

## ***Why should the EU deploy an EOM ahead of the general elections in Honduras?***

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**Four years after the coup d'état in Honduras, the civil society networks APRODEV and CIFCA urge the EU to deploy a long term Electoral Observation Mission at the occasion of the general elections in Honduras, to be held in November 2013.**

In the framework of the European Union's support to policies promoting the consolidation of democracy, the Rule of Law and the fulfilment of human rights, the EU has expressed and demonstrated its interest in ensuring and promoting electoral processes that guarantee the transparency, impartiality and respect for citizens' decisions. Furthermore, the support of the EU to peace and democratisation processes in Central America has been considered as a key element for the progress in democracy achieved in the last twenty five years. For all these reasons, and **following the formal invitation issued by the electoral authorities of Honduras to the EU to deploy an Electoral Observation Mission (EOM) at the general elections on November 24<sup>th</sup>**, the abovementioned civil society organisations consider this mission urges.

In several opportunities, these networks, its members and partners in Honduras have alerted on the deterioration of human rights<sup>1</sup> and the weakness of institutions. Following the coup d'état on June 2009 and the consequent structural and institutional crisis<sup>2</sup>, violence, violations to fundamental citizens' rights – in particular, civil and political rights - as well as attacks towards human rights defenders, have increased systematically. **Civil society organisations we work with in Honduras fear this situation could exacerbate during the electoral process, given that candidates for the parliament and municipalities from different political groups - mainly from parties in the opposition - have reported threats or even been killed<sup>3</sup>.**

Therefore, the signing civil society organisations would like to draw MEPs attention towards this situation, and highlight that **the presence of an EU electoral mission could contribute to ensuring the overall respect for human rights and the fundamental principles of participatory democracy**. In particular, we highlight the following concerns:

- 1. The political scene of the 2013 general elections is filled with the events of the political crisis derived from the coup d'état of June 28<sup>th</sup>, 2009<sup>4</sup>. These events changed the institutional order and generated new disputes between the old and new political groups.**
- 2. Deficiencies in the functioning and organisation of the National electoral census – censo nacional de las personas -, under the responsibility of the National Registry of People (NRP) –**

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<sup>1</sup> See: [“The EU must take stronger action against human rights violations in Honduras”](#). ALOP, APRODEV, CIDSE, CIFCA and FIAN, October 2012.

<sup>2</sup> The Inter-American Commission on Human Rights (IACHR) includes in its annual reports, chapters on three countries in the region that are subject of Special Observation by this body. Honduras was included in the 2012 report, being one of the reasons its institutional weakness. For further information, see page 356 of the report.

<sup>3</sup> Among the most recent assassinations that have been related to the electoral process, we could find: a) The candidate for mayor in the municipality of Morazán Yoro, Edgardo Motiño Flores; b) the candidate for mayor in the municipality of Santa María del Real, Carlos Velásquez; c) the wife of the candidate for the parliament, Ulises Sarmiento, and d) the candidate for mayor in the municipality of Trujillo, Walter Díaz Padilla.

<sup>4</sup> “Results of the 4<sup>th</sup> survey of CESPAD: People's discontent and the reconfiguration of the party system – An overview of the election process of November 2012”. Cespap, Oxfam, World Lutheran Federation, Diakonia. December 2012.

Registro Nacional de las Personas - **have been identified**<sup>5</sup>. Among these problems, bad faith transfers of electors from municipalities and villages have been reported. Therefore, the gathered information wouldn't achieve the transparency criteria required by law<sup>6</sup>.

3. **Irregularities concerning the appointment of the Supreme Electoral Court (SEC) – Tribunal Supremo Electoral - members have been reported.** According to the Honduran Constitution, the SEC is an autonomous and independent body, whose members cannot be appointed while exercising elective positions<sup>7</sup>. However, two current members<sup>8</sup> were in exercise of elective functions at the moment of their selection: one was a parliamentarian and the other, a counsellor. This situation could generate a conflict of interests, while contradicting the abovementioned constitutional principles.
4. **The recent destitution of four out of five members of the Constitutional Court** which is the body that decides on appeals presented at the SEC, **by the National Assembly. This decision has been objected by the Inter-American Human Rights System.** The reason is that it would weaken the independency of the judiciary and therefore, the rule of law<sup>9</sup>.
5. During the primary elections on November 2012, **electoral fraud events were reported by the three political parties that participated in the process**<sup>10</sup>. However, the appeals presented were dismissed by the SEC.

The signing networks expect the European Parliament exhaustively analyses the abovementioned concerns and **concludes the deployment of an electoral observation mission, prior to the realisation of the general elections on November 24<sup>th</sup> in Honduras is essential.**

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<sup>5</sup> The NRP is the body in charge of the civil registry, of issuing the identity card to all citizens and providing information to the SEC for the elaboration of the Electoral National census (Article 55 of the Constitution of Honduras).

<sup>6</sup> See: "Assessment of the Electoral Census in Honduras 2012", Hagamos Democracia, and National Democratic Institute. Available at: <http://www.ndi.org/files/Honduras-voter-registry-2013-SPA.pdf>

<sup>7</sup> Articles 51 and 52 of the Constitution of Honduras.

<sup>8</sup> David Matamoros Batson, Parliamentary of the National Assembly (Partido Nacional) and Enrique Ortéz Sequerira, counsellor of the Municipality of Tegucigalpa (Partido Liberal) were in exercise of their elective positions when they were appointed at the SEC.

<sup>9</sup> See: "In View of Situation in Honduras, IACHR Stresses Importance of Principle of Independence of the Judiciary". Available at: [http://www.oas.org/en/iachr/media\\_center/PReleases/2013/003.asp](http://www.oas.org/en/iachr/media_center/PReleases/2013/003.asp)

<sup>10</sup> For instance, appeals presented by the External Auditor of the SEC after the primary elections in November 2012. Furthermore, according to the SEC Newsletter, the body received 150 objections presented by the three political parties participating in the primary elections and 14 more presented after the official declaration of results.