affiliation status and connection to the Mexican Mafia – The M (*La Eme*), as M is the 13th letter of the alphabet. By contrast, Northern (*Norteño*) gangs from northern California use the number 14 as N is the 14th letter. See Revista Factum, *Sureños, los otros pandilleros*, 4 November 2014, <http://revistafactum.com/surenos-los-otros-pandilleros/>.

<sup>119</sup> It is reported that Honduran *Barrio 18* and *MS* gangs stopped observing the *Sureño* pact in the prisons of Honduras from 1999 onwards. See Insight Crime, *Intra-Gang Violence in Honduras: A Bloody Saga*, 26 August 2015, <http://www.insightcrime.org/news-analysis/intra-gang-violence-in-honduras-bloody-sagastory-that-never-ends>.

<sup>120</sup> El Heraldo, *Dios es el único que lo puede sacar a uno de la mara*, 24 April 2015, <http://www.elheraldo.hn/alfrente/834339-209/dios-es-el-%C3%BAnico-que-lo-puede-sacar-a-uno-de-la>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 5. During this violent period, a large number of suspected *Barrio 18* and *MS* gang members were also imprisoned as part of the government’s *mano dura* response. Insight Crime, *How “Mano Dura” is Strengthening Gangs*, 21 November 2010, <http://www.insightcrime.org/investigations/how-mano-dura-is-strengthening-gangs>. However, this mass incarceration pushed both *Barrio 18* and *MS* in Honduras towards more systematic extortion practices, directed from the prisons, in order to cover legal and other costs, and also allowed the *Barrio 18* and *MS* leadership to organize more hierarchical command structures run from within the prisons. Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 5-6.

<sup>121</sup> See Section II.B.2.a: *Chirizos gang structure and its derivatives* and Section II.B.2.b: *Other street gangs and criminal bandas (bands)*.

<sup>122</sup> El Heraldo, *MS-13, de mara callejera a organización transnacional*, 6 August 2014, <http://www.elheraldo.hn/alfrente/735683-331/ms-13-de-mara-callejera-a-organización-transnacional>; Insight Crime, *5 Differences between El Salvador, Honduras Gang Truces*, 12 July 2013,

sophisticated and disciplined, and more unpredictable, than its arch-enemy, *MS*.<sup>123</sup> *Barrio 18* in Honduras is reported to be a more horizontal, subsistence-based and fragmented structure than *MS*, and privileges loyalty to the '*barrio*' over all else, which may partly explain the repeated use by its membership of sudden violence.<sup>124</sup> Indeed, extreme and cruel violence is reported to be a core element of *Barrio 18*'s identity and *modus operandi* in Honduras, with such violence appearing to be directed as much at its own members and the communities that it dominates as at rivals and the Honduran security forces.<sup>125</sup> The imprisoned *Barrio 18* leadership is reportedly not always strong enough to exert full control over the activities of the semi-independent *Barrio 18* local gangs on the streets.<sup>126</sup>

The *MS* gang structure also reportedly has an extensive presence in Honduras.<sup>127</sup> In contrast with *Barrio 18*, *MS* in Honduras is reported to be much more sophisticated, calculating, disciplined and coordinated, working through smaller, more contained, local *clikas* ('cliques').<sup>128</sup> In Honduras, it is reportedly more vertical in structure than is *Barrio 18* and has a more stable leadership.<sup>129</sup> The allocation of different tasks to different levels of members within *MS* cliques also appears to be compartmentalized in ways that are similar to a military structure.<sup>130</sup> However, despite the increasing sophistication of *MS* in Honduras, the imprisoned leadership of *MS* reportedly still sometimes struggles to fully exert control over individual *MS* cliques on the street.<sup>131</sup>

The *MS* in particular is also reported to be growing in its political sophistication.<sup>132</sup> Although *MS* gangs do not, at present, appear to be financing political campaigns or controlling government

<http://www.insightcrime.org/news-analysis/5-differences-between-el-salvador-honduras-gang-truces>; Insight Crime, 5 *Questions About Honduras' Gang Pact*, 30 May 2013, <http://www.insightcrime.org/news-analysis/3-questions-about-honduras-gang-pact>. Official sources indicate that in just the two main cities of the country, *Barrio 18*-affiliated gangs are present in approximately 150 *colonias* of Tegucigalpa/Comayagüela and in some 22 *colonias* of San Pedro Sula. See Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 9-10.

<sup>123</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 6 and 14; D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 41; Insight Crime, *Barrio 18*, undated, <http://www.insightcrime.org/honduras-organized-crime-news/barrio-18-honduras> (date accessed: 22 December 2015).

<sup>124</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 39; El Heraldo, *MS-13, de mara callejera a organización transnacional*, 6 August 2014, <http://www.elheraldo.hn/alfrente/735683-331/ms-13-de-mara-callejera-a-organización-transnacional>; Insight Crime, 5 *Differences between El Salvador, Honduras Gang Truces*, 12 July 2013, <http://www.insightcrime.org/news-analysis/5-differences-between-el-salvador-honduras-gang-truces>. In the nominal *Barrio 18* hierarchy in Honduras, the mostly imprisoned leaders (*toros*) coordinate the criminal activities of their own distinct 'cliques' (*clikas*) and authorize increases in extortion demands etc. In theory, the clique leaders (*homies*) on the street answer to these leaders and are, in turn, served by their own hierarchy of local gang members, including initiated 'soldiers' (*soldados*) of different ranks and functions and, below them, the low-level *paisas* and *paisas firmes*, who are on the cusp of being initiated. They are served by the 'lookouts' (*banderas*) – who are children, often forcibly recruited, and not yet fully initiated gang members who are given tasks such as carrying messages and weapons or collecting extortion money – and a range of other local collaborators, including 'girlfriends' (*jainas*) and other family members. See Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, pp. 16-18. In the prison context, the term '*paisa*' is used to denote the majority of prisoners who are not members of the gangs and the term '*paisa firme*' is apparently also used more generically outside the prison context to refer to those persons who collaborate with a gang despite not being a formal member. See Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de maras y pandillas en Honduras*, 2011, [http://www.unicef.org/honduras/Informe\\_situacion\\_maras\\_pandillas\\_honduras.pdf](http://www.unicef.org/honduras/Informe_situacion_maras_pandillas_honduras.pdf), p. 74.

<sup>125</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 26-27.

<sup>126</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 6.

<sup>127</sup> Official sources indicate that in just the two main cities of the country *MS*-affiliated gangs are present in around 70 *colonias* of Tegucigalpa/Comayagüela and in another 58 *colonias* of San Pedro Sula. See Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 9-10.

<sup>128</sup> Foreign Policy, *Central America's Gangs Are All Grown Up*, 19 January 2016, <http://foreignpolicy.com/2016/01/19/central-america-gangs-are-all-grown-up/>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 28.

<sup>129</sup> *MS* in Honduras has a stronger and more stable hierarchy than *Barrio 18*. At its top are the leaders (*palabreros*), who are usually imprisoned. Below them, on the street, the 'chiefs' (*jefe*) and their 'sergeants' control one or sometimes more *colonias*, with the support of a small number of initiated 'soldiers'. These soldiers are served by the low-level 'crazies' (*locos*), who are awaiting initiation and keep a close eye on the 'mules' (*mulas*), who are non-members but work as drug-dealers for the *MS*. The gang is also served by *banderas* – who perform the same role as in the *Barrio 18* structure – and a range of other local collaborators. See Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 28-29 and 35.

<sup>130</sup> El Heraldo, *Amor y muerte en pandillas de Honduras*, 28 April 2014, <http://www.elheraldo.hn/pais/702709-214/amor-y-muerte-en-pandillas-de-honduras>.

<sup>131</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 6, 18 and 30.

<sup>132</sup> Center for Strategic and International Studies, *Central American Gangs as a "Wicked Problem"*, 24 November 2015, <http://csis.org/blog/central-american-gangs-wicked-problem>.

contracts on a widespread basis, it is reported that *MS* in Honduras has significant influence over the mayors of at least two cities.<sup>133</sup>

At least since 2010, Honduran *MS* gangs have also been reportedly moving beyond mere subsistence crime and have begun laundering money and investing in property, transport, hospitals and other businesses in Honduras, the US and Colombia. They have reportedly also taken over Honduran transport companies that they have bankrupted through their excessive extortion demands.<sup>134</sup> *MS* has also apparently taken control of a number of bus terminals and even takes decisions about who works there.<sup>135</sup> As part of this rebranding of the gang, *MS* has reportedly created a whole new infrastructure of professionals, developing links with white-collar criminals and sending youth to university to train as lawyers.<sup>136</sup> In consequence, some *MS* leaders are reported to have become extremely wealthy and live in luxury with their families in exclusive residential neighbourhoods.<sup>137</sup>

Since the early 2010s, as part of the evolution of *MS* in Honduras, *MS* gangs have also reportedly worked towards creating a more positive relationship with the communities where they live, and are more open to dialogue with the community than is *B-18*. As such, in some parts of Honduras, violent *MS* cliques are also reported to have become the guarantor of local security through a form of ‘safe neighbourhood’ (*barrio seguro*) scheme in which petty crime is not tolerated, the provider of social programmes and also the go-to arbiter for domestic or neighbourly conflicts.<sup>138</sup>

In general, although *MS* gangs reportedly continue to use extreme violence, including killings, for example against rival gangs, perceived informants or others who offend against *MS*, such use of force often appears more predictable and less impulsive or arbitrary than that of *Barrio 18*. In a similar manner, whereas *Barrio 18* reportedly reacts aggressively towards incursions by the authorities, *MS* gangs are reported to usually avoid direct confrontation with the State security services. Instead they reportedly seek to develop relationships with corrupt officials, who warn *MS* of police operations,

<sup>133</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 33. The mayor of the town of Talanga, Francisco Morazán department, was recently arrested for his close links with the *MS* local gang there, which was reported to have funded his political campaign. El Diario de Hoy, *Honduras pide datos de inteligencia al país sobre la MS-13*, 25 February 2016, <http://www.elsalvador.com/articulo/sucesos/honduras-pide-datos-inteligencia-pais-sobre-ms-13-102927>.

<sup>134</sup> El Faro, “En Honduras la Mara Salvatrucha está pasando de ser pandilleros a ser empresarios”, 1 May 2016, <http://www.elfaro.net/es/201604/salanegra/18514/En-Honduras-la-Mara-Salvatrucha-est%C3%A1-pasando-de-ser-pandilleros-a-ser-empresarios.htm>; El Heraldo, *Médico era jefe de lavadores de activos de la Salvatrucha en SPS*, 24 February 2016, <http://www.elheraldo.hn/pais/933449-466/m%C3%A9dico-era-jefe-de-lavadores-de-activos-de-la-salvatrucha-en-sps>; El Heraldo, *Mara Salvatrucha también lava dinero en Colombia*, 24 February 2016, <http://www.elheraldo.hn/pais/933450-466/mara-salvatrucha-tambi%C3%A9n-lava-dinero-en-colombia>; La Tribuna, *MS-13 le subió a ‘renta’ y trajo a negociadores de El Salvador*, 14 March 2016, <http://www.latribuna.hn/2016/03/14/ms-13-le-subio-renta-trajo-negociadores-salvador/>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 31, 35. Indeed, there is some speculation that the increase in extortion demands by *MS* recently may be an attempt to bankrupt those businesses so that *MS* can take even greater control of this lucrative sector. See La Tribuna, *MS-13 le subió a ‘renta’ y trajo negociadores de El Salvador*, 14 March 2016, <http://www.latribuna.hn/2016/03/14/ms-13-le-subio-renta-trajo-negociadores-salvador/>. *MS* has also reportedly issued threats to require transport businesses to sell them vehicles at a low price. See El Heraldo, *Mara Salvatrucha compra buses a bajo precio con amenazas*, 23 February 2016, <http://www.elheraldo.hn/pais/933050-466/mara-salvatrucha-compra-buses-a-bajo-precio-con-amenazas>.

<sup>135</sup> La Tribuna, *MS-13 le subió a ‘renta’ y trajo a negociadores de El Salvador*, 14 March 2016, <http://www.latribuna.hn/2016/03/14/ms-13-le-subio-renta-trajo-negociadores-salvador/>.

<sup>136</sup> El Diario de Hoy, *Honduras: universitario asesinado era administrador de la Mara Salvatrucha (MS)*, 2 March 2016, <http://www.elsalvador.com/articulo/internacional/honduras-universitario-asesinado-era-administrador-mara-salvatrucha-103438>; El Heraldo, *Extorsión hizo multimillonarios a miembros de la Mara Salvatrucha*, 25 February 2016, <http://www.elheraldo.hn/pais/933801-466/extorsi%C3%B3n-hizo-multimillonarios-a-miembros-de-la-mara-salvatrucha>; El Heraldo, *Mara Salvatrucha compra buses a bajo precio con amenazas*, 23 February 2016, <http://www.elheraldo.hn/pais/933050-466/mara-salvatrucha-compra-buses-a-bajo-precio-con-amenazas>; Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de maras y pandillas en Honduras*, 2011, [http://www.unicef.org/honduras/Informe\\_situacion\\_maras\\_pandillas\\_honduras.pdf](http://www.unicef.org/honduras/Informe_situacion_maras_pandillas_honduras.pdf), p. 77-78.

<sup>137</sup> El Heraldo, *Extorsión hizo multimillonarios a miembros de la Mara Salvatrucha*, 25 February 2016, <http://www.elheraldo.hn/pais/933801-466/extorsi%C3%B3n-hizo-multimillonarios-a-miembros-de-la-mara-salvatrucha>.

<sup>138</sup> Center for Strategic and International Studies, *Central American Gangs as a “Wicked Problem”*, 24 November 2015, <http://csis.org/blog/central-american-gangs-wicked-problem>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 30-31 and 35-36; La Prensa, *Pandilleros de Chamelecón emigran por presencia policial*, 31 May 2015, <http://www.laprensa.hn/honduras/845216-410/pandilleros-de-chamelec%C3%B3n-emigran-por-presencia-policial>; La Prensa, *Hay medio millón de hondureños secuestrados por maras*, 25 August 2013, <http://www.laprensa.hn/especiales/328418-273/hay-medio-mill%C3%B3n-de-hondure%C3%B1os-secuestrados-por-maras>; La Prensa, *Con cámaras de seguridad y trancas se cuidan mareros en Honduras*, 25 August 2013, <http://www.laprensa.hn/especiales/328419-273/con-c%C3%A1maras-de-seguridad-y-trancas-se-cuidan-mareros-en-honduras>. Some *MS* cliques even fund school lunch programmes for poor children in their territory and, on the soccer field, have also banned violent play and threats to the referee by *MS* players, who are punished if they break these new rules. See Foreign Policy, *Central America’s Gangs Are All Grown Up*, 19 January 2016, <http://foreignpolicy.com/2016/01/19/central-americas-gangs-are-all-grown-up/>.



help it take over new territories and even act as bodyguards and collect extortion monies for it.<sup>139</sup> However, in response to the government's 2016 *Operación Avalancha* ('Operation Avalanche') that resulted in the capture or surrender of a number of leading *MS* members and confiscation of *MS* property, authorities issued an alert about possible reprisals by *MS* gangs.<sup>140</sup>

For both *Barrio 18* and *MS*, extortion of the lucrative transport industry in Honduras has reportedly been a primary source of income over the last decade or more.<sup>141</sup> However, *Barrio 18* is also reported to target small businesses and, increasingly, even residents of the poverty-stricken zones where it practises extortion, which creates conflict between *Barrio 18* and the community.<sup>142</sup> By contrast, although *MS* is reported to heavily extort the transport industry, it reportedly does not usually prey heavily on its immediate neighbours and even acts as their 'protectors' against such demands by other criminal groups, earning it further social capital with the community.<sup>143</sup>

Both *Barrio 18* and *MS* also reportedly seek control of the lucrative local drug-dealing trade, which they have been taking over from other providers, whom they kill or co-opt as they move into new neighbourhoods.<sup>144</sup> Presently, both *Barrio 18* and *MS* are reportedly trying to expand into new territories, including those controlled by their rivals, in order to capture a bigger share of this market, generating disputes and renewed violence, including killings.<sup>145</sup> Both *Barrio 18* and *MS* also

<sup>139</sup> La Tribuna, *MS-13 le subió a 'renta' y trajo a negociadores de El Salvador*, 14 March 2016, <http://www.latribuna.hn/2016/03/14/ms-13-le-subio-renta-trajo-negociadores-salvador/>; La Tribuna, *Comisionado alias "Monga" protege a cabecilla MS-13*, 2 March 2016, <http://www.latribuna.hn/2016/03/02/comisionado-alias-monga-protege-cabecilla-ms-13/>; Center for Strategic and International Studies, *Central American Gangs as a "Wicked Problem"*, 24 November 2015, <http://csis.org/blog/central-american-gangs-wicked-problem>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 35-36 and 39.

<sup>140</sup> El Heraldo, *Investigan posible reacción de mareros por Operación Avalancha*, 24 February 2016, <http://www.elheraldo.hn/pais/933400-466/investigacion-posible-reaccion-de-mareros-por-operacion-avalancha>; La Prensa, *La Policía llama a la calma tras ola de rumores de pandilleros con chalecos de la DPI*, 24 February 2016, <http://www.laprensa.hn/honduras/933443-410/la-policia-llama-a-la-calma-tras-ola-de-rumores-de-pandilleros>.

<sup>141</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 20-21 and 30-31. Indeed, in 2013, there were reports that *Barrio 18* gangs had even begun to demand extortion from transport businesses in territories dominated by *MS* gangs. La Prensa, *O pagan o se mueren*, *adverten maras a transportistas*, 3 September 2013, <http://www.laprensa.hn/especiales/381934-273/o-pagan-o-se-mueren-advienten-maras-a-transportistas>.

<sup>142</sup> Center for Strategic and International Studies, *Central American Gangs as a "Wicked Problem"*, 24 November 2015, <http://csis.org/blog/central-american-gangs-wicked-problem>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 19-21; El Heraldo, *Extorsiones en capital de Honduras generan desplazamientos internos*, 7 April 2014, <http://www.elheraldo.hn/sucesos/619934-219/extorsiones-en-capital-de-honduras-generan-desplazamientos-internos>; Associated Press, *Gangs Extort Cash from Honduran Homeowners*, 8 August 2012, <http://bigstory.ap.org/article/gangs-extort-cash-honduran-homeowners>.

<sup>143</sup> Center for Strategic and International Studies, *Central American Gangs as a "Wicked Problem"*, 24 November 2015, <http://csis.org/blog/central-american-gangs-wicked-problem>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 30-31.

<sup>144</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 21-23, 32-34.

<sup>145</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 21-23, 28, 32-34; El Heraldo, *Una docena de colonias invadidas por la MS-13*, 20 April 2015, <http://www.elheraldo.hn/alfrente/832905-209/una-docena-de-colonias-invadidas-por-la-ms-13>; El Heraldo, *Así operan las maras y bandas en la capital de Honduras*, 18 August 2014, <http://www.elheraldo.hn/pais/739126-214/as%C3%AD-operan-las-maras-y-bandas-en-la-capital-de-honduras>; Radio Comayagüela, *Suspenden juicio de masacre por ausencia del testigo clave*, 25 July 2013, [http://www.radiocomayagua.com/rc/index.php?option=com\\_content&view=article&id=2059:suspenden-juicio-de-masacre-por-ausencia-del-testigo-clave&catid=1:nacionales&Itemid=58](http://www.radiocomayagua.com/rc/index.php?option=com_content&view=article&id=2059:suspenden-juicio-de-masacre-por-ausencia-del-testigo-clave&catid=1:nacionales&Itemid=58). In Honduras both *MS* and *Barrio 18* are reported to remain largely marginalized from transnational drug-trafficking, despite certain relationships with international drug-trafficking organizations. In San Pedro Sula, for instance, *MS* gangs are apparently charging drug smuggling structures a 'tax' for the safe passage of cocaine through strategic neighbourhoods that they control along key transit routes. Similarly, in some zones, *Barrio 18* gangs are reportedly used to carry out hired killings for Mexican drug-trafficking groups such as the Zetas. D. Farah and P. Philips Lum, *Central American Gangs and Transnational Criminal Organizations*, 24 February 2013, [http://www.strategycenter.net/docLib/20130224\\_CenAmGangsandTCOs.pdf](http://www.strategycenter.net/docLib/20130224_CenAmGangsandTCOs.pdf), p. 9; Center for Strategic and International Studies, *Central American Gangs as a "Wicked Problem"*, 24 November 2015, <http://csis.org/blog/central-american-gangs-wicked-problem>; L. Ten Velde, 'El nexo entre drogas y violencia en el Triángulo del Norte', *Transnational Institute Briefing Series*, No. 19, November 2012, <https://www.tni.org/files/download/debate19s.pdf>, p. 11. Reportedly, part of the *MS* leadership in El Salvador may be trying to enter the international drug-trafficking trade, using Honduras as a meeting place and operational headquarters for exploring business possibilities with Colombian and Mexican drug-trafficking organisations. See Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 21-22 and 32-34. In 2012 *MS* was designated by the US Treasury Department as a 'transnational criminal organization', the first time this power had been used for a street gang. US Department of the Treasury, *Press Center: Treasury Sanctions Latin American Criminal Organization*, 11 October 2012, <https://www.treasury.gov/press-center/press-releases/Pages/tg1733.aspx>. The Treasury Department has subsequently designated nine senior *MS* figures in El Salvador as subject to sanctions, although none are based in Honduras (they are all in El Salvador). See US Department of the Treasury, *Press Center: Treasury Sanctions Significant Members of MS-13*, 5 June 2013, <https://www.treasury.gov/press-center/press-releases/Pages/jl1971.aspx>; US Department of the Treasury, *Press Center: Treasury Sanctions Leadership of Central American Gang MS-13*, 16 April 2015, <https://www.treasury.gov/press-center/press-releases/Pages/jl10026.aspx>.

reportedly derive a more limited level of income from other criminal activities, such as theft and the buying and reselling of stolen goods.<sup>146</sup>

The leaders of the Honduran *Barrio 18* and *MS* gangs are reported to maintain ties with their counterparts in El Salvador and the US, via social networks and other media, with whom they reportedly discuss strategy and for whom they arrange the safe passage of weapons and other contraband.<sup>147</sup>

At the national level, the *Barrio 18* and *MS* structures in Honduras are reported to be sufficiently organized to move members between different cities to reinforce affiliated local gangs when their members are captured or killed.<sup>148</sup> Their leaders are also reported to have tried several times to attempt to negotiate either singly or jointly with the government about issues such as non-violence pacts.<sup>149</sup> Moreover, following a period of intense confrontation between *Barrio 18* and *MS* up to 2007, the two structures apparently agreed, at least in Tegucigalpa, to divide territories such that there were few territorial disputes.<sup>150</sup> However, since 2011 and particularly from 2015 onwards, a process of greater confrontation between the rival structures has become steadily more evident, with each seeking to expand and capture new drug markets (*plazas*).<sup>151</sup> There are also reports of leaders being sent to Honduras from affiliated gangs in El Salvador, Guatemala and the US, as well as the movement of gang-members between neighbouring countries to evade law enforcement, to establish and man satellite operations and reportedly to exchange tactical knowledge and intelligence, adding to the dynamics of violence.<sup>152</sup> In the highly disputed *colonias* where both *Barrio 18* and *MS* are present, conflict between the two is reported to be constant and intense.<sup>153</sup>

<sup>146</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 24 and 35.

<sup>147</sup> Action on Armed Violence, *The Devil's Trade: Guns and Violence in El Salvador*, October 2014, <https://aoav.org.uk/wp-content/uploads/2014/11/the-devils-trade-ir.pdf>; El Faro, *Inversiones Barrio 18 S.A. DE C.V.*, 24 May 2015, <http://www.especiales.elfaro.net/es/extorsion/investigaciones/17007/Inversiones-Barrio-18-SA-DE-CV.htm>; El Heraldo, *Maras hondureños dialogan con las salvadoreñas para emular tregua*, 7 April 2014, <http://www.elheraldo.hn/alfrente/565230-209/maras-hondurenas-dialogan-con-las-salvadorenas-para-emular-tregua>; El Heraldo, *Desde EUA, las maras MS y 18 reciben dinero vía transferencias*, 9 July 2013, <http://www.elheraldo.hn/especiales/eleccionesgenerales2013/333376-332/desde-eua-las-maras-ms-y-18-reciben-dinero-v%C3%ADa-transferencias>. Apparently, in 2016, a group of Salvadorian MS members was brought from El Salvador by the Honduras MS (*Mara 13*) to negotiate an increase in extortion payments with owners of transport businesses in Honduras. See La Tribuna, *MS-13 le subió a 'renta' y trajo a negociadores de El Salvador*, 14 March 2016, <http://www.latribuna.hn/2016/03/14/ms-13-le-subio-renta-trajo-negociadores-salvador/>.

<sup>148</sup> El Heraldo, *Mareros son relevados por compinches en sus territorios*, 19 August 2014, <http://www.elheraldo.hn/pais/739437-214/mareros-son-relevados-por-compinches-en-sus-territorios>.

<sup>149</sup> A non-violence pact proposed by *Barrio 18* and *MS* in 2013, and modelled on the El Salvador gang truce, was apparently ignored by the government and has been abandoned. See El Heraldo, *Maras hondureños dialogan con las salvadoreñas para emular tregua*, 23 July 2013, <http://www.elheraldo.hn/alfrente/565230-209/maras-hondurenas-dialogan-con-las-salvadorenas-para-emular-tregua>; El Heraldo, *Pandilla 18 y MS13 firman cese de violencia en todo Honduras*, 28 May 2013, <http://www.elheraldo.hn/pais/581506-214/pandilla-18-y-ms13-firman-cese-de-violencia-en-todo-honduras>. *Barrio 18* also unilaterally sought talks with the government in 2011. See Insight Crime, *Honduras Gang Seeks Talks with Government*, 7 July 2011, <http://www.insightcrime.org/news-analysis/honduras-gang-seeks-talks-with-government>.

<sup>150</sup> El Heraldo, *Las peleas por territorio dejan sangre, luto y dolor en la capital hondureño*, 14 March 2016, <http://www.elheraldo.hn/pais/939563-466/las-peleas-por-territorio-dejan-sangre-luto-y-dolor-en-la-capital>.

<sup>151</sup> El Heraldo, *Las peleas por territorio dejan sangre, luto y dolor en la capital hondureño*, 14 March 2016, <http://www.elheraldo.hn/pais/939563-466/las-peleas-por-territorio-dejan-sangre-luto-y-dolor-en-la-capital>.

<sup>152</sup> El Heraldo, *Las peleas por territorio dejan sangre, luto y dolor en la capital hondureño*, 14 March 2016, <http://www.elheraldo.hn/pais/939563-466/las-peleas-por-territorio-dejan-sangre-luto-y-dolor-en-la-capital>; Insight Crime, *Honduras' 'Operation Avalanche' Suggests MS13 Sophistication*, 2 March 2016, <http://www.insightcrime.org/news-briefs/honduras-operation-avalanche-suggests-ms13-sophistication>; El Heraldo, *Mareros son relevados por compinches en sus territorios*, 19 August 2014, <http://www.elheraldo.hn/pais/739437-214/mareros-son-relevados-por-compinches-en-sus-territorios>. The Honduran *MS* (*Mara 13*) leadership, in particular, maintains a relatively close relationship with the overall leaders of the *MS* structure in El Salvador. For instance, on occasion, *MS* leaders in Honduras and El Salvador have even issued joint communiques. See Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 28. While the *MS* in El Salvador reportedly moves most commonly to Honduras, the *B-18* in El Salvador is reported to move mostly to Guatemala. See Prensa Libre, *Pandilleros usan al país como su guarida*, 7 August 2015, <http://www.prensalibre.com/guatemala/pandilleros-usan-al-pais-como-su-guarida>; El Diario de Hoy, *Honduras alerta por la llegada de jefes de maras*, 22 April 2015, <http://www.elsalvador.com/articulo/sucesos/honduras-alerta-por-llegada-jefes-maras-71365>; El Heraldo, *Una docena de colonias invadidas por la MS-13*, 20 April 2015, <http://www.elheraldo.hn/alfrente/832905-209/una-docena-de-colonias-invadidas-por-la-ms-13>; Insight Crime, *El Salvador Gangs Teach Honduras Counterparts Secret Codes*, 26 August 2014, <http://www.insightcrime.org/news-briefs/el-salvador-gangs-honduras-secret-codes>; La Prensa Gráfica, *El Salvador en riesgo de migración de pandilleros*, 13 January 2014, <http://www.laprensagrafica.com/2014/01/13/el-salvador-en-riesgo-de-migracion-de-pandilleros>.

<sup>153</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 9; El Heraldo, *Así operan las maras y bandas en la capital de Honduras*, 18 August 2014, <http://www.elheraldo.hn/pais/739126-214/as%C3%AD-operan-las-maras-y-bandas-en-la-capital-de-honduras>.



## **Chirizos gang structure and its derivatives**

The *Chirizos* are presently reported to be the largest ‘home grown’ gang structure in Honduras. The origins of the *Chirizos* are reportedly found in the armed structure created by Hector Portillo, alias *El Gato Negro* (‘Black Cat’), as enforcers for his major drug distribution network in Distrito Central, particularly around the market zone of Comayagüela.<sup>154</sup> By 2012, the youths working as lookouts (*banderas*) and drug couriers (*mulas*) for the structure run by *El Gato Negro* had reportedly formed a separate new structure called the *Chirizos*, which was supported by former senior members of *El Gato Negro*’s drug network.<sup>155</sup> This new structure was reported to be dedicated not only to local level drug distribution but also to kidnapping, extortion, contract killing, arms sales and robbery.<sup>156</sup> At present, the *Chirizos* are reported to maintain a strong presence in numerous *colonias* of Comayagüela where *El Gato Negro*’s organization used to operate, particularly around the market zone.<sup>157</sup>

By 2013, however, desertions from the *Chirizos* had also reportedly led to the formation of two major derivative gang groups in these same zones of Comayagüela and Tegucigalpa where the *Chirizos* operate. These newer structures are called *El Combo Que No Se Deja*<sup>158</sup> and the *Benjamins*.<sup>159</sup> The two groups reportedly clash with the *Chirizos* for the control of territory in these zones.<sup>160</sup> At the same time, *El Combo Que No Se Deja* are reportedly not rivals to the *Benjamins* and the two gangs are even reported to share territories such that members of either gang can enter the territory of the other without problems.<sup>161</sup> More recently, a faction of *El Combo Que No Se Deja* also split off to form a smaller new gang named the *Mafia*.<sup>162</sup> Other derivative factions reportedly include deserters from the *Chirizos*, such as the small *Los No Pasa Nada* gang,<sup>163</sup> and remnants of the original *El Gato Negro* structure, such as the *Corrales*, a small family-based criminal band.<sup>164</sup>

<sup>154</sup> After *El Gato Negro* was kidnapped and murdered along with his bodyguards in 2010, his structure was apparently left without a strong successor and fractured after numerous killings of his family members and others in the zone where his group had been present. These killings reportedly continued until at least 2013 when the former lieutenant and successor of *El Gato Negro* was murdered along with his own family members. During this period of flux, the youths working as lookouts (*banderas*) and drug couriers (*mulas*) for the structure run by *El Gato Negro* and who came to form the *Chirizos* (and its later derivatives) apparently enlisted as sympathisers of B-18 in the zone, where they gained experience of killing, extortion and other gang activities. La Tribuna, *Surgen tres nuevas maras “mata transportistas”*, 20 October 2014, <http://www.latribuna.hn/2014/10/20/surgen-tres-nuevas-maras-mata-transportistas/>; El Heraldo, *Muerte del “Cabo Molina” revive sombra del “Gato Negro”*, 17 April 2013, <http://www.elheraldo.hn/sucesos/622170-219/muerte-del-cabo-molina-revive-sombra-del-gato-negro>.

<sup>155</sup> El Heraldo, *“El combo que no se deja”, desertores de Los Chirizos*, 8 August 2014, <http://www.elheraldo.hn/pais/736668-214/el-combo-que-no-se-deja-desertores-de-los-chirizos>; El Heraldo, *Los Chirizos, de “banderas” infantiles a sádicos asesinos*, 8 August 2014, <http://www.elheraldo.hn/pais/736320-214/los-chirizos-de-banderas-infantiles-a-s%C3%A1dicos-asesinos>; La Tribuna, *Los Chirizos y la M-18 se disputan el cobro del impuesto de guerra*, 14 January 2013, <http://www.latribuna.hn/2013/01/14/los-chirizos-y-la-m-18-se-disputan-el-cobro-del-impuesto-de-guerra/>.

<sup>156</sup> El Heraldo, *Los Chirizos, de “banderas” infantiles a sádicos asesinos*, 8 August 2014, <http://www.elheraldo.hn/pais/736320-214/los-chirizos-de-banderas-infantiles-a-s%C3%A1dicos-asesinos>.

<sup>157</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 37; El Heraldo, *Los Chirizos, de “banderas” infantiles a sádicos asesinos*, 8 August 2014, <http://www.elheraldo.hn/pais/736320-214/los-chirizos-de-banderas-infantiles-a-s%C3%A1dicos-asesinos>.

<sup>158</sup> There is no official English translation of the structure’s name *El Combo Que No Se Deja*. An unofficial direct translation of this name would be ‘the gang that won’t allow it’.

<sup>159</sup> El Heraldo, *Los Benjamins y el Combo que No se Deja reclutan menores de edad*, 23 April 2015, <http://www.elheraldo.hn/alfrente/834007-209/los-benjamins-y-el-combo-que-no-se-deja-reclutan-menores-de>; El Heraldo, *Así operan las maras y bandas en la capital de Honduras*, 18 August 2014, <http://www.elheraldo.hn/pais/739126-214/as%C3%AD-operan-las-maras-y-bandas-en-la-capital-de-honduras>; El Heraldo, *“El combo que no se deja”, desertores de Los Chirizos*, 8 August 2014, <http://www.elheraldo.hn/pais/736668-214/el-combo-que-no-se-deja-desertores-de-los-chirizos>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 37.

<sup>160</sup> El Heraldo, *Cae segundo cabecilla de la banda “El Combo que no se deja”*, 7 April 2014, <http://www.elheraldo.hn/sucesos/623245-219/cae-segundo-cabecilla-de-la-banda-el-combo-que-no-se-deja>.

<sup>161</sup> El Heraldo, *Los Benjamins y el Combo que no se deja reclutan menores de edad*, 23 April 2015, <http://www.elheraldo.hn/alfrente/834007-209/los-benjamins-y-el-combo-que-no-se-deja-reclutan-menores-de>.

<sup>162</sup> El Heraldo, *Lucha de liderazgo entre bandas extorsionadoras*, 2 June 2014, <http://www.elheraldo.hn/alfrente/715447-209/honduras-lucha-de-liderazgosentre-bandas-extorsionadoras>.

<sup>163</sup> El Heraldo, *Cae banda de “los no pasa nada” en Comayagüela*, 11 August 2013, <http://www.elheraldo.hn/sucesos/623053-219/cae-banda-de-los-no-pasa-nada-en-comayagua%C3%BCela>. There is no official English translation of the structure’s name *Los No Pasa Nada*. An unofficial direct translation of this name would be ‘the nothing is happening’. It is not clear from the source whether this is the actual name used by this gang or simply a mockery of the authorities on the part of the youths detained.

<sup>164</sup> La Tribuna, *Remanente de banda del “Gato Negro” hacia “diabluras” en la zona sur*, 27 March 2014, <http://www.latribuna.hn/2014/03/27/remanente-de-banda-del-gato-negro-hacia-diabluras-en-la-zona-sur/>.

One notable feature of the *Chirizos* structure and its derivative gangs is the reported relative youth of most members, including some of the leaders (although the patrons appear to be older).<sup>165</sup> Thus, the majority of *Chirizos* are reported to be children and youth between the ages of 12 and 24 years.<sup>166</sup> The membership of the *Benjamins* and *El Combo Que No Se Deja* is apparently even younger, with most being children between the ages of nine and 17 years.<sup>167</sup> All three gangs reportedly target their recruitment at local children living or working in the market zones of Comayagüela and Tegucigalpa, as well as at classmates in the educational centres where some of their membership is enrolled.<sup>168</sup> Boys and girls, especially those living in vulnerable circumstances such as child street sellers, are reportedly recruited into these structures without distinction as to gender, and those who refuse are reportedly killed.<sup>169</sup> The gangs also reportedly make use of professionals to manage their finances and assist with money-laundering.<sup>170</sup>

The *modus operandi* of all of these groups is reported to be similar to that of the larger gang structures of *Barrio 18* and *MS*. In particular, these structures are reported to have a well-founded reputation for extreme violence as the means for maintaining control over the inhabitants of the territories that they dominate, terrorizing the local population into submission.<sup>171</sup> Like *Barrio 18* and *MS*, the *Chirizos* and their derivative gangs reportedly impose a range of rules on the population living in these territories, including the rule of silence, enforced by curfews and checkpoints where inhabitants must pay to enter or leave.<sup>172</sup> These gangs are reported also to have forced families out of their homes and sometimes taken over the houses, using them as command and torture centres (*casa locas*).<sup>173</sup>

The principal source of income for all of these gang structures is reported to be extortion and control over the local drug *plazas*, although they are also reported to be involved in contract killing,

<sup>165</sup> This is apparently less the case for groups such as the *Corrales* that split directly from the structure of El Gato Negro, which appears to be constituted by a somewhat older, family-based membership. See La Tribuna, *Remanente de banda del "Gato Negro" hacia "diabluras" en la zona sur*, 27 March 2014, <http://www.latribuna.hn/2014/03/27/remanente-de-banda-del-gato-negro-hacia-diabluras-en-la-zona-sur/>.

<sup>166</sup> Casa Alianza Honduras, *Niñez y juventud en las redes del crimen organizado, una aproximación a las principales formas de involucramiento y participación de niñas, niños y jóvenes en los grupos delictivos de Tegucigalpa*, April 2014, [http://www.casa-alianza.org.hn/images/documentos/Informes.Especiales/Inf.2014/1.%20Informe%20niez%20y%20crimen%20organizado%20en%20tegucigalpa\\_cah.pdf](http://www.casa-alianza.org.hn/images/documentos/Informes.Especiales/Inf.2014/1.%20Informe%20niez%20y%20crimen%20organizado%20en%20tegucigalpa_cah.pdf), p. 22.

<sup>167</sup> Casa Alianza Honduras, *Niñez y juventud en las redes del crimen organizado, una aproximación a las principales formas de involucramiento y participación de niñas, niños y jóvenes en los grupos delictivos de Tegucigalpa*, April 2014, [http://www.casa-alianza.org.hn/images/documentos/Informes.Especiales/Inf.2014/1.%20Informe%20niez%20y%20crimen%20organizado%20en%20tegucigalpa\\_cah.pdf](http://www.casa-alianza.org.hn/images/documentos/Informes.Especiales/Inf.2014/1.%20Informe%20niez%20y%20crimen%20organizado%20en%20tegucigalpa_cah.pdf), p. 22.

<sup>168</sup> El Heraldo, *Los Benjamins y el Combo que no se deja reclutan menores de edad*, 23 April 2015, <http://www.elheraldo.hn/alfrente/834007-209/los-benjamins-y-el-combo-que-no-se-deja-reclutan-menores-de>; El Heraldo, *Bandas criminales implantan "toque de queda" en colonias de Tegucigalpa*, 4 February 2013, <http://www.elheraldo.hn/sucesos/621557-219/bandas-criminales-implantan-toque-de-queda-en-colonias-de-tegucigalpa>.

<sup>169</sup> BBC, *Las niñas reclutadas por las maras en Honduras para cobrar extorsiones*, 30 October 2015, [http://www.bbc.com/mundo/noticias/2015/10/151028\\_honduras\\_bandas\\_extorsion\\_ninas\\_ep](http://www.bbc.com/mundo/noticias/2015/10/151028_honduras_bandas_extorsion_ninas_ep); El Heraldo, *Los Benjamins y el Combo que no se deja reclutan menores de edad*, 23 April 2015, <http://www.elheraldo.hn/alfrente/834007-209/los-benjamins-y-el-combo-que-no-se-deja-reclutan-menores-de>; El Heraldo, *"El combo que no se deja", desertores de Los Chirizos*, 8 August 2014, <http://www.elheraldo.hn/pais/736668-214/el-combo-que-no-se-deja-desertores-de-los-chirizos>; El Heraldo, *Los Chirizos, de "Banderas" infantiles a sádicos asesinos*, 8 August 2014, <http://www.elheraldo.hn/pais/736320-214/los-chirizos-de-banderas-infantiles-a-s%C3%A1dicos-asesinos>.

<sup>170</sup> El Heraldo, *"El combo que no se deja", desertores de Los Chirizos*, 8 August 2014, <http://www.elheraldo.hn/pais/736668-214/el-combo-que-no-se-deja-desertores-de-los-chirizos>; El Heraldo, *Los Chirizos, de "Banderas" infantiles a sádicos asesinos*, 8 August 2014, <http://www.elheraldo.hn/pais/736320-214/los-chirizos-de-banderas-infantiles-a-s%C3%A1dicos-asesinos>.

<sup>171</sup> El Heraldo, *Tegucigalpa: diez colonias sometidas por dos bandas criminales*, 5 October 2014, <http://www.elheraldo.hn/sucesos/754920-219/tegucigalpa-diez-colonias-sometidas-por-dos-bandas-criminales>; El Heraldo, *"El combo que no se deja", desertores de Los Chirizos*, 8 August 2014, <http://www.elheraldo.hn/pais/736668-214/el-combo-que-no-se-deja-desertores-de-los-chirizos>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 30 and 37. Some reports suggest that gang tattoos are not used by the membership of the *Chirizos*. See El Heraldo, *Los Chirizos, de "Banderas" infantiles a sádicos asesinos*, 8 August 2014, <http://www.elheraldo.hn/pais/736320-214/los-chirizos-de-banderas-infantiles-a-s%C3%A1dicos-asesinos>.

<sup>172</sup> El Heraldo, *Tegucigalpa: diez colonias sometidas por dos bandas criminales*, 5 October 2014, <http://www.elheraldo.hn/sucesos/754920-219/tegucigalpa-diez-colonias-sometidas-por-dos-bandas-criminales>; El Heraldo, *Bandas criminales implantan "toque de queda" en colonias de Tegucigalpa*, 4 February 2013, <http://www.elheraldo.hn/sucesos/621557-219/bandas-criminales-implantan-toque-de-queda-en-colonias-de-tegucigalpa>.

<sup>173</sup> El Heraldo, *Tegucigalpa: diez colonias sometidas por dos bandas criminales*, 5 October 2014, <http://www.elheraldo.hn/sucesos/754920-219/tegucigalpa-diez-colonias-sometidas-por-dos-bandas-criminales>; El Heraldo, *"El combo que no se deja", desertores de Los Chirizos*, 8 August 2014, <http://www.elheraldo.hn/pais/736668-214/el-combo-que-no-se-deja-desertores-de-los-chirizos>; El Heraldo, *Los Chirizos, de "Banderas" infantiles a sádicos asesinos*, 8 August 2014, <http://www.elheraldo.hn/pais/736320-214/los-chirizos-de-banderas-infantiles-a-s%C3%A1dicos-asesinos>; La Tribuna, *Remanente de banda del "Gato Negro" hacia "diabluras" en la zona sur*, 27 March 2014, <http://www.latribuna.hn/2014/03/27/remanente-de-banda-del-gato-negro-hacia-diabluras-en-la-zona-sur/>.

kidnapping and arms sales.<sup>174</sup> Extortion carried out by the *Chirizos* and their derivative gangs is reported to be directed principally against the transport sector, market stallholders and other small businesses in these zones. They are reported to resort rapidly to extreme violence in the form of kidnappings, torture and killings against persons who refuse their demands and against their family members.<sup>175</sup> The *Chirizos*, in particular, are reportedly known for brutally torturing and killing those who defy them and leaving their bodies on display in public spaces.<sup>176</sup> However, in 2014, the jamming of mobile phone signals near prisons reportedly led imprisoned leaders to lose control over younger, lower-level gang members on the street, who began to engage in extortion without consulting the leaders or sharing all of the proceeds, causing conflict and score-settling within these groups.<sup>177</sup>

The territories of these three ‘home-grown’ Honduran gang structures currently appear to be largely limited to poor and marginal areas of Distrito Central, without the wider national coverage achieved by the *Barrio 18* and *MS* gang structures. However, their activities in these localities are reported to have swiftly brought the *Chirizos* into violent conflict with the *Barrio 18* gangs and, more recently, with *MS* gangs in these parts of the capital.<sup>178</sup> Since 2014, for instance, the *Chirizos* have reportedly been engaged in a bloody struggle with *MS* gangs for control over territory in the market zone of Comayagüela.<sup>179</sup> These gang structures are also reported to react aggressively to the security services, killing police officers and their families who live in the zones under their control or forcing them to leave their homes.<sup>180</sup>

<sup>174</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 30 and 37; El Heraldo, *Los Chirizos, banda heredera del ‘Gato Negro’*, 22 April 2015, <http://www.elheraldo.hn/alfrente/833604-209/honduras-los-chirizos-banda-heredera-del-gato-negro>; El Heraldo, *Cae banda de “los no pasa nada” en Comayagüela*, 11 August 2013, <http://www.elheraldo.hn/sucesos/623053-219/cae-banda-de-los-no-pasa-nada-en-comayag%C3%BCela>. There are reports that these gangs are now also owners of ‘mototaxi’ (motorbike taxi) businesses in the zones where they operate. See El Heraldo, *Tegucigalpa: diez colonias sometidas por dos bandas criminales*, 5 October 2014, <http://www.elheraldo.hn/sucesos/754920-219/tegucigalpa-diez-colonias-sometidas-por-dos-bandas-criminales>.

<sup>175</sup> La Tribuna, *‘Los Chirizos’ convierten mercados de Comayagüela en ‘zona de guerra’*, 18 November 2015, <http://www.latribuna.hn/2015/11/18/mercados-de-comayagüela-se-convierten-en-zona-de-guerra/>; La Tribuna, *Entramos a territorio de “Los Chirizos”*, 21 July 2015, <http://www.latribuna.hn/2015/07/21/entramos-a-territorio-de-los-chirizos/>; El Heraldo, *Los Benjamins y el Combo que no se deja reclutan menores de edad*, 23 April 2015, <http://www.elheraldo.hn/alfrente/834007-209/los-benjamins-y-el-combo-que-no-se-deja-reclutan-menores-de>; El Heraldo, *Los Chirizos, de “Banderas” infantiles a sádicos asesinos*, 8 August 2014, <http://www.elheraldo.hn/pais/736320-214/los-chirizos-de-banderas-infantiles-a-s%C3%A1dicos-asesinos>; El Heraldo, *“El combo que no se deja”, desertores de Los Chirizos*, 8 August 2014, <http://www.elheraldo.hn/pais/736668-214/el-combo-que-no-se-deja-desertores-de-los-chirizos>; El Heraldo, *Los Benjamins y el Combo que no se deja reclutan menores de edad*, 23 April 2015, <http://www.elheraldo.hn/alfrente/834007-209/los-benjamins-y-el-combo-que-no-se-deja-reclutan-menores-de>. Between January and October 2014, it was estimated that these groups alone had killed 30 transport sector workers in Distrito Central. See La Tribuna, *Surgen tres nuevas maras “mata transportistas”*, 20 October 2014, <http://www.latribuna.hn/2014/10/20/surgen-tres-nuevas-maras-mata-transportistas/>. The Benjamins have waged a bloody campaign against at least one taxi cooperative in Tegucigalpa. See Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 31.

<sup>176</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 31.

<sup>177</sup> El Heraldo, *Lucha de liderazgos entre bandas extorsionadoras*, 2 June 2014, <http://www.elheraldo.hn/alfrente/715447-209/honduras-lucha-de-liderazgosentre-bandas-extorsionadoras>.

<sup>178</sup> El Heraldo, *Así operan las maras y bandas en la capital de Honduras*, 18 August 2014, <http://www.elheraldo.hn/pais/739126-214/as%C3%AD-operan-las-maras-y-bandas-en-la-capital-de-honduras>; Casa Alianza Honduras, *Niñez y juventud en las redes del crimen organizado, una aproximación a las principales formas de involucramiento y participación de niñas, niños y jóvenes en los grupos delictivos de Tegucigalpa*, April 2014, [http://www.casa-alianza.org.hn/images/documentos/Informes.Especiales/Inf.2014/1.%20Informe%20niez%20y%20crimen%20organizado%20en%20tegucigalpa\\_cah.pdf](http://www.casa-alianza.org.hn/images/documentos/Informes.Especiales/Inf.2014/1.%20Informe%20niez%20y%20crimen%20organizado%20en%20tegucigalpa_cah.pdf), p. 22; El Heraldo, *Bandas criminales implantan “toque de queda” en colonias de Tegucigalpa*, 4 February 2013, <http://www.elheraldo.hn/sucesos/621557-219/bandas-criminales-implantan-toque-de-queda-en-colonias-de-tegucigalpa>; La Tribuna, *Los Chirizos y la M-18 se disputan el cobro del impuesto de guerra*, 14 January 2013, <http://www.latribuna.hn/2013/01/14/los-chirizos-y-la-m-18-se-disputan-el-cobro-del-impuesto-de-guerra/>. In 2016, detained B-18 members even allied with members of the *Combo Que No Se Deja* and other gangs to attack and kill members of the *Chirizos* in the child detention centre *Renaciendo* to exact vengeance for their killing of B-18 members there in 2015. See El Heraldo, *Eliminar a 27 “Chirizos” era objetivo de ataque en centro de menores Renaciendo*, 20 February 2016, <http://www.elheraldo.hn/pais/931819-466/eliminar-a-27-chirizos-era-objetivo-de-ataque-en-centro-de-menores>; La Tribuna, *Guerra entre “Los Chirizos” y la “Mara 18” en Renaciendo*, 25 August 2015, <http://www.latribuna.hn/2015/08/25/los-chirizos-cortaron-la-cabeza-y-otras-extremidades-a-pandilleros-de-la-mara-18-en-renaciendo/>.

<sup>179</sup> It was the *Chirizos’* use of women and girls with dyed blonde hair and black leggings to collect extortion money that reportedly led to a ban by *MS* gangs on women colouring their hair blonde and wearing black leggings. Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 31.

<sup>180</sup> El Heraldo, *Tegucigalpa: diez colonias sometidas por dos bandas criminales*, 5 October 2014, <http://www.elheraldo.hn/sucesos/754920-219/tegucigalpa-diez-colonias-sometidas-por-dos-bandas-criminales>.

From 2014 onwards, the security services are reported to have succeeded in capturing and imprisoning many of the original leaders of the *Chirizos* and their derivative gangs.<sup>181</sup> However, the larger three groups have reportedly not been dismantled and a new generation of youthful and even more violent leaders has arisen to take the place of those who are now detained.<sup>182</sup>

### **Other street gangs and criminal *bandas* (bands)**

A range of other local street gangs and criminal bands are reported to be present in Honduras that do not form part of the larger gang structures. One of the largest and longest-established of the smaller territorial street gangs is the *Vatos Locos* ('Crazy Dudes') gang structure that has a presence in certain parts of the country.<sup>183</sup> Other smaller street gangs in different parts of Honduras include *Barrio Pobre 16*, the *Tercereños*, the *Ponces* and the *Parqueños*.<sup>184</sup> Among the black English-speaking population of Honduras' Caribbean islands, there are reportedly local gangs such as the *Mara Organizada Ganster* (Organized Gangster Mara) and the *West Side*, while in some mainland black Garifuna communities, including in San Pedro Sula, the US-based rival gangs *Rojos* ('Bloods') and *Azules* ('Crips') gangs are reported to be present.<sup>185</sup>

Even if the larger gang structures of the *Barrio 18* and *MS* are reported to have partially or wholly taken over or destroyed smaller local rivals during the late 1990s and early-mid 2000s, these local street gangs remain a feature of the gang landscape in Honduras. Indeed, various smaller gangs may be present alongside gangs affiliated to the bigger gang structures in volatile and violent localities, such as the 39 neighbourhoods making up Rivera Hernández in San Pedro Sula, where at least four smaller gangs are reported to hold territories contiguous to those of the *Barrio 18* and *MS* gangs,<sup>186</sup> or the many gangs present in various sectors of La Ceiba.<sup>187</sup> Many such smaller gangs reportedly drift in and out of alliances with each other, and with *Barrio 18* and *MS* gangs, in which some even have their origins.<sup>188</sup> These smaller gangs reportedly rely largely on extortion for revenue.<sup>189</sup>

<sup>181</sup> El Heraldo, *Los Benjamins y el Combo que no se deja reclutan menores de edad*, 23 April 2015, <http://www.elheraldo.hn/alfrente/834007-209/los-benjamins-y-el-combo-que-no-se-deja-reclutan-menores-de>; La Tribuna, *Surgen tres nuevas maras "mata transportistas"*, 20 October 2014, <http://www.latribuna.hn/2014/10/20/surgen-tres-nuevas-maras-mata-transportistas/>.

<sup>182</sup> La Tribuna, *Entramos a territorio de "Los Chirizos"*, 21 July 2015, <http://www.latribuna.hn/2015/07/21/entramos-a-territorio-de-los-chirizos/>.

<sup>183</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 37. The *Vatos Locos* structure appeared at the start of the 1990s. *Vatos Locos* gangs have been reported to have a presence in neighbourhoods of San Pedro Sula and Tegucigalpa. See Insight Crime, *Poor 'Hood, Mean 'Hood: the Violent History of Rivera Hernandez, Honduras*, 9 December 2015, <http://www.insightcrime.org/investigations/gang-history-rivera-hernandez-honduras>; El Nuevo Diario, *Maras quiebran los pequeños negocios en Honduras*, 13 May 2015, <http://www.elnuevodiario.com.ni/internacionales/359903-maras-quiebran-pequenos-negocios-honduras/>; T. Andino Mencía, *Las maras en la sombra: Ensayo de actualización del fenómeno pandillero en Honduras*, September 2006, [http://www.wola.org/sites/default/files/downloadable/Citizen%20Security/past/diagnostico\\_honduras.pdf](http://www.wola.org/sites/default/files/downloadable/Citizen%20Security/past/diagnostico_honduras.pdf), pp. 4, 9 and 40-41.

<sup>184</sup> Some of these gangs have their origins in the *Sureño* gangs of California, as with *Barrio Pobre 16*, which was originally formed in the United States as *Barrio Pobre 13* by Mexicans, but Honduran members who were deported to Honduras changed the number following the gang's name to 16 to differentiate themselves from *MS-13* and *B-18*. See Insight Crime, *Poor 'Hood, Mean 'Hood: the Violent History of Rivera Hernandez, Honduras*, 9 December 2015, <http://www.insightcrime.org/investigations/gang-history-rivera-hernandez-honduras>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 37.

<sup>185</sup> La Prensa, *De las calles y tatuajes a criminales organizados en Honduras*, 26 August 2013, <http://www.laprensa.hn/especiales/328430-273/de-las-calles-y-tatuajes-a-criminales-organizados-en-honduras>; Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de maras y pandillas en Honduras*, 2011, [http://www.unicef.org/honduras/Informe\\_situacion\\_maras\\_pandillas\\_honduras.pdf](http://www.unicef.org/honduras/Informe_situacion_maras_pandillas_honduras.pdf), pp. 78-79.

<sup>186</sup> Insight Crime, *Poor 'Hood, Mean 'Hood: the Violent History of Rivera Hernandez, Honduras*, 9 December 2015, <http://www.insightcrime.org/investigations/gang-history-rivera-hernandez-honduras>.

<sup>187</sup> Comisionado Nacional de los Derechos Humanos, *Informe anual 2013, 2014*, [http://app.conadeh.hn/descargas/InformesAnuales/CONADEH\\_2013.pdf](http://app.conadeh.hn/descargas/InformesAnuales/CONADEH_2013.pdf), p. 3.

<sup>188</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 37; T. Andino Mencía, *Las maras en la sombra: Ensayo de actualización del fenómeno pandillero en Honduras*, September 2006, [http://www.wola.org/sites/default/files/downloadable/Citizen%20Security/past/diagnostico\\_honduras.pdf](http://www.wola.org/sites/default/files/downloadable/Citizen%20Security/past/diagnostico_honduras.pdf), p. 9.

<sup>189</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 37.



Finally, also present in Honduras are ‘militias’, such as the *Pumas* in La Ceiba, that originally emerged in certain localities to combat the gangs but which now are reported to operate to all intents and purposes as gangs themselves, preying on the population and terrorizing it.<sup>190</sup>

Alongside the territorial street gangs, many cities and towns of Honduras are also reported to be home to violent criminal bands (*bandas*). The distinction between *bandas* and local street gangs is not clear-cut since both tend to be localized groups of youth and young men who are armed and carry out criminal activities in a distinct territory.<sup>191</sup> However, in their origins, many such *bandas* appear to be constituted less explicitly around the youth-based forms of cultural identity that are central to the gangs and are often formed instead with professional criminal objectives as their primary objective.<sup>192</sup> As such, despite being highly localized, these *bandas* tend to represent more sophisticated and experienced organized crime structures, or are linked to such structures. Despite the reported success on the part of the authorities in dismantling particular *bandas* in part or in full in 2014-2015,<sup>193</sup> such *bandas* reportedly continue to have a presence in certain cities and rural areas of Honduras.<sup>194</sup> Moreover, in the urban centres of Honduras, a multitude of smaller and less powerful *bandas* are reported to operate alongside the more established ones, such as the *Castellanos*, the *Peludos* and the *Berrios*.<sup>195</sup> Violent confrontations between these urban *bandas*, and between *bandas* and local street gangs, are reported to occur periodically.<sup>196</sup>

In more provincial parts of the country, other well-armed and predatory *bandas* are reported to be directed by local politicians,<sup>197</sup> or by local families with a reputation of being ruthless.<sup>198</sup> In their

<sup>190</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 37-38.

<sup>191</sup> Indeed, some sources appear to treat some such *bandas* as gangs. See, for example, Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 37-38.

<sup>192</sup> T. Andino Mencia, *Las maras en la sombra: Ensayo de actualización del fenómeno pandillero en Honduras*, September 2006, [http://www.wola.org/sites/default/files/downloadable/Citizen%20Security/past/diagnostico\\_honduras.pdf](http://www.wola.org/sites/default/files/downloadable/Citizen%20Security/past/diagnostico_honduras.pdf), pp. 9, 59-60. The organisation run by El Gato Negro was, in effect, a powerful *banda* that gave birth to a number of street gangs such as *Los Chirizos* after it fractured. See above Section II.B.2.a – *Chirizos gang structure and its derivatives*.

<sup>193</sup> Tiempo, *Desmanteladas 119 bandas criminales*, 20 October 2015, <http://www.tiempo.hn/honduras-desmanteladas-119-bandas-criminales/>; Radio HRN, *Unas 35 bandas dedicadas a la extorsión han sido golpeadas y eliminadas durante 2015*, 22 July 2015, <http://www.radiohrn.hn/noticias/unas-35-bandas-dedicadas-la-extorsion-C3%B3n-han-sido-golpeadas-y-eliminadas-durante-2015>. It is not clear how the official statistics cited in these reports count the dismantling of a *banda* or gang but the figures appear to be unduly optimistic as to the impact of these operations on the larger gang structures.

<sup>194</sup> For instance, in Tocoa, Colón department, a very large and well-armed *banda* has operated in recent years that is apparently called *Mara-61* and which provides security and enforcement services for the drug-trafficking group in that locality, acting as its armed wing. It is likely that this *banda* worked for the Cachiros, who were based in this town. See further below. Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de maras y pandillas en Honduras*, 2011, [http://www.unicef.org/honduras/Informe\\_situacion\\_maras\\_pandillas\\_honduras.pdf](http://www.unicef.org/honduras/Informe_situacion_maras_pandillas_honduras.pdf), pp. 78-79. The independent *banda* of the Olanchanos is reported to have links with drug-traffickers and to dominate several neighbourhoods of San Pedro Sula, where it reportedly started by killing gang members and is feared even by local gangs. It is reported to be well-organized, heavily armed and dedicated to local drug distribution and contract killing, as well as being involved in extortion, kidnapping and car theft. El Heraldo, *¿Quiénes son los Cachiros y cómo forjaron su millonario imperio?*, 17 June 2016, <http://www.elheraldo.hn/pais/971182-466/qui%C3%A9nes-son-los-cachiros-y-c%C3%B3mo-forjaron-su-millonario-imperio>; El Heraldo, *Honduras: Aseguran bienes a socio de banda criminal "Los Cachiros"*, 16 June 2016, <http://www.elheraldo.hn/inicio/970663-465/aseguran-bienes-a-socio-de-banda-criminal-los-cachiros>; La Prensa, *A cárcel de máxima seguridad los supuestos "Olanchanos"*, 20 May 2016, <http://www.laprensa.hn/sucesos/962033-410/a-c%C3%A1rcel-de-m%C3%A1xima-seguridad-los-supuestos-olanchanos>; Voz e Imagen Centroamericana (VTV), *Cae banda "Los Olanchanos" en San Pedro Sula*, 16 May 2016, <http://www.vtv.com.hn/actualidad/cae-banda-los-olanchanos-en-san-pedro-sula-12590>; La Prensa, *Capturan a cuatro supuestos miembros de la banda "Los Olanchanos"*, 14 May 2016, <http://www.laprensa.hn/sucesos/959800-410/capturan-a-cuatro-supuestos-miembros-de-la-banda-los-olanchanos>; La Prensa, *Capturan a cuatro supuestos miembros de la banda "Los Olanchanos"*, 14 May 2016, <http://www.laprensa.hn/sucesos/959800-410/capturan-a-cuatro-supuestos-miembros-de-la-banda-los-olanchanos>; Diario Tiempo Digital, *Capturan a miembro de la banda "Los Olanchanos"*, 5 January 2016, <http://tiempo.hn/capturan-a-miembro-de-la-banda-los-olanchanos/>; Insight Crime, *Poor 'Hood, Mean 'Hood: the Violent History of Rivera Hernandez, Honduras*, 9 December 2015, <http://www.insightcrime.org/investigations/gang-history-rivera-hernandez-honduras>.

<sup>195</sup> El Heraldo, *Cae banda de Los Peludos en Operación Verdugo*, 19 March 2016, <http://www.elheraldo.hn/pais/941668-466/cae-banda-de-los-peludos-en-operaci%C3%B3n-verdugo>; El Heraldo, *Capturan a siete miembros de supuesta banda de extorsionadores en la colonia San Miguel*, 17 February 2016, <http://www.elheraldo.hn/pais/930817-466/capturan-a-siete-miembros-de-supuesta-banda-de-extorsionadores-en-la-colonia>; El Heraldo, *Capturan banda de "Los Castellanos" en Santa Bárbara*, 2 February 2016, <http://www.elheraldo.hn/pais/925636-466/capturan-banda-de-los-castellanos-en-santa-b%C3%A1rbara>.

<sup>196</sup> See, for example, La Prensa, *Un niño y tres hombres mueren en balacera en San Pedro Sula*, 17 April 2014, <http://www.laprensa.hn/sucesos/policiales/639316-98/un-ni%C3%B1o-y-tres-hombres-mueren-en-balacera-en-san-pedro-sula>; El Heraldo, *Tres muertos deja enfrentamiento en Olanchito*, 7 April 2014, <http://www.elheraldo.hn/sucesos/624303-219/tres-muertos-deja-enfrentamiento-en-olanchito>; Proceso Digital, *Enfrentamientos entre bandas dejan dos muertos en Colón*, 8 August 2013, <http://www.proceso.hn/component/k2/item/16877.html>;

<sup>197</sup> For example the *Banegas*, which is reportedly led by the mayor of Sulaco, Yoro department. El Heraldo, *Banda degolló, cortó la lengua y sus genitales a una de sus víctimas*, 3 November 2015, <http://www.elheraldo.hn/pais/897287-466/banda-degoll%C3%B3-cort%C3%B3-la-lengua-y-sus-genitales-a-una-de-sus-v%C3%ADctimas>; El Heraldo, *Los Banegas se vestían como policías y usaban una patrulla*, 2 November 2015,

respective rural zones of influence, these *bandas* reportedly terrorize local populations and dedicate themselves to a range of criminal activities, including appropriating land, cattle and other property by force, extortion, kidnapping and assassination. In other cases, such organized *bandas* are also reported to be involved in drug-trafficking.<sup>199</sup>

#### b) Drug smuggling structures

Alongside the street gangs that are mainly concentrated in the bigger cities of Honduras, there are also reportedly many organized criminal structures dedicated to cross-border drug-trafficking that operate in more sparsely-populated areas of the country.<sup>200</sup> Since the 2000s, and especially after the 2009 coup, Honduras reportedly became one of the main points through which cocaine from the Andean region enters Central America by sea and by air and from where it is then transported north by land or sea.<sup>201</sup> A correspondingly large number of Honduran drug smuggling structures<sup>202</sup> are reported to move cocaine shipments along contraband routes through isolated rural zones of the country.<sup>203</sup> The larger drug smuggling structures reportedly tend to be based in distinct zones of the country.<sup>204</sup> Many

<http://www.elheraldo.hn/pais/896944-466/los-banegas-se-vest%C3%ADan-como-polic%C3%ADas-y-usaban-una-patrulla>; La Prensa, *Exhuman cuerpos de víctimas de banda liderada por alcalde de Sulaco*, 24 October 2015, <http://www.laprensa.hn/sucesos/893940-410/exhuman-cuerpos-de-v%C3%ADctimas-de-banda-liderada-por-alcalde-de-sulaco>; El Heraldo, *Cae banda de Los Banegas, liderada por alcalde de Sulaco*, 22 October 2015, <http://www.elheraldo.hn/sucesos/893047-219/cae-banda-de-los-banegas-liderada-por-alcalde-de-sulaco>.

<sup>198</sup> For example, the feared and well-armed family-based *bandas* of the Espinozas in rural Comayagua department. El Heraldo, *Banda criminal de Los Espinoza, desarticulada en su totalidad*, 22 November 2015, <http://www.elheraldo.hn/pais/904230-466/banda-criminal-de-los-espinoza-desarticulada-en-su-totalidad>; El Heraldo, *El inicio de la temible banda de Los Espinoza*, 28 April 2014, <http://www.elheraldo.hn/sucesos/701689-219/el-inicio-de-la-temible-banda-de-los-espinoza>; El Heraldo, *Los Espinoza operan como grupo paramilitar*, 28 April 2014, <http://www.elheraldo.hn/sucesos/701693-219/los-espinoza-operan-como-grupo-paramilitar>; La Prensa Gráfica, *Banda criminal en Honduras entrena niños con armas*, 7 March 2014, <http://www.laprensagrafica.com/2014/03/08/banda-criminal-en-honduras-entrena-nios-con-armas>; La Prensa, *Abatido líder la banda criminal “Los Espinoza” en Comayagua*, 21 February 2014, <http://www.laprensa.hn/sucesos/policiales/476819-98/abatido-lider-la-banda-criminal-los-espinoza-en-comayagua>. Another example is the *Cáliz* in rural Olancho and La Paz departments. La Tribuna, *Audiencia inicial para miembros de la banda “Los Cáliz” en Tegucigalpa*, 26 May 2015, <http://www.latribuna.hn/2015/05/26/audiencia-inicial-para-miembros-de-la-banda-los-calix-en-tegucigalpa/>; El Heraldo, *Detención judicial contra Los Cáliz*, 22 May 2015, <http://www.elheraldo.hn/pais/842730-214/honduras-detenci%C3%B3n-judicial-contralos-c%C3%A1lix>.

<sup>199</sup> For example in the case of the *Urbina Sotos*, reportedly led by the mayor of Yoro municipality, Yoro department. El Heraldo, *Por lavado de activos y tenencia ilegal de armas acusan a alcalde*, 29 July 2014, <http://www.elheraldo.hn/inicio/733308-331/por-lavado-de-activos-y-tenencia-ilegal-de-armas-acusan-a-alcalde>; La Prensa, *Ligan al alcalde de Yoro con el narcotráfico*, 28 July 2014, <http://www.laprensa.hn/honduras/apertura/733007-96/honduras-ligan-al-alcalde-de-yoro-con-el-narcotr%C3%A1fico>.

<sup>200</sup> D.J. Cantor, ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 41-42. During the 1970s and 80s, Honduras represented a relatively safe transit point for all kinds of contraband goods in a region at war and, after the wars ended, the smuggling routes remained. UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, September 2012, <http://www.refworld.org/docid/569f3aaa4.html>, p. 37; S.S. Dudley, ‘Drug-trafficking Organizations in Central America: *Transportistas*, Mexican Cartels and *Maras*’, in C.J. Arnsón and E.L. Olson (eds), *Organized Crime in Central America: The Northern Triangle*, September 2011, [https://www.wilsoncenter.org/sites/default/files/LAP\\_single\\_page.pdf](https://www.wilsoncenter.org/sites/default/files/LAP_single_page.pdf), p. 20; Insight Crime, *Honduras Profile*, undated, <http://www.insightcrime.org/honduras-organized-crime-news/honduras> (date accessed: 1 April 2016).

<sup>201</sup> UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, September 2012, <http://www.refworld.org/docid/569f3aaa4.html>, p. 19; J. Bosworth, ‘Honduras: Organized Crime Gained Amid Political Crisis’, in C.J. Arnsón and E.L. Olson (eds), *Organized Crime in Central America: The Northern Triangle*, September 2011, [https://www.wilsoncenter.org/sites/default/files/LAP\\_single\\_page.pdf](https://www.wilsoncenter.org/sites/default/files/LAP_single_page.pdf), pp. 82-87; International Crisis Group, *Corridor of Violence: the Guatemala-Honduras Border*, *Latin America Report* N°52, 4 June 2014, <http://www.refworld.org/docid/539014d84.html>.

<sup>202</sup> Some of the literature on Honduras refers to these drug smuggling structures as *transportistas*. In Honduran media reporting on the drug trade, these structures, particularly the larger ones, are often generically referred to as ‘cartels’.

<sup>203</sup> From 2014 onwards, the capture of the leaders of some larger drug smuggling structures by the Honduran and US authorities has reportedly precipitated a process of violent re-accommodation within and between drug smuggling structures. La Prensa, *Los Valle se reorganizan y siguen operando en Copán: DLCN*, 21 July 2015, <http://www.laprensa.hn/honduras/861098-410/los-valle-se-reorganizan-y-siguen-operando-en-cop%C3%A1n-dlcnc>; Proceso Digital, *Crimen organizado en reacomodo de plazas, territorio y poder*, 23 March 2015, <http://www.proceso.hn/component/k2/item/99047-crimen-organizado-en-reacomodo-de-plazas-territorio-y-poder.html>.

<sup>204</sup> Until 2014, the two major Honduran structures were the *Valles* (operating land-smuggling routes along the western border with Guatemala in northern Copán, Santa Barbara and Cortés departments) and the *Cachiros* (operating the Atlantic coastal smuggling route from Gracias a Dios department on the eastern border with Nicaragua to northern Cortés department). See Insight Crime, *Valles*, undated, <http://www.insightcrime.org/honduras-organized-crime-news/lvalles> (date accessed: 1 April 2016); and Insight Crime, *Cachiros*, undated, <http://www.insightcrime.org/honduras-organized-crime-news/cachiros-profile> (date accessed: 1 April 2016). Other recently prominent groups have reportedly included the *Hermanos AA* (‘AA Brothers’), *Cartel del Sur* (‘South Cartel’), the Olancho Cartel, the Juticalpa Cartel, and Valle de Sula Cartel. However, from 2014, the US and Honduran governments are reported to have actively pursued the ‘kingpin’ leaders of these larger structures and succeeded in capturing a number of them and confiscating their assets; in some cases they have been extradited to the United States. La Prensa, *Cae jefe de cartel que asumió liderazgo de los Valle Valle*, 31 January 2016, <http://www.laprensa.hn/sucesos/924931-410/cae-jefe-de-cartel-que-asumi%C3%B3-liderazgo-de-los-valle-valle>; Proceso Digital, *Desde expatriación de “El Negro Lobo”, el país extradita a un hondureño cada 64 días*, 16 October 2015, <http://proceso.hn/component/k2/item/111848-desde-expatriaci%C3%B3n-de-%E2%80%9CEl-negro-lobo%E2%80%9D-el-pa%C3%ADs>.

of these structures are reported to have close links with larger regional drug-trafficking organizations, particularly the Mexican Sinaloa cartel, which hire them to receive, store and transport drugs through Honduras.<sup>205</sup> Although drug trafficking is a lucrative source of income for these smuggling structures, some reportedly also engage with other illicit businesses based around the smuggling of other goods.<sup>206</sup>

Drug smuggling structures in Honduras are reported to be relatively complex structures, usually comprised of horizontal networks of connected persons. Especially in the case of larger and more powerful drug smuggling structures, the leadership is reportedly often comprised of a tight-knit nucleus of members of a single family or a few linked or cooperating families, many of which are reported to have a history of involvement in cattle-rustling, car theft, marijuana-trafficking and other forms of cross-border smuggling.<sup>207</sup>

Many of the other activities undertaken by the drug smuggling structures, such as transportation and security, appear to be contracted out by the leadership to other smaller local groups.<sup>208</sup> Similarly, each network reportedly has an armed wing that carries out enforcement and security operations as required. Despite their integration into the relevant drug smuggling structure, these armed elements are reported to vary in the extent to which they maintain a distinct identity as violent criminal bands (*bandas*) and carry out their own separate criminal activities such as selling arms, trafficking girls and women, carrying out hired killings, and appropriating cattle and land by force.<sup>209</sup>

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[extradita-a-un-hondure%C3%B1o-cada-64-d%C3%ADas.html](http://www.elheraldo.hn/alfrente/844491-209/carteles-mexicanos-en-labores-de-reclutamiento-en-honduras); El Heraldo, *Carteles mexicanos en labores de reclutamiento en Honduras*, 29 May 2015, <http://www.elheraldo.hn/alfrente/844491-209/carteles-mexicanos-en-labores-de-reclutamiento-en-honduras>.

<sup>205</sup> S.S. Dudley, 'Drug-trafficking Organizations in Central America: *Transportistas*, Mexican Cartels and *Maras*', in C.J. Arnson and E.L. Olson (eds), *Organized Crime in Central America: The Northern Triangle*, September 2011, [https://www.wilsoncenter.org/sites/default/files/LAP\\_single\\_page.pdf](https://www.wilsoncenter.org/sites/default/files/LAP_single_page.pdf). The drugs received, stored and transported through Honduras by drug smuggling structures usually belong (or are sold on) to larger drug-trafficking structures. Whilst drug smuggling structures in Honduras are essentially free agents, some of the larger ones are reported to have developed special relationships with particular regional drug-trafficking organizations. Even so, there are a large number of 'independent' structures especially among the smaller organizations. Although the Mexican Zetas worked with some Honduran drug smuggling structures during the mid-late 2000s, the Sinaloa cartel has reportedly long been the key partner for most large Honduran drug smuggling structures, including both the *Valles* and the *Cachiros*, and was apparently involved not only in cocaine-trafficking but also in supervising the production of ecstasy and methamphetamines in some parts of Honduras. However, from 2014, many of the main Sinaloa cartel operatives, based in San Pedro Sula, were reportedly captured or displaced by the authorities, leading to infighting and assassinations among the remaining Sinaloa operatives in Honduras. It appears that other Mexican cartels may be taking advantage of this situation to start building up their links with the new networks emerging among Honduran drug smuggling structures, a process that may generate further violent confrontations in Honduras. For instance, Mexican drug-trafficking organizations such as the Juárez cartel and the Zetas are reportedly trying to recruit new members and organize structures in the strategic departments of Cortés, Olanchito and Gracias a Dios. See El Heraldo, *Carteles mexicanos en labores de reclutamiento en Honduras*, 29 May 2015, <http://www.elheraldo.hn/alfrente/844491-209/carteles-mexicanos-en-labores-de-reclutamiento-en-honduras>; Insight Crime, *US 'Kingpin' Designation Exposes Sinaloa Cartel Head in Central America*, 7 January 2015, <http://www.insightcrime.org/news-analysis/us-kingpin-designation-exposes-sinaloa-cartel-head-central-america>; El Heraldo, *Narcos quieren "colonizar" nuevas rutas para droga en Honduras*, 28 September 2014, <http://www.elheraldo.hn/alfrente/752528-209/narcos-quieren-colonizar-nuevas-rutas-para-droga-en-honduras>; El Heraldo, *Presunto miembro de "Los Zetas" es capturado en Honduras*, 5 May 2014, <http://www.elheraldo.hn/sucesos/706381-219/presunto-miembro-de-los-zetas-es-capturado-en-honduras>; L. Ten Velde, 'El nexos entre drogas y violencia en el Triángulo del Norte', *Transnational Institute Briefing Series*, No. 19, November 2012, <https://www.tni.org/files/download/debate19s.pdf>, p. 10; J. Bosworth, 'Honduras: Organized Crime Gained Amid Political Crisis', in C.J. Arnson and E.L. Olson (eds), *idem*, pp. 67-69; Insight Crime, *Cachiros*, undated, <http://www.insightcrime.org/honduras-organized-crime-news/cachiros-profile> (date accessed: 1 April 2016); Insight Crime, *Valles*, undated, <http://www.insightcrime.org/honduras-organized-crime-news/lvalles> (date accessed: 1 April 2016).

<sup>206</sup> Proceso Digital, *Olanchito: tráfico de armas en la mira*, 9 June 2015, <http://proceso.hn/component/k2/item/103896-olanchito-tr%C3%A1fico-de-armas-en-la-mira.html>; UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, September 2012, <http://www.refworld.org/docid/569f3aaa4.html>, p. 62.

<sup>207</sup> S.S. Dudley, 'Drug-trafficking Organizations in Central America: *Transportistas*, Mexican Cartels and *Maras*', in C.J. Arnson and E.L. Olson (eds), *Organized Crime in Central America: The Northern Triangle*, September 2011, [https://www.wilsoncenter.org/sites/default/files/LAP\\_single\\_page.pdf](https://www.wilsoncenter.org/sites/default/files/LAP_single_page.pdf), pp. 25-26; Insight Crime, *Cachiros*, undated, <http://www.insightcrime.org/honduras-organized-crime-news/cachiros-profile> (date accessed: 1 April 2016); Insight Crime, *Valles*, undated, <http://www.insightcrime.org/honduras-organized-crime-news/lvalles> (date accessed: 1 April 2016).

<sup>208</sup> For instance, where they do not occupy a leadership role, large landowners reportedly sometimes play a logistical role in such networks, with their lands being used to receive or smuggle drug shipments. See, for example, S.S. Dudley, 'Drug-trafficking Organizations in Central America: *Transportistas*, Mexican Cartels and *Maras*', in C.J. Arnson and E.L. Olson (eds), *Organized Crime in Central America: The Northern Triangle*, September 2011, [https://www.wilsoncenter.org/sites/default/files/LAP\\_single\\_page.pdf](https://www.wilsoncenter.org/sites/default/files/LAP_single_page.pdf), pp. 25-26.

<sup>209</sup> La Prensa, *Cae jefe de cartel que asumió liderazgo de los Valle Valle*, 31 January 2016, <http://www.laprensa.hn/sucesos/924931-410/cae-jefe-de-cartel-que-asumi%C3%B3-liderazgo-de-los-valle-valle>; La Tribuna, *En Guatemala se entregarán Hermanos del Cartel "AA"*, 6 November 2015, <http://www.latribuna.hn/2015/11/06/en-guatemala-se-entregaran-hermanos-del-cartel-aa/>; La Prensa, *Caen sicarios del cartel de Los Valle en Copán*, 2 October 2015, <http://www.laprensa.hn/sucesos/886804-410/caen-sicarios-del-cartel-de-los-valle-en-cop%C3%A1n>; La Tribuna, *Desarticulan "Brazos Armados" de los narcotraficantes Valle Valle*, 29 September 2015, <http://www.latribuna.hn/2015/09/29/desarticulan-brazos-armados-de-los-narcotraficantes-valle-valle/>; D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 42; La Prensa Gráfica, *Nicaragua investiga compra niñas indígenas por*



It should be noted that there are also other drug smuggling structures that appear to be much smaller and more *ad hoc* operations.<sup>210</sup> Notwithstanding their size, the activities of these groups reportedly have the potential to generate considerable conflict and violence in the regions where they operate.<sup>211</sup> Among these smaller operations are the widely present and violent drug-stealing groups (*tumbadores*) that operate by stealing drugs shipments from other drug smuggling structures to then sell on to rival operators.<sup>212</sup>

Due to the nature of their trade, Honduran drug smuggling structures, especially the larger ones, are generally reported to be more sophisticated and disciplined organizations than the street gangs.<sup>213</sup> They are reported to rely primarily on corruption and bribery of local and national political, police and judicial authorities to secure protection for their activities,<sup>214</sup> although direct use of violence is also reported where this is deemed necessary.<sup>215</sup> In general, assassinations and threats by these organizations appear to be limited largely to disputes or punishments of those involved in the structures, or others who are deemed to pose a risk.<sup>216</sup> However, small and medium landowners in these zones who refuse to sell their lands to these groups are also reported to face violence,<sup>217</sup> as may other members of the community who refuse to collaborate.<sup>218</sup> Usually, though, these structures reportedly buy the tolerance of the local population by investing in local businesses and creating

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*narcotraficantes*, 27 April 2012, <http://www.laprensa grafica.com/el-salvador/lo del dia/260142-nicaragua-investiga-compra-ninas-indigenas-por-narcotraficantes>. For example, in Olancho department, members of one such *banda* rebelled against the parent drug smuggling structure and became involved in a violent dispute, but eventually were forced to flee to Colón department, where they began to work with the Cachiros and, after that cartel began to be dismantled, they went to La Ceiba, Atlántida department, where they continue to operate. See El Heraldo, *Carteles de Juticalpa y Catacamas disputaron el control de Olancho*, 10 July 2015, <http://www.elheraldo.hn/sucesos/858061-219/carteles-de-juticalpa-y-catacamas-disputaron-el-control-de-olancho>.

<sup>210</sup> Some groups are reported to be as small as from two to 25 persons. See J. Bosworth, 'Honduras: Organized Crime Gained Amid Political Crisis', in C.J. Arnson and E.L. Olson (eds), *Organized Crime in Central America: The Northern Triangle*, September 2011, [https://www.wilsoncenter.org/sites/default/files/LAP\\_single\\_page.pdf](https://www.wilsoncenter.org/sites/default/files/LAP_single_page.pdf), p. 64.

<sup>211</sup> Insight Crime, *How a Guatemala Drug Trafficker Operated in Honduras*, 30 June 2014, <http://www.insightcrime.org/news-briefs/guatemala-drug-trafficker-operated-help-honduras-officials>; La Prensa, *Acecho narco en el límite*, 5 December 2013, <http://www.laprensa.com.ni/2013/12/05/reportajes-especiales/173060-acecho-narco-en-el-limite>; Insight Crime, *Shootout Over Drug Shipment Leaves 17 Dead in Honduras*, 7 August 2013, <http://www.insightcrime.org/news-briefs/shootout-over-drug-shipment-leaves-17-dead-in-honduras>.

<sup>212</sup> UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, September 2012, <http://www.refworld.org/docid/569f3aaa4.html>, p. 27. Many of the *tumbadores* appear to have links with one or more large drug smuggling structures or foreign drug-trafficking organizations to which they sell their stolen merchandise. Insight Crime, *How a Guatemala Drug Trafficker Operated in Honduras*, 30 June 2014, <http://www.insightcrime.org/news-briefs/guatemala-drug-trafficker-operated-help-honduras-officials>. The activity of such groups of *tumbadores* appears to be particularly heightened at times when the drug trade is booming or when infighting within the dominant drug smuggling structure in the zone generates a state of flux. Insight Crime, *Has Honduras Shutdown its Cocaine Air Bridge?*, 2 October 2015, <http://www.insightcrime.org/news-briefs/has-honduras-shutdown-cocaine-air-bridge>; La Prensa, *Acecho narco en el límite*, 5 December 2013, <http://www.laprensa.com.ni/2013/12/05/reportajes-especiales/173060-acecho-narco-en-el-limite>.

<sup>213</sup> D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 41-42; S.S. Dudley, 'Drug-trafficking Organizations in Central America: *Transportistas*, Mexican Cartels and *Maras*', in C.J. Arnson and E.L. Olson (eds), *Organized Crime in Central America: The Northern Triangle*, September 2011, [https://www.wilsoncenter.org/sites/default/files/LAP\\_single\\_page.pdf](https://www.wilsoncenter.org/sites/default/files/LAP_single_page.pdf).

<sup>214</sup> New York Times, *Tres generales y un cartel: violencia policial e impunidad en Honduras*, 15 April 2016, <http://www.nytimes.com/es/2016/04/15/tres-generales-y-un-cartel-violencia-policial-e-impunidad-en-honduras>; La Prensa, *Los "Cachiros" reinaron 10 años en el Atlántico hondureño*, 28 August 2015, <http://www.laprensa.hn/honduras/872121-410/los-cachiros-reinaron-10-a%C3%B1os-en-el-atl%C3%A1ntico-hondure%C3%B1o>; El Heraldo, *El Heraldo muestra cómo carteles de la droga se distribuyeron el país*, 27 May 2015, <http://www.elheraldo.hn/alfrente/844138-209/el-heraldo-revela-cómo-se-distribuyeron-el-pa%C3%ADs-los-carteles-de-la>; Insight Crime, *Murder of Two Political Elites Shakes Honduras*, 14 April 2015, <http://www.insightcrime.org/news-analysis/murder-of-two-political-elites-shakes-honduras>; I. Moreno, 'Así terminó el reinado del cartel de Los Cachiros', *Revista Envío*, No. 396, 2015, <http://www.envio.org.ni/articulo/4973>; Insight Crime, *Cachiros*, undated, <http://www.insightcrime.org/honduras-organized-crime-news/cachiros-profile> (date accessed: 1 April 2016); Insight Crime, *Valles*, undated, <http://www.insightcrime.org/honduras-organized-crime-news/valles> (date accessed: 1 April 2016).

<sup>215</sup> Insight Crime, *Cachiros*, <http://www.insightcrime.org/honduras-organized-crime-news/cachiros-profile>, (date accessed: 1 April 2016). As an example of the extreme violence that such organizations use where they deem it appropriate, in a case in Olancho, a drug smuggling structure that had a problem with one particular youth killed not only him but also all twelve members of the wider group to which he belonged. See D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 45.

<sup>216</sup> El Heraldo, *Carteles de Juticalpa y Catacamas disputaron el control de Olancho*, 10 July 2015, <http://www.elheraldo.hn/sucesos/858061-219/carteles-de-juticalpa-y-catacamas-disputaron-el-control-de-olancho>.

<sup>217</sup> El Heraldo, *Por lavado de activos y tenencia ilegal de armas acusan a alcalde*, 29 July 2014, <http://www.elheraldo.hn/inicio/733308-331/por-lavado-de-activos-y-tenencia-ilegal-de-armas-acusan-a-alcalde>; D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 48.

<sup>218</sup> La Prensa, *Frontera Honduras con Guatemala es una coladera para narcos*, 20 July 2015, <http://www.laprensa.hn/honduras/860716-410/frontera-honduras-con-guatemala-es-una-coladera-para-narcos>; Insight Crime, *Honduras 'Armed Groups' on Nicaragua Coast*, 1 February 2013, <http://www.insightcrime.org/news-briefs/nicaraguas-caribbean-complains-of-honduran-armed-groups>.



employment in job-scarce regions;<sup>219</sup> some inhabitants also act as lookouts and informants or store merchandise for the structures.<sup>220</sup> Within these territories, the well-armed drug smuggling structures and their contacts in the local authorities reportedly impede outside gangs and common criminals from establishing themselves, giving inhabitants a sense of relative security.<sup>221</sup>

In the early 2000s, the six major structures apparently agreed to respect a territorial division of drug-trafficking routes in the country.<sup>222</sup> However, from 2014, the capture of the leaders of these structures by the authorities has reportedly thrown the drug smuggling structures into flux.<sup>223</sup> Even so, elements of the large drug smuggling structures are reported to remain active and have adapted new trafficking strategies,<sup>224</sup> although infighting among family members for control of the business is reportedly producing internal fragmentation.<sup>225</sup> At the same time, some structures are reported to be pushing into territory formerly dominated by other groups, suggesting that the agreement between the drug smuggling structures no longer holds.<sup>226</sup> Also, emerging groups are reportedly using the chaos to stake their own claims in these regions.<sup>227</sup> All of these disputes are reportedly pushing new dynamics of

- <sup>219</sup> La Prensa, *Los “Cachiros” reinaron 10 años en el Atlántico hondureño*, 28 August 2015, <http://www.laprensa.hn/honduras/872121-410/los-cachiros-reinaron-10-a%C3%B1os-en-el-atl%C3%A1ntico-hondure%C3%B1o>; El Heraldo, *El Heraldo muestra cómo carteles de la droga se distribuyeron el país*, 27 May 2015, <http://www.elheraldo.hn/alfrente/844138-209/el-heraldo-revela-cómo-se-distribuyeron-el-pa%C3%ADs-los-carteles-de-la>; I. Moreno, ‘Así terminó el reinado del cartel de Los Cachiros’, *Revista Envío*, No. 396, 2015, <http://www.envio.org.ni/articulo/4973>; D.J. Cantor, ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 42; Insight Crime, *Cachiros*, undated, <http://www.insightcrime.org/honduras-organized-crime-news/cachiros-profile>; Insight Crime, *Valles*, undated, <http://www.insightcrime.org/honduras-organized-crime-news/lvalles>. In Tocoa, Colón, it was said that the Chachiros generated employment for between 5,000 and 8,000 people and the action by the Honduran authorities in pursuit of the group, including seizure of Cachiro-owned businesses, brought people to the street in protest. See Insight Crime, *The US Govt’s Dangerous Dance with Honduras*, 8 October 2013, <http://www.insightcrime.org/news-analysis/the-us-govts-dangerous-dance-with-honduras>.
- <sup>220</sup> La Prensa, *Frontera Honduras con Guatemala es una coladera para narcos*, 20 July 2015, <http://www.laprensa.hn/honduras/860716-410/frontera-honduras-con-guatemala-es-una-coladera-para-narcos>.
- <sup>221</sup> La Prensa, *Los “Cachiros” reinaron 10 años en el Atlántico hondureño*, 28 August 2015, <http://www.laprensa.hn/honduras/872121-410/los-cachiros-reinaron-10-a%C3%B1os-en-el-atl%C3%A1ntico-hondure%C3%B1o>; El Faro, *La frontera de Los Señores*, 14 August 2011, [http://www.salanegra.elfaro.net/es/201108/cronicas/5018/?st-full\\_text=1](http://www.salanegra.elfaro.net/es/201108/cronicas/5018/?st-full_text=1). However, there are reports of some armed *bandas* linked to drug smuggling structures in departments such as Olancho carrying out the extortion of businesses. See D.J. Cantor, ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 42.
- <sup>222</sup> The group of prominent drug smuggling structures who agreed this accord apparently referred to themselves as the *14 empresarios*, or *14E* (‘14 Businessmen’). This pact was apparently followed up by another one in 2008 between just the two largest drug smuggling structures, in which the *Valles* agreed that the *Cachiros* would control the Atlantic coast. See El Heraldo, *El Heraldo muestra cómo carteles de la droga se distribuyeron el país*, 27 May 2015, <http://www.elheraldo.hn/alfrente/844138-209/el-heraldo-revela-cómo-se-distribuyeron-el-pa%C3%ADs-los-carteles-de-la>. In some cases, as with the *Valles* and the *Cachiros*, allies of the larger drug smuggling structures were permitted to traffic drugs along routes and through territories dominated by the other cartel upon payment of a ‘tax’ per shipment. See El Heraldo, *Desde Colombia a México, los Valle tenían socios claves*, 19 October 2014, <http://www.elheraldo.hn/regionales/759356-218/desde-colombia-a-m%C3%A9xico-los-valle-ten%C3%ADan-socios-claves>; El Heraldo, *Los Cachiros trafican drogas y armas en Honduras*, 7 April 2014, <http://www.elheraldo.hn/pais/581598-214/los-cachiros-traficar-drogas-y-armas-en-honduras>.
- <sup>223</sup> El Heraldo, *El Heraldo muestra cómo carteles de la droga se distribuyeron el país*, 27 May 2015, <http://www.elheraldo.hn/alfrente/844138-209/el-heraldo-revela-cómo-se-distribuyeron-el-pa%C3%ADs-los-carteles-de-la>.
- <sup>224</sup> Trafficking strategies have also changed in response to the increased anti-drug operations by the Honduran government. For instance, to avoid detection by radar, from 2014 onwards the drug flights from South America have reportedly tended to land instead in Panamá or Nicaragua, from where shipments are brought to Honduras in low-flying small planes or by sea. Moreover, new routes are apparently being explored in the centre-south of the country and on its eastern borders. See La Prensa, *Los Valle se reorganizan y siguen operando en Copán: DLCN*, 21 July 2015, <http://www.laprensa.hn/honduras/861098-410/los-valle-se-reorganizan-y-siguen-operando-en-cop%C3%A1n-dlc>; El Heraldo, *Narcos quieren “colonizar” nuevas rutas para droga en Honduras*, 28 September 2014, <http://www.elheraldo.hn/alfrente/752528-209/narcos-quieren-colonizar-nuevas-rutas-para-droga-en-honduras>; El Heraldo, *El narcotráfico cambia su ruta para introducir drogas a Honduras*, 7 April 2014, <http://www.elheraldo.hn/alfrente/566018-209/el-narcotrafico-cambia-su-ruta-para-introducir-drogas-a-honduras>.
- <sup>225</sup> La Prensa, *Los Valle se reorganizan y siguen operando en Copán: DLCN*, 21 July 2015, <http://www.laprensa.hn/honduras/861098-410/los-valle-se-reorganizan-y-siguen-operando-en-cop%C3%A1n-dlc>; El Heraldo, *Desde Colombia a México, los Valle tenían socios claves*, 19 October 2014, <http://www.elheraldo.hn/regionales/759356-218/desde-colombia-a-m%C3%A9xico-los-valle-ten%C3%ADan-socios-claves>.
- <sup>226</sup> La Prensa, *Cartel de los AA controlaba las narcoavionetas en Yoro*, 2 February 2016, <http://www.laprensa.hn/sucesos/925494-410/cartel-de-los-aa-controlaba-las-narcoavionetas-en-yoro>; La Prensa, *Cae jefe de cartel que asumió liderazgo de los Valle Valle*, 31 January 2016, <http://www.laprensa.hn/sucesos/924931-410/cae-jefe-de-cartel-que-asumi%C3%B3-liderazgo-de-los-valle-valle>.
- <sup>227</sup> El Heraldo, *Narcos quieren “colonizar” nuevas rutas para droga en Honduras*, 28 September 2014, <http://www.elheraldo.hn/alfrente/752528-209/narcos-quieren-colonizar-nuevas-rutas-para-droga-en-honduras>. For instance, after the weakening of the *Cachiros* and the Olancho Cartel, one of the smaller drug smuggling structures – dubbed the Mosquitia Cartel – reportedly attempted to stake a claim in the territory of La Mosquitia. See El Heraldo, *Carteles mexicanos en labores de reclutamiento en Honduras*, 29 May 2015, <http://www.elheraldo.hn/alfrente/844491-209/carteles-mexicanos-en-labores-de-reclutamiento-en-honduras>. The *MS* gang structure may reportedly also be looking at moving into and occupying some of the space left by the government’s offensive against some Honduran drug smuggling structures. Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 33-34, 39.

violence in those territories,<sup>228</sup> which in turn has an impact on the population in the areas concerned.<sup>229</sup>

c) *State Security Forces*

Originally a dependency of the military, the 14,000-strong civilian police force is now located under the Security Ministry (*Secretaría de Seguridad*), which oversees such institutions as the National Police, National Preventative Police Division, Transit Police Division, National Special Units Division and the reconstituted Police Investigation Division.<sup>230</sup> In 2013, a new elite armed police unit called the *TIGRES* (*Tropa de Inteligencia y Grupos de Respuesta Especial de Seguridad*) ('TIGERS': Intelligence Troops and Special Security Response Groups) was created to fight organized crime using high-technology investigative and intelligence capabilities; it began to operate under the control of the Security Ministry during 2014.<sup>231</sup> In late 2014, General Julian Pacheco was appointed as Security Minister, the first time an active military official had been appointed to lead the Security Ministry and national police.<sup>232</sup>

The Armed Forces (*Fuerzas Armadas*) of Honduras are ultimately subject to civilian control through the Ministry of National Defence (*Secretaría de la Defensa Nacional*).<sup>233</sup> In 2014, the national Army, Air Force and Navy reportedly comprised around 10,550 troops.<sup>234</sup> From 2011, alongside their national defence function, they were reportedly used to support the police and other State institutions dealing with the security situation inside Honduras, especially in zones affected by organized criminal groups.<sup>235</sup> In 2013, a new branch of the Armed Forces was created – the Public Order Military Police (*Policía Militar de Orden Público*, PMOP).<sup>236</sup> This institution is reportedly formed of soldiers specialized in police functions and is tasked to take rapid action to combat organized crime and re-establish security in gang zones.<sup>237</sup>

<sup>228</sup> La Prensa, *Los Valle se reorganizan y siguen operando en Copán: DLCN*, 21 July 2015, <http://www.laprensa.hn/honduras/861098-410/los-valle-se-reorganizan-y-siguen-operando-en-cop%C3%A1n-dlcn>; Proceso Digital, *Crimen organizado en reacomodo de plazas, territorio y poder*, 23 March 2015, <http://www.proceso.hn/component/k2/item/99047-crimen-organizado-en-reacomodo-de-plazas-territorio-y-poder.html>.

<sup>229</sup> See La Prensa, *Frontera Honduras con Guatemala es una coladera para narcos*, 20 July 2015, <http://www.laprensa.hn/honduras/860716-410/frontera-honduras-con-guatemala-es-una-coladera-para-narcos>; International Crisis Group, *Corridor of Violence: the Guatemala-Honduras Border*, Latin America Report N°52, 4 June 2014, <http://www.refworld.org/docid/539014d84.html>; El Proceso, *Matanza en La Mosquitia recrudece guerra de cárteles en Honduras*, 5 August 2013, <http://www.proceso.hn/index.php/component/k2/item/17024-Matanza-en-La-Mosquitia-recrudece-guerra-de-c%C3%A1rteles-en-Honduras>.

<sup>230</sup> Honduras, *Ley orgánica de la policía nacional de Honduras* (Basic Law on the National Police), Decreto no. 67-2008, 31 October 2008, <http://www.refworld.org/docid/5729d3614.html>. See also the website of the Secretary of Security (*Secretaría de Seguridad*): <http://www.seguridad.gob.hn/>. The Police Investigation Division (*Dirección Policial de Investigaciones*) began operations in September 2015 and replaced the National Division for Criminal Investigation (*Dirección Nacional de Investigación Criminal*, DNIC) and the National Division for Special Investigation Services (*Dirección Nacional de Servicios Especiales de Investigación*, DNSEI). See La Prensa, *La Dirección Policial de Investigaciones inicia hoy*, 1 September 2015, <http://www.laprensa.hn/sucesos/874995-410/la-direcci%C3%B3n-policial-de-investigaciones-inicia-hoy>. The most recent figures indicate that the number of officers in Honduras is around 14,000. See La Prensa, *Agencias de seguridad, bajo la mira del crimen organizado*, 15 August 2013, <http://www.laprensa.hn/honduras/tegucigalpa/332039-98/agencias-de-seguridad-bajo-la-mira-del-crimen-organizado>.

<sup>231</sup> El Heraldo, *Se gradúa primer grupo de TIGRES en Honduras*, 19 June 2014, <http://www.elheraldo.hn/inicio/721197-331/se-grad%C3%B3-primer-grupo-de-tigres-en-honduras>; El Heraldo, *TIGRES ejecutarán planes preventivos y disuasivos*, 7 April 2013, <http://www.elheraldo.hn/csp/mediapool/sites/ElHeraldo/Sucesos/story.csp?cid=622551&sid=293&fid=219>. The TIGRES operates within the *Estrategia Interinstitucional en Seguridad* y Toma Integral Gubernamental de Respuesta Especial de Seguridad (Interinstitutional Strategy on Security and the Taking of Integrated Special Governmental Security Response). See Honduras, *Ley estrategia interinstitucional en seguridad y toma integral gubernamental de respuesta especial de seguridad (TIGRES)*, Decreto No. 103-2013, 27 June 2013, <http://www.refworld.org/docid/5729d9234.html>.

<sup>232</sup> Reuters, *Honduras Breaks Tradition, Names General as Security Minister*, 15 December 2014, <http://www.reuters.com/article/us-honduras-security-idUSKBN0JU09620141216?irpc=932>.

<sup>233</sup> Honduras, *Ley constitutiva de las fuerzas armadas*, Decreto no. 98-84, 12 January 1985, <http://www.refworld.org/docid/5729d9d64.html>.

<sup>234</sup> Red de Seguridad y Defensa de América Latina, *Atlas comparativo de la defensa en América Latina y Caribe: edición 2014*, 2015, [http://www.resdal.org/assets/ad\\_2014\\_cap\\_20\\_honduras.pdf](http://www.resdal.org/assets/ad_2014_cap_20_honduras.pdf), p. 209.

<sup>235</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, p. 93; Insight Crime, *Honduras Expands Military Police by 50%*, 13 November 2014, <http://www.insightcrime.org/news-briefs/military-police-honduras-50/>; La Prensa, *Policía y Fuerzas Armadas dan inicio a operación "Libertad"*, 15 August 2013, <http://www.laprensa.hn/csp/mediapool/sites/LaPrensa/Sucesos/Policiales/story.csp?cid=366150&sid=951&fid=98#URqXOlo9vTZ>.

<sup>236</sup> Honduras, *Ley de Policía Militar de Orden Público* (Law of Public Order Military Police), Decreto No. 168-2013, 24 August 2013, <http://www.refworld.org/docid/5729dcd64.html>.

<sup>237</sup> Proceso Digital, *Congreso Nacional aprueba decreto que crea la Policía Militar*, 22 August 2013, <http://www.proceso.hn/component/k2/item/16204.html>. During 2014, the PMOP was estimated to number between 1,900 and 5,000 troops, and its numbers were reportedly set to be increased further during 2015. United States Department of State, *2014 Country Reports on*

The security forces are reported to have contributed directly to the current dynamics of violence in the country. Since the early 2010s, a key component of the security strategies adopted by the Honduran government has reportedly been the increasing militarization of the provision of internal security.<sup>238</sup> This is reported to be partly a response to the severity of the challenges that the government faces in this sphere but also in part due to the failure of successive attempts to reform the country's highly corrupt national police force.<sup>239</sup>

However, the civilian authorities are reported to have sometimes failed to maintain effective control over the security forces.<sup>240</sup> The police and armed forces are reported to engage in extrajudicial killings of habitual criminals and suspected gang members.<sup>241</sup> Reportedly, these killings by the security services are sometimes passed off as gang infighting.<sup>242</sup> Moreover, children and youths living in poor areas reportedly tend to be regarded as gang members by the security forces and are therefore subjected to abusive and discriminatory treatment; in some case, such children reportedly also fall victim to extrajudicial killings by the security forces, even when they were not known to be involved in criminal activity.<sup>243</sup> In general, the use of military personnel to conduct police operations has reportedly led to an increase in reports of human rights violations by soldiers since 2012, including murders, torture and arbitrary detentions.<sup>244</sup> The practice by the military police of operating with their faces covered and without visible identification has also reportedly allowed such troops to act with impunity.<sup>245</sup> From 2009 to 2015, in the Aguán region of Colón and Yoro departments, there have been reports that the security forces tortured, abused and mistreated peasant inhabitants in the context of their operations.<sup>246</sup>

Moreover, since the early 2010s, reports have emerged suggesting the existence of police death squads and vigilante groups with possible connections to the security forces engaging in the extrajudicial killing of suspected gang members and other youths in poor areas of Honduras.<sup>247</sup> In the

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*Human Rights Practices - Honduras*, 25 June 2015, <http://www.refworld.org/docid/559bd56429.html>; Red de Seguridad y Defensa de América Latina, *Atlas comparativo de la defensa en América Latina y Caribe: edición 2014*, 2015, [http://www.resdal.org/assets/ad\\_2014\\_cap\\_20\\_honduras.pdf](http://www.resdal.org/assets/ad_2014_cap_20_honduras.pdf), p. 209; Reuters, *Military Helps Cut Honduras Murder Rate, But Abuses Spike*, 9 July 2015, <http://www.reuters.com/article/us-honduras-military-insight-idUSKCN0PJ0E920150709>.

<sup>238</sup> Telesur, *Military Takes Control of Security in Honduras*, 15 January 2015, <http://www.telesurtv.net/english/news/Military-Takes-Control-of-Security-in-Honduras-20150115-0051.html>. Military spending reportedly increased from 1 per cent of national gross domestic product (GDP) in 2012 to 1.3 per cent in 2014. Figures from the World Bank website: <http://data.worldbank.org/indicator/MS.MIL.XPND.GD.ZS/countries/HN?display=graph>.

<sup>239</sup> See below Section II.C.2. The most recent manifestation of the increasingly central role of the military in national is the initiation of a new programme implemented directly by soldiers of the Armed Forces that is called Guardianes de la Patria ('Guardians of the Homeland'). This programme is directed at promoting a closer relationship with the values of the Armed Forces as a means of preventing Honduran children living in marginal urban zones from joining the gangs by promoting a closer relationship with the values of the Armed Forces. Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 105-106; AFP, *Honduran Army Races Gangs to Reach Child Trash-Pickers*, 3 March 2015, <https://honduprensa.wordpress.com/2015/03/03/honduran-army-races-gangs-to-reach-child-trash-pickers/>; La Prensa, *Capacitarán a 27,000 niños en valores*, 28 February 2015, <http://www.laprensa.hn/honduras/816045-410/capacitar%C3%A1n-a-27000-ni%C3%B1os-en-valores>.

<sup>240</sup> United States Department of State, *2015 Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>.

<sup>241</sup> El Libertador, *Casa Alianza-Honduras denuncia asesinatos ejecutados por las Fuerzas Armadas*, 5 January 2016, <http://www.web.ellibertador.hn/index.php/noticias/nacionales/912-casa-alianza-honduras-denuncia-asesinatos-ejecutados-por-las-fuerzas-armadas>; Human Rights Watch, *World Report 2016 - Honduras*, 27 January 2016, <http://www.refworld.org/docid/56bd993b15.html>; United States Department of State, *2015 Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>.

<sup>242</sup> Insight Crime, *'Mara' Gangs Behind 11 Deaths in North Honduras: Govt*, 21 March 2012, <http://www.insightcrime.org/news-briefs/mara-gangs-behind-11-deaths-in-north-honduras-govt>.

<sup>243</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, p. 48; Committee on the Rights of the Child, *Concluding Observations on the Combined Fourth and Fifth Periodic Reports of Honduras*, 8 June 2015, <http://www.refworld.org/docid/566fc4334.html>, p. 8.

<sup>244</sup> Reuters, *Military Helps Cut Honduras Murder Rate, But Abuses Spike*, 9 July 2015, <http://www.reuters.com/article/us-honduras-military-insight-idUSKCN0PJ0E920150709>.

<sup>245</sup> Reuters, *Military Helps Cut Honduras Murder Rate, But Abuses Spike*, 9 July 2015, <http://www.reuters.com/article/us-honduras-military-insight-idUSKCN0PJ0E920150709>.

<sup>246</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 69-71; United States Department of State, *2015 Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html> and *2014 Country Reports on Human Rights Practices - Honduras*, 25 June 2015, <http://www.refworld.org/docid/559bd56429.html>.

<sup>247</sup> Tiempo, *José Ruelas: "en Honduras hay escuadrones de la muerte que realizan ejecuciones arbitrarias"*, 17 February 2016, <http://www.tiempo.hn/jose-ruelas-en-honduras-hay-escuadrones-de-la-muerte-que-realizan-ejecuciones-arbitrarias/>; World Socialist Web Site, *Honduran Death Squads Kill Four Student Protesters, Including a 13-Year-Old*, 1 April 2015, <https://www.wsws.org/en/articles/2015/04/01/hond-a01.html>; Tercera Información, *Ex policía hondureño revela vinculación de organismos*



three years between 2010 and 2013 alone, it was reported that Honduran prosecutors received 150 formal complaints about death squad-style killings in Tegucigalpa and at least 50 more in San Pedro Sula.<sup>248</sup> Corrupt police officials, including those of the PMOP, have also been reported to be involved in extortion, kidnapping and other abuses and crimes against the local population.<sup>249</sup>

#### d) Private Security Forces

The most recent estimates, relating to 2013, suggest that there are between 60,000 and 70,000 armed private security guards in Honduras, i.e. more than double the number of officers in the police and armed forces; the vast majority are thought to be unregistered.<sup>250</sup> Many ex-police and ex-military officers reportedly run private security agencies, taking advantage of their training and contacts.<sup>251</sup> Moreover, organized criminal groups are reported to have created private security agencies as a cover to facilitate their purchase and trafficking of arms.<sup>252</sup> The proliferation of private security agencies in Honduras is said to reflect the high level of insecurity in the country and a lack of faith in the State security apparatus.<sup>253</sup>

Members of these private security agencies, along with members of the State security forces, were reported to be involved in carrying out violence against members of indigenous, Afro-Honduran and peasant communities engaged in rural land disputes with large landowners or corporations, such as in the region of the Bajo Aguán, Colón and Yoro departments, and elsewhere in Honduras.<sup>254</sup>

### C. Ability and Willingness of the State to Provide Protection

#### 1. State Response to Gang Violence and Organized Crime

Honduras was reportedly the first country in Central America to adopt anti-gang measures in law,<sup>255</sup> reforming Article 332 of the Penal Code in 2003 to allow gang members to be fined and imprisoned for the crime of 'illicit association'.<sup>256</sup> This provision contains no criteria to define who should be considered to be a gang member; as a result, the provision has reportedly been used by the police to

de seguridad con ejecuciones extrajudiciales, 22 September 2014, <http://www.tercerainformacion.es/spip.php?article74287>; AP, *Honduras-Death Squads Story*, 1 May 2013, <http://bigstory.ap.org/article/honduras-police-accused-death-squad-killings>; Sala Negra de El Faro, *Así es la policía del país más violento del mundo*, 19 March 2012, <http://www.salanegra.elfaro.net/es/201203/cronicas/7982/>.

<sup>248</sup> AP, *Honduras-Death Squads Story*, 1 May 2013, <http://bigstory.ap.org/article/honduras-police-accused-death-squad-killings>.

<sup>249</sup> El Herald, *Caen cuatro miembros de la Policía Militar sospechosos de secuestro*, 20 February 2015, <http://www.elheraldo.hn/sucesos/794192-299/caen-cuatro-miembros-de-la-polic%C3%ADa-militar-sospechosos-de-secuestro>. See also: El Herald, *Honduras: Unos 50 subcomisionados serán separados de la Policía*, 16 May 2016, <http://www.elheraldo.hn/pais/960209-466/unos-50-subcomisionados-seran-separados-de-la-policia>.

<sup>250</sup> In 2013 there were over 700 registered private security companies, but the vast majority of security companies in the country were believed not to be registered. UN High Commissioner for Human Rights, *Private Military and Security Companies in Honduras Need Robust and Effective Monitoring*, Says UN Expert Group, 25 February 2013, <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=13032&LangID=E>; see also United States Department of State, *2014 Country Reports on Human Rights Practices - Honduras*, 25 June 2015, <http://www.refworld.org/docid/559bd56429.html>; La Prensa, *Agencias de seguridad, bajo la mira del crimen organizado*, 15 August 2013, <http://www.laprensa.hn/honduras/tegucigalpa/332039-98/agencias-de-seguridad-bajo-la-mira-del-crimen-organizado>.

<sup>251</sup> La Prensa, *Agencias de seguridad, bajo la mira del crimen organizado*, 15 August 2013, <http://www.laprensa.hn/honduras/tegucigalpa/332039-98/agencias-de-seguridad-bajo-la-mira-del-crimen-organizado>.

<sup>252</sup> La Prensa, *Agencias de seguridad, bajo la mira del crimen organizado*, 15 August 2013, <http://www.laprensa.hn/honduras/tegucigalpa/332039-98/agencias-de-seguridad-bajo-la-mira-del-crimen-organizado>.

<sup>253</sup> La Prensa, *Agencias de seguridad, bajo la mira del crimen organizado*, 15 August 2013, <http://www.laprensa.hn/honduras/tegucigalpa/332039-98/agencias-de-seguridad-bajo-la-mira-del-crimen-organizado>.

<sup>254</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 39-41, 68-72; Office of the High Commissioner for Human Rights, *Statement of the United Nations Special Rapporteur on the Human Rights of Internally Displaced Persons on Conclusion of His Official Visit to the Republic of Honduras*, 23 to 27 November 2015, 27 November 2015, <http://www.refworld.org/docid/568cf4ba4.html>; Global Witness, *How Many More?*, April 2015, [https://www.globalwitness.org/documents/17882/how\\_many\\_more\\_pages.pdf](https://www.globalwitness.org/documents/17882/how_many_more_pages.pdf); Human Rights Watch, *"There Are No Investigations Here" - Impunity for Killings and Other Abuses in Bajo Aguán, Honduras*, 14 February 2014, <http://www.refworld.org/docid/52fe1b204.html>.

<sup>255</sup> Insight Crime, *Tracing the History of Failed Gang Policies in US, Northern Triangle*, 3 December 2015, <http://www.insightcrime.org/news-analysis/tracing-the-history-of-failed-gang-policies-in-us-northern-triangle>.

<sup>256</sup> See, Honduras, *Reforma el Artículo 332 del Código Penal, Decreto No. 117-2003*, 15 August 2003, [http://www.poderjudicial.gob.hn/juris/Codigos/C%C3%B3digo%20Penal%20\(09\).pdf](http://www.poderjudicial.gob.hn/juris/Codigos/C%C3%B3digo%20Penal%20(09).pdf), pp. 235-237. See also: Honduras, *Código Procesal Penal, Decreto No. 70-2015*, 25 January 2016, <http://www.refworld.org/cgi-bin/texis/vtx/rwmain/opensslpdf.pdf?reldoc=5783a6304>; La Prensa, *Incrementan penas para cabecillas de pandillas*, 23 July 2015, <http://www.laprensa.hn/honduras/861762-410/incrementan-penas-para-cabecillas-de-pandillas>.

detain any youth with tatoos.<sup>257</sup> In July 2015, further reforms to Article 332 of the Penal Code were adopted that increase the fine and term of imprisonment to between 20 and 30 years for gang members (increased by two-thirds for gang leaders), which is further increased by one-third for persons who use vulnerable persons such as children or who attack State officials. However, gang members who cooperate with investigations by the authorities may have their prison term reduced by up two-thirds, a possibility not open to leaders.<sup>258</sup> Shortly after adopting this new ‘anti-mara law’, Honduras was also reported to be considering following El Salvador in legally designating gangs as ‘terrorist organizations’.<sup>259</sup>

Honduras has also adopted other laws directed at combatting organized crime more generally. For instance, to disrupt extortion and other activities carried out from the prisons by gangs, *bandas* and other criminals, a law blocking mobile phone signals in the vicinity of prisons was adopted in 2013 and extended and expanded in 2015.<sup>260</sup> In January 2012 Honduras began reforms to its Constitution in order to allow Honduran citizens to be extradited to face charges of drug trafficking, terrorism or organized crime.<sup>261</sup> Moreover, in 2014 Honduras also adopted a law to allow airplanes entering its airspace to be shot down if suspected of involvement in drug-trafficking.<sup>262</sup>

Moreover, in recent years the Honduran government has created special structures bringing together different State institutions to deal more effectively with the security challenges posed by organized crime. Since 2014, the cornerstone of the strategy adopted by the Hernández administration has reportedly been the National Interagency Security Taskforce (*Fuerza Nacional de Seguridad Interinstitucional*, FUSINA), which is comprised of police, armed forces, prosecutors, judiciary and other institutions under the oversight of the President’s National Defence and Security Council in order to carry out coordinated operations against organized criminal groups within the framework of *Operación Morazán* (‘Operation Morazán’).<sup>263</sup> Another such structure, created by the previous administration, is the National Anti-Extortion Taskforce (*Fuerza Nacional Antiextorsión*, FNA), which facilitates a coordinated response to the problem of extortion in Honduras.<sup>264</sup>

These efforts by the government have reportedly had a tangible impact on organized crime in Honduras. Most crucially, from 2014, and with the assistance of the United States, the authorities are reported to have severely disrupted the main Honduran drug smuggling structures and trafficking routes, as well as the Sinaloa cartel network in Honduras, and also reportedly extradited a number of their leading figures and linked politicians to stand trial for drug-related offences in the United

<sup>257</sup> Insight Crime, *Tracing the History of Failed Gang Policies in US, Northern Triangle*, 3 December 2015, <http://www.insightcrime.org/news-analysis/tracing-the-history-of-failed-gang-policies-in-us-northern-triangle>; T. Andino Mencía, *Las maras en la sombra: Ensayo de actualización del fenómeno pandillero en Honduras*, September 2006, [http://www.wola.org/sites/default/files/downloadable/Citizen%20Security/past/diagnostico\\_honduras.pdf](http://www.wola.org/sites/default/files/downloadable/Citizen%20Security/past/diagnostico_honduras.pdf), p. 66.

<sup>258</sup> Congreso Nacional de Honduras, *CN aprueba en su totalidad “Ley Antimaras” donde destaca la inclusión del beneficio premial*, 22 July 2015, <http://www.congresonacional.hn/index.php/2014-02-10-22-24-42/2013-03-22-09-53-34/item/1051-cn-aprueba-en-su-totalidad-ley-antimaras-donde-destaca-la-inclusion-del-beneficio-premial.html>. See also: Honduras, *Código Procesal Penal*, Decreto No. 70-2015, 25 January 2016, <http://www.tsc.gob.hn/leyes/Decreto-70-2015-Reforma-%20Codigo-Penal-Codigo%20Procesal-Penal.pdf>.

<sup>259</sup> El Heraldo, *Honduras: maras y pandillas en la mira para ser declaradas terroristas*, 26 August 2015, <http://www.elheraldo.hn/alfrente/873279-209/honduras-maras-y-pandillas-en-la-mira-para-ser-declaradas-terroristas>.

<sup>260</sup> Honduras, *Ley de Limitación de Servicios de Telecomunicaciones en Centros Penitenciarios, Granjas Penales y Centros de Internamiento de Niñas y Niños a nivel nacional* (Law to Limit Mobile Phone Service and Personal Communications in Prisons), Decreto no. 43-2015, 16 September 2015, <http://www.refworld.org/docid/5729db624.html>; derogated and expanded by, Honduras, *Ley de Limitación de Servicios de Telecomunicaciones en Centros Penitenciarios, Granjas Penales y Centros de Internamiento de Niñas y Niños a nivel nacional* (Law to Limit Telecommunications Services in Prisons, Prison Farms and Child Internment Centres at the National Level), Decreto No. 43-2015, [http://www.tsc.gob.hn/leyes/Ley\\_de\\_Limitacion\\_de\\_Servicios\\_de\\_Telecomunicaciones\\_en\\_Centros\\_Peniteciarios.pdf](http://www.tsc.gob.hn/leyes/Ley_de_Limitacion_de_Servicios_de_Telecomunicaciones_en_Centros_Peniteciarios.pdf).

<sup>261</sup> La Prensa, *Congreso Nacional de Honduras aprueba extradición de narcotraficantes*, 15 August 2013, <http://www.laprensa.hn/honduras/apertura/328934-98/congreso-nacional-de-honduras-aprueba-extradici%C3%B3n-de-narcotraficantes>; Insight Crime, *With Extradition Law, Honduras Outsources Justice to US*, 30 January 2012, <http://www.insightcrime.org/news-analysis/with-extradition-law-honduras-outsources-justice-to-us>.

<sup>262</sup> Honduras, *ley de protección a la soberanía del espacio aéreo* (Law for Protecting Airspace Sovereignty), Decreto 347-2013, 3 March 2014, [http://www.ccichonduras.org/es/descargas/leyes/LEYES\\_ADMINISTRATIVAS\\_ESPECIALES/DECRETO\\_347-2013\\_LEY\\_DE\\_PROTECCION\\_DEL\\_ESPACIO\\_AEREO.pdf](http://www.ccichonduras.org/es/descargas/leyes/LEYES_ADMINISTRATIVAS_ESPECIALES/DECRETO_347-2013_LEY_DE_PROTECCION_DEL_ESPACIO_AEREO.pdf).

<sup>263</sup> La Tribuna, *Fusina implementará nuevas estrategias en Honduras*, 2 January 2016, <http://www.latribuna.hn/2016/01/02/fusina-implementara-nuevas-estrategias-en-honduras/>; Latin America Goes Global, *Honduras – Innovation in the Fight Against Gangs and Narcotraficking*, 24 September 2015, <http://latinamericagoesglobal.org/2015/09/honduras-innovation-in-the-fight-against-gangs-and-narcotraficking/>.

<sup>264</sup> Proceso Digital, *El gobierno crea Fuerza Nacional Antiextorsión*, 6 March 2013, <http://www.proceso.hn/component/k2/item/24663.html>.

States.<sup>265</sup> During 2014, the authorities also reportedly captured and imprisoned a number of gang leaders, especially from the *Chirizos* and their derivative gangs.<sup>266</sup> During 2015, the security services claimed to have detained over 500 gang members and managed to dismantle several notorious *bandas* and smaller gangs.<sup>267</sup> In early 2016, *Operación Avalancha* ('Operation Avalanche') reportedly led to the capture or surrender of a number of leading *MS* members.<sup>268</sup>

However, the police reportedly do not have a permanent presence in all of the urban zones where gangs operate and, where they are present, they are reportedly not usually seen as offering a sufficient form of protection for residents who are threatened by gangs.<sup>269</sup> Mass displacements by local residents due to threats by the gangs often take place despite an increased presence in the community by the security forces.<sup>270</sup> Similarly, where the security forces carry out operations to provide security to gang-affected neighbourhoods without a permanent police presence, inhabitants reportedly know that the gangs will return once the temporary State presence is removed.<sup>271</sup> Often the most that police are able to do for those who have received threats is to temporarily shelter them in the local police station and help them to leave the area.<sup>272</sup> Even police officials who live in areas where the gangs operate are reported to acknowledge their fear at the inability of the State to protect them from assassination when they are off-duty.<sup>273</sup>

Between 2010 and 2013, only 3.7 per cent of the homicides investigated at the national level were reported to have resulted in convictions, with this figure dropping to one per cent for those in Tegucigalpa, San Pedro Sula and Comayagua.<sup>274</sup> Moreover, the reported persistent failure of prosecutors to produce sufficient evidence to lay charges has reportedly resulted in many repeat offenders – including gang members – being repeatedly arrested for alleged crimes but never prosecuted, even in straightforward cases such as those involving extortion.<sup>275</sup> It was estimated by the Honduran authorities in 2014 that around 85 per cent of extortion victims refrain from lodging a

- <sup>265</sup> Insight Crime, *Has Honduras Shutdown its Cocaine Air Bridge?*, 2 October 2015, <http://www.insightcrime.org/news-briefs/has-honduras-shutdown-cocaine-air-bridge>; El Herald, *Honduras: ingreso de droga se ha reducido en un 72 por ciento*, 24 September 2015, <http://www.elheraldo.hn/alfrente/883858-209/honduras-ingreso-de-droga-se-ha-reducido-en-un-72-por-ciento>; Proceso Digital, *Desde expatriación de "El Negro Lobo", el país extradita a un hondureño cada 64 días*, 16 October 2015, <http://proceso.hn/component/k2/item/111848-desde-expatriaci%C3%B3n-de-%E2%80%99Cel-negro-lobo%E2%80%9D-el-pa%C3%ADs-extradita-a-un-hondure%C3%B1o-cada-64-d%C3%ADas.html>.
- <sup>266</sup> La Tribuna, *Surgen tres nuevas maras "mata transportistas"*, 20 October 2014, <http://www.latribuna.hn/2014/10/20/surgen-tres-nuevas-maras-mata-transportistas/>.
- <sup>267</sup> See Tiempo, *Desmanteladas 119 bandas criminales*, 20 October 2015, <http://www.tiempo.hn/honduras-desmanteladas-119-bandas-criminales/>.
- <sup>268</sup> El Herald, *Cuatro jefes de la MS se entregarán para declarar contra "toros"*, 29 February 2016, <http://www.elheraldo.hn/pais/934625-466/cuatro-jefes-de-la-ms-se-entregar%C3%A1n-para-declarar-contra-toros>; El Herald, *Mara Salvatrucha también lava dinero en Colombia*, 24 February 2016, <http://www.elheraldo.hn/pais/933450-466/mara-salvatrucha-tambi%C3%A9n-lava-dinero-en-colombia>.
- <sup>269</sup> La Nación, *El infierno del 'impuesto de guerra' de los pandilleros en Honduras*, 13 June 2015, [http://www.nacion.com/mundo/centroamerica/Honduras-Tegucigalpa-Centroamerica-impuesto-pandillas\\_0\\_1493250773.html](http://www.nacion.com/mundo/centroamerica/Honduras-Tegucigalpa-Centroamerica-impuesto-pandillas_0_1493250773.html); El Herald, *Tegucigalpa: diez colonias sometidas por dos bandas criminales*, 5 October 2014, <http://www.elheraldo.hn/sucesos/754920-219/tegucigalpa-diez-colonias-sometidas-por-dos-bandas-criminales>; El Herald, *Extorsiones en capital de Honduras generan desplazamientos internos*, 7 April 2014, <http://www.elheraldo.hn/sucesos/619934-219/extorsiones-en-capital-de-honduras-generan-desplazamientos-internos>; El Herald, *La extorsión ataca chicleras y pulperías*, 7 April 2014, <http://www.elheraldo.hn/metro/587187-213/la-extorsion-ataca-chicleras-y-pulperias>; El Herald, *Bandas criminales implantan "toque de queda" en colonias de Tegucigalpa*, 4 February 2013, <http://www.elheraldo.hn/sucesos/621557-219/bandas-criminales-implantan-toque-de-queda-en-colonias-de-tegucigalpa>.
- <sup>270</sup> La Prensa, *Pandilleros dan 24 horas a habitantes de colonia en Tegucigalpa para salir de sus casas*, 24 March, 2016, <http://www.laprensa.hn/sucesos/942866-410/pandilleros-dan-24-horas-a-habitantes-de-colonia-en-tegucigalpa-para-salir>; La Prensa, *Policías y militares se instalan en la Reparto Lempira*, 22 March 2016, <http://www.laprensa.hn/honduras/942299-410/residentes-de-reparto-lempira-huyen-de-sus-casas-por-amenazas>.
- <sup>271</sup> El Herald, *Pandilla 18, la más violenta y sanguinaria*, 21 April 2015, <http://www.elheraldo.hn/alfrente/833220-209/pandilla-18-la-m%C3%A1s-violenta-y-sanguinaria>; El Herald, *Tegucigalpa: diez colonias sometidas por dos bandas criminales*, 5 October 2014, <http://www.elheraldo.hn/sucesos/754920-219/tegucigalpa-diez-colonias-sometidas-por-dos-bandas-criminales>.
- <sup>272</sup> El Herald, *Familia hondureña se refugia de pandilleros en una posta policial*, 17 October 2013, <http://www.elheraldo.hn/sucesos/623567-219/familia-hondurena-se-refugia-de-pandilleros-en-una-posta-policial>.
- <sup>273</sup> El Herald, *Tegucigalpa: diez colonias sometidas por dos bandas criminales*, 5 October 2014, <http://www.elheraldo.hn/sucesos/754920-219/tegucigalpa-diez-colonias-sometidas-por-dos-bandas-criminales>; El Herald, *La extorsión ataca chicleras y pulperías*, 7 April 2014, <http://www.elheraldo.hn/metro/587187-213/la-extorsion-ataca-chicleras-y-pulperias>.
- <sup>274</sup> Revistazo, *"La investigación criminal está en detrimento": fiscal especial de Delitos contra la Vida*, 9 December 2014, [http://www.revistazo.biz/web2/index.php/nacional/item/997-\"la-investigaci%C3%B3n-criminal-est%C3%A1-en-detrimento](http://www.revistazo.biz/web2/index.php/nacional/item/997-\).
- <sup>275</sup> La Nación, *El infierno del 'impuesto de guerra' de los pandilleros en Honduras*, 13 June 2015, [http://www.nacion.com/mundo/centroamerica/Honduras-Tegucigalpa-Centroamerica-impuesto-pandillas\\_0\\_1493250773.html](http://www.nacion.com/mundo/centroamerica/Honduras-Tegucigalpa-Centroamerica-impuesto-pandillas_0_1493250773.html); La Tribuna, *Delinquentes "coleccionan" órdenes de captura*, 29 October 2014, <http://www.latribuna.hn/2014/10/29/delinquentes-coleccionan-ordenes-de-captura/>; La Prensa, *"O pagan o se mueren" advierten maras a transportistas*, 3 September 2013, <http://www.laprensa.hn/especiales/381934-273/o-pagan-o-se-mueren-advierten-maras-a-transportistas>.

complaint with the police, due to threats by gangs and the gangs' practice of killing those who do report them to the authorities.<sup>276</sup>

Impunity for violence against women and girls remains a serious problem; stigma, fear of retribution and further violence, and lack of confidence in the justice system reportedly dissuades many women from reporting sexual or domestic violence.<sup>277</sup> Despite improvements to the legal framework for the protection of vulnerable groups in Honduras from 2015 onwards,<sup>278</sup> impunity is reported also to be a particularly acute problem in relation to violence and other crimes committed against a range of other sectors of society, such as human rights defenders; legal and judicial professionals; indigenous and Afro-descendant populations; children and adolescents; individuals of diverse sexual orientations and/or gender identities; journalists and other media workers; and peasant communities particularly in the Bajo Agúan region.<sup>279</sup> Moreover, there are reports of criminal law provisions such as 'incitement to violence' being frequently used by the authorities as a means of intimidating and harassing members of these same sectors of society.<sup>280</sup>

In 2007 Honduras adopted a law to create a framework for the provision of protection and support to protected witnesses,<sup>281</sup> which was first implemented through a programme of the Public Ministry from 2012.<sup>282</sup> In 2015, the programme reportedly provided financial support to about 130 protected witnesses, including a number of criminal 'turncoats', along with some 400 family members of these protected witnesses. However, the witness protection scheme is reported to be inadequately resourced and cases have been reported of protected witnesses being attacked or murdered.<sup>283</sup>

Conditions in the Honduran prison system are reported to be harsh and life threatening due to overcrowding, unhygienic conditions, violence, abuses by prison officials, and the influence of

<sup>276</sup> La Prensa, *Hasta a tres grupos pagan extorsión los taxistas*, 13 May 2015, <http://www.laprensa.hn/honduras/839667-410/hasta-a-tres-grupos-pagan-extorsi%C3%B3n-los-taxistas>; El Heraldo, *Extorsiones en capital de Honduras generan desplazamientos internos*, 7 April 2014, <http://www.elheraldo.hn/sucesos/619934-219/extorsiones-en-capital-de-honduras-generan-desplazamientos-internos>; Proceso Digital, *Imparables las extorsiones en Honduras*, 23 October 2012, <http://www.proceso.hn/component/k2/item/30725-Imparables-las-extorsiones-en-Honduras.html>.

<sup>277</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 54-59; United States Department of State, *2015 Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>; UN Human Rights Council, *Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences, Addendum : Mission to Honduras*, 31 March 2015, A/HRC/29/27/Add.1, <http://www.refworld.org/docid/5583f5fe4.html>, pp. 5, 10. Between 2008 and 2014, 54% of complaints about domestic violence lapsed due to delays in the judicial process and before the courts had taken any decision. See UN Women and United Nations Development Programme, *Violencia y seguridad ciudadana: una mirada desde la perspectiva de género*, May 2015, <http://www.hn.undp.org/content/dam/honduras/docs/publicaciones/diagnosticogeneroyviolencia.pdf>, p. 46.

<sup>278</sup> For instance, in 2015, Honduras adopted a Law on the Protection of Human Rights Defenders, Journalists, Media Workers and Justice Operators, Honduras: *Ley de Protección para las y los Defensores de Derechos Humanos, Periodistas, Comunicadores Sociales y Operadores de Justicia*, Decreto No. 34-2015, 15 May 2015, [http://www.tsc.gob.hn/leyes/Ley\\_Proteccion\\_defensores\\_der\\_humanos\\_periodistas\\_op\\_just.pdf](http://www.tsc.gob.hn/leyes/Ley_Proteccion_defensores_der_humanos_periodistas_op_just.pdf).

<sup>279</sup> Amnesty International, *Amnesty International Report 2015/16 - Honduras*, 24 February 2016, <http://www.refworld.org/docid/56d05b4e15.html>; Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 28-92; Committee on the Rights of the Child, *Concluding Observations on the Combined Fourth and Fifth Periodic Reports of Honduras*, 8 June 2015, <http://www.refworld.org/docid/566fc4334.html> p. 7; United States Department of State, *2015 Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>.

<sup>280</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 28-92.

<sup>281</sup> Honduras, *Ley de protección a testigos en el proceso penal* (Law on Witness Protection in Criminal Procedures), Decreto no. 63-2007, 21 June 2007, <http://www.refworld.org/docid/5729bb694.html>.

<sup>282</sup> Proceso Digital, *Programa de Testigos Protegidos urge fortalecimiento para no morir*, 30 July 2014, <http://www.proceso.hn/component/k2/item/85920-Programa-de-Testigos-Protegidos-urge-fortalecimiento-para-no-morir.html>.

<sup>283</sup> Tiempo, *Testigo protegido en el caso de Astropharma está hospitalizado; recibió cinco balazos*, 25 July 2015, <http://www.tiempo.hn/atenta-contr-el-unico-testigo-protegido-en-el-caso-de-astropharma/>; La Prensa, *Protección a testigos no funciona, denuncia Asociación de Fiscales*, 15 July 2015, <http://www.laprensa.hn/sucesos/858562-410/protecci%C3%B3n-a-testigos-no-funciona-denuncia-asociaci%C3%B3n-de-fiscales>; El Heraldo, *Niveles de inseguridad acechan la vida de testigos protegidos*, 12 July 2015, <http://www.elheraldo.hn/pais/858423-214/niveles-de-inseguridad-acechan-la-vida-de-testigos-protegidos>; United States Department of State, *2015 Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>; La Prensa, *Bajan de taxi a jovencita y la matan a balazos en la capital*, 28 May 2015, <http://www.laprensa.hn/sucesos/844165-410/bajan-de-taxi-a-jovencita-y-la-matan-a-balazos-en-la>; El Heraldo, *Crisis en Programa de Protección a Testigos en Honduras*, 10 August 2014, <http://www.elheraldo.hn/pais/737103-214/crisis-en-programa-de-protecci%C3%B3n-a-testigos-en-honduras>; Proceso Digital, *Programa de Testigos Protegidos urge fortalecimiento para no morir*, 30 July 2014, <http://www.proceso.hn/component/k2/item/85920-Programa-de-Testigos-Protegidos-urge-fortalecimiento-para-no-morir.html>. Further to agreements with third countries, some witnesses have reportedly been provided the opportunity to move abroad as part of this protection scheme: La Prensa, *La Maccih avalará la protección de testigos*, 12 January 2016, <http://www.laprensa.hn/honduras/919334-410/la-maccih-avalar%C3%A1-la-protecci%C3%B3n-de-testigos>.



organized crime in prisons.<sup>284</sup> Although the official prison capacity is for around 8,600 to 10,500 detainees, the prison population at the end of 2014 was reported to be between 14,800 and 16,000 persons, of whom more than half were in pre-trial detention.<sup>285</sup> Despite efforts on the part of the Honduran authorities to begin overhauling the prison system in 2014,<sup>286</sup> prison riots, killings and violent confrontations between imprisoned members of rival gangs and between imprisoned gang members and the wider prison population are reported to be frequent.<sup>287</sup>

## 2. Corruption and Human Rights Violations by State Agents

As noted above, the police and the armed forces, including the PMOP, have also been accused of involvement in serious criminal activities and human rights abuses (see Section II.B.2.d).<sup>288</sup> The police force is reported to be one of the most corrupt and mistrusted in Latin America.<sup>289</sup> While there have been numerous attempts by the Honduran government to reform and purge the police,<sup>290</sup> these efforts at reform are reported to have largely failed, with internal reports in 2015 showing few cases where crimes involving police officers have been prosecuted.<sup>291</sup> Moreover, a number of officials – including higher-ranking officers – reportedly remain part of the police force despite having links to organized criminal groups that are responsible for serious crimes including drug-trafficking, murder and kidnapping.<sup>292</sup> Honduran drug smuggling structures are reported to have significant influence in the security forces and the judicial system, while political candidates supported by, or linked to, these structures have reportedly entered Congress and have become mayors and entered important posts in the Executive.<sup>293</sup> Corruption and impunity in the security forces are thus reported to continue to

<sup>284</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 193-220; United States Department of State, *2015 Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>.

<sup>285</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, p. 194; El Heraldo, *Más de 16,100 reclusos en 24 cárceles*, 22 October 2014, <http://www.elheraldo.hn/alfrente/760366-209/honduras-m%C3%A1s-de-16100-reclusos-en-24-c%C3%A1rceles>.

<sup>286</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 194-201; Insight Crime, *Honduras Overhauls Prison System*, 10 November 2014, <http://www.insightcrime.org/news-analysis/honduras-overhauls-prison-system>.

<sup>287</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 193-220; United States Department of State, *2015 Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>; Sala Negra de El Faro, *El país que mata a sus presos*, 4 May 2014, <http://www.salanegra.elfaro.net/es/201404/cronicas/15320/>; Sala Negra de El Faro, *El rey justo de la cárcel del infierno*, 13 January 2014, <http://www.salanegra.elfaro.net/es/201401/cronicas/14394/>.

<sup>288</sup> El Heraldo, *Policías sicarios: "Nos pagaron 20 mil dólares" para asesinar al zar antidrogas*, 5 April 2016, <http://www.elheraldo.hn/pais/946638-466/polic%C3%ADas-sicarios-nos-pagaron-20-mil-d%C3%B3lares-para-asesinar-al-zar-antidrogas>; El Heraldo, *Caen cuatro miembros de la Policía Militar sospechosos de secuestro*, 22 February 2015, <http://www.elheraldo.hn/sucesos/794192-299/caen-cuatro-miembros-de-la-polic%C3%ADa-militar-sospechosos-de-secuestro>.

<sup>289</sup> Insight Crime, *Honduras Profile*, undated, <http://www.insightcrime.org/honduras-organized-crime-news/honduras> (date accessed: 1 April 2016).

<sup>290</sup> For instance, in June 2013, all 1,400 officers from the police's National Criminal Investigation Branch (*Dirección Nacional de Investigación Criminal*) were suspended indefinitely over alleged corruption and ties to organized criminal groups. In 2014, another 700 police officers were dismissed as part of an ongoing effort to purge the ranks of corruption, an exercise that between May 2012 and December 2014 resulted in 1,350 police officers being dismissed and another 1,570 resigning. See El Heraldo, *Anuncian barrida de 700 policías*, 10 December 2014, <http://www.elheraldo.hn/alfrente/775333-209/honduras-anuncian-barrida-de-700-polic%C3%ADas>; Noticias24, *Suspenden a 1.400 policías en Honduras por sospechas de corrupción*, 5 June 2013, <http://www.noticias24.com/internacionales/noticia/61366/suspenden-a-1-400-policias-en-honduras-por-sospechas-de-corrupcion/>.

<sup>291</sup> Human Rights Watch, *World Report 2016 - Honduras*, 27 January 2016, <http://www.refworld.org/docid/56bd993b15.html>; El Heraldo, *Así delinquen los policías en Honduras*, 7 July 2015, <http://www.elheraldo.hn/alfrente/856868-209/as%C3%AD-delinquen-los-polic%C3%ADas-en-honduras>; El Heraldo, *Depuración de la Policía es una burla a la sociedad*, 5 July 2015, <http://www.elheraldo.hn/alfrente/856134-209/depuraci%C3%B3n-de-la-polic%C3%ADa-es-una-burla-a-la-sociedad>; El Heraldo, *El Heraldo muestra cómo carteles de la droga se distribuyeron el país*, 27 May 2015, <http://www.elheraldo.hn/alfrente/844138-209/el-heraldo-revela-c%C3%B3mo-se-distribuyeron-el-pa%C3%ADs-los-carteles-de-la>; Telesur, *Honduras Police Clean Up Declared a Failure*, 3 March 2015, <http://www.telesurtv.net/english/news/Honduras-Police-Clean-Up-Declared-a-Failure-20150303-0020.html>.

<sup>292</sup> New York Times, *Tres generales y un cartel: violencia policial e impunidad en Honduras*, 15 April 2016, <http://www.nytimes.com/es/2016/04/15/tres-generales-y-un-cartel-violencia-policial-e-impunidad-en-honduras/>; New York Times, *Files Suggest Honduran Police Leaders Ordered Killing of Antidrug Officials*, 15 April 2016, <http://www.nytimes.com/2016/04/16/world/americas/files-suggest-honduras-police-leaders-ordered-killing-of-antidrug-officials.html>. See also sources in preceding footnote.

<sup>293</sup> El Heraldo, *Honduras: identificado el grupo de los 14E, informe de inteligencia*, 27 May 2015, <http://www.elheraldo.hn/inicio/843774-331/honduras-identificado-el-grupo-de-los-14e-informe-de-inteligencia>; El Heraldo, *El Heraldo muestra cómo carteles de la droga se distribuyeron el país*, 27 May 2015, <http://www.elheraldo.hn/alfrente/844138-209/el-heraldo-revela-c%C3%B3mo-se-distribuyeron-el-pa%C3%ADs-los-carteles-de-la>.



contribute to widespread impunity for crimes committed by members of drug smuggling structures and gangs, State officials and other individuals in Honduras.<sup>294</sup>

Moreover, gangs such as *MS* are reported to have connections within the police that pass on information about operations by the security forces to the gangs and assist the gangs in other ways.<sup>295</sup>

Collusion between gangs and the police in extorting the population is also reported to take place, with the police being paid off to allow gangs to extort without interference or even sometimes collecting extortion money for the gangs.<sup>296</sup> There have apparently been regular attempts by the gangs and other organized criminal groups to infiltrate the ranks of the police with their own members.<sup>297</sup> The specialized FNA is reportedly perceived by the general population as not having been successful in dismantling gang structures; by only capturing individual low-level members who are sent to pick up the extortion money, the FNA actions are in fact perceived to have led to an increase in extortion by gangs and *bandas* rather than a decrease.<sup>298</sup> Indeed, a sharp increase in the murders of workers has been reported in the heavily-extorted public transport sector in 2014 and 2015, i.e. after the FNA was created.<sup>299</sup>

The judicial system is reported to be particularly inefficient and subject to intimidation, corruption, patronage and political interference, which in turn is reported to contribute to high levels of impunity for crimes in Honduras.<sup>300</sup> In 2013, an evaluation system implemented in the judiciary reportedly resulted in the dismissal of almost one-fifth of the judges reviewed, with several arrested and imprisoned for taking bribes from drug-traffickers.<sup>301</sup> In November 2015, an independent investigation into candidates for the Honduran Supreme Court alleged that over one-fifth of the 197 judicial candidates were connected to illicit activities, particularly organized crime and drug-trafficking.<sup>302</sup> In late 2015 a national judge from the special court system for high profile cases against gangs and organized criminal groups was reportedly convicted of accepting bribes, whilst by early 2016 other judges, prosecutors and the Vice-President of the National Judicial Council were reported to be under investigation on similar charges.<sup>303</sup>

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<sup>294</sup> United States Department of State, 2015 Country Reports on Human Rights Practices - Honduras, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>.

<sup>295</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 33.

<sup>296</sup> La Tribuna, *MS-13 le subió a 'renta' y trajo a negociadores de El Salvador*, 14 March 2016, <http://www.latribuna.hn/2016/03/14/ms-13-le-subio-renta-trajo-negociadores-salvador/>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 20; El Heraldito, *Delincuentes le ponen precio a la paz en la capital de Honduras*, 7 April 2014, <http://www.elheraldo.hn/metro/587245-213/delincuentes-le-ponen-precio-a-la-paz-en-la-capital-de-honduras>.

<sup>297</sup> La Tribuna, *Maras y crimen organizado quisieron infiltrarse en la ATIC*, 7 July 2015, <http://www.latribuna.hn/2015/07/07/maras-y-crimen-organizado-quisieron-infiltrarse-en-la-atic/>; La Tribuna, *Detectan grupos de "policías pandilleros"*, 21 March 2015, <http://www.latribuna.hn/2015/03/21/detectan-grupos-de-policias-pandilleros/>; Infobae, *Honduras depura a la Justicia y la Policía de la infiltración del narco*, 8 November 2011, <http://www.infobae.com/2011/11/08/1037505-honduras-depura-la-justicia-y-la-policia-la-infiltracion-del-narco>.

<sup>298</sup> Quien Opina, *"Ustedes nos pagan para que no los matemos", les dicen mareros*, 27 November 2015, <http://www.quienopina.com/2015/11/honduras-ustedes-nos-pagan-para-que-no-los-matemos-les-dicen-mareros/>; BBC, *Las niñas reclutadas por las maras en Honduras para cobrar extorsiones*, 30 October 2015, [http://www.bbc.com/mundo/noticias/2015/10/151028\\_honduras\\_bandas\\_extorsion\\_ninas\\_ep](http://www.bbc.com/mundo/noticias/2015/10/151028_honduras_bandas_extorsion_ninas_ep); La Nación, *El infierno del 'impuesto de guerra' de los pandilleros en Honduras*, 13 June 2015, [http://www.nacion.com/mundo/centroamerica/Honduras-Tegucigalpa-Centroamerica-impuesto-pandillas\\_0\\_1493250773.html](http://www.nacion.com/mundo/centroamerica/Honduras-Tegucigalpa-Centroamerica-impuesto-pandillas_0_1493250773.html); Proceso Digital, *Imparables las extorsiones en Honduras*, 23 October 2012, <http://www.proceso.hn/component/k2/item/30725-Imparables-las-extorsiones-en-Honduras.html>.

<sup>299</sup> La Tribuna, *MS-13 le subió a 'renta' y trajo a negociadores de El Salvador*, 14 March 2016, <http://www.latribuna.hn/2016/03/14/ms-13-le-subio-renta-trajo-negociadores-salvador/>.

<sup>300</sup> Human Rights Watch, *World Report 2016 - Honduras*, 27 January 2016, <http://www.refworld.org/docid/56bd993b15.html>; United States Department of State, 2015 Country Reports on Human Rights Practices - Honduras, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>.

<sup>301</sup> United States Department of State, 2014 Country Reports on Human Rights Practices - Honduras, 25 June 2015, <http://www.refworld.org/docid/559bd56429.html>.

<sup>302</sup> El Heraldito, *En EE UU indagan a 40 aspirantes a magistrados*, 19 November 2015, <http://www.elheraldo.hn/inicio/902999-465/en-ee-uu-indagan-a-40-aspirantes-a-magistrados>.

<sup>303</sup> El Heraldito, *Investigan a cuatro jueces por nexos con la MS-13*, 1 March 2016, <http://www.elheraldo.hn/pais/935440-466/honduras-investigan-a-cuatro-jueces-por-nexos-con-la-ms-13>; Insight Crime, *Honduras Guilty Verdict Shows Something is Working*, 8 December 2015, <http://www.insightcrime.org/news-briefs/honduras-guilty-verdict-shows-something-is-working>.

## D. Trends in Internal and External Displacement and Returns

In 2013, the Honduran government inaugurated a permanent Inter-Agency Commission for the Protection of Persons Displaced by Violence (*Comisión Interinstitucional para la Protección de las Personas Desplazadas por la Violencia*, CIPPDV) comprised of representatives of designated State entities and civil society organizations, and serviced by an operational secretariat.<sup>304</sup> The CIPPDV's objective is to promote the formulation of policy and the adoption of measures to prevent forced displacement caused by violence and organized criminality and to provide protection and solutions to persons displaced by violence and criminality and to their family members.<sup>305</sup> As at March 2016 the CIPPDV had reportedly not adopted any concrete policy measures responding to forced displacement or displaced persons.<sup>306</sup> In November 2015, during his visit to Honduras on the invitation of the government, the UN Special Rapporteur on the Human Rights of Internally Displaced Persons emphasized the urgent need for the CIPPDV to begin taking concrete measures to address the situation of forced displacement in the country.<sup>307</sup>

No government system exists to register internally displaced persons (IDPs) or to monitor internal displacement in Honduras. However, in November 2015 the CIPPDV published an official study profiling internal displacement in the country.<sup>308</sup> Based on a household survey administered in 20 of the approximately 300 municipalities of Honduras (and spanning 11 of its 18 territorial departments), the results showed that 4 per cent of the total estimated number of households in those municipalities had been forced into displacement between 2004 and 2014 because of violence or insecurity,<sup>309</sup> with 7.5 per cent displaced twice and 2.1 per cent displaced three times.<sup>310</sup> The twenty municipalities were selected on the basis of being likely reception sites for persons displaced by insecurity and were estimated to be home to approximately 174,000 IDPs.<sup>311</sup> The figures also show an apparent increase in the levels of internal displacement from 2008-2009 and again from 2013-2014.<sup>312</sup>

According to the CIPPDV's findings, displaced households are generally younger, larger and less well-educated than non-displaced households.<sup>313</sup> Most interviewees reported that they had lost their house and their sources of income.<sup>314</sup> Compared to non-displaced households, access to housing for displaced households is more precarious and with greater levels of overcrowding. Displaced households also suffer greater health problems but are less able to access health care due to lack of resources, and have a higher rate of unemployment and hold more unstable and informal jobs.<sup>315</sup>

<sup>304</sup> The Comisión Interinstitucional para la Protección de las Personas Desplazadas por la Violencia (CIPPDV) was created directly by Presidential Decree. See Poder Ejecutivo, Decreto Ejecutivo Número PCM-053-2013, published 26 November 2013, <http://faolex.fao.org/docs/pdf/hon132079.pdf>, Article 2. Members of the CIPPDV were sworn in during March 2014. See La Prensa, Honduras crea comisión para prevenir el desplazamiento forzado por violencia, 31 March 2014, <http://www.laprensa.hn/honduras/tegucigalpa/631951-98/honduras-crea-comisi%C3%B3n-para-prevenir-el-desplazamiento-forzado-por-violencia>.

<sup>305</sup> Poder Ejecutivo, Decreto Ejecutivo Número PCM-053-2013, published 26 November 2013, <http://faolex.fao.org/docs/pdf/hon132079.pdf>, Article 1.

<sup>306</sup> See, for example, Gobierno de Honduras - Secretaría de Derechos Humanos, Justicia, Gobernación y Descentralización, Colombia y Honduras intercambian experiencias en la protección a personas desplazadas por la violencia, 23 July 2015, <http://www.sdhjgd.gob.hn/noticias/268-colombia-y-honduras-intercambian-experiencias-en-la-proteccion-a-personas-desplazadas-por-la-violencia>.

<sup>307</sup> Office of the High Commissioner for Human Rights, *Statement of the United Nations Special Rapporteur on the Human Rights of Internally Displaced Persons on Conclusion of his Official Visit to the Republic of Honduras, 23 to 27 November 2015*, 27 November 2016, <http://www.refworld.org/docid/568cf4ba4.html>.

<sup>308</sup> CIPPDV, *Characterization of Internal Displacement in Honduras*, November 2015, [http://www.jips.org/system/cms/attachments/1050/original\\_Profiling\\_ACNUR\\_ENG.pdf](http://www.jips.org/system/cms/attachments/1050/original_Profiling_ACNUR_ENG.pdf). The study was carried out with the support of the Honduran National Institute of Statistics (NIS), UNHCR, Joint IDP Profiling Service (JIPS) and Jesuit Reflection, Investigation and Communication Team (ERIC-SJ).

<sup>309</sup> Ibid, p. 12.

<sup>310</sup> Ibid, p. 12. The study confirms that internal displacement occurs not only as a result of belonging to an 'unsafe community' but often also after a member of the household has been the direct victim of violence (ibid, p. 48). The actor most frequently identified as the perpetrator of such acts of violence was 'maras' (28 per cent), followed by 'ordinary criminals' (18 per cent). However, in 46 per cent of cases, the displaced interviewee claimed not to know the perpetrator or did not answer the question, likely due to the sensitive nature of this information and the associated fear of reprisals from the gangs (ibid, p. 49).

<sup>311</sup> Ibid., p. 10 and p. 12.

<sup>312</sup> Ibid, p. 45.

<sup>313</sup> Ibid, pp. 12-13.

<sup>314</sup> Ibid, p. 14.

<sup>315</sup> Ibid, pp. 14-15.

According to the CIPPDV, 63 per cent of households are reportedly unable to cover basic needs and 32 per cent of households are unable to provide sufficient food for each of their members.<sup>316</sup>

One of the reported reasons for multiple displacements is that displaced persons often have little choice but to relocate to areas that are also controlled by gangs. If they move to an area controlled by the same gang, their problems are likely to follow them to the new location; if they move to an area controlled by a different gang, they are likely to be challenged by this gang as rival gangs usually do not accept persons coming from areas controlled by other gangs settling in their home territory.<sup>317</sup> Where gangs and other criminal groups have serious problems with a person or believe that the person in question could represent an ongoing threat, they are reported to make efforts to try and track the person down even after they have fled their home.<sup>318</sup> As there is no government programme for assisting IDPs, each new displacement is reported to exacerbate the downward spiral in their living conditions.<sup>319</sup>

Moreover, because persons who flee their homes due to threats or gang-related violence often have to do so rapidly, they usually incur substantial economic losses as they have little time to make arrangements to sell or rent their houses and businesses or even to collect all of their belongings.<sup>320</sup> Where gangs have specifically required such persons to leave, they are reported often to take over the house to use it for their own purposes or to destroy it to prevent the return of the family.<sup>321</sup> Even families who flee due to a perceived threat from the gang but without receiving a direct order to leave may reportedly still be prohibited by the gang from renting or selling their property and their property may even be destroyed to prevent its later recuperation.<sup>322</sup>

Hondurans affected by the violence are also fleeing Honduras in increasing numbers to seek asylum outside the country. The number of asylum applications by Hondurans has increased significantly, with 8,022 applications lodged in 2014, almost twice the number of applications lodged in 2013 (4,016 applications) and almost five times the number of applications in 2010 (1,659 applications).<sup>323</sup>

The overwhelming majority of claims for asylum by Hondurans are lodged in the United States.<sup>324</sup> Although many of these claims are lodged by adults, from 2011 onwards there was a sharp increase in the number of unaccompanied and separated children fleeing Honduras and the other Northern Triangle countries, many of whom applied for asylum.<sup>325</sup> Interview data from 2013 from Honduran children apprehended in the United States indicates that 44 per cent of the interviewed children from Honduras claimed to have left because of violence in society, with 34 per cent specifying organized

<sup>316</sup> Ibid, p. 15.

<sup>317</sup> La Prensa, 'Leyes' de maras siguen imperando en barrios, 15 August 2013, <http://www.laprensa.hn/honduras/apertura/328837-98/leyes-de-maras-siguen-imperando-en-barrios>.

<sup>318</sup> D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 54-55 and 59.

<sup>319</sup> D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 54-55.

<sup>320</sup> D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 54-55; La Prensa, *El drama de las familias desplazadas por maras en Honduras*, 26 August 2013, <http://www.laprensa.hn/especiales/328425-273/el-drama-de-las-familias-desplazadas-por-maras-en-honduras>.

<sup>321</sup> La Prensa, *Pandilleros se adueñan de las casas de desplazados*, 23 October 2014, <http://www.laprensa.hn/honduras/tegucigalpa/761099-410/pandilleros-se-adue%C3%B1an-de-las-casas-de-desplazados>; La Prensa, *Hay medio millón de hondureños secuestrados por maras*, 25 August 2013, <http://www.laprensa.hn/especiales/328418-273/hay-medio-mill%C3%B3n-de-hondure%C3%B1os-secuestrados-por-maras>.

<sup>322</sup> El Proceso, 'Casas de horror' continúan aterrorizando a los hondureños, 30 March 2015, <http://www.proceso.hn/component/k2/item/99530-%E2%80%9Ccasas-de-horror%E2%80%9D-contin%C3%B3n-aterroizando-a-los-hondure%C3%B1os.html>; El Herald, *Extorsiones en capital de Honduras generan desplazamientos internos*, 7 April 2014, <http://www.elheraldo.hn/sucesos/619934-219/extorsiones-en-capital-de-honduras-generan-desplazamientos-internos>.

<sup>323</sup> UNHCR, *UNHCR Statistical Yearbook 2014*, 14th edition, 8 December 2015, <http://www.refworld.org/docid/5666f04b4.html>, Annex, Table 11; UNHCR, *UNHCR Statistical Yearbook 2013*, 13<sup>th</sup> edition, 2 February 2015, <http://www.refworld.org/docid/54d369094.html>, Annex, Table 11; UNHCR, *UNHCR Statistical Yearbook 2010: Trends in Displacement, Protection and Solutions*, 27 December 2011, <http://www.refworld.org/docid/4f06ecf72.html>, Annex, Table 11.

<sup>324</sup> In 2014, for example, 6,798 of the 8,022 asylum applications lodged by Hondurans worldwide were made in the United States of America. The next largest numbers were in Mexico (768) and Canada (179): see UNHCR, *UNHCR Statistical Yearbook 2014*, 14th edition, 8 December 2015, <http://www.refworld.org/docid/5666f04b4.html>, Annex, Tables 11 and 12.

<sup>325</sup> UNHCR, *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection*, 13 March 2014, <http://www.refworld.org/docid/532180c24.html>; The Conversation, *Gangs: The Real 'Humanitarian Crisis' Driving Central American Children to the US*, 22 August 2014, <https://theconversation.com/gangs-the-real-humanitarian-crisis-driving-central-american-children-to-the-us-30672>.

criminal actors as the source of harm, while 24 per cent of the interviewed children mentioned domestic violence as a relevant factor.<sup>326</sup>

Although some Honduran migrants have voluntarily returned to Honduras, the number of Honduran refugees voluntarily repatriating in recent years is negligible.<sup>327</sup> However, a large and increasing number of Honduran nationals are reportedly deported each year from the United States and Mexico by air and land, either pursuant to a deportation order following conviction for criminal activities or due to their irregular migration status.<sup>328</sup>

### III. Assessment of International Protection Needs of Asylum-seekers from Honduras

#### A. Refugee Protection under the 1951 Convention

This Section outlines a number of potential risk profiles for asylum-seekers from Honduras. UNHCR considers that asylum-seekers from Honduras falling within one or more of these risk profiles may be in need of international refugee protection under Article 1A of the 1951 Convention relating to the Status of Refugees (1951 Convention), depending on the circumstances of the individual case. Potential risk profiles are based on UNHCR's legal assessment of available country of origin information at the time of writing as referred to in Section II and the present section.

Examination of claims by asylum-seekers in this context should include a full analysis of applicable Convention grounds.<sup>329</sup> In the particular context of Honduras, where gangs are reported to exercise high levels of social control over all aspects of life of members of the population in the areas under the gangs' control (see Section II.B.2.a and II.B.2.b in particular), it would frequently be appropriate for applications for international protection from applicants who flee gang-related forms of persecution to be analysed in relation to the ground of (imputed) political opinion.<sup>330</sup> The ground of political opinion needs to reflect the reality of the specific geographical, historical, political, legal, judicial, and socio-cultural context of the country of origin. In contexts such as that in Honduras, expressing objections to the activities of gangs may be considered as amounting to an opinion that is critical of the methods and policies of those in control and, thus, constitute a "political opinion" within the meaning of the refugee definition.<sup>331</sup> For example, individuals who resist being recruited by a gang, or who refuse to comply with demands made by the gangs, such as demands to pay extortion money, may be perceived to hold a political opinion.<sup>332</sup>

Not all persons falling within the risk profiles outlined in this Section will necessarily be found to be a refugee. Conversely, these risk profiles are not necessarily exhaustive. A claim should not automatically be considered as without merit simply because it does not fall within any of the identified profiles. There is no hierarchy implied in the order in which the profiles are presented. All claims by Honduran asylum-seekers need to be considered on their own merits in fair and efficient refugee status determination procedures and based on up-to-date country of origin information. There

<sup>326</sup> In some cases, multiple motives were mentioned by the children interviewed. See UNHCR, *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection*, 13 March 2014, <http://www.refworld.org/docid/532180c24.html>, pp. 36-37. See also: UNHCR, *Arrancados de Raíz: Causas que originan el desplazamiento transfronterizo de niños, niñas y adolescentes no acompañados y/o separados de Centroamérica y su necesidad de protección internacional*, November 2014, <http://www.acnur.org/t3/donde-trabaja/america/mexico/arrancados-de-raiz/>.

<sup>327</sup> One Honduran refugee was recorded as voluntarily repatriating in 2014. UNHCR, *UNHCR Statistical Yearbook 2014*, 14th edition, 8 December 2015, <http://www.refworld.org/docid/5666f04b4.html>, Annex, Table 2.

<sup>328</sup> Between 1997 and 2014, some 753,079 Hondurans were returned to Honduras from the United States and Mexico. In 2014 alone, 81,017 Hondurans were returned, with children making up approximately 10 per cent of the total. See UNHCR, *Diagnóstico sobre la caracterización de la población hondureña retornada con necesidades de protección*, April 2014, <http://www.acnur.org/t3/fileadmin/scripts/doc.php?file=t3/fileadmin/Documentos/Publicaciones/2015/10027>, p. 18.

<sup>329</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), in particular paras. 29-51 on relevant Convention grounds.

<sup>330</sup> *Ibid.*, paras 45-51.

<sup>331</sup> *Ibid.*, paras 46.

<sup>332</sup> *Ibid.*, paras 50-51.



is a certain degree of overlap between some of the profiles, and the particular circumstances of an individual asylum-seeker may mean that two or more profiles may apply.<sup>333</sup>

Where relevant, particular consideration should be given to any past persecution to which asylum-seekers may have been subjected.<sup>334</sup> In light of the context of organized crime and human rights abuses in Honduras, the applicability of the exclusion clauses may need to be considered in certain cases.

**1. Persons perceived by a gang or other organized criminal group as contravening its rules or resisting its authority**

Gangs in Honduras are reported to perceive a wide range of acts by residents of the area under the gang's control as demonstrating 'resistance' to their authority. Acts commonly construed as challenging a gang's authority reportedly include but are not limited to: criticizing the gang; refusing a request or 'favour' by a gang member; arguing with or looking mistrustfully at a gang member; refusing to participate in gang activities or to join the gang; rejecting the sexual attention of a gang member; having (perceived) links with a rival gang or a zone controlled by a rival gang; refusing to pay extortion demands; wearing certain clothing, tattoos or other symbols; participating in civil, religious or other organizations viewed as undermining the gang's authority; and passing on information about the gang to rivals, authorities or outsiders.<sup>335</sup>

Persons who live in localities that serve as 'invisible' boundaries between the territories of rival gangs, or where the control of one gang is being disputed by another gang, face a heightened risk of being perceived (sometimes by both sides) as having links with the rival gang.<sup>336</sup> Civic leaders, and other formal and informal community leaders, who represent an alternative source of authority to the gangs or who oppose them, or are perceived by the gangs as doing so, are equally at risk of violent retaliation.<sup>337</sup>

The nature of retaliation for perceived acts of 'resistance' or 'disloyalty' by inhabitants is reported to vary to some degree depending on the 'character' of the local gang (and any wider gang structure with

<sup>333</sup> Based on the specific country information relating to Honduras, these risk profiles develop those identified in general terms by UNHCR in its typology of victims of organized gangs. See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), pp. 4-6.

<sup>334</sup> See relevant considerations on the impact of past persecution in paragraph 26 of the following guidelines: UNHCR, *Guidelines on International Protection No. 4: "Internal Flight or Relocation Alternative" Within the Context of Article 1A(2) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees*, HCR/GIP/03/04, 23 July 2003, <http://www.refworld.org/docid/3f2791a44.html>.

<sup>335</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 25-26 and 36; La Prensa, *Hondureños cambian su estilo de vida por la violencia*, 30 October 2015, <http://www.laprensa.hn/honduras/895794-410/hondure%C3%B1os-cambian-su-estilo-de-vida-por-la-violencia>; La Prensa, *Pandilleros de Chamelecón emigran por presencia policial*, 31 May 2015, <http://www.laprensa.hn/honduras/845216-410/pandilleros-de-chamelec%C3%B3n-emigran-por-presencia-policial>; El Heraldo, *Tegucigalpa: diez colonias sometidas por dos bandas criminales*, 5 October 2014, <http://www.elheraldo.hn/sucesos/754920-219/tegucigalpa-diez-colonias-sometidas-por-dos-bandas-criminales>; El Heraldo, *MS-13, de mara callejera a organización transnacional*, 6 August 2014, <http://www.elheraldo.hn/alfrente/735683-331/ms-13-de-mara-callejera-a-organización-transnacional>; D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 46-47; La Prensa, *Hay medio millón de hondureños secuestrados por maras*, 25 August 2013, <http://www.laprensa.hn/especiales/328418-273/hay-medio-mill%C3%B3n-de-hondure%C3%B1os-secuestrados-por-maras>; La Prensa, *Escuelas y patronatos de San Pedro Sula de rodillas por maras*, 25 August 2013, <http://www.laprensa.hn/especiales/328421-273/escuelas-y-patronatos-de-san-pedro-sula-de-rodillas-por-maras>; La Prensa, *'Leyes' de maras siguen imperando en barrios*, 15 August 2013, <http://www.laprensa.hn/honduras/apertura/328837-98/leyes-de-maras-siguen-imperando-en-barrios>; El Heraldo, *Bandas criminales implantan "toque de queda" en colonias de Tegucigalpa*, 4 February 2013, <http://www.elheraldo.hn/sucesos/621557-219/bandas-criminales-implantan-toque-de-queda-en-colonias-de-tegucigalpa>.

<sup>336</sup> El Heraldo, *Las peleas por territorio dejan sangre, luto y dolor en la capital hondureña*, 14 March 2016, <http://www.elheraldo.hn/pais/939563-466/las-peleas-por-territorio-dejan-sangre-luto-y-dolor-en-la-capital>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 36; El Heraldo, *Así operan las maras y bandas en la capital de Honduras*, 18 August 2014, <http://www.elheraldo.hn/pais/739126-214/as%C3%AD-operan-las-maras-y-bandas-en-la-capital-de-honduras>; La Prensa, *'Leyes' de maras siguen imperando en barrios*, 15 August 2013, <http://www.laprensa.hn/honduras/apertura/328837-98/leyes-de-maras-siguen-imperando-en-barrios>.

<sup>337</sup> D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 47; La Prensa, *Escuelas y patronatos de San Pedro Sula de rodillas por maras*, 25 August 2013, <http://www.laprensa.hn/especiales/328421-273/escuelas-y-patronatos-de-san-pedro-sula-de-rodillas-por-maras>. However, a particularity of the 39 gang-controlled neighbourhoods of Rivera Hernández in San Pedro Sula is that certain pastors are revered. See Insight Crime, *Poor 'Hood, Mean 'Hood: the Violent History of Rivera Hernandez, Honduras*, 9 December 2015, <http://www.insightcrime.org/investigations/gang-history-rivera-hernandez-honduras>.

which it is affiliated) and the form of ‘resistance’ involved.<sup>338</sup> For instance, gangs with a violent internal ethos, such as those affiliated with B-18, are reported to be extraordinarily sensitive to ‘disrespect’ from the local population, such that even the misinterpretation of a friendly gesture by a community member is capable of drawing a violent reaction from gang members.<sup>339</sup> Most perceived contraventions of gang-imposed rules are reportedly dealt with severely by the gangs of Honduras: individuals whom the gang members suspect of resisting their authority are reported often to be killed without prior warning, although sometimes the killing is reportedly preceded by threats and/or other attacks against the person concerned.<sup>340</sup>

Persons living in areas where other organized criminal groups such as drug smuggling structures or rural *bandas* operate are also reported to face threats and attacks if they are seen as resisting the authority of the local group, for example, by refusing when required to collaborate or to sell lands to the group, or otherwise provoking or opposing the group.<sup>341</sup>

Depending on the particular circumstances of the case, UNHCR considers that persons perceived by a gang or other organized criminal groups such as a criminal *banda* or a drug smuggling structure as contravening its rules or resisting its authority may be in need of international refugee protection on the grounds of their (imputed) political opinion,<sup>342</sup> membership of a particular social group,<sup>343</sup> or on the basis of other Convention grounds.<sup>344</sup>

## 2. *Persons in professions or positions susceptible to extortion, including: public transport workers; taxi and mototaxi (tuc-tuc) drivers; persons involved in informal and formal commerce as business owners, their employees and workers, or as street vendors;*

<sup>338</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 25-27 and 35-36; D.J. Cantor, ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 46-48.

<sup>339</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 26. By contrast, MS gangs in Honduras are reported to be more amenable to dialogue with the community on certain issues than most other gangs, although infringement of their rules still usually draws a violent reaction. See Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 25-27 and 35-36.

<sup>340</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 25-26 and 36; UNHCR, *Women on the Run: First-Hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico*, 26 October 2015, <http://www.refworld.org/docid/56307e2a4.html>; La Prensa, ‘No me quiero ir, quiero quedarme aquí. Dios me va a cuidar’: vecino de Las Torres, 24 March 2016, <http://www.laprensa.hn/sucesos/943063-410/no-me-quiero-ir-quiero-quedarme-aquí-dios-me-va-a-cuidar>; El Herald, Tegucigalpa: diez colonias sometidas por dos bandas criminales, 5 October 2014, <http://www.elheraldo.hn/sucesos/754920-219/tegucigalpa-diez-colonias-sometidas-por-dos-bandas-criminales>; La Prensa, El drama de las familias desplazadas por maras en Honduras, 26 August 2013, <http://www.laprensa.hn/especiales/328425-273/el-drama-de-las-familias-desplazadas-por-maras-en-honduras>; La Prensa, Escuelas y patronatos de San Pedro Sula de rodillas por maras, 25 August 2013, <http://www.laprensa.hn/especiales/328421-273/escuelas-y-patronatos-de-san-pedro-sula-de-rodillas-por-maras>; El Herald, Bandas criminales implantan “toque de queda” en colonias de Tegucigalpa, 4 February 2013, <http://www.elheraldo.hn/sucesos/621557-219/bandas-criminales-implantan-toque-de-queda-en-colonias-de-tegucigalpa>.

<sup>341</sup> El Herald, Los Banegas se vestían como policías y usaban una patrulla, 2 November 2015, <http://www.elheraldo.hn/pais/896944-466/los-banegas-se-vest%C3%ADan-como-polic%C3%ADas-y-usaban-una-patrulla>; La Prensa, Frontera Honduras con Guatemala es una coladera para narcos, 20 July 2015, <http://www.laprensa.hn/honduras/860716-410/frontera-honduras-con-guatemala-es-una-coladera-para-narcos>; La Tribuna, Narcotraficantes tienen sitiados a trabajadores del mar Pacífico en Honduras, 26 January 2015, <http://www.latribuna.hn/2015/01/26/narcotraficantes-tienen-sitiados-trabajadores-del-mar-pacifico-en-honduras/>; El Herald, Por lavado de activos y tenencia ilegal de armas acusan a alcalde, 29 July 2014, <http://www.elheraldo.hn/inicio/733308-331/por-lavado-de-activos-y-tenencia-ilegal-de-armas-acusan-a-alcalde>; D.J. Cantor, ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 45, 48; Insight Crime, Honduras ‘Armed Groups’ on Nicaragua Coast, 1 February 2013, <http://www.insightcrime.org/news-briefs/nicaraguas-caribbean-complains-of-honduran-armed-groups>.

<sup>342</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), particularly paras 45-51.

<sup>343</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), particularly paras 34-44.

<sup>344</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), particularly paras 32-33; see also N. Rodríguez Serna, ‘Fleeing Cartels and Maras: International Protection Considerations and Profiles from the Northern Triangle’, *International Journal of Refugee Law*, Vol. 28, 2016, section 6.1. See also Canada: Federal Court, *Aparicio De Jesus Aleman Aguilar (aka Aparicio de Jes Aleman Aguilar) v. Minister of Citizenship and Immigration*, 2013 FC 809, 23 July 2013, <http://www.refworld.org/docid/56e6e81c4.html>; Canada: Federal Court, *Melvin Alberto Tobias Gomez et al. v. Minister of Citizenship and Immigration*, 2011 FC 1093, 23 September 2011, <http://www.refworld.org/docid/56e6e5e14.html>.

***schoolchildren; children and adults who receive remittances from abroad; public sector employees; politicians; priests; owners of homes; and certain returnees from abroad***

Extortion is reportedly widespread in Honduras and the regular extortion quotas for money, goods and services imposed by the gangs and *bandas* can be crippling.<sup>345</sup> The transport sector is reported to be a principal target for this extortion and almost 1,000 public transport workers, including taxi and *mototaxi* (tuc-tuc) drivers, have reportedly been killed between 2010 and 2015, with a sharp increase in numbers in 2014 and 2015, the vast majority reportedly for resisting extortion.<sup>346</sup> Owners, employees and workers in formal and informal businesses, including street vendors, are also reported to be frequently extorted in the territories where gangs and *bandas* operate.<sup>347</sup> Many gangs and *bandas* are also reported to extort a wider range of inhabitants in the territories where they operate, particularly schoolchildren, teachers, children and adults who receive remittances from abroad, but also public sector employees such as nurses, teachers, judges, and police officials, as well as politicians, priests, and owners of homes.<sup>348</sup> Deportees and returning migrants who bring resources from overseas, or who are perceived to do so, are also reported to be an identifiable target for extortion by the gangs.<sup>349</sup>

The level of extortion payments can reportedly be raised steeply and without warning by gangs and it is reportedly not unusual for victims to lose their livelihood due to excessive extortion demands by gangs.<sup>350</sup> Some gangs reportedly take over and run the bankrupted bus and taxi cooperatives.<sup>351</sup>

<sup>345</sup> Tiempo, *La Extorsión Abarca Esferas Inimaginables en Honduras*, 2 March 2016, <http://www.tiempo.hn/la-extorsion-abarca-esferas-inimaginables-en-honduras/>; La Prensa, “Imperios de la extorsión” están en Honduras y El Salvador, 1 July 2015, <http://www.laprensa.hn/honduras/854572-410/imperios-de-la-extorsion-C3%B3n-est%C3%A1n-en-honduras-y-el-salvador>; La Nación, *El infierno del ‘impuesto de guerra’ de los pandilleros en Honduras*, 13 June 2015, [http://www.nacion.com/mundo/centroamerica/Honduras-Tegucigalpa-Centroamerica-impuesto-pandillas\\_0\\_1493250773.html](http://www.nacion.com/mundo/centroamerica/Honduras-Tegucigalpa-Centroamerica-impuesto-pandillas_0_1493250773.html); El Nuevo Diario, *Maras quiebran los pequeños negocios en Honduras*, 13 May 2015, <http://www.elnuevodiario.com.ni/internacionales/359903-maras-quiebran-pequenos-negocios-honduras/>.

<sup>346</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 19-20 and 30-31; La Prensa, “Imperios de la extorsión” están en Honduras y El Salvador, 1 July 2015, <http://www.laprensa.hn/honduras/854572-410/imperios-de-la-extorsion-est%C3%A1n-en-honduras-y-el-salvador>; El Herald, *Los Benjamins y el Combo que no se deja reclutan menores de edad*, 23 April 2015, <http://www.elheraldo.hn/alfrente/834007-209/los-benjamins-y-el-combo-que-no-se-deja-reclutan-menores-de>. The figures for killings of transport workers are as follows: 2010 – 126; 2011 – 156; 2012 – 155; 2013 – 155; 2014 – 207; 2015 – 194. See La Tribuna, *MS-13 le subió a ‘renta’ y trajo a negociadores de El Salvador*, 14 March 2016, <http://www.latribuna.hn/2016/03/14/ms-13-le-subio-renta-trajo-negociadores-salvador/>. In 2014, it was estimated that 80% of these killings relate to extortion. See El Herald, *Buses y taxis estarían financiando al crimen organizado en Honduras*, 28 April 2014, <http://www.elheraldo.hn/csp/mediapool/sites/ElHeraldo/Pais/story.csp?cid=702738&sid=299&fid=214>. It was also reported that some transport sector workers, especially taxi drivers, are forced to work with the gangs, who kill them when they try to stop doing so. See El Herald, *Sector transporte contabiliza 27 muertes*, 17 May 2015, <http://www.elheraldo.hn/pais/823312-214/honduras-sector-transporte-contabiliza-27-muertes>.

<sup>347</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 19-20 and 30-31; La Prensa, “Imperios de la extorsión” están en Honduras y El Salvador, 1 July 2015, <http://www.laprensa.hn/honduras/854572-410/imperios-de-la-extorsion-est%C3%A1n-en-honduras-y-el-salvador>; El Nuevo Diario, *Maras quiebran los pequeños negocios en Honduras*, 13 May 2015, <http://www.elnuevodiario.com.ni/internacionales/359903-maras-quiebran-pequenos-negocios-honduras/>; El Herald, *La extorsión ataca chicleras y pulperías*, 7 April 2014, <http://www.elheraldo.hn/metro/587187-213/la-extorsion-ataca-chicleras-y-pulperias>; El Herald, *Extorsiones en capital de Honduras generan desplazamientos internos*, 7 April 2014, <http://www.elheraldo.hn/sucesos/619934-219/extorsiones-en-capital-de-honduras-generan-desplazamientos-internos>.

<sup>348</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 19-21; El Nuevo Diario, *Maras quiebran los pequeños negocios en Honduras*, 13 May 2015, <http://www.elnuevodiario.com.ni/internacionales/359903-maras-quiebran-pequenos-negocios-honduras/>; La Tribuna, *Alarmante éxodo de estudiantes que huyen de maras en sus colegios*, 24 March 2015, <http://www.latribuna.hn/2015/03/24/alarmante-exodo-de-estudiantes-que-huyen-de-maras-en-sus-colegios/>; D.J. Cantor, ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 46-47; La Tribuna, *Extorsiones desplazan “negocio” del secuestro*, 1 June 2014, <http://www.latribuna.hn/2014/06/01/extorsiones-desplazan-negocio-del-secuestro/>; El Herald, *Extorsiones en capital de Honduras generan desplazamientos internos*, 7 April 2014, <http://www.elheraldo.hn/sucesos/619934-219/extorsiones-en-capital-de-honduras-generan-desplazamientos-internos>; La Prensa, *Con cámaras de seguridad y trancas se cuidan mareros en Honduras*, 25 August 2013, <http://www.laprensa.hn/especiales/328419-273/con-c%C3%A1maras-de-seguridad-y-trancas-se-cuidan-mareros-en-honduras>; La Prensa, *Extorsiones dejan al año L1,200 millones a mareros en Honduras*, 7 May 2013, <http://www.laprensa.hn/especiales/328424-273/extorsiones-dejan-al-a%C3%B1o-1200-millones-a-mareros-en-honduras>; AP, *Gangs Extort Cash from Honduran Homeowners*, 8 August 2012, <http://bigstory.ap.org/article/gangs-extort-cash-honduran-homeowners>. It is reported that MS gangs in some parts of Honduras tend not to demand extort money from inhabitants of the territories where they live. See Center for Strategic and International Studies, *Central American Gangs as a “Wicked Problem”*, 24 November 2015, <http://csis.org/blog/central-american-gangs-wicked-problem>.

<sup>349</sup> Casa Alianza, *Niñas y niños migrantes: Factores de expulsión y desafíos para su reinserción en Honduras*, January 2016, <http://www.casa-alianza.org.hn/images/documentos/CAH.2016/02.Infor.Especiales/02.%20e%20book%20ni%C3%B1as%20y%20ni%C3%B1os%20migrantes.pdf>, pp. 37, 45.

<sup>350</sup> Quien Opina, “Ustedes nos pagan para que no los matemos”, les dicen mareros, 27 November 2015, <http://www.quienopina.com/2015/11/honduras-ustedes-nos-pagan-para-que-no-los-matemos-les-dicen-mareros/>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015,



Moreover, extortion victims reportedly may have to simultaneously pay extortion money to two or more gangs, especially where a business operates across one or more territories where these gangs practise extortion.<sup>352</sup>

Extortion is reported to be a principal source of income for most local gangs in Honduras and the refusal to pay extortion demands is usually construed by gang members as a serious act of resistance to the authority of the gang itself.<sup>353</sup> Individuals who refuse to pay extortion demands – or who delay in meeting their ‘quotas’ because they are unable to pay – are reportedly subjected to threats and violence against them, as well as against their employees, business partners and family members. The threats and violence reportedly swiftly escalate with any continuing delay or refusal to pay, with persons in these circumstances reportedly commonly being killed by the gangs.<sup>354</sup> Persons found by the gangs to have reported extortion demands to the authorities can reportedly expect severe retribution.<sup>355</sup>

Depending on the particular circumstances of the case, UNHCR considers that persons in professions or positions susceptible to extortion may be in need of international refugee protection on the basis of their (imputed) political opinion, or on the basis of their membership of a particular social group, or on the basis of other Convention grounds.<sup>356</sup> Such persons include public transport workers; taxi and *mototaxi* drivers; persons involved in informal and formal commerce as business owners, their employees and workers, or as street vendors; school children; children and adults who receive remittances from abroad; public sector employees; politicians; priests; owners of homes; and certain returnees from abroad.

- <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 31; La Prensa, “Imperios de la extorsión” están en Honduras y El Salvador, 1 July 2015, <http://www.laprensa.hn/honduras/854572-410/imperios-de-la-extorsion-están-en-honduras-y-el-salvador>.
- <sup>351</sup> La Tribuna, *MS-13 le subió a ‘renta’ y trajo a negociadores de El Salvador*, 14 March 2016, <http://www.latribuna.hn/2016/03/14/ms-13-le-subio-renta-trajo-negociadores-salvador/>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 31; El Heraldo, *Tegucigalpa: diez colonias sometidas por dos bandas criminales*, 5 October 2014, <http://www.elheraldo.hn/sucesos/754920-219/tegucigalpa-diez-colonias-sometidas-por-dos-bandas-criminales>; D.J. Cantor, ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 47.
- <sup>352</sup> In some places, taxi drivers are reported to pay extortion to up to seven different gangs and bus companies to four or five. See La Tribuna, *MS-13 le subió a ‘renta’ y trajo a negociadores de El Salvador*, 14 March 2016, <http://www.latribuna.hn/2016/03/14/ms-13-le-subio-renta-trajo-negociadores-salvador/>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 20-21.
- <sup>353</sup> D.J. Cantor, ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 46-47. See also Section III.A.1 above.
- <sup>354</sup> Quien Opina, “Ustedes nos pagan para que no los matemos”, *les dicen mareros*, 27 November 2015, <http://www.quienopina.com/2015/11/honduras-ustedes-nos-pagan-para-que-no-los-matemos-les-dicen-mareros/>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 31; La Prensa, “Imperios de la extorsión” están en Honduras y El Salvador, 1 July 2015, <http://www.laprensa.hn/honduras/854572-410/imperios-de-la-extorsion-están-en-honduras-y-el-salvador>; La Tribuna, *Surgen tres nuevas maras “mata transportistas”*, 20 October 2014, <http://www.latribuna.hn/2014/10/20/surgen-tres-nuevas-maras-mata-transportistas/>; La Página, *Pandilleros de la 18 asesinan a hombre por no entregar su casa*, 27 July 2014, <http://www.lapagina.com.sv/internacionales/97722/2014/07/27/Pandilleros-de-la-18-asesinan-a-hombre-por-no-entregar-su-casa>.
- <sup>355</sup> La Tribuna, *Entramos a territorio de “Los Chirizos”*, 21 July 2015, <http://www.latribuna.hn/2015/07/21/entramos-a-territorio-de-los-chirizos/>; La Prensa, *Hasta a tres grupos pagan extorsión los taxistas*, 13 May 2015, <http://www.laprensa.hn/honduras/839667-410/hasta-a-tres-grupos-pagan-extorsi%C3%B3n-los-taxistas>; El Heraldo, “El combo que no se deja”, *desertores de Los Chirizos*, 8 August 2014, <http://www.elheraldo.hn/pais/736668-214/el-combo-que-no-se-deja-desertores-de-los-chirizos>; El Heraldo, *Los Chirizos, de “Banderas” infantiles a sádicos asesinos*, 8 August 2014, <http://www.elheraldo.hn/pais/736320-214/los-chirizos-de-banderas-infantiles-a-s%C3%A1dicos-asesinos>; El Heraldo, *Extorsiones en capital de Honduras generan desplazamientos internos*, 7 April 2014, <http://www.elheraldo.hn/sucesos/619934-219/extorsiones-en-capital-de-honduras-generan-desplazamientos-internos>; Proceso Digital, *Imparables las extorsiones en Honduras*, 23 October 2012, <http://www.proceso.hn/component/k2/item/30725-Imparables-las-extorsiones-en-Honduras.html>.
- <sup>356</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), paras 12(c), 17, 39 and 41; N. Rodríguez Serna, ‘Fleeing Cartels and Maras: International Protection Considerations and Profiles from the Northern Triangle’, *International Journal of Refugee Law*, Vol. 28, 2016, section 6.6. US jurisprudence applying the *Acosta* rationale has recognized that occupational groups may constitute particular social groups in the context of asylum claims based on the refusal to cooperate with criminal organizations. See, for example, United States Court of Appeals for the Seventh Circuit, *Escobar v Holder*, 10-3751, 7 September 2011, (657 F.3d 537, p. 546), <https://casetext.com/case/escobar-v-holder-8>. A similar approach has been adopted in the context of gang extortion claims by the Australian Refugee Review Tribunal in *RRT Case No. 0906782*, [2009] RRTA 1063, 24 November 2009, <http://www.refworld.org/docid/4b5708f42.html>, and *RRT Case No. 1109206*, [2012] RRTA 248, 12 April 2012, <http://www.refworld.org/docid/4faa27af2.html>.



### 3. *'Informants', witnesses and victims of crimes committed by gangs and other organized criminal groups, or by members of the security forces*

Witnesses and victims of crimes committed by gangs and other organized criminal groups in Honduras have reportedly been killed by the perpetrators to ensure their silence, even when they have not sought to formally denounce those crimes to the authorities.<sup>357</sup> Those who do denounce the crimes, or who otherwise cooperate with the authorities against gangs or other organized crime groups as 'informants', are reportedly routinely pursued for their 'betrayal', often along with their family members, even when placed in a witness protection programme.<sup>358</sup>

Persons giving evidence against corrupt members of the security forces have sometimes also reportedly been killed, even as protected witnesses.<sup>359</sup>

Depending on the particular circumstances of the case, UNHCR considers that 'informants', witnesses and victims of crimes committed by gangs and other organized criminal groups or by members of the security forces may be in need of international refugee protection on the ground of their (imputed) political opinion, or on the basis of their membership of a particular social group, or on the basis of other Convention grounds.<sup>360</sup>

<sup>357</sup> La Tribuna, *Matan a enfermera que atendió a pandillero acribillado en hospital privado*, 29 January 2016, <http://www.latribuna.hn/2016/01/29/matan-a-enfermera-que-atendio-al-pandillero-el-crimen/>; D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 45; El Heraldito, *Encapuchados matan a comerciante y a testigo del crimen*, 7 April 2014, <http://www.elheraldito.hn/sucesos/622833-219/encapuchados-matan-a-comerciante-y-a-testigo-del-crimen/>; La Prensa, *Matan a testigo de muerte de marero en Honduras*, 6 February 2009, <http://www.laprensa.hn/sucesos/512026-97/matan-a-testigo-de-muerte-de-marero-en-honduras>.

<sup>358</sup> La Tribuna, *Frente a su pareja matan a supuesto testigo protegido*, 22 April 2016, <http://www.latribuna.hn/2016/04/22/frente-pareja-matan-supuesto-testigo-protegido/>; La Tribuna, *'Unidad de Testigos Protegidos es una farsa', denuncia afectado*, 22 April 2016, <http://www.latribuna.hn/2016/04/22/unidad-testigos-protegidos-una-farsa-denuncia-afectado/>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 25-26 and 36; El Heraldito, *Los Banegas se vestían como policías y usaban una patrulla*, 2 November 2015, <http://www.elheraldito.hn/pais/896944-466/los-banegas-se-vestian-como-policas-y-usaban-una-patrulla>; La Prensa, *Protección a testigos no funciona, denuncia Asociación de Fiscales*, 15 July 2015, <http://www.laprensa.hn/sucesos/858562-410/proteccion-a-testigos-no-funciona-denuncia-asociacion-de-fiscales>; El Heraldito, *Niveles de inseguridad acechan la vida de testigos protegidos*, 12 July 2015, <http://www.elheraldito.hn/pais/858423-214/niveles-de-inseguridad-acechan-la-vida-de-testigos-protegidos>; El Libertador, *Honduras: asesinan a testigo protegido de estudiante Soad Nicole*, 29 May 2015, <http://www.web.ellibertador.hn/index.php/noticias/nacionales/101-honduras-asesinan-a-testigo-protegido-de-estudiante-soad-nicole>; La Prensa, *Bajan de taxi a jovencita y la matan a balazos en la capital*, 28 May 2015, <http://www.laprensa.hn/sucesos/844165-410/bajan-de-taxi-a-jovencita-y-la-matan-a-balazos-en-la-capital>; El Proceso, *"Casas de horror" continúan aterrorizando a los hondureños*, 30 March 2015, <http://www.proceso.hn/component/k2/item/99530-%E2%80%9C9Ccasas-de-horror%E2%80%9D-continuan-aterorizando-a-los-hondurenos>; La Prensa, *Los capturan cuando pretendían asesinar a un testigo protegido*, 6 March 2015, <http://www.laprensa.hn/sucesos/818306-410/los-capturan-cuando-pretendian-asesinar-a-un-testigo-protegido>; El Heraldito, *Crisis en Programa de Protección a Testigos en Honduras*, 10 August 2014, <http://www.elheraldito.hn/pais/737103-214/crisis-en-programa-de-proteccion-a-testigos-en-honduras>; Proceso Digital, *Programa de Testigos Protegidos urge fortalecimiento para no morir*, 30 July 2014, <http://www.proceso.hn/component/k2/item/85920-Programa-de-Testigos-Protegidos-urge-fortalecimiento-para-no-morir.html>; D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 45. See also, Honduras, *Ley de protección a testigos en el proceso penal* (Law on Witness Protection in Criminal Procedures), Decreto no. 63-2007, 21 June 2007, <http://www.refworld.org/docid/5729bb694.html>.

<sup>359</sup> Comité por la Libre Expresión, *Asesinan dos testigos, una había declarado por crimen ligado a protesta estudiantil*, 1 June 2015, <http://www.clibrehonduras.com/alerta/asesinan-dos-testigos-una-hab%C3%ADa-declarado-por-crimen-ligado-protesta-estudiantil>; Tiempo, *Asesinan en Honduras a testigo que declaró contra un policía por apuñalar a una transexual*, 21 July 2010, <http://www.carlaantonelli.com/notis-31082010-asesinan-testigo-declaro-contra-policia-honduras.htm>.

<sup>360</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), paras 12(d) and 17; N. Rodríguez Serna, 'Fleeing Cartels and Maras: International Protection Considerations and Profiles from the Northern Triangle', *International Journal of Refugee Law*, Vol. 28, 2016, section 6.7. US jurisprudence has also recognized that witnesses against violent gangs in Central America may constitute a particular social group. See, for example, United States Court of Appeals for the Ninth Circuit, *Henriquez-Rivas v. Holder, Attorney General*, No. 09-71571 Agency No. A098-660-718, 13 February 2013, (707 F.3d 1081), <http://www.refworld.org/docid/51caebd94.html>; United States Court of Appeals for the Third Circuit, *Garcia v Attorney General United States*, 10-1311, 28 November 2011, (665 F.3d 496, p. 504), <https://casetext.com/case/garcia-v-attorney-gen-of-the-united-states>; United States Court of Appeals for the Fourth Circuit, *Crespin-Valladeres et al. v Holder, Attorney General*, No. 09-1423, 16 February 2011, (632 F.3d 117, p. 124-6), <http://www.refworld.org/docid/4f68b4cf2.html>. See also Canada: Federal Court, *Jonatan Guzman Portillo v. Minister of Citizenship and Immigration*, 2012 FC 678, 4 June 2012, <http://www.refworld.org/docid/56e6eb564.html>; Canada: Federal Court, *Samuel Arturo Barrios Pineda v. Minister of Citizenship and Immigration*, 2011 FC 403, 1 April 2011, <http://www.refworld.org/docid/56e6ecae4.html>.

**4. Family members, dependants and other members of the household of gang members or other organized criminal groups; inhabitants of areas where gangs operate; and others who are perceived to be affiliated with a gang**

Persons suspected by one gang of supporting or having links with a rival gang or organized criminal group are reportedly subjected to threats and violence. Persons with a family member (or family members) in a gang or other organized criminal group, as well as other persons perceived to be affiliated with members of a gang or other organized criminal group, are reportedly treated with suspicion by rivals; there are reports of such persons having been attacked and killed.<sup>361</sup>

At the same time, there are also reports of boys and young male inhabitants of zones where the gangs operate and persons otherwise perceived – whether correctly or not – to be affiliated with the gangs by members of the security forces or by members of reputed death squads having been attacked and killed by these armed actors.<sup>362</sup>

Depending on the particular circumstances of the case, UNHCR considers that family members, dependants and other members of the households of (actual or perceived) gang members may be in need of international refugee protection on the basis of their (imputed) political opinion, or on the basis of other Convention grounds.<sup>363</sup> Inhabitants of areas where gangs are known to operate, and other persons perceived to be affiliated with gang members or members of other organized criminal groups, may also be in need of international refugee protection on the basis of their (imputed) political opinion, or on the basis of other Convention grounds.<sup>364</sup>

**5. Gang and criminal ‘traitors’ and former members; turncoats**

Gangs and other organized criminal groups reportedly track down those whom they consider to have betrayed them. The gangs are reported to usually pursue and kill their own ‘traitors’, including not

<sup>361</sup> Tiempo, *Mareros habían amenazado a una de las víctimas de masacre en La Pradera*, 13 September 2015, <http://www.tiempo.hn/honduras-mareros-habian-amenazado-a-una-de-las-victimas/>; Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 18, 26 and 36; El Heraldo, *Carteles de Juticalpa y Catacamas disputaron el control de Olancho*, 10 July 2015, <http://www.elheraldo.hn/sucesos/858061-219/carteles-de-juticalpa-y-catacamas-disputaron-el-control-de-olancho>; D.J. Cantor, ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 49; La Prensa, *El drama de las familias desplazadas por maras en Honduras*, 26 August 2013, <http://www.laprensa.hn/especiales/328425-273/el-drama-de-las-familias-desplazadas-por-maras-en-honduras>; La Prensa, ‘Leyes’ de maras siguen imperando en barrios, 15 August 2013, <http://www.laprensa.hn/honduras/apertura/328837-98/leyes-de-maras-siguen-imperando-en-barrios>; J. Aguilar, *Las maras o pandillas juveniles en el triángulo norte de Centroamérica*, undated, [http://www.oea.org/dsp/documentos/pandillas/2sesion\\_especial/IUDOP/Las%20maras%20o%20pandillas%20juveniles%20en%20el%20tri%C3%A1ngulo%20norte%20de%20Centroam%C3%A9rica....pdf](http://www.oea.org/dsp/documentos/pandillas/2sesion_especial/IUDOP/Las%20maras%20o%20pandillas%20juveniles%20en%20el%20tri%C3%A1ngulo%20norte%20de%20Centroam%C3%A9rica....pdf) (date accessed: 22 December 2015), pp. 8-9.

<sup>362</sup> Tiempo, *José Ruelas: “en Honduras hay escuadrones de la muerte que realizan ejecuciones arbitrarias”*, 17 February 2016, <http://www.tiempo.hn/jose-ruelas-en-honduras-hay-escuadrones-de-la-muerte-que-realizan-ejecuciones-arbitrarias/>; El Libertador, *Casa Alianza-Honduras denuncia asesinatos ejecutados por las Fuerzas Armadas*, 5 January 2016, <http://www.web.elibertador.hn/index.php/noticias/nacionales/912-casa-alianza-honduras-denuncia-asesinatos-ejecutados-por-las-fuerzas-armadas>; Human Rights Watch, *World Report 2016 - Honduras*, 27 January 2016, <http://www.refworld.org/docid/56bd993b15.html>; Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, p. 48; Reuters, *Military Helps Cut Honduras Murder Rate, But Abuses Spike*, 9 July 2015, <http://www.reuters.com/article/us-honduras-military-insight-idUSKCN0PI0E920150709>; Committee on the Rights of the Child, *Concluding Observations on the Combined Fourth and Fifth Periodic Reports of Honduras*, 8 June 2015, <http://www.refworld.org/docid/566fc4334.html>, p. 8; AP, *Honduras-Death Squads Story*, 1 May 2013, <http://bigstory.ap.org/article/honduras-police-accused-death-squad-killings>; Insight Crime, ‘Mara’ Gangs Behind 11 Deaths in North Honduras: Govt, 21 March 2012, <http://www.insightcrime.org/news-briefs/mara-gangs-behind-11-deaths-in-north-honduras-govt>; Sala Negra de El Faro, *Así es la policía del país más violento del mundo*, 19 March 2012, <http://www.salanegra.elfaro.net/es/201203/cronicas/7982/>.

<sup>363</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), paras 14, 15 and 17. US jurisprudence also recognizes refugee status in cases of persecution based on family associations, including in the context of persecution by organized criminal groups such as gangs. See United States Court of Appeals for the Seventh Circuit, *Hassan v. Holder, Attorney General*, No. 08-1535, 2 July 2009, <http://www.refworld.org/docid/4b43656c2.html>; United States Court of Appeals for the Fourth Circuit, *Crespin-Valladeres et al. v Holder, Attorney General*, No. 09-1423, 16 February 2011, <http://www.refworld.org/docid/4f68b4cf2.html>; United States Court of Appeals for the First Circuit, *Rita Nelly Constanza de Abarca v. Holder, Attorney General*, 13-1081, 9 July 2014, <http://www.refworld.org/docid/53e47d5a4.html>; United States Court of Appeals for the Fourth Circuit, *Wildon Manfredo Aquino Cordova v. Holder, Attorney General*, 13-1597, 18 July 2014, <http://www.refworld.org/docid/53e4a5fe4.html>; United States Court of Appeals for the First Circuit, *Aldana Ramos v Holder*, 13-2022, 8 August 2014, <http://www.refworld.org/docid/56cc10f24.html>.

<sup>364</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), para. 42.

only the so-called *pecetas* (turncoats) but also those who leave a gang without permission or otherwise seriously breach the rules of the gang.<sup>365</sup> The family members of these ‘traitors’ are reportedly sometimes also the object of reprisals.<sup>366</sup> At the same time, an individual who has left a gang with permission reportedly continues to face an undiminished risk of assassination by members of rival gangs, and by members of his/her own former gang if s/he refuses to collaborate with such demands as they may make from time-to-time of the ex-member.<sup>367</sup> Drug smuggling structures are also reported to track down and kill those whom they consider to have betrayed them.<sup>368</sup>

Depending on the particular circumstances of the case, UNHCR considers that deserters and former members of gangs and other organized criminal groups, including turncoats, may be in need of international refugee protection on the basis of their membership of a particular social group, or on the basis of their (imputed) political opinion, or on the basis of other Convention grounds.<sup>369</sup>

Claims by persons of this profile may give rise to the need to examine possible exclusion from refugee status.<sup>370</sup>

- <sup>365</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, pp. 19, 25-27 and 36; El Heraldo, “Dios es el único que lo puede sacar a uno de la mara”, 24 April 2015, <http://www.elheraldo.hn/alfrente/834339-209/dios-es-el-%C3%BAnico-que-lo-puede-sacar-a-uno-de-la>; La Tribuna, *Hipótesis: compinches matan pandilleros por traidores*, 30 March 2015, <http://www.latribuna.hn/2015/03/30/hipotesis-compinches-matan-pandilleros-por-traidores/>; D.J. Cantor, ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 45; El Heraldo, *Amor y muerte en pandillas de Honduras*, 28 April 2014, <http://www.elheraldo.hn/pais/702709-214/amor-y-muerte-en-pandillas-de-honduras>; Sala Negra de El Faro, *El hombre que quiere vender sus recuerdos*, 13 May 2013, [http://www.salanegra.elfaro.net/es/201305/cronicas/12072/El-hombre-que-quiere-vender-sus-recuerdos.htm?st-full\\_text=1](http://www.salanegra.elfaro.net/es/201305/cronicas/12072/El-hombre-que-quiere-vender-sus-recuerdos.htm?st-full_text=1); Programa Nacional de Prevención, Rehabilitación y Reinserción Social, *Situación de maras y pandillas en Honduras*, 2011, [http://www.unicef.org/honduras/Informe\\_situacion\\_maras\\_pandillas\\_honduras.pdf](http://www.unicef.org/honduras/Informe_situacion_maras_pandillas_honduras.pdf), pp. 28, 76; Sala Negra de El Faro, *La muerte de los pesetas*, 20 November 2009, <http://www.elfaro.net/es/200911/noticias/468/La-muerte-de-los-pesetas.htm>; J. Aguilar, *Las maras o pandillas juveniles en el triángulo norte de Centroamérica*, undated, [http://www.oea.org/dsp/documentos/pandillas/2sesion\\_especial/IUDOP/Las%20maras%20o%20pandillas%20juveniles%20en%20el%20tri%C3%A1ngulo%20norte%20de%20Centroam%C3%A9rica....pdf](http://www.oea.org/dsp/documentos/pandillas/2sesion_especial/IUDOP/Las%20maras%20o%20pandillas%20juveniles%20en%20el%20tri%C3%A1ngulo%20norte%20de%20Centroam%C3%A9rica....pdf) (date accessed: 22 December 2015), p. 10. The lengths to which gangs are reported to go to pursue perceived traitors is illustrated by the fact that nationals from Honduras who fled abroad because they were perceived as traitors by gangs in Honduras were reportedly killed within days of their repatriation to Honduras. See D.J. Cantor, ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 55-56. There are regular reports of Honduran deportees being killed shortly after their return to Honduras: see III.A.6 below.
- <sup>366</sup> El Heraldo, *Los tatuajes en las maras, un submundo tenebroso*, 31 August 2014, <http://www.elheraldo.hn/sucesos/743447-219/los-tatuajes-en-las-maras-un-submundo-tenebroso>; D.J. Cantor, ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 45; El Heraldo, *Por “soplones” asesinan a dos pandilleros de la “18” en la Penitenciaría Nacional de Támara*, 7 April 2014, <http://www.elheraldo.hn/sucesos/620055-219/por-soplones-asesinan-a-dos-pandilleros-de-la-18-en-la-penitenciaria>.
- <sup>367</sup> El Heraldo, *Amor y muerte en pandillas de Honduras*, 28 April 2014, <http://www.elheraldo.hn/pais/702709-214/amor-y-muerte-en-pandillas-de-honduras>; Interpeace, *Violentas y violentadas: relaciones de género en las maras Salvatrucha y Barrio 18 del triángulo norte de Centroamérica*, 14 May 2013, [http://www.interpeace.org/latinoamerica/wp-content/uploads/sites/7/2015/08/2013\\_05\\_14\\_Central\\_Am\\_Violentas\\_y\\_Violentadas\\_es.pdf](http://www.interpeace.org/latinoamerica/wp-content/uploads/sites/7/2015/08/2013_05_14_Central_Am_Violentas_y_Violentadas_es.pdf); R. Brenneman, *Homies and Hermanos: God and Gangs in Central America*, Oxford University Press, 2012, pp. 117-152; Sala Negra de El Faro, *La muerte de los pesetas*, 20 November 2009, <http://www.elfaro.net/es/200911/noticias/468/La-muerte-de-los-pesetas.htm>.
- <sup>368</sup> El Heraldo, *Carteles de Juticalpa y Catacamas disputaron el control de Olanchito*, 10 July 2015, <http://www.elheraldo.hn/sucesos/858061-219/carteles-de-juticalpa-y-catacamas-disputaron-el-control-de-olanchito>; I. Moreno, ‘Así terminó el reinado del cartel de Los Cachiros’, *Revista Envío*, No. 396, 2015, <http://www.envio.org.ni/articulo/4973>; D.J. Cantor, ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 45-46.
- <sup>369</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), paras 13 and 17; N. Rodríguez Serna, ‘Fleeing Cartels and Maras: International Protection Considerations and Profiles from the Northern Triangle’, *International Journal of Refugee Law*, Vol. 28, 2016, section 6.2. The particular social group of ‘former gang members’ in certain Central American countries has been recognized also in US jurisprudence. See, for example, United States Court of Appeals for the Seventh Circuit, *Benitez Ramos v Holder*, 09-1932, 15 December 2009, (589 F.3d 426, p. 429), <https://casetext.com/case/ramos-v-holder-3>; United States Court of Appeals for the Sixth Circuit, *Urbina-Mejia v Holder*, 09-3567, 5 March 2010, (597 F.3d 360, p. 366-367), <https://casetext.com/case/urbina-mejia-v-holder>. The same applies to the particular social group of ‘MS-13’ or ‘former MS-13 members’. See United States Court of Appeals for the Fourth Circuit, *Martínez v Holder*, 12-2424, 27 January 2014, <https://casetext.com/case/martinez-v-holder-40>; United States Court of Appeals for the Fourth Circuit, *Julio Ernesto Martínez v Holder*, Attorney General, 23 January 2014, <http://www.refworld.org/docid/52fa3e6a4.html>; United States Court of Appeals for the Sixth Circuit, *Chacon v. INS*, 02-3273, 18 August 2003, (341 F.3d 533, p. 549), <http://www.refworld.org/docid/4b6bf1ac2.html>.
- <sup>370</sup> For further analysis on exclusion considerations, see Section III.D.



## 6. *Children and youths with certain profiles or in specific circumstances*

Children and youth suffer multiple types of violence in Honduras. Children may fall into any of the profiles listed in these Eligibility Guidelines. However, children in Honduras may also be at risk of child-specific forms and manifestations of persecution.<sup>371</sup> Domestic abuse of children, both boys and girls, is reported to be a serious problem in Honduras.<sup>372</sup> Moreover, the homicide rate among children and adolescents is reported to be very high and appears to be largely the result of gang violence.<sup>373</sup>

The fact that children, particularly those living in territories where the gangs operate, are frequently a target of gang violence is partly the result of the reportedly large numbers of youth in the gangs themselves.<sup>374</sup> Indeed, some gangs in Honduras, such as the *Chirizos* and their derivatives, are predominantly comprised of children and youth.<sup>375</sup> Recruitment by gangs of local children and youth is reported to start from an early age,<sup>376</sup> with gangs reportedly viewing schools as fundamental to their organization and controlling many public schools in the urban areas where they operate with impunity.<sup>377</sup> In some schools, opposing gangs reportedly control different parts of the school, resulting in situations where some students are unable even to deliver a textbook to certain classrooms because of the risk they face.<sup>378</sup> Efforts by gangs since the late 2000s to recruit growing numbers of new members from among children and youth have reportedly intensified in 2015.<sup>379</sup> Girls are reportedly

<sup>371</sup> UNHCR, *Guidelines on International Protection No. 8: Child Asylum Claims under Articles 1(A)2 and 1(F) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees*, HCR/GIP/09/08, 22 December 2009, <http://www.refworld.org/docid/4b2f4f6d2.html>.

<sup>372</sup> United States Department of State, *2015 Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>. 24 per cent of the Honduran children in the USA who were interviewed for a UNHCR study disclosed abuse in the home. See UNHCR, *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the need for International Protection*, 13 March 2014, <http://www.refworld.org/docid/532180c24.html>, p. 37.

<sup>373</sup> UNICEF, *Hidden in Plain Sight: A Statistical Analysis of Violence Against Children*, 3 September 2014, [http://files.unicef.org/publications/files/Hidden\\_in\\_plain\\_sight\\_statistical\\_analysis\\_EN\\_3\\_Sept\\_2014.pdf](http://files.unicef.org/publications/files/Hidden_in_plain_sight_statistical_analysis_EN_3_Sept_2014.pdf), pp. 37 and 197. See also Section II.B.1 above.

<sup>374</sup> BBC, *Las niñas reclutadas por las maras en Honduras para cobrar extorsiones*, 30 October 2015, [http://www.bbc.com/mundo/noticias/2015/10/151028\\_honduras\\_bandas\\_extorsion\\_ninas\\_ep](http://www.bbc.com/mundo/noticias/2015/10/151028_honduras_bandas_extorsion_ninas_ep); La Prensa, *Sitiados centros educativos por las maras en Honduras*, 3 September 2013, <http://www.laprensa.hn/especiales/381915-273/sitiados-centros-educativos-por-las-maras-en-honduras>; La Prensa, *Escuelas y patronatos de San Pedro Sula de rodillas por maras*, 25 August 2013, <http://www.laprensa.hn/especiales/328421-273/escuelas-y-patronatos-de-san-pedro-sula-de-rodillas-por-maras>.

<sup>375</sup> El Herald, *Los Benjamins y el Combo que no se deja reclutan menores de edad*, 23 April 2015, <http://www.elheraldo.hn/alfrente/834007-209/los-benjamins-y-el-combo-que-no-se-deja-reclutan-menores-de>; Casa Alianza Honduras, *Niñez y juventud en las redes del crimen organizado, una aproximación a las principales formas de involucramiento y participación de niñas, niños y jóvenes en los grupos delictivos de Tegucigalpa*, April 2014, [http://www.casa-alianza.org.hn/images/documentos/Informes.Especiales/Inf.2014/1.%20informe%20niez%20y%20crimen%20organizado%20en%20tegucigalpa\\_cah.pdf](http://www.casa-alianza.org.hn/images/documentos/Informes.Especiales/Inf.2014/1.%20informe%20niez%20y%20crimen%20organizado%20en%20tegucigalpa_cah.pdf), p. 22; El Herald, *Bandas criminales implantan "toque de queda" en colonias de Tegucigalpa*, 4 February 2013, <http://www.elheraldo.hn/sucesos/621557-219/bandas-criminales-implantan-toque-de-queda-en-colonias-de-tegucigalpa>.

<sup>376</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 17; El Herald, *Los Benjamins y el Combo que no se deja reclutan menores de edad*, 23 April 2015, <http://www.elheraldo.hn/alfrente/834007-209/los-benjamins-y-el-combo-que-no-se-deja-reclutan-menores-de>; Casa Alianza Honduras, *Niñez y juventud en las redes del crimen organizado, una aproximación a las principales formas de involucramiento y participación de niñas, niños y jóvenes en los grupos delictivos de Tegucigalpa*, April 2014, [http://www.casa-alianza.org.hn/images/documentos/Informes.Especiales/Inf.2014/1.%20informe%20niez%20y%20crimen%20organizado%20en%20tegucigalpa\\_cah.pdf](http://www.casa-alianza.org.hn/images/documentos/Informes.Especiales/Inf.2014/1.%20informe%20niez%20y%20crimen%20organizado%20en%20tegucigalpa_cah.pdf), pp. 4 and 22-23; La Prensa, *Escuelas y patronatos de San Pedro Sula de rodillas por maras*, 25 August 2013, <http://www.laprensa.hn/especiales/328421-273/escuelas-y-patronatos-de-san-pedro-sula-de-rodillas-por-maras>.

<sup>377</sup> La Prensa, *Pandillas "asisten a clases" en Honduras*, 9 December 2014, <http://www.laprensa.com.ni/2014/12/09/internacionales/1438072-pandillas-asisten-a-clases-en-honduras>.

<sup>378</sup> La Tribuna, *Pánico en colegio por amenaza de bandidos*, 29 March 2016, <http://www.latribuna.hn/2016/03/29/panico-colegio-amenaza-bandidos/>; La Tribuna, *¡Seis colegios intervenidos con militares y policías!*, 31 March 2016, <http://www.latribuna.hn/2016/03/31/seis-colegios-intervenidos-militares-policias/>.

<sup>379</sup> Insight Crime/Asociación para una Sociedad Más Justa, *Gangs in Honduras*, 20 November 2015, <http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf>, p. 6; Proceso Digital, *Un 30 por ciento de los extorsionadores capturados son menores*, 27 September 2015, <http://www.proceso.hn/component/k2/item/110806-un-30-por-ciento-de-los-extorsionadores-capturados-son-menores.html>; El Herald, *Una docena de colonias invadidas por la MS-13*, 20 April 2015, <http://www.elheraldo.hn/alfrente/832905-209/una-docena-de-colonias-invadidas-por-la-ms-13>; La Prensa, *Sitiados centros educativos por las maras en Honduras*, 3 September 2013, <http://www.laprensa.hn/especiales/381915-273/sitiados-centros-educativos-por-las-maras-en-honduras>; BBC, *Las niñas reclutadas por las maras en Honduras para cobrar extorsiones*, 30 October 2015, [http://www.bbc.com/mundo/noticias/2015/10/151028\\_honduras\\_bandas\\_extorsion\\_ninas\\_ep](http://www.bbc.com/mundo/noticias/2015/10/151028_honduras_bandas_extorsion_ninas_ep). The Salvadorian gangs have reportedly established a presence in some zones of Honduras bordering El Salvador, where they also recruit youths. For instance, Salvadorian gangs are reported to have begun operating in Lempira department and attempting to recruit youths in Valle department. See La Prensa, *Maras salvadoreñas reclutan jóvenes en Honduras*, 8 June 2015, <http://www.laprensa.hn/sucesos/847427-410/maras-salvadorenas-reclutan-jovenes-en-honduras>; La Prensa, *Honduras: terror en la virtud por mareros salvadoreños*, 26 April 2015, <http://www.laprensa.hn/honduras/834780-417/honduras-terror-en-la-virtud-por-mareros-salvadorenos>.



targeted from a young age by gangs with demands to become “wives” or girlfriends of gang members.<sup>380</sup>

Children and youth who have not been recruited by a gang but who live in territories where gangs operate reportedly find it difficult to avoid coming into contact with the local gang, its members and its activities (e.g. being asked to do the gang a ‘favour’, receiving the amorous attention of a gang member, etc.) or being (mis)taken for a member or affiliate of the local gang by rival gangs.<sup>381</sup> Students who go to school in an area that is controlled by a different gang than the gang that controls the area where they live are reportedly at risk of being targeted for violence by the rival gangs at school and while they travel to school. Children equally face such risks when they travel for example to visit relatives or attend a health centre in an area controlled by a different gang.<sup>382</sup> The gangs are reported to have a presence in almost all of the public schools in urban areas, where they carry out extortion and other activities, and some schools have been forced to close due to the violence of the gangs.<sup>383</sup> Many children threatened by gangs at school reportedly withdraw from the school or the education system entirely.<sup>384</sup>

The refusal to join a gang or to collaborate with its members by a child or youth and/or their family is reportedly usually interpreted as a challenge to the gang’s authority or as a ground for suspicion of some rival affiliation, resulting in threats and violence directed against the child or youth and/or their family members.<sup>385</sup> Even if the child leaves the area where the gang operates, family members who remain there reportedly may continue to face threats and violence.<sup>386</sup>

<sup>380</sup> El Heraldo, *MS-13, de mara callejera a organización transnacional*, 6 August 2014, <http://www.elheraldo.hn/alfrente/735683-209/ms-13-de-mara-callejera-a-organizaci%C3%B3n-transnacional>; La Prensa, *Escuelas y patronatos de San Pedro Sula de rodillas por maras*, 25 August 2013, <http://www.laprensa.hn/especiales/328421-273/escuelas-y-patronatos-de-san-pedro-sula-de-rodillas-por-maras>. It should be noted that in Honduras, the Family Code protects the union of unmarried couples. See Honduras, *Código de familia*, Decreto no. 76-84, 16 August 1984, <http://www.refworld.org/docid/5729b6724.html>, Art. 45. In common usage, terms such as “wife” may be used to refer to women who are formally married as well as women in a “common law marriage”. UN Women, *Violence and Public Safety: A View from the Perspective of Gender*, May 2015, <http://www.hn.undp.org/content/dam/honduras/docs/publicaciones/diagnosticogeneroyviolencia.pdf>, p. 67; See also: *Compañía Nacional contra los Femicidios, Mujeres: del acoso a la violencia de las maras en Honduras*, 29 October 2014, <http://www.contralosfemicidios.hn/trabajos-postulados/item/mujeres-del-acoso-a-la-violencia-de-las-maras-en-honduras>.

<sup>381</sup> La Prensa, *Hondureños cambian su estilo de vida por la violencia*, 30 October 2015, <http://www.laprensa.hn/honduras/895794-410/hondure%C3%B1os-cambian-su-estilo-de-vida-por-la-violencia>; La Prensa, *Escuelas y patronatos de San Pedro Sula de rodillas por maras*, 25 August 2013, <http://www.laprensa.hn/especiales/328421-273/escuelas-y-patronatos-de-san-pedro-sula-de-rodillas-por-maras>.

<sup>382</sup> La Tribuna, *Mareros dan plazo fatal a más de 500 estudiantes del Instituto Central*, 5 May 2016, <http://www.latribuna.hn/2016/05/05/mareros-dan-plazo-fatal-mas-500-estudiantes-del-instituto-central>; El Heraldo, *Criminal disputa por territorio acecha al instituto Saul Zelaya*, 27 April 2016, <http://www.elheraldo.hn/pais/954518-466/criminal-disputa-por-territorio-acecha-al-instituto-sa%C3%BAI-zelaya>; La Prensa, *Hondureños cambian su estilo de vida por la violencia*, 30 October 2015, <http://www.laprensa.hn/honduras/895794-410/hondure%C3%B1os-cambian-su-estilo-de-vida-por-la-violencia>; La Tribuna, *Alarante éxodo de estudiantes que huyen de maras en sus colegios*, 24 March 2015, <http://www.latribuna.hn/2015/03/24/alarante-exodo-de-estudiantes-que-huyen-de-maras-en-sus-colegios/>.

<sup>383</sup> La Prensa, *Pandillas “asisten a clases” en Honduras*, 9 December 2014, <http://www.laprensa.com.ni/2014/12/09/internacionales/1438072-pandillas-asisten-a-clases-en-honduras>.

<sup>384</sup> La Prensa, *Terror en colegios nocturnos por los asaltos y violaciones*, 31 August 2015, <http://www.laprensa.hn/honduras/874970-410/terror-en-colegios-nocturnos-por-los-asaltos-y-violaciones>; La Tribuna, *Alarante éxodo de estudiantes que huyen de maras en sus colegios*, 24 March 2015, <http://www.latribuna.hn/2015/03/24/alarante-exodo-de-estudiantes-que-huyen-de-maras-en-sus-colegios/>; La Prensa, *Escuelas y patronatos de San Pedro Sula de rodillas por maras*, 25 August 2013, <http://www.laprensa.hn/especiales/328421-273/escuelas-y-patronatos-de-san-pedro-sula-de-rodillas-por-maras>. For instance, it is reported that of the up to 5,000 children who withdrew from school in just San Pedro Sula during 2013, half did so because of problems with the gangs. ABC, *Las maras de Honduras matan a los niños que no se unen a la banda*, 10 May 2014, <http://www.abc.es/internacional/20140510/abci-maras-honduras-matan-ninos-201405092000.html>. See also: El Heraldo, *Desbandada de estudiantes en el Instituto Saul Zelaya Jimenez*, 28 April 2016, <http://www.elheraldo.hn/pais/954857-466/desbandada-de-estudiantes-en-el-instituto-sa%C3%BAI-zelaya-jim%C3%A9nez>; La Tribuna, *‘Mejor me llevo a mis hijos ante que los maten’: madre del Saul Zelaya*, 27 April 2016, <http://www.latribuna.hn/2016/04/27/mejor-me-llevo-mis-hijos-los-maten-madre-del-saul-zelaya/>; Assessment Capacities Project, *Otras situaciones de violencia en el Triangulo del Norte Centroamericano*, *impacto humanitario*, May 2014, [http://reliefweb.int/sites/reliefweb.int/files/resources/otras\\_situaciones\\_de\\_violencia\\_en\\_el\\_trianguulo\\_del\\_norte\\_centroamericano\\_impacto\\_humanitario\\_mayo\\_2014.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/otras_situaciones_de_violencia_en_el_trianguulo_del_norte_centroamericano_impacto_humanitario_mayo_2014.pdf), pp. 27-28.

<sup>385</sup> El Heraldo, *Niños son reclutados por maras para extorsionar*, 27 July 2015, <http://www.elheraldo.hn/pais/862927-214/ni%C3%B1os-son-reclutados-por-maras-para-extorsionar>; El Heraldo, *Los Benjamins y el Combo que no se deja reclutan menores de edad*, 23 April 2015, <http://www.elheraldo.hn/alfrente/834007-209/los-benjamins-y-el-combo-que-no-se-deja-reclutan-menores-de>; La Tribuna, *Alarante éxodo de estudiantes que huyen de maras en sus colegios*, 24 March 2015, <http://www.latribuna.hn/2015/03/24/alarante-exodo-de-estudiantes-que-huyen-de-maras-en-sus-colegios/>; El Heraldo, *“El combo que no se deja”, desertores de Los Chirizos*, 8 August 2014, <http://www.elheraldo.hn/pais/736668-214/el-combo-que-no-se-deja-desertores-de-los-chirizos>; El Heraldo, *Los Chirizos, de “Banderas” infantiles a sádicos asesinos*, 8 August 2014, <http://www.elheraldo.hn/pais/736320-214/los-chirizos-de-banderas-infantiles-a-s%C3%A1dicos-asesinos>; ABC, *Las maras de Honduras matan a los niños que no se unen a la banda*, 10 May 2014, <http://www.abc.es/internacional/20140510/abci-maras-honduras-matan-ninos-201405092000.html>; D.J. Cantor, ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 46-47; Casa Alianza Honduras, *Niñez y juventud en las redes del crimen*

There are reports of children who left Honduras and who subsequently returned, either voluntarily or involuntary, having been killed very shortly after their return.<sup>387</sup>

Depending on the particular circumstances of the case, UNHCR considers that children, in particular but not limited to those from areas where gangs operate or from social milieus where violence against children is practised, may be in need of international refugee protection on the basis of their membership of a particular social group, or on the basis of their (imputed) political opinion or on the basis of other Convention grounds.<sup>388</sup>

Asylum claims made by children, including any examination of exclusion considerations for children formerly associated with a gang or other organized criminal group, need to be assessed carefully and in accordance with the UNHCR Guidelines on child asylum claims.<sup>389</sup>

## 7. Women and girls with certain profiles or in specific circumstances

Discrimination and violence against women and girls is reported to be widespread and systematic in Honduras by members of gangs and other organized criminal groups, the security services and other individuals.<sup>390</sup> The country has the highest recorded rate of femicides in Latin America,<sup>391</sup> and also one of the highest rates of femicides among girls and adolescent girls in the world.<sup>392</sup> The forced

organizado, una aproximación a las principales formas de involucramiento y participación de niñas, niños y jóvenes en los grupos delictivos de Tegucigalpa, April 2014, [http://www.casa-alianza.org.hn/images/documentos/Informes.Especiales/Inf.2014/1.%20informe%20niez%20y%20crimen%20organizado%20en%20tegucigalpa\\_cah.pdf](http://www.casa-alianza.org.hn/images/documentos/Informes.Especiales/Inf.2014/1.%20informe%20niez%20y%20crimen%20organizado%20en%20tegucigalpa_cah.pdf), pp. 4 and 22-23. See also Section III.A.1 above.

<sup>386</sup> D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 46-47.

<sup>387</sup> Human Rights Watch, *Closed Doors: Mexico's Failure to Protect Central American Refugee and Migrant Children*, 31 March 2016, <http://www.refworld.org/docid/56fce1b64.html>; Human Rights Watch, *Mexico: Asylum Elusive for Migrant Children*, 31 March 2016, <https://www.hrw.org/news/2016/03/31/mexico-asylum-elusive-migrant-children>; Casa Alianza, *Niñas y niños migrantes: Factores de expulsión y desafíos para su reinserción en Honduras*, January 2016, [http://www.casa-alianza.org.hn/images/documentos/CAH.2016/02.Infor.Especiales/02.%20e\\_book\\_nias%20y%20nios%20migrantes.pdf](http://www.casa-alianza.org.hn/images/documentos/CAH.2016/02.Infor.Especiales/02.%20e_book_nias%20y%20nios%20migrantes.pdf), pp. 37, 45-46, 49-51. See also: La Tribuna, *35 hondureños deportados han vuelto al país solo a que los maten*, 16 October 2015, <http://www.latribuna.hn/2015/10/16/35-hondurenos-deportados-han-vuelto-al-pais-solo-a-que-los-maten/>; La Tribuna, *Migrantes hondureños retornados viven en una situación compleja y denigrante*, 19 July 2015, <http://www.latribuna.hn/2015/07/19/migrantes-hondurenos-retornados-viven-en-una-situacion-compleja-y-denigrante/>. Reception centres and shelters for returnees are often located in violent and gang-controlled neighbourhoods, which contributes to the insecurity of those returned; see La Prensa, *Inauguran remodelación de centro para atender a migrantes*, 9 February 2016, <http://www.laprensa.hn/honduras/927995-410/inauguran-remodelación-de-centro-para-atender-a-migrantes>; La Prensa, *Cabañas y Medina, los barrios más violentos en San Pedro Sula*, 5 June 2014, <http://www.laprensa.hn/honduras/sanpedrosula/716409-98/cabañas-y-medina-los-barrios-más-violentos-en-san-pedro-sula>. Child deportees may also be at risk because their families have not managed to pay back the loans they took out to pay the coyotes to take the child out of Honduras; in these circumstances, children may be kidnapped to force the family to pay their debt: information available to UNHCR.

<sup>388</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), paras 12(a)-(b) and 15; N. Rodríguez Serna, 'Fleeing Cartels and Maras: International Protection Considerations and Profiles from the Northern Triangle', *International Journal of Refugee Law*, Vol. 28, 2016, sections 6.1 and 6.3. For further guidance, see UNHCR, *Guidelines on International Protection No. 2: "Membership of a Particular Social Group" Within the Context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees*, 7 May 2002, <http://www.refworld.org/docid/3d36f23f4.html>. Established US jurisprudence applying the *Acosta* test recognizes age as an 'immutable characteristic'. See, for example, United States Board of Immigration Appeals, *Matter of S-E-G-*, et al., 24 I&N Dec. 579 (BIA 2008), 30 July 2008, <http://www.refworld.org/docid/4891da5b2.html>, pp. 583-584. See also Canada: Federal Court, *Melvin Alberto Tobias Gomez et al. v. Minister of Citizenship and Immigration*, 23 September 2011, <http://www.refworld.org/docid/56e6e5e14.html>.

<sup>389</sup> UNHCR, *Guidelines on International Protection No. 8: Child Asylum Claims under Articles 1(A)2 and 1(F) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees*, HCR/GIP/09/08, 22 December 2009, <http://www.refworld.org/docid/4b2f4f6d2.html>. For further analysis on exclusion considerations, see Section III.D.

<sup>390</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, p. 53; UNHCR, *Women on the Run: First-Hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico*, 26 October 2015, <http://www.refworld.org/docid/56307e2a4.html>; UN Human Rights Council, *Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences, Addendum: Mission to Honduras*, 31 March 2015, A/HRC/29/27/Add.1, <http://www.refworld.org/docid/5583f5fe4.html>, p. 4; United States Department of State, *2015 Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>; Comisión Interamericana de Derechos Humanos (CIDH), *Observaciones preliminares sobre la situación de los derechos humanos en Honduras*, 5 December 2014, <http://www.oas.org/es/cidh/prensa/comunicados/2014/146A.asp>.

<sup>391</sup> Geneva Declaration, *Global Burden of Armed Violence 2015*, October 2015, Chapter Three, [http://www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3\\_Ch3\\_pp87-120.pdf](http://www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3_Ch3_pp87-120.pdf), p. 95.

<sup>392</sup> The homicide rate per 100,000 of population in Honduras for children and adolescents aged 0-19 years was reported to be 11 for girls in 2012, making Honduras the country with the fifth highest level of such violence in the world. See UNICEF, *Hidden in Plain Sight: A Statistical Analysis of Violence Against Children*, 3 September 2014, [http://files.unicef.org/publications/files/Hidden\\_in\\_plain\\_sight\\_statistical\\_analysis\\_EN\\_3\\_Sept\\_2014.pdf](http://files.unicef.org/publications/files/Hidden_in_plain_sight_statistical_analysis_EN_3_Sept_2014.pdf), pp. 37 and 197.

disappearance of women and girls in Honduras has reportedly increased significantly since 2008.<sup>393</sup> The vast majority of victims reporting sexual violence are reported to be girls and adolescent girls.<sup>394</sup> Large numbers of Honduran girls and women from both poor and middle-class families are also reported to be forced into prostitution in Honduras and trafficked into sex slavery in Mexico, Guatemala, El Salvador, the United States and elsewhere.<sup>395</sup>

In the territories where the gangs operate, sexual and gender-based violence against women and girls is reportedly widespread, as is the forcible recruitment of girls to carry out tasks for the gangs.<sup>396</sup> Women and girls are reportedly sometimes forced into prostitution by the gangs.<sup>397</sup> Women and girls perceived as being linked with a particular gang are reportedly also a target for vengeance by rival gangs and they and other women and girls are reportedly abused, raped and killed as part of gang initiation rites, or if they try to leave the gang to which they belong or with which they are affiliated, or if they are seen to resist its authority in other ways, including by rejecting the sexual advances of a gang member.<sup>398</sup>

Women and girls may be seen by individual gang members as their partner, even when a woman or girl has never consented to being in a couple.<sup>399</sup> Women and girls in this situation are reported to be subjected to persistent violence, while being unable to seek protection due to the authority exercised by their “partner” in the area controlled by the gang.<sup>400</sup> Family members of women and girls who have problems with the gangs are also often targeted on the basis of their affiliation to the woman or girl in question.<sup>401</sup>

<sup>393</sup> Whereas only six such complaints were lodged before 2008, 91 were lodged in 2008 and this figure rose steadily year on year to 347 complaints lodged about forcibly disappeared females in 2013. See La Tribuna, *Más de 1,200 mujeres están desaparecidas*, 3 December 2014, <http://www.latribuna.hn/2014/12/03/mas-de-1200-mujeres-estan-desaparecidas/>.

<sup>394</sup> For each year between 2010 and 2015, women and girls represented the overwhelming majority of reported victims of sexual violence, representing between 84.7% and 92.6% of reported cases in the respective year. The vast majority of these female victims were in the age range of 10 to 19 years. See figures in the annual bulletins produced by IUDPAS-UNAH and available here: <http://www.iudpas.org/boletines/boletines-nacionales>. See also: Presencia Universitaria, *Médicos Sin Fronteras Registró 593 Casos de Violencia Sexual en 2015*, 16 March 2016, <https://presencia.unah.edu.hn/salud/articulo/medicos-sin-fronteras-registro-593-casos-de-violencia-sexual-en-2015>.

<sup>395</sup> United States Department of State, *2016 Trafficking in Persons Report - Honduras*, 30 June 2016, <http://www.refworld.org/docid/577f95fc6.html>; Insight Crime, *Honduras Busts Child Prostitution Ring Used by Security Forces*, 17 October 2014, <http://www.insightcrime.org/news-briefs/honduras-busts-child-prostitution-ring-used-by-security-forces>. In 2012, it was reported that hundreds of Honduran women in El Progreso in Honduras had likely been forced to go and work as prostitutes in Mexico. See Insight Crime, *Honduras' New Human Trafficking Law Faces Enormous Challenges*, 19 July 2012, <http://www.insightcrime.org/news-analysis/honduras-new-human-trafficking-law-faces-enormous-challenges>.

<sup>396</sup> La Tribuna, *Mujeres obligadas a vender droga y cobrar “impuesto”*, 10 March 2016, <http://www.latribuna.hn/2016/03/10/mujeres-obligadas-vender-droga-cobrar-impuesto/>; BBC, *Las niñas reclutadas por las maras Salvatrucha en Honduras para cobrar extorsiones*, 30 October 2015, [http://www.bbc.com/mundo/noticias/2015/10/151028\\_honduras\\_bandas\\_extorsion\\_ninas\\_ep](http://www.bbc.com/mundo/noticias/2015/10/151028_honduras_bandas_extorsion_ninas_ep); UNHCR, *Women on the Run: First-Hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico*, 26 October 2015, <http://www.refworld.org/docid/56307e2a4.html>; La Prensa, *Más mujeres se involucran en acciones delictivas en maras*, 25 January 2015, <http://www.laprensa.hn/sucesos/788911-410/m%C3%A1s-mujeres-se-involucran-en-acciones-delictivas-en-maras>; Interpeace, *Violentas y violentadas: relaciones de género en las maras Salvatrucha y Barrio 18 del triángulo norte de Centroamérica*, 14 May 2013, [http://www.interpeace.org/latinoamerica/wp-content/uploads/sites/7/2015/08/2013\\_05\\_14\\_Central\\_Am\\_Violentas\\_y\\_Violentadas\\_es.pdf](http://www.interpeace.org/latinoamerica/wp-content/uploads/sites/7/2015/08/2013_05_14_Central_Am_Violentas_y_Violentadas_es.pdf).

<sup>397</sup> El Heraldo, *MS-13, de mara callejera a organización transnacional*, 6 August 2014, <http://www.elheraldo.hn/alfrente/735683-331/ms-13-de-mara-callejera-a-organización-transnacional>.

<sup>398</sup> Global Voices, *Las mujeres y las maras: otra vuelta de tuerca en el complejo mundo de las pandillas centroamericanas*, 3 December 2015, <https://es.globalvoices.org/2015/12/03/las-mujeres-y-las-maras-otra-vuelta-de-tuerca-en-el-complejo-mundo-de-las-pandillas-centroamericanas/>; UN Human Rights Council, *Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences, Addendum : Mission to Honduras*, 31 March 2015, A/HRC/29/27/Add.1, <http://www.refworld.org/docid/5583f5fe4.html>, p. 6; Insight Crime, *The Mara Women: Gender Roles in CentAm Street Gangs*, 5 September 2013, <http://www.insightcrime.org/news-analysis/centam-street-gangs-reject-rely-on-women-study>; Interpeace, *Violentas y violentadas: Relaciones de género en las maras Salvatrucha y Barrio 18 del triángulo norte de Centroamérica*, 14 May 2013, [http://www.interpeace.org/latinoamerica/wp-content/uploads/sites/7/2015/08/2013\\_05\\_14\\_Central\\_Am\\_Violentas\\_y\\_Violentadas\\_es.pdf](http://www.interpeace.org/latinoamerica/wp-content/uploads/sites/7/2015/08/2013_05_14_Central_Am_Violentas_y_Violentadas_es.pdf); Comisión Española de Ayuda al Refugiado (CEAR), *Maras en Centroamérica y México*, 28 January 2013, <http://cear.es/wp-content/uploads/2013/10/CENTROAMERICA.-2013.-Maras.pdf>; National Gang Crime Research Center, *Females and Gangs: Sexual Violence, Prostitution, and Exploitation*, 2008, <http://www.ngcrc.com/ngcrc/proffem2.htm>. See also Section III.A.1 above.

<sup>399</sup> UNHCR, *Women on the Run: First-Hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico*, 26 October 2015, <http://www.refworld.org/docid/56307e2a4.html> pp.38; El Heraldo, *MS-13, de mara callejera a organización transnacional*, 6 August 2014, <http://www.elheraldo.hn/alfrente/735683-209/ms-13-de-mara-callejera-a-organización-transnacional>.

<sup>400</sup> El Mundo, *Honduras, el infierno de las mujeres*, 7 November 2015, <http://www.elmundo.es/yodona/2015/11/07/563b8c5722601dce3f8b45e1.html>; El Heraldo, *MS-13, de mara callejera a organización transnacional*, 6 August 2014, <http://www.elheraldo.hn/alfrente/735683-331/ms-13-de-mara-callejera-a-organización-transnacional>.

<sup>401</sup> UNHCR, *Women on the Run: First-Hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico*, 26 October 2015, <http://www.refworld.org/docid/56307e2a4.html>.



Domestic violence against women and girls in Honduras is reported to be widespread, as is impunity for the perpetrators.<sup>402</sup> Where gang members use domestic violence against their wives and other female members of their own household, the victims are often trapped as any attempt to report the violence or to escape the situation in the home would likely lead to targeting for violence by gang members, and may also put the woman's family members at risk.<sup>403</sup>

Depending on the particular circumstances of the case, UNHCR considers that women and girls, in particular but not limited to women and girls from areas where gangs operate or those from social milieus where sexual and gender-based violence against women and girls is practised, may be in need of international refugee protection on the basis of their membership of a particular social group, and/or their (imputed) political opinion, or on the basis of other Convention grounds.<sup>404</sup>

## 8. *Individuals of diverse sexual orientations and/or gender identities*

Discrimination against individuals of diverse sexual orientation and/or gender identities is reportedly widespread in Honduras and such persons have consistently been targeted for abuse, assaults and murder by the security forces, the gangs and other organized criminal groups, and other sectors of society.<sup>405</sup> Between 2009 and December 2014, there were 174 recorded violent deaths of individuals of diverse sexual orientations and/or gender identities, mainly in Cortés and Francisco Morazán department.<sup>406</sup> 37 further deaths were reported in 2015, and these high levels of violence reportedly continue in 2016.<sup>407</sup> The majority of these incidents are reportedly at the hands of the security services.<sup>408</sup> However, the Honduran gangs are also reported to possess a strong *macho* ethos, which reportedly expresses itself on an everyday basis through their virulent hatred and ill-treatment of

<sup>402</sup> United States Department of State, 2015 *Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>; PBS Newshour, *Inside the 'Pure Hell' of Honduras's Rising Tide of Domestic Violence*, 24 October 2015, <http://www.pbs.org/newshour/bb/inside-pure-hell-violence-women-honduras/>; UN Human Rights Council, *Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences, Addendum: Mission to Honduras*, 31 March 2015, A/HRC/29/27/Add.1, <http://www.refworld.org/docid/5583f5fe4.html>. See also Sections II.B.1 and II.C.1 above.

<sup>403</sup> UN Women and United Nations Development Programme, *Violencia y seguridad ciudadana: una mirada desde la perspectiva de género*, May 2015, <http://www.hn.undp.org/content/dam/honduras/docs/publicaciones/diagnosticogeneroyviolencia.pdf>, p. 68; El Heraldo, *A la cárcel envían a marero que mató a su mujer y a su hija*, 7 April 2014, <http://www.elheraldo.hn/sucesos/619523-219/a-la-carcel-envian-a-marero-que-mato-a-su-mujer-y>.

<sup>404</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), paras 12(b), 16 and 17; N. Rodríguez Serna, 'Fleeing Cartels and Maras: International Protection Considerations and Profiles from the Northern Triangle', *International Journal of Refugee Law*, Vol. 28, 2016, section 6.4. See: UNHCR, *Guidelines on International Protection No. 1: Gender-Related Persecution Within the Context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees*, 7 May 2002, HCR/GIP/02/01, <http://www.refworld.org/docid/3d36f1c64.html>, and UNHCR, *Guidelines on International Protection No. 2: "Membership of a Particular Social Group" Within the Context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees*, 7 May 2002, HCR/GIP/02/02, <http://www.refworld.org/docid/3d36f23f4.html>. Recent US jurisprudence has also recognized domestic violence as a form of persecutory harm for reasons of the woman's membership of such particular social groups as 'married women living in domestic relationships that they cannot leave'. See United States Board of Immigration Appeals, *Matter of A-R-C-G- et al.*, 26 I&N Dec. 388 (BIA 2014), 26 August 2014, <http://www.refworld.org/docid/5400846f4.html>, p. 390.

<sup>405</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 31-33, 59-60; United States Department of State, 2015 *Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>; La Prensa, *Policías y bandas criminales, principales agresores de la comunidad LGTBI en Honduras*, 22 August 2014, <http://www.laprensa.hn/honduras/tegucigalpa/740655-98/polic%C3%ADas-y-bandas-criminales-principales-agresores-de-la-comunidad-lgtbi-en-honduras>; Assessment Capacities Project, *Otras situaciones de violencia en el Triángulo del Norte Centroamericano, impacto humanitario*, May 2014, [http://reliefweb.int/sites/reliefweb.int/files/resources/otras\\_situaciones\\_de\\_violencia\\_en\\_el\\_triangu\\_lo\\_del\\_norte\\_centroamericano\\_impacto\\_humanitario\\_mayo\\_2014.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/otras_situaciones_de_violencia_en_el_triangu_lo_del_norte_centroamericano_impacto_humanitario_mayo_2014.pdf), pp. 41-42.

<sup>406</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, p. 59.

<sup>407</sup> Front Line Defenders, *Attempted Killing of LGBTI Rights Defenders Juan Jose Zambrano and Jlo Cordoba Amidst Escalating Violence Against LGBTI Rights Defenders in Honduras*, 5 April 2016, <https://www.frontlinedefenders.org/en/case/case-history-jlo-cordoba>; Duncan Tucker, *Rainbow Warriors: Attacks and Killings of LGBT Activists in Honduras*, *Index on Censorship*, April 2016, <http://ioc.sagepub.com/content/45/1/72.full.pdf+html>, vol. 45, 1: pp. 72-75; Inter-American Commission on Human Rights, *IACHR Condemns Killings and Other Acts of Violence Against Human Rights Defenders of LGBT Persons in Honduras*, 7 March 2016, [http://www.oas.org/en/iachr/media\\_center/PReleases/2016/027.asp](http://www.oas.org/en/iachr/media_center/PReleases/2016/027.asp).

<sup>408</sup> Presencia Universitaria, *Policía preventiva es el principal ente ejecutor de actos de violencia en contra la comunidad LGBTI*, 29 June 2015: <https://presencia.unah.edu.hn/seguiridad/articulo/policia-preventiva-es-el-principal-ente-ejecutor-de-actos-de-violencia-en-contra-la-comunidad-lgtbi-comisionado-universitario>; La Prensa, *Policías y bandas criminales, principales agresores de la comunidad LGTBI en Honduras*, 22 August 2014, <http://www.laprensa.hn/honduras/tegucigalpa/740655-98/polic%C3%ADas-y-bandas-criminales-principales-agresores-de-la-comunidad-lgtbi-en-honduras>.



persons based on their perceived sexual orientation and/or gender identity.<sup>409</sup> Transgender individuals, in particular transwomen, are reported to be at particular risk of violence.<sup>410</sup>

Depending on the particular circumstances of the case, UNHCR considers that individuals of diverse sexual orientations and/or gender identities may be in need of international refugee protection on the basis of their membership of a particular social group, or on the basis of other Convention grounds.<sup>411</sup> It should be emphasized that individuals of diverse sexual orientations and/or gender identities cannot be expected to change or conceal their identity in order to avoid persecution.<sup>412</sup>

## 9. *Teachers and educators working in public schools and educational institutions*

Due to the youthful membership of the gangs in Honduras, gangs reportedly often seek to exert influence in and on public schools and educational institutions in the zones where they operate. Gang members may also be present as students in these schools and educational institutions. Teachers and other educators working in parts of the country where gangs are present reportedly often find themselves subject to extortion demands.<sup>413</sup> For example, in Tegucigalpa, it has been reported that more than 500 schools pay extortion to the gangs.<sup>414</sup> Moreover, those teachers and educators who represent an alternative source of authority or resist or oppose the gangs and their recruitment of local youths, or even just give gang members bad grades, have reportedly been threatened and killed by the gangs.<sup>415</sup> Between 2009 and 2014, 83 teachers and educators were reported to have been murdered in Honduras.<sup>416</sup>

Depending on the particular circumstances of the case, UNHCR considers that teachers and educators working in public schools and educational institutions may be in need of international refugee

<sup>409</sup> IACHR, *Violencia contra personas lesbianas, gays, bisexuales, trans e intersex en América*, 12 November 2015, OAS/Ser.L/V/II.rev.1, <http://www.refworld.org/docid/56669c6f4.html>, esp. paras 279-281; Interpeace, *Violentas y violentadas: Relaciones de género en las maras Salvatrucha y Barrio 18 del triángulo norte de Centroamérica*, 14 May 2013, [http://www.interpeace.org/latinoamerica/wp-content/uploads/sites/7/2015/08/2013\\_05\\_14\\_Central\\_Am\\_Violentas\\_y\\_Violentadas\\_es.pdf](http://www.interpeace.org/latinoamerica/wp-content/uploads/sites/7/2015/08/2013_05_14_Central_Am_Violentas_y_Violentadas_es.pdf).

<sup>410</sup> Cattrachas, *Informe Sobre Muertes Violentas de la comunidad LGTTBI 2016*, 10 February 2016, <http://www.cattrachas.org/descarga.php?archi=descargas/descargas/246-InformedeCierredeMuertesviolentasLGTTBIenHonduras2015Cattrachas.pdf>; UNHCR, *Women on the Run: First-Hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico*, 26 October 2015, <http://www.refworld.org/docid/56307e2a4.html>, pp. 27-30; Human Rights Watch, *Honduras: Investigar asesinatos de mujeres transgénero*, 31 January 2011, <https://www.hrw.org/es/news/2011/01/31/honduras-investigacion-asesinatos-de-mujeres-transgenero>; Human Rights Watch, *No vale un centavo: abusos de derechos humanos en contra de las personas transgénero en Honduras*, 29 May 2009, <https://www.hrw.org/es/report/2009/05/29/no-vale-un-centavo/abusos-de-derechos-humanos-en-contra-de-las-personas>.

<sup>411</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, <http://www.refworld.org/docid/4bb21fa02.html>, para. 12(g). For further guidance, see UNHCR, *Guidelines on International Protection No. 9: Claims to Refugee Status Based on Sexual Orientation and/or Gender Identity Within the Context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees*, 23 October 2012, HCR/GIP/12/01, <http://www.refworld.org/docid/50348afc2.html>; UNHCR, *Guidelines on International Protection No. 2: "Membership of a Particular Social Group" Within the Context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees*, 7 May 2002, <http://www.refworld.org/docid/3d36f23f4.html>. It is well-established in for example US jurisprudence that sexual orientation or gender identity can form the basis of a particular social group and that claims based on the imputation of such characteristics can also succeed. See United States Board of Immigration Appeals, *Matter of Toboso-Alfonso*, 20 I. & N. Dec. 819, 12 March 1990, <http://www.refworld.org/docid/3ae6b6b84.html>; United States Court of Appeals for the Third Circuit, *Kwasi Amanfi v. John Ashcroft*, Attorney General, Nos. 01-4477 and 02-1541, 16 May 2003, (328 F.3d 719), <http://www.refworld.org/docid/47fdfb2c1a.html>.

<sup>412</sup> UNHCR, *Guidelines on International Protection No. 9: Claims to Refugee Status Based on Sexual Orientation and/or Gender Identity Within the Context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees*, 23 October 2012, HCR/GIP/12/01, <http://www.refworld.org/docid/50348afc2.html>. See also, for example, Court of Justice of the European Union, *X, Y, Z v Minister voor Immigratie en Asiel*, C199/12 - C201/12, 7 November 2013, <http://www.refworld.org/docid/527b94b14.html>.

<sup>413</sup> La Tribuna, *Maestros de Honduras en la línea de fuego con alumnos mareros*, 1 September 2015, <http://www.latribuna.hn/2015/09/01/maestros-de-honduras-en-la-linea-de-fuego-con-alumnos-mareros/>; La Prensa, *Pandillas "asisten a clases" en Honduras*, 9 December 2014, <http://www.laprensa.com.ni/2014/12/09/internacionales/1438072-pandillas-asisten-a-clases-en-honduras>.

<sup>414</sup> El Heraldo, *Más de 500 escuelas pagan 'impuesto de guerra' a pandillas en la capital de Honduras*, 7 April 2014, <http://www.elheraldo.hn/pais/569234-214/mas-de-500-escuelas-pagan-impuesto-de-guerra-a-pandillas-en-la>.

<sup>415</sup> La Tribuna, *Maestros de Honduras en la línea de fuego con alumnos mareros*, 1 September 2015, <http://www.latribuna.hn/2015/09/01/maestros-de-honduras-en-la-linea-de-fuego-con-alumnos-mareros/>; La Prensa, *Pandillas "asisten a clases" en Honduras*, 9 December 2014, <http://www.laprensa.com.ni/2014/12/09/internacionales/1438072-pandillas-asisten-a-clases-en-honduras>; La Prensa, *Escuelas y patronatos de San Pedro Sula de rodillas por maras*, 25 August 2013, <http://www.laprensa.hn/especiales/328421-273/escuelas-y-patronatos-de-san-pedro-sula-de-rodillas-por-maras>. See also Section III.A.1 above.

<sup>416</sup> Presencia Universitaria, *Un profesor es asesinado cada mes en Honduras*, 4 August 2014, <https://presencia.unah.edu.hn/seguridad/articulo/un-profesor-es-asesinado-cada-mes-en-hondurasov>.

protection on the basis of their (imputed) political opinion, or on the basis of other Convention grounds.<sup>417</sup>

#### 10. Former members of the police and armed forces

Members of the police and armed forces, and their family members, have reportedly long represented a target for extortion, attack and assassination by gang members and other organized criminal groups, especially lower-ranking officials who often live in the same neighbourhoods as gang members.<sup>418</sup> In the first two months of 2016, ten police officers and four soldiers were reported to have been killed, while in 2015 52 police and 17 soldiers were reportedly killed by gangs.<sup>419</sup> Moreover, police officials who report alleged crimes or improper activities of public interest to the relevant authorities have also reportedly been subject to threats and harassment.<sup>420</sup> Even elite military officials working on high profile organized crime cases are reported to have received threats against them and their families.<sup>421</sup>

Depending on the particular circumstances of the case, UNHCR considers that former members of the police and armed forces may be in need of international refugee protection on the basis of their membership of a particular social group, or on the basis of other Convention grounds.<sup>422</sup>

In view of the need to maintain the civilian and humanitarian character of asylum, applications for international refugee protection by combatants should not be considered unless it is established that they have genuinely and permanently renounced military and armed activities.<sup>423</sup>

Claims by persons of this profile may give rise to the need to examine possible exclusion from refugee status.<sup>424</sup>

<sup>417</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), p. 5, paragraph 12(f). Recent US jurisprudence applying the *Acosta* rationale has recognized that occupational groups may constitute particular social groups in the context of asylum claims based on the refusal to cooperate with criminal organisations. See, for example, United States Court of Appeals for the Seventh Circuit, *Escobar v Holder*, 10-3751, 7 September 2011, (657 F.3d 537, p. 546), <https://casetext.com/case/escobar-v-holder-8>. A similar approach has been adopted in the context of gang extortion claims by the Australian Refugee Review Tribunal in *RRT Case No. 0906782*, [2009] RRTA 1063, 24 November 2009, <http://www.refworld.org/docid/4b5708f42.html>, and *RRT Case No. 1109206*, [2012] RRTA 248, 12 April 2012, <http://www.refworld.org/docid/4faa27af2.html>.

<sup>418</sup> El Heraldo, *Presuntos pandilleros asesinan a soldado y tres familiares*, 9 March 2016, <http://www.elheraldo.hn/mundo/938274-466/presuntos-pandilleros-asesinan-a-soldado-y-tres-familiares>; La Tribuna, *Pandilleros ultiman a un miembro de la Fuerza Aérea* 14 December 2015, <http://www.latribuna.hn/2015/12/14/pandilleros-ultiman-a-un-miembro-de-la-fuerza-aerea/>; Proceso Digital, *Asesinan a inspector de la Policía en San Pedro Sula*, 9 October 2015, <http://www.proceso.hn/component/k2/item/111465-asesinan-a-inspector-de-la-policia-C3%ADa-en-san-pedro-sula.html>; El Heraldo, *Tegucigalpa: Diez colonias sometidas por dos bandas criminales*, 5 October 2014, <http://www.elheraldo.hn/sucesos/754920-219/tegucigalpa-diez-colonias-sometidas-por-dos-bandas-criminales>; D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, p. 47; El Heraldo, *La extorsión ataca chicleras y pulperías*, 7 April 2014, <http://www.elheraldo.hn/metro/587187-213/la-extorsion-ataca-chicleras-y-pulperias>.

<sup>419</sup> El Heraldo, *Presuntos pandilleros asesinan a soldado y tres familiares*, 9 March 2016, <http://www.elheraldo.hn/mundo/938274-466/presuntos-pandilleros-asesinan-a-soldado-y-tres-familiares>.

<sup>420</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, p. 37.

<sup>421</sup> Proceso Digital, *Una veintena de jueces bajo amenazas reciben protección en Honduras*, 5 November 2014, <http://www.proceso.hn/component/k2/item/90741-una-veintena-de-jueces-bajo-amenazas-reciben-proteccion-C3%B3n-en-honduras.html>.

<sup>422</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), paras 12(e) and 17; N. Rodríguez Serna, 'Fleeing Cartels and Maras: International Protection Considerations and Profiles from the Northern Triangle', *International Journal of Refugee Law*, Vol. 28, 2016, section 6.9. The recognition by long-established US jurisprudence such as *Matter of Fuentes*, 19 I. & N. Dec. 658 (1988), p. 662, that these profiles may constitute particular social groups based on past status in line with the *Acosta* rationale has been more recently reaffirmed in decisions such as United States Court of Appeals for the Ninth Circuit, *Tapia Madrigal v. Holder, Attorney General*, 10-73700, 15 May 2013, (716 F.3d 499), <http://www.refworld.org/docid/51c2fd4b4.html>.

<sup>423</sup> UNHCR Executive Committee, *Conclusion on the Civilian and Humanitarian Character of Asylum*, No. 94 (LIII), 8 October 2002, <http://www.refworld.org/docid/3dafdd7c4.html>. For guidance on how to establish the genuineness and permanence of renunciation, see UNHCR, *Operational Guidelines on Maintaining the Civilian and Humanitarian Character of Asylum*, September 2006, <http://www.refworld.org/docid/452b9bca2.html>.

<sup>424</sup> For further analysis of exclusion considerations, see Section III.D.

11. *Public officials, especially those engaged in investigating or confronting organized crime such as judges, prosecutors and attorneys*

Judges, prosecutors and attorneys, especially those engaged in investigating or confronting gangs or other organized criminal groups, are reported to have frequently been threatened, attacked and killed. Between 2010 and September 2015, at least 102 homicides were reported of lawyers working as prosecutors and as attorneys in private practice, the vast majority in Francisco Morazán, Cortés and Yoro, three departments with a strong presence of gangs and other organized criminal groups.<sup>425</sup> Lawyers working for the gangs may reportedly also face assassination if they try to leave the service of the gang.<sup>426</sup>

Between 2013 and 2015, at least four judges were murdered and, in 2014 alone, at least 20 judges reported receiving death threats, principally due to their work on criminal cases.<sup>427</sup> Moreover, judges were also reported to be subject to intimidation from political actors to prevent them from issuing ‘uncomfortable’ decisions, at the risk of falling victim to a ‘purge’ by the Council of the Judiciary (*Consejo de la Judicatura*).<sup>428</sup> Similarly, it was also reported that corrupt prosecutors used the criminal charge of ‘prevarication’ (*prevaricato*) to intimidate judges who issued decisions that went contrary to their (private or political) interests.<sup>429</sup>

Other public officials, including both local and national government employees, who are working in territories where the gangs operate have reportedly also been killed or threatened by the gangs due to their work.<sup>430</sup>

Depending on the particular circumstances of the case, UNHCR considers that public officials, especially those engaged in investigating or confronting organized crime – such as judges, prosecutors and attorneys – may be in need of international refugee protection on the basis of their (imputed) political opinion, or on the basis of other Convention grounds.<sup>431</sup>

## 12. *Persons with certain political profiles*

In the political campaigning leading up to both the primaries of 18 November 2012 and the general election of 24 November 2013 that led to the election of the current Hernández administration, threats, armed attacks and homicides were recorded against candidates for political office, leaders of political

425 La Tribuna, *Más de un centenar de abogados asesinados en Honduras en casi seis años*, 17 September 2015, <http://www.latribuna.hn/2015/09/17/mas-de-un-centenar-de-abogados-asesinados-en-honduras-en-casi-seis-anos/>; Proceso Digital, *Ministerio Público analiza sacar del país a fiscales amenazados a muerte*, 8 November 2014, <http://www.proceso.hn/component/k2/item/90939-ministerio-p%C3%BAblico-analiza-sacar-del-pa%C3%ADs-a-fiscales-amenazados-a-muerte.html>; El Heraldo, *Repudian crímenes contra abogados en Honduras*, 24 October 2014, <http://www.elheraldo.hn/pais/761400-214/repudian-cr%C3%ADmenes-contra-abogados-en-honduras>; La Prensa, *Más de 50 disparos recibió la fiscal*, 12 October 2014, <http://www.laprensa.hn/inicio/757096-417/capturan-a-mareros-por-muerte-de-fiscales>; El Heraldo, *Honduras: En 56 meses han sido asesinados 81 abogados*, 21 September 2014, <http://www.elheraldo.hn/vida/749806-213/honduras-en-56-meses-han-sido-asesinados-81-abogados>; El Heraldo, *Asesinan a fiscal y coordinador de la unidad Contra el Lavado de Activos*, 7 April 2014, <http://www.elheraldo.hn/sucesos/622187-219/asesinan-a-fiscal-y-coordinador-de-la-unidad-contra-el-lavado-de>; El Heraldo, *Asesinan a fiscal del Ministerio Público en Choluteca*, 7 April 2014, <http://www.elheraldo.hn/sucesos/620419-219/asesinan-a-fiscal-del-ministerio-publico-en-choluteca>; El Universal, *Matan a fiscal antinarcotráfico en Honduras*, 19 April 2013, <http://archivo.eluniversal.com.mx/notas/917811.html>.

<sup>426</sup> El Heraldo, *Mara Salvatrucha compra buses a bajo precio con amenazas*, 23 February 2016, <http://www.elheraldo.hn/pais/933050-466/mara-salvatrucha-compra-buses-a-bajo-precio-con-amaznas>.

427 Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 38-39; La Tribuna, *Asesinan a juez de paz en municipio del occidente de Honduras*, 23 April 2015, <http://www.latribuna.hn/2015/04/23/asesinan-a-juez-de-paz-en-municipio-del-occidente-de-honduras/>; Proceso Digital, *Una veintena de jueces bajo amenazas reciben protección en Honduras*, 5 November 2014, <http://www.proceso.hn/component/k2/item/90741-una-veintena-de-jueces-bajo-amenazas-reciben-protecci%C3%B3n-en-honduras.html>.

<sup>428</sup> <http://www.unhcr.org/refworld/docid/5729910b4.html>, pp. 112-117.

Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 117-118; Comité por la Libre Expresión, *Funcionarios judiciales amenazados por dar entrevista a La Tribuna y a Canal 36*, 6 August 2015, <http://www.clibrehonduras.com/alerta/funcionarios-judiciales-amenazados-por-dar-entrevista-la-tribuna-y-canal-36>.

<sup>430</sup> El Heraldo, *Pérdidas humanas y monetarias deja restricción de maras*, 7 April 2014, <http://www.elheraldo.hn/metro/587393-213/perdidas-humanas-y-monetarias-deja-restriccion-de-maras>; La Prensa, *Amplían plazo para realizar censos debido a inseguridad*, 25 August 2013, <http://www.laprensa.com.ni/2013/08/25/internacionales/159956-honduras-amplian-plazo-para-realizar-censos-debido-a-inseguridad>.

<sup>431</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa2.html](http://www.refworld.org/docid/4bb21fa2.html), paras 12(e) and 17.

parties, political party activists and their family members.<sup>432</sup> 13 such homicides were reportedly recorded for the 2012 primaries and 35 for the 2013 general election.<sup>433</sup> Moreover, 9 further armed attacks against such persons were recorded for the 2012 primaries and 17 for the 2013 general election.<sup>434</sup> This political violence reportedly affected all political parties, but particularly the LIBRE party and the Liberal Party,<sup>435</sup> and was reportedly concentrated in those departments where organized criminal groups operate, potentially reflecting their interest in penetrating local and national politics.<sup>436</sup>

There have been occasional reports of other death threats and killings of political office holders and mayors with an apparently political motive.<sup>437</sup> However, other influential political office holders and political leaders have been murdered in circumstances that apparently suggest a link to organized criminal groups, including drug smuggling structures.<sup>438</sup>

Depending on the particular circumstances of the case, UNHCR considers that persons with certain political profiles may be in need of international refugee protection on the basis of their (imputed) political opinion, and/or their membership of a particular social group, or on the basis of other Convention grounds.<sup>439</sup>

Claims by persons of this profile may give rise to the need to examine possible exclusion from refugee status.<sup>440</sup>

### 13. *Journalists and other media professionals, especially those working on issues relating to organized crime and corruption*

The general context of violence against journalists and other media workers reportedly worsened after the 2009 coup and persist to the present. As such, journalists and other media professionals, and their family members, especially those working on issues relating to organized crime and corruption in

<sup>432</sup> IUDPAS-UNAH / Instituto Nacional Demócrata, *Informe final de la conflictividad y violencia política electoral: Elecciones generales de 2013*, June 2014, <https://www.ndi.org/files/Appendix%20IUDPAS%20Final%20Report%20Informe%20Final%20de%20la%20Conflictividad%20y%20Violencia%20pol%C3%ADtica.pdf> (hereafter: IUDPAS-UNAH, *Informe final de la conflictividad y violencia política electoral*, June 2014); Rights Action, *Context of the Honduran Electoral Process 2012-2013: Incomplete List of Killings and Armed Attacks Related to Political Campaigning in Honduras - May 2012 to October 19, 2013*, 21 October 2013, <http://rightsaction.org/sites/default/files/Honduras-Violence-Political-Campaign.pdf>.

<sup>433</sup> IUDPAS-UNAH, *Informe final de la conflictividad y violencia política electoral*, June 2014, pp. 20-22.  
<sup>434</sup> IUDPAS-UNAH, *Informe final de la conflictividad y violencia política electoral*, June 2014, p. 38. 19 death threats against candidates were also recorded for the 2013 general election, although this is likely to be a significant under-reporting. See *ibid.*, pp. 49-54.  
<sup>435</sup> IUDPAS-UNAH, *Informe final de la conflictividad y violencia política electoral*, June 2014, pp. 24-25, 46, 55.  
<sup>436</sup> IUDPAS-UNAH, *Informe final de la conflictividad y violencia política electoral*, June 2014, p. 37.

<sup>437</sup> La Tribuna, *Crimen de alcalde de Dolores fue por diferencias políticas, según familiares*, 3 December 2015, <http://www.latribuna.hn/2015/12/03/crimen-de-alcalde-de-dolores-fue-por-diferencias-politicas-segun-familiares/>. See also: La Prensa, *Alcalde de Dolores, Copán, denuncia amenazas de muerte*, 28 March 2016, <http://www.laprensa.hn/sucesos/944027-410/alcalde-de-dolores-cop%C3%A1n-denuncia-amenazas-de-muerte>; La Prensa, *Los amenazan dicen Regidores*, 15 August 2013, <http://www.laprensa.hn/honduras/sanpedrosula/337784-98/los-amenazan-dicen-regidores>; Proceso Digital, *El crimen ronda a alcaldes y sus funcionarios en Honduras*, 17 February 2013, <http://www.proceso.hn/component/k2/item/25452.html>.

<sup>438</sup> Insight Crime, *Murder of Two Political Elites Shakes Honduras*, 14 April 2015, <http://www.insightcrime.org/news-analysis/murder-of-two-political-elites-shakes-honduras>. Local and national political office holders and influential party figures in Honduras are reported to have been linked with organized criminal groups. Indeed, in 2015, the United States began to request the extradition of members of some of Honduras' wealthiest and most politically influential families. See Insight Crime, *US Request Extradition of Honduras Political, Economic Elite*, 4 January 2016, <http://www.insightcrime.org/news-briefs/us-requests-extradition-of-honduras-political-economic-elite>. For instance, in April 2015 it was reported that at least 35 mayors and vice-mayors were under investigation for links to organized crime. Proceso Digital, *Corrupción y sospechas de "narco alcaldes" sacude a los gobiernos locales*, 9 April 2015, <http://www.proceso.hn/component/k2/item/100146-corrupci%C3%B3n-y-sospechas-de-%E2%80%9Cnarco-alcaldes%E2%80%9D-sacude-a-los-gobiernos-locales.html>; La Tribuna, *Marvin Ponce: "Me quedé corto al decir que hay 35 alcaldes narcos"*, 13 March 2015, <http://www.latribuna.hn/2015/03/13/marvin-ponce-me-quede-corto-al-mencionar-que-hay-35-alcaldes-narcos/>. Moreover, it is reported that a number of local and national politicians were involved in leading powerful drug smuggling structures, while others apparently facilitated the activities of these criminal groups. El Heraldo, *El Heraldo muestra cómo carteles de la droga se distribuyeron el país*, 27 May 2015, <http://www.elheraldo.hn/alfrente/844138-209/el-heraldo-revela-cómo-se-distribuyeron-el-pa%C3%ADs-los-carteles-de-la>; I. Moreno. 'Así terminó el reinado del cartel de Los Cachiros', *Revista Envío*, No. 396, 2015, <http://www.envio.org.ni/articulo/4973>.

<sup>439</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), para. 12(g). For further guidance, see UNHCR, *Guidelines on International Protection No. 2: "Membership of a Particular Social Group" Within the Context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees*, 7 May 2002, <http://www.refworld.org/docid/3d36f23f4.html>.

<sup>440</sup> For further analysis of exclusion considerations, see Section III.D.



Honduras, are reported to have frequently been the subject of threats, attacks and murder by gangs, organized criminal groups and elements of the security services.<sup>441</sup>

In 2015, Honduras was reported to be the country with the highest homicide rate for journalists in the whole of the Americas.<sup>442</sup> It is reported that 50 journalists and media workers were murdered between 2003 and 2014, of whom ten were killed in 2014.<sup>443</sup> In 2015 at least ten journalists were reported to have been murdered.<sup>444</sup> Many of these murders were apparently related to reporting on organized crime, corruption and land disputes, and took place across the country, including in rural areas.<sup>445</sup> A wide range of armed attacks and threats against journalists and media workers across different areas of Honduras have also been reported.<sup>446</sup>

Depending on the particular circumstances of the case, UNHCR considers that journalists and other media professionals who are working on issues perceived to be sensitive by either State or non-State armed actors, including but not limited to organized crime and corruption, may be in need of international refugee protection on the ground of their (imputed) political opinion, and/or their membership of a particular social group, or on the basis of other Convention grounds.<sup>447</sup>

#### 14. *Human rights defenders and other social and political activists*

Human rights defenders, and other social and political activists who are working on issues perceived to be sensitive, and their family members, have reportedly been the subject of threats, attacks and killings by gangs, organized criminal groups, elements of the security services, including private security personnel and other individuals in Honduras.<sup>448</sup> Those who are subject to such mistreatment reportedly include but are not limited to persons working for the defence of human rights in general, women's rights activists, activists working on the rights of individuals of diverse sexual orientations and/or gender identities, trade unionists, indigenous and peasant rights activists, and land and environmental activists.<sup>449</sup>

Between 2010 and 2014, it is reported that 22 human rights defenders were murdered, 14 of whom during the time when they were beneficiaries of precautionary measures by the Inter-American Commission on Human Rights.<sup>450</sup> During the same period, human rights defenders in the country also reported two forced disappearances of their colleagues, 15 kidnappings, 88 cases of information theft, 53 cases of vehicle sabotage and 3,064 prosecutions allegedly initiated to intimidate human rights defenders through the misuse of criminal law provisions.<sup>451</sup> In 2014 and for each of the four preceding years from 2010 to 2013, Honduras was the country with the highest per capita rate for murders of

<sup>441</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 74-78.

<sup>442</sup> Latin Correspondent, *Honduras: The Most Deadly Place for Journalists in the Americas*, 5 November 2015, <http://latin correspondent.com/2015/11/honduras-the-most-deadly-place-for-journalists-in-the-americas/>.

<sup>443</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 75-76.

<sup>444</sup> Notas, *México y Honduras, los países de América Latina con más periodistas asesinados en 2015*, 24 December 2015, <http://notas.org.ar/2015/12/24/mexico-honduras-paises-america-latina-mas-periodistas-asesinados-2015/>. See also: La Prensa, *Unos 63 periodistas han sido asesinados entre 2001 y 2015 en Honduras*, 3 May 2016, <http://www.laprensa.hn/honduras/956077-410/unos-63-periodistas-han-sido-asesinados-entre-2001-y-2015-en-honduras>.

<sup>445</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, p. 76.

<sup>446</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 78-83.

<sup>447</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), paras 12(f), 16 and 17; N. Rodríguez Serna, 'Fleeing Cartels and Maras: International Protection Considerations and Profiles from the Northern Triangle', *International Journal of Refugee Law*, Vol. 28, 2016, sections 6.5 and 6.10.

<sup>448</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 28-36.

<sup>449</sup> Front Line Defenders, *Attempted Killing of LGBTI Rights Defenders Juan Jose Zambrano and Jlo Cordoba Amidst Escalating Violence Against LGBTI Rights Defenders in Honduras*, 5 April 2016, <https://www.frontlinedefenders.org/en/case/case-history-jlo-cordoba>; Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 29-35.

<sup>450</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 28-29.

<sup>451</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 28-29.

land and environmental activists in the world.<sup>452</sup> These trends apparently continued undiminished in 2015 and into 2016.<sup>453</sup>

In 2015 and 2016, it was also reported that other activists participating in public protests concerning social and political issues, including those convened against the government by the *Indignados* ('Indignant') movement, had been threatened and killed.<sup>454</sup>

Depending on the particular circumstances of the case, UNHCR considers that human rights defenders and other social and political activists who are working on issues perceived to be sensitive by either State or non-State armed actors may be in need of international refugee protection on the ground of their (imputed) political opinion, and/or their membership of a particular social group, or on the basis of other Convention grounds.<sup>455</sup>

### 15. *Members of indigenous, Afro-Honduran and peasant communities involved in land disputes*

Members of indigenous, Afro-Honduran and peasant communities involved in rural land disputes are reportedly subjected to threats, evictions and violence by members of the security forces, private security forces and organized criminal groups. Land disputes in Honduras, including those tied to land reform and large-scale development projects such as hydro-electrical and mining projects, are reported to be a major source of political and social unrest in the country, as the interests of these communities in the land intersect with those of large landowners and corporations, or those of organized criminal groups wishing to use the lands for drug-trafficking.<sup>456</sup> The long-running, and now simmering, conflict between peasants and large landowners over lands in the *Bajo Aguán* (Lower Aguán) region of Yoro and Colón departments, and its militarization by the authorities, is reportedly but one among many localized, tense and violent land disputes that exist in Honduras.<sup>457</sup>

<sup>452</sup> Global Witness, *How Many More?*, April 2015, [https://www.globalwitness.org/documents/17882/how\\_many\\_more\\_pages.pdf](https://www.globalwitness.org/documents/17882/how_many_more_pages.pdf).

<sup>453</sup> BBC, *El mortal costo de defender el medio ambiente en la Honduras de Berta Cáceres*, 10 March 2016, [http://www.bbc.com/mundo/noticias/2016/03/160307\\_honduras\\_defensores\\_ambientales\\_asesinados\\_ac](http://www.bbc.com/mundo/noticias/2016/03/160307_honduras_defensores_ambientales_asesinados_ac); Inter-American Commission on Human Rights, *IACHR Condemns Killings and Other Acts of Violence Against Human Rights Defenders of LGBT Persons in Honduras*, 7 March 2016, [http://www.oas.org/en/iachr/media\\_center/PReleases/2016/027.asp](http://www.oas.org/en/iachr/media_center/PReleases/2016/027.asp); Amnesty International, *Honduras 2015/2016*, 2016, <https://www.amnesty.org/en/countries/americas/honduras/report-honduras/>; Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 29-35. The killings in 2016 included the globally-condemned murder of Berta Cáceres, coordinator of the Consejo Cívico de Organizaciones Populares e Indígenas de Honduras (Civic Council of Popular and Indigenous Organisations of Honduras, COPINH), alongside other leading Honduran activists. See La Prensa, *Matan a Berta Cáceres, líder indígena hondureña*, 3 March 2016, <http://www.laprensa.hn/sucesos/935868-410/matan-a-berta-c%C3%A1ceres-l%C3%ADder-ind%C3%ADgena-hondure%C3%B1a>; Guardian, *Fellow Honduran Activist Nelson García Murdered Days After Berta Cáceres*, 16 March 2016, <http://www.theguardian.com/world/2016/mar/16/berta-caceres-nelson-garcia-murdered-copinh-fellow-activist>.

<sup>454</sup> Comité por la Libre Expresión, *Universitario asesinado tras participar en protesta por muerte de Berta Cáceres*, 16 March 2016, <http://www.elibrehonduras.com/alerta/universitario-asesinado-tras-participar-en-protesta-por-muerte-de-berta-c%C3%A1ceres>; El Libertador, *Matan a dirigente de Indignados y amenazan a doctora en Honduras*, 22 August 2015, <http://www.web.elibertador.hn/index.php/noticias/nacionales/444-matan-a-dirigente-de-indignados-y-amenazan-a-doctora-en-honduras>; World Socialist Web Site, *Honduran Death Squads Kill Four Student Protesters, Including a 13-Year-Old*, 1 April 2015, <https://www.wsws.org/en/articles/2015/04/01/hond-a01.html>; La Prensa, *Unicef exige a Honduras investigar asesinatos de estudiantes manifestantes*, 26 March 2015, <http://www.laprensa.hn/honduras/825910-410/unicef-exige-a-honduras-investigar-asesinatos-de-estudiantes-manifestantes>.

<sup>455</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), paras 12(f), 16 and 17; N. Rodríguez Serna, 'Fleeing Cartels and Maras: International Protection Considerations and Profiles from the Northern Triangle', *International Journal of Refugee Law*, Vol. 28, 2016, sections 6.5 and 6.10.

<sup>456</sup> Human Rights Watch, *World Report 2016 - Honduras*, 27 January 2016, <http://www.refworld.org/docid/56bd993b15.html>; Office of the High Commissioner for Human Rights, *End-of-Mission Statement on Honduras by the Special Rapporteur on the Rights of Indigenous Peoples*, 10 November 2015, <http://www.refworld.org/docid/572994a74.html>; Global Witness, *How Many More?*, April 2015, [https://www.globalwitness.org/documents/17882/how\\_many\\_more\\_pages.pdf](https://www.globalwitness.org/documents/17882/how_many_more_pages.pdf); Al-Jazeera, *Honduran Indigenous Groups Caught in Crosshairs of Global Drug Trade*, 23 June 2014, <http://america.aljazeera.com/articles/2014/6/23/honduran-indigenousgroupsdrugwar.html>; Just Associates (JASS), *De Sobrevivientes a Defensoras: Mujeres que Enfrentan la Violencia en México, Honduras y Guatemala*, 2013, [https://www.justassociates.org/sites/default/files/sp\\_nwi-mexico\\_centralamerica-lr.pdf](https://www.justassociates.org/sites/default/files/sp_nwi-mexico_centralamerica-lr.pdf). See also, Insight Crime, *Questioning Role of 'Criminal Groups' in Honduras Land Conflict*, 24 April 2012, <http://www.insightcrime.org/news-analysis/questioning-role-of-criminal-groups-in-honduras-land-conflict>.

<sup>457</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 68-73; Human Rights Watch, *Honduras: No Justice for Wave of Killings Over Land*, 12 February 2014, <https://www.hrw.org/news/2014/02/12/honduras-no-justice-wave-killings-over-land>.

The indigenous, Afro-Honduran and peasant communities that are particularly affected by such land disputes represent sectors of the population that experience high levels of exclusion and poverty.<sup>458</sup> Moreover, during land disputes in departments such as Colón, Yoro, Choluteca, Comayagua and La Paz, members of these communities are reported to have also been threatened, attacked, forcibly disappeared, tortured, detained, harassed, violently evicted and killed in operations by the security forces, private security forces and organized criminal groups, even where they benefitted from precautionary measures.<sup>459</sup> These dynamics have contributed to making Honduras reportedly the most dangerous country for land and environmental activists, with 111 such murders registered between 2002 and 2014,<sup>460</sup> and these violent dynamics and killings apparently continue unabated in 2015 and 2016.<sup>461</sup>

Depending on the particular circumstances of the case, UNHCR considers that members of indigenous, Afro-Honduran and peasant communities involved in land disputes may be in need of international refugee protection on the basis of their membership of a particular social group, their (imputed) political opinion and/or their race, or on the basis of other Convention grounds.<sup>462</sup>

#### **16. Family members, dependants and other members of the households of persons falling within the previous risk profiles**

Family members, dependants, other members of the households of individuals with any of the profiles above can reportedly also be a target for attacks and assassination by gangs, organized criminal groups and elements of the security forces, sometimes even after the person who was initially targeted has fled or has already been killed.<sup>463</sup>

Family members, dependants and other members of the households of individuals with any of the profiles above may also be in need of international protection on the basis of their association with

<sup>458</sup> Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 39-41, 143-144; United States Department of State, *2015 Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>; UN Committee on the Elimination of Racial Discrimination, *Concluding Observations on the Combined Initial and Second to Fifth Periodic Reports of Honduras*, 13 March 2014, CERD/C/HND/CO/1-5, <http://www.refworld.org/docid/572993834.html>, para. 7. Indeed, it is reported that 88.7 per cent of indigenous and Afro-Honduran children live in poverty, with 78.4 per cent living in extreme poverty. See Comisionado Nacional de los Derechos Humanos, *Informe al Honorable Congreso Nacional de la República 2014*, March 2015, [http://app.conadeh.hn/descargas/InformesAnuales/CONADEH\\_2014.pdf](http://app.conadeh.hn/descargas/InformesAnuales/CONADEH_2014.pdf), pp. 89-90.

<sup>459</sup> Telesur, *Diputado Hondureño Denuncia Persecución Contra Líderes Indígenas*, 16 March 2016, <http://www.telesurtv.net/news/Diputado-hondureno-denuncia-persecucion-contra-lideres-indigenas-20160316-0068.html>; Inter-American Commission on Human Rights, *Situation of Human Rights in Honduras*, 31 December 2015, <http://www.refworld.org/docid/5729910b4.html>, pp. 39-41, 68-72; Office of the High Commissioner for Human Rights, *Statement of the United Nations Special Rapporteur on the Human Rights of Internally Displaced Persons on Conclusion of His Official Visit to the Republic of Honduras, 23 to 27 November 2015*, 27 November 2016, <http://www.refworld.org/docid/568cf4ba4.html>; Office of the High Commissioner for Human Rights, *End-of-Mission Statement on Honduras by the Special Rapporteur on the Rights of Indigenous Peoples*, 10 November 2015, <http://www.refworld.org/docid/572994a74.html>; United States Department of State, *2015 Country Reports on Human Rights Practices - Honduras*, 13 April 2016, <http://www.refworld.org/docid/5716125dc.html>; Global Witness, *How Many More?*, April 2015, [https://www.globalwitness.org/documents/17882/how\\_many\\_more\\_pages.pdf](https://www.globalwitness.org/documents/17882/how_many_more_pages.pdf); Telesur, *Garifuna at the Forefront of the Honduran Resistance*, 6 November 2014, <http://www.telesurtv.net/english/analysis/teleSUR-Investigation-Garifuna-at-the-Forefront-of-the-Honduran-Resistance-20141023-0027.html>; Telesur, *Garifuna Take on Mega-Tourism, Displacement and Organized Crime in Honduras*, 6 November 2014, <http://www.telesurtv.net/english/analysis/teleSUR-Investigation-Garifuna-Take-on-Mega-Tourism-Displacement-and-Organized-Crime-in-Honduras-20141023-0025.html>; Human Rights Watch, *"There Are No Investigations Here" - Impunity for Killings and Other Abuses in Bajo Aguán, Honduras*, 14 February 2014, <http://www.refworld.org/docid/52fe1b204.html>.

<sup>460</sup> Global Witness, *How Many More?*, April 2015, [https://www.globalwitness.org/documents/17882/how\\_many\\_more\\_pages.pdf](https://www.globalwitness.org/documents/17882/how_many_more_pages.pdf).

<sup>461</sup> For instance, in March 2016, five individuals from San Francisco de Locomapa, a community within the Tolupán indigenous people, were killed defending the natural resources of indigenous peoples in the Locomapa sector of the Yoro department, including Santos Matute, a member of the Movimiento Amplio por la Dignidad y la Justicia (Broad Movement for Dignity and Justice, MADJ) who was a beneficiary of precautionary measures by the Inter-American Commission on Human Rights. See Inter-American Commission on Human Rights, *IACHR Condemns Killing of Members of the Tolupán Indigenous Peoples in Honduras*, 7 March 2016, [http://www.oas.org/en/iachr/media\\_center/PReleases/2016/028.asp](http://www.oas.org/en/iachr/media_center/PReleases/2016/028.asp). Similarly, Berta Cáceres, also a beneficiary of precautionary measures, was killed on 2 March 2016. See Inter-American Commission on Human Rights, *IACHR Condemns the Killing of Berta Cáceres in Honduras*, 4 March 2016, [http://www.oas.org/en/iachr/media\\_center/PReleases/2016/024.asp](http://www.oas.org/en/iachr/media_center/PReleases/2016/024.asp). See also, La Tribuna, *Matan dirigente campesina y la dejan a orilla de carretera*, 19 December 2015, <http://www.latribuna.hn/2015/12/19/matan-dirigente-campesina-y-la-dejan-a-orilla-de-carretera/>.

<sup>462</sup> See UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), para. 12(g).

<sup>463</sup> UNHCR, *Women on the Run: First-Hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico*, 26 October 2015, <http://www.refworld.org/docid/56307e2a4.html>; D.J. Cantor, 'The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico', *Refugee Survey Quarterly*, Vol. 33, 2014, <http://rsq.oxfordjournals.org/content/33/3/34.full.pdf+html>, pp. 45, 47.

individuals at risk for reason of their (imputed) political opinion, or on the basis of their membership of a particular social group, or other Convention grounds.<sup>464</sup>

## **B. Refugee Status under UNHCR's Broader Mandate Criteria, under the Cartagena Declaration or under Article I(2) of the 1969 OAU Convention and Protection on Other Grounds**

The 1951 Convention forms the cornerstone of the international refugee protection regime. The criteria for refugee status contained in the 1951 Convention need to be interpreted in such a manner that individuals or groups of persons who meet these criteria are duly recognized and protected under that instrument. Only when an asylum-seeker is found not to meet the refugee criteria in the 1951 Convention, for example because the feared persecution is not for reason of a Convention ground, or the threshold for applying the 1951 Convention definition is not otherwise met, should broader international protection criteria contained in UNHCR's mandate and regional instruments be examined.<sup>465</sup>

### **1. Refugee Status under UNHCR's Broader Mandate Criteria**

UNHCR's mandate encompasses individuals who meet the refugee criteria under the 1951 Convention and its 1967 Protocol,<sup>466</sup> but has been broadened through successive UN General Assembly and ECOSOC resolutions to a variety of other situations of forced displacement resulting from indiscriminate violence or public disorder.<sup>467</sup> In light of this evolution, UNHCR's competence to provide international protection to refugees extends to individuals who are outside their country of nationality or habitual residence and who are unable or unwilling to return there owing to serious threats to life, physical integrity or freedom resulting from indiscriminate violence or other events seriously disturbing public order.<sup>468</sup>

In light of the information provided in Section II above, UNHCR considers that most if not all violence in Honduran society is *discriminate*, targeting individuals or groups of individuals for specific reasons. Where these reasons are related to one or more of the 1951 Convention grounds, it is appropriate to consider eligibility for refugee status under the 1951 Convention.

While the need to consider eligibility for refugee status under UNHCR's broader mandate on the basis of *indiscriminate* violence is thus unlikely to arise, there may be exceptional cases where it is necessary to assess the threat to life, physical integrity or freedom resulting from events seriously disturbing public order. In the exceptional circumstances of Honduras, relevant considerations in this regard include the fact that in certain parts of the country the Government has lost effective control to gangs and other organized criminal groups and is unable to provide protection to inhabitants.<sup>469</sup> In the

<sup>464</sup> UNHCR, *Guidance Note on Refugee Claims Relating to Victims of Organized Gangs*, 31 March 2010, [www.refworld.org/docid/4bb21fa02.html](http://www.refworld.org/docid/4bb21fa02.html), paras 6, 17, 20, 40 and 51. US jurisprudence also recognizes refugee status in cases of persecution based on family associations, including in the context of persecution by organized criminal groups such as gangs. See United States Court of Appeals for the Seventh Circuit, *Hassan v. Holder, Attorney General*, 08-1535, 2 July 2009, <http://www.refworld.org/docid/4b43656c2.html>; United States Court of Appeals for the Fourth Circuit, *Crespin-Valladeres et al. v Holder, Attorney General*, 09-1423, 16 February 2011, <http://www.refworld.org/docid/4f68b4cf2.html>; United States Court of Appeals for the First Circuit, *Rita Nelly Constanza de Abarca v. Holder, Attorney General*, 13-1081, 9 July 2014, <http://www.refworld.org/docid/53e47d5a4.html>; United States Court of Appeals for the Fourth Circuit, *Wildon Manfredo Aquino Cordova v. Holder, Attorney General*, 13-1597, 18 July 2014, <http://www.refworld.org/docid/53e4a5fe4.html>; United States Court of Appeals for the First Circuit, *Aldana Ramos v Holder*, 13-2022, 8 August 2014, <http://www.refworld.org/docid/56cc10f24.html>.

<sup>465</sup> Note in particular that in some armed conflicts or other situations of violence, harm may appear to be indiscriminate. However, the underlying causes, character and/or impact of the violence causing harm may reveal that it is in fact discriminate. UNHCR, *Summary Conclusions on International Protection of Persons Fleeing Armed Conflict and Other Situations of Violence*; Roundtable 13 and 14 September 2012, Cape Town, South Africa, 20 December 2012, <http://www.refworld.org/docid/50d32e5e2.html>, para 17.

<sup>466</sup> UN General Assembly, *Protocol Relating to the Status of Refugees*, 31 January 1967, United Nations, Treaty Series, vol. 606, p. 267, <http://www.refworld.org/docid/3ae6b3ae4.html>.

<sup>467</sup> UNHCR: *Providing International Protection Including Through Complementary Forms of Protection*, 2 June 2005, EC/55/SC/CRP.16 <http://www.refworld.org/docid/47fdfb49d.html>; UN General Assembly, *Note on International Protection*, 7 September 1994, A/AC.96/830, <http://www.refworld.org/docid/3f0a935f2.html>.

<sup>468</sup> See for example, UNHCR, *MM (Iran) v. Secretary of State for the Home Department - Written Submission on Behalf of the United Nations High Commissioner for Refugees*, 3 August 2010, C5/2009/2479, <http://www.refworld.org/docid/4c6aa7db2.html>, para. 10.

<sup>469</sup> See Section II.C and references therein.



context of Honduras, the available information indicates that the exercise of control over key aspects of people's lives in areas controlled by gangs and some other organized criminal groups is repressive, coercive and undermines an *ordre public* based on respect for the rule of law and human dignity.<sup>470</sup>

Relevant indicators to assess the threat to life, physical integrity or freedom resulting from events seriously disturbing public order include: (i) high rates of murders, disappearances, attacks, kidnappings, sexual, gender-based and other forms of violence, particularly in areas where gangs are active (see Section II.B); and (ii) the number of people who have been forcibly displaced due to criminal violence, whether in urban or in rural settings (see Section II.D); (iii) the extensive measures of control, including social, economic, and political control, over local populations by gangs and certain other organized criminal groups in certain parts of the country, including by means of threats, intimidation and extortion, thereby seriously affecting the State's ability to provide protection; (iv) the ability of gangs and other organized criminal groups and government officials to commit violent crimes, extortion and a range of human rights abuses with impunity; (v) the forced recruitment of youths and others by gangs; (vi) the impact of organized criminal violence on the humanitarian situation as manifested by poverty and the systematic undermining of livelihoods in urban and rural settings; and (vii) systematic constraints on access to education and other basic services as a result of insecurity.<sup>471</sup>

Against this background, UNHCR considers that individuals who have been found not to meet the refugee criteria contained in the 1951 Convention and who originate from areas where organized criminal groups have a strong presence and are operating, may, depending on the individual circumstances of the case, be in need of international protection under UNHCR's broader mandate criteria on the grounds of serious threats to life, physical integrity or freedom resulting from events seriously disturbing public order.

### **1. Refugee Status under the Cartagena Declaration**

Honduran asylum-seekers who seek international protection in any of the countries that have incorporated the refugee definition included in the 1984 Cartagena Declaration on Refugees (Cartagena Declaration)<sup>472</sup> into their national legislation may qualify for refugee status on the grounds that their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances that have seriously disturbed public order.<sup>473</sup>

Following similar considerations as for UNHCR's broader mandate criteria, UNHCR considers that individuals who have been found not to meet the refugee criteria contained in the 1951 Convention but who originate from areas in Honduras controlled by gangs or certain organized criminal groups, or where they otherwise have a strong presence and are operating, may, depending on the individual circumstances of the case, be in need of international protection under the terms of the refugee definition of the Cartagena Declaration, on the grounds that their lives, safety or freedom were threatened by one or more of the objective situations listed in that definition. Whether these criteria

<sup>470</sup> See Sections II.B.2.a and II.B.2.b and references therein.

<sup>471</sup> For general considerations (not specific to Honduras), see UNHCR, *Summary Conclusions on International Protection of Persons Fleeing Armed Conflict and Other Situations of Violence; Roundtable 13 and 14 September 2012, Cape Town, South Africa*, 20 December 2012, <http://www.refworld.org/docid/50d32e5e2.html>, paras 10-12.

<sup>472</sup> *Cartagena Declaration on Refugees, Colloquium on the International Protection of Refugees in Central America, Mexico and Panama*, 22 November 1984, <http://www.refworld.org/docid/3ae6b36ec.html>. Although the Cartagena Declaration is included in a non-binding regional instrument, the Cartagena refugee definition has attained a particular standing in the region, not least through its incorporation into 14 national laws and State practice. For guidance on the interpretation of the refugee definition in the Cartagena Declaration, see: UNHCR, *Summary Conclusions on the Interpretation of the Extended Refugee Definition in the 1984 Cartagena Declaration: Roundtable 15 and 16 October 2013, Montevideo, Uruguay*, 7 July 2014, <http://www.refworld.org/docid/53c52e7d4.html>. At the time of writing, the Cartagena refugee definition has been incorporated into the national laws of Argentina, Belize, Bolivia, Brazil, Chile, Colombia, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Paraguay, Peru, and Uruguay. In addition, in September 2014 the Constitutional Court of Ecuador ordered the regional definition to be reinstated in the national legal framework: Corte Constitucional, *Sentencia No 002-14-SIN-CC*, 14 August 2014, <http://www.refworld.org/docid/578f56084.html>.

<sup>473</sup> *Cartagena Declaration on Refugees, Colloquium on the International Protection of Refugees in Central America, Mexico and Panama*, 22 November 1984, <http://www.refworld.org/docid/3ae6b36ec.html>, para. III(3).

are met in a specific area needs to be assessed in each case at the time of adjudication.

## **2. *Refugee Status under Article I(2) of the 1969 OAU Convention***

For the same reasons as above, UNHCR considers that individuals who have been found not to meet the refugee criteria contained in the 1951 Convention but who originate from areas in Honduras where gangs or certain other organized criminal groups have a strong presence and are operating, may, depending on the individual circumstances of the case, be in need of international protection under the terms of Article I(2) of the 1969 Convention Governing the Specific Aspects of Refugee Problems in Africa (OAU Convention).<sup>474</sup>

## **3. *Eligibility for Subsidiary Protection under the EU Qualification Directive***

Persons originating from Honduras who seek international protection in Member States of the European Union and who are found not to be refugees under the 1951 Convention may qualify for subsidiary protection under Article 15 of the Qualification Directive (recast), if there are substantial grounds for believing that they would face a real risk of serious harm in Honduras.<sup>475</sup>

In light of the information provided in Section II above, UNHCR considers that most if not all violence in Honduran society is discriminate, targeting specific individuals or groups of individuals for specific reasons. Where these reasons are related to one or more of the 1951 Convention grounds, it is appropriate to consider eligibility for refugee status under the 1951 Convention. In these circumstances, the need to consider eligibility for international protection under Article 15(c) of the Qualification Directive (recast) is unlikely to arise.

## **C. Considerations Relating to the Application of an Internal Flight or Relocation Alternative**

Assessment of the possibility of the application of an internal flight or relocation alternative (IFA/IRA) requires an evaluation of the relevance as well as reasonableness of the proposed IFA/IRA.<sup>476</sup>

### **1. *Relevance of IFA/IRA***

Where the claimant has a well-founded fear of persecution at the hands of the State and/or its agents, there is a presumption that consideration of an IFA/IRA is not relevant.

Where the agents of persecution are non-State agents, consideration must be given to whether the persecutor is likely to pursue the claimant in the proposed area of relocation. Considering the small territorial size of Honduras, and given the ability of the gangs and other organized criminal groups to operate country-wide, and indeed internationally – both independently and as part of international criminal networks, a viable IFA/IRA is unlikely to be available to individuals at risk of being pursued

<sup>474</sup> Organization of African Unity, *Convention Governing the Specific Aspects of Refugee Problems in Africa* ("OAU Convention"), 10 September 1969, 1001 UN Treaty Series 45, <http://www.refworld.org/docid/3ae6b36018.html>.

<sup>475</sup> Serious harm for the purposes of the Qualification Directive is defined as (a) the death penalty or execution; or (b) torture or inhuman or degrading treatment or punishment of an applicant in the country of origin; or (c) serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict. European Union, *Directive 2011/95/EU of the European Parliament and of the Council on Standards for the Qualification of Third-Country Nationals or Stateless Persons as Beneficiaries of International Protection, for a Uniform Status for Refugees or for Persons Eligible for Subsidiary Protection, and for the Content of the Protection Granted (Recast)*, 13 December 2011, <http://www.refworld.org/docid/4f06fa5e2.html>, Articles 2(f), 15. In light of the information presented in these Protection Considerations, applicants may, depending on the individual circumstances of the case, be in need of subsidiary protection under Article 15(a) or Article 15(b) on the grounds of a real risk of the relevant forms of serious harm, either at the hands of the State or its agents, or at the hands of non-State armed actors.

<sup>476</sup> The decision-maker bears the burden of proof of establishing that an analysis of relocation is relevant to the particular case. If considered relevant, it is up to the party asserting this to identify the proposed area of relocation and provide evidence establishing that it is a reasonable alternative for the individual concerned. See UNHCR, *Guidelines on International Protection No. 4: "Internal Flight or Relocation Alternative" Within the Context of Article 1A(2) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees*, HCR/GIP/03/04, 23 July 2003, <http://www.refworld.org/pdfid/3f2791a44.pdf>, paras 33-35.

by such actors. It is particularly important to note the operational capacity of certain organized structures, particularly the *MS* and *Barrio 18* and the larger smuggling structures, to carry out attacks in any part of Honduras, irrespective of territorial control of the specific zone. Further consideration should be given to: (i) the reach and ability of organized criminal networks to trace and target individuals, both in rural areas and in urban centres, including in the cities of Tegucigalpa/Comayagüela, San Pedro Sula, La Ceiba and Comayagua, and including individuals who are covered by State-run protection programmes; (ii) the profile of the asylum-seeker and the existence of any reasonable grounds to believe that he or she will be traced and targeted; and (iii) the profile of the asylum-seeker and the existence of any reasonable grounds to believe that he or she will attract adverse attention and be targeted anew by organized criminal groups, especially gangs, that control the proposed area of relocation or which have a strong presence and operate there.

### **1. Reasonableness of IFA/IRA**

Whether an IFA/IRA is “reasonable” is determined on a case-by-case basis, taking into account the personal circumstances of the applicant, including the impact of any past persecution.<sup>477</sup> Other factors that must be taken into account include the safety and security situation in the proposed area of relocation; respect for human rights in that area, and the possibilities for economic survival,<sup>478</sup> in order to evaluate whether the individual would be able to live a relatively normal life without undue hardship in the area of relocation, given his or her situation.

UNHCR considers that particular attention must be given to: the level of violence and general security conditions in the area of proposed relocation, including (i) the presence of organized criminal groups; the scale of forced displacement in the area of proposed relocation; (ii) the availability of basic infrastructure and access to essential services in the proposed area of relocation; (iii) the availability of housing in the proposed area of relocation; (iv) the presence of livelihood opportunities in the proposed area of relocation; (v) the general lack of government support and the absence of a relevant legal framework and protection mechanisms for persons displaced by the violence; (vi) the extent to which the applicant can expect to receive genuine support from any members of his or her (extended) family who may be living there and, for women and children, the possible impact of widespread domestic violence and abuse; and (vii) the overall sustainability of the relocation in light of the fact that displaced persons in Honduras are often forced to displace multiple times.

## **D. Exclusion from International Refugee Protection**

Among nationals or habitual residents of Honduras seeking international protection, there may be individuals who have been associated with acts falling within the scope of the exclusion clauses provided for in Article 1F of the 1951 Convention.<sup>479</sup> In the specific context of Honduras, exclusion considerations would be triggered, in particular, in cases involving possible participation in acts of violence, including extortion, robbery, murder, homicide, violent assaults, rape, prostitution, kidnapping and trafficking in people, drugs and arms, and other violent crimes. In all such cases, it will be necessary to examine carefully any issues of individual responsibility for crimes which may give rise to exclusion from international refugee protection. Given the potentially serious consequences of exclusion from international refugee protection, the exclusion clauses need to be interpreted restrictively and applied with caution. Mere membership in a criminal group or organization is not a sufficient basis to exclude. A full assessment of the circumstances of the individual case is required in all cases.<sup>480</sup>

<sup>477</sup> UNHCR, *Guidelines on International Protection No. 4: “Internal Flight or Relocation Alternative” Within the Context of Article 1A(2) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees*, HCR/GIP/03/04, 23 July 2003, <http://www.refworld.org/docid/3f2791a44.html>, paras 25-26.

<sup>478</sup> *Ibid.*, paras 24, 27-30.

<sup>479</sup> UNHCR, *Guidelines on International Protection No. 5: Application of the Exclusion Clauses: Article 1F of the 1951 Convention Relating to the Status of Refugees*, 4 September 2003, HCR/GIP/03/05, <http://www.refworld.org/docid/3f5857684.html>.

<sup>480</sup> In some cases, individual responsibility for excludable acts may be presumed if membership and participation in the activities of a particularly violent group is voluntary. Detailed guidance on the interpretation and application of Article 1F of the 1951 Convention can be found in UNHCR, *Guidelines on International Protection No. 5: Application of the Exclusion Clauses: Article 1F of the 1951 Convention Relating to the Status of Refugees*, HCR/GIP/03/05, 4 September 2003, <http://www.refworld.org/docid/3f5857684.html>; and *Background*

In view of the particular circumstances and vulnerabilities of children, the application of the exclusion clauses to children needs to be exercised with great caution.<sup>481</sup> Where children associated with a gang or other organized criminal group are alleged to have committed crimes, it is important to bear in mind that they may be victims of offences against international law and not just perpetrators.<sup>482</sup>

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*Note on the Application of the Exclusion Clauses: Article 1F of the 1951 Convention Relating to the Status of Refugees*, 4 September 2003, <http://www.refworld.org/docid/3f5857d24.html>.

<sup>481</sup> For further guidance on the application of the exclusion clauses to children, see UNHCR, *Guidelines on International Protection No. 8: Child Asylum Claims under Articles 1(A)2 and 1(F) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees*, HCR/GIP/09/08, 22 December 2009, <http://www.refworld.org/docid/4b2f4f6d2.html>, paras 58-64.

<sup>482</sup> The Paris Principles state: "Children who are accused of crimes under international law allegedly committed while they were associated with armed forces or armed groups should be considered primarily as victims of offences against international law; not only as perpetrators. They must be treated in accordance with international law in a framework of restorative justice and social rehabilitation, consistent with international law which offers children special protection through numerous agreements and principles". See UNICEF, *The Paris Principles: Principles and Guidelines on Children Associated with Armed Forces or Armed Groups*, February 2007, <http://www.refworld.org/docid/465198442.html>, paras 3.6 and 3.7