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## FEATURED Q&A

# Should Honduras Crack Down on Juvenile Criminals?



Honduras' president, Juan Orlando Hernández, is seeking reforms to the country's criminal justice system. // File Photo: Honduran Government.

**Q** Honduran President Juan Orlando Hernández announced in mid-May that he would form a commission designed to propose reforms to the country's criminal justice system. One change under consideration is to lower the age at which offenders can be charged as adults, as well as reforms to the penitentiary system to reintegrate young offenders into society once their term in prison is complete. Hernández said many criminal organizations exploit minors by compelling them to commit crimes, knowing that by law they cannot be tried as adults. How should the commission go about suggesting solutions to the problems Hernández identified? Should Honduras sentence more minors to prison for committing crimes? What are some best practices in post-release community integration that Honduras ought to emulate? What other issues are most pressing in Honduras' criminal justice system?

**A** Luis Suazo, Honduras' vice minister of security: "The commission will perform a contextual analysis of the situation in Honduras with regard to the crimes committed by minors. A proposal on whether it is necessary to reduce the punishable age is forthcoming. If it is not necessary, Honduras still needs a proposal for finding mechanisms, laws or prevention programs that will result in minors committing fewer crimes. The constant crimes committed by minors in Honduras have led President Hernández to form this commission so it can analyze and decide if it's necessary to reduce the punishable age. Forty percent of high-impact crimes in Honduras involve minors, which makes this an urgent matter to consider. One practice we

Continued on page 3

## TODAY'S NEWS

### POLITICAL

## Colombia Extends FARC Deadline to Disarm by 20 Days

President Juan Manuel Santos announced the extension, which followed logistical problems, including delays in establishing camps where rebels are concentrated.

Page 2

### ECONOMIC

## Mexico Resumes Import Operations at Key U.S. Border Crossing

Severe weather had closed the World Trade Bridge, which links the city of Nuevo Laredo with Laredo, Tex.

Page 3

### POLITICAL

## Panama's Manuel Noriega Dies at 83

Former Panamanian dictator Manuel Noriega, pictured below in his 1990 mug shot, died of complications of surgery to remove a benign brain tumor. He was imprisoned on drug trafficking charges after his overthrow by the United States in 1989.

Page 2



Noriega // File Photo: U.S. Marshals Service.

## POLITICAL NEWS

## Panama's Manuel Noriega Dies at 83

Former Panamanian dictator Manuel Noriega, a onetime U.S. ally who was overthrown in a 1989 invasion by the United States and then spent more than 20 years in prison after being convicted of drug trafficking and conspiracy charges, died late Monday at age 83. Noriega died of complications from a surgery in March to remove a benign brain tumor and had been in an induced coma since then, The Wall Street Journal reported. The former strongman died at about 11 p.m. local time at Santo Tomas hospital in Panama City, the hospital confirmed to NBC News. In a tweet early this

**Panamanian President Juan Carlos Varela said Noriega's death "closes a chapter in our history."**

morning, Panamanian President Juan Carlos Varela said Noriega's death "closes a chapter in our history; his daughters and their families deserve a burial in peace." Born in 1934, Noriega was educated at a military college in Peru and became a paid informant for the U.S. Central Intelligence Agency as he rose in position at Panama's National Guard. At the same time, he was slowly seizing power and establishing himself as a drug lord allied with Colombia's Medellín cartel. Some of Panama's largest banks were being used to launder drug money, and Noriega had promoted himself to general by 1983, becoming the Central American country's de facto ruler. Although Noriega backed Panama's first free presidential election in 16 years, he ensured that his puppet candidate won the election. Noriega ruled the country with an iron fist, and his paramilitary forces quashed anti-Noriega protests. After a U.S. Marine was shot and killed in 1989, the United States invaded on Dec. 20, overthrowing his dictatorship in "Operation Just Cause." By the following month, the operation was over,

and Noriega was in U.S. custody. In 1992, he was convicted in Miami of drug smuggling and racketeering and was sentenced to 40 years in prison. He was released early in 2007. He was later jailed in France, where he had been convicted of money laundering and then sent to Panama and jailed for other crimes he committed during his dictatorship, including charges in connection to the murder of his longtime critic Hugo Spadafora, who had been seized by a Noriega death squad and decapitated. Noriega had long rejected the charges against him, saying his opponents had exaggerated them, The Washington Post reported. He had claimed that then-U.S. President George H.W. Bush ordered the invasion after Noriega refused to help the United States overthrow the Sandinista government in Nicaragua and stop El Salvador's civil war. Bush had said the invasion was necessary because Noriega had allowed Panama to become a haven for drug traffickers and that he had endangered shipping through the Panama Canal. Noriega was released from prison last year for health reasons and was allowed to prepare for the surgery to remove his brain tumor.

## Colombia Extends FARC Disarmament Deadline by 20 Days

The Colombian government is extending the deadline by 20 days for members of the FARC rebel group to disarm, the Associated Press reported Monday. Colombian President Juan Manuel Santos announced the extension of the deadline for the rebels to turn over their weapons as part of the peace deal between the FARC and the government during a televised address, and he said the decision had been made jointly with the FARC and the United Nations. Disarmament was supposed to have been finished by today, but the process was delayed by logistical issues, including delays in setting up camps where 7,000 of the rebels are concentrated, as well as the FARC's concerns over whether the government would meet its commitments in the peace deal. During his address, Santos said the rebel camps that

## NEWS BRIEFS

## At Least Four People, Unborn Fetus Killed in Honduras Stampede

At least four people and an unborn fetus were killed Sunday when thousands of fans tried to force their way into a Honduran soccer stadium after police fired tear gas, the Associated Press reported. Twenty-five others were injured in the stampede, according to authorities. The stampede happened at the National Stadium in Tegucigalpa as fans tried pushing their way in to see a game between Montagua and Honduras Progreso. The game appeared to be oversold, and some 600 police officers guarding the stadium used tear gas and a water cannon in an attempt to control the crowd.

## Assange a 'Hacker,' But Can Continue Living in Embassy: Moreno

Ecuador's new president, Lenín Moreno, on Monday called Julian Assange, who has been holed up in the country's London embassy since 2012, a "hacker," his strongest comments to date against the founder of WikiLeaks, Reuters reported Monday. Moreno did emphasize, however, that Assange would be permitted to stay at the embassy. Moreno's comment breaks with those of his predecessor, former President Rafael Correa, who called Assange a "journalist."

## Some Union Laborers Halt Work at Barrick Mine in Argentina

Barrick Gold, the world's largest gold miner, on Monday said workers represented by one of the labor unions at the Veladero mine in Argentina had stopped working on Sunday, Reuters reported. Barrick said it is in talks with the union to resolve the dispute that led to the work stoppage, and that it expects to resume leaching activities in the mine by the second half of June.

were supposed to dismantle soon will instead continue to operate under U.N. supervision until August.

## Argentine Foreign Minister Malcorra Steps Down

Argentine Foreign Minister Susana Malcorra on Monday resigned from her post to move to Madrid, saying she wanted to be closer to her family, Argentine President Mauricio Macri announced, Reuters reported Monday. "She is leaving this crucial role for strictly personal reasons," Macri said. The country's ambassador to France, Jorge Faurie, has been appoint-



Malcorra // File Photo: Argentine Government.

ed the new foreign minister, and Malcorra will continue to serve as an advisor to the government from afar. Malcorra is a businesswoman and diplomat who unsuccessfully ran for secretary-general of the United Nations last year. She led the Macri administration's efforts to strengthen diplomatic and trade ties with the United States and other Western countries after years of strained relations under former President Cristina Fernández de Kirchner. The foreign policy is part of the country's decision to shift away from Venezuela's socialist government, and is part of a larger trend in South America of countries formerly friendly with Venezuela now moving to the right, politically and economically. Argentina had taken a strong stance against Venezuela under Malcorra, saying President Nicolás Maduro's government had violated democratic norms. Argentina and other members of Mercosur, a regional trade bloc, suspended Venezuela from the group last year. Malcorra is the second minister to resign

under Macri since he took office in December 2015. Alfonso Prat-Gay was asked to resign as finance minister late last year.

### ECONOMIC NEWS

## Mexico Resumes Import Operations at Key Border Crossing

Mexico's government announced Monday that it had resumed import operations at the World

Trade Bridge, which links the city of Nuevo Laredo with Laredo, Tex., the Associated Press reported. The location is one of the busiest commercial crossings along the U.S.-Mexican border. The crossing had been closed a week before after it was damaged by rain and high winds, the wire service reported. The severe weather had damaged buildings, utility poles, computers and trucks on the Mexican side of the border, while buildings on the U.S. side sustained damage to their roofs as well as flooding. Authorities had diverted commercial traffic to the nearby Laredo-Colombia Solidarity International Bridge, according to local television station KSAT.

### FEATURED Q&A / Continued from page 1

are implementing is establishing a 'free medium' service that serves as a fundamental mechanism for the transition from rehabilitation programs to reintegration into society. Helping a person who has regained freedom find work opportunities is effective in reducing recidivism. Understanding that international drug trafficking is Honduras' greatest challenge, the government under President Hernández has developed a strategy with two main premises: 1) Public institutions and the prison system must be reformed. 2) Laws must be updated to change the way offenses are categorized. Key components include fighting corruption within the National Police and enhancing police capacity. The government has created an external Police Purge Commission, which dismissed about 1,946 personnel from the Honduran National Police by 2017, less than a year after its creation. A Technical Criminal Investigative Agency has arrested approximately 50 public officials. The government has also successfully implemented Operation Arpía, aiming to completely isolate dangerous prisoners at maximum-security prisons. Just this month, a total of 773 prisoners were transferred as part of that operation, which has yielded a 45 percent reduction in extortion crimes. Law enforcement officers are also now subject to court oversight, an unprecedented development in Honduras."

**A Jorge J. Kawas Mejía, partner at K&M Abogados:** "The Honduran criminal justice system has undergone many controversial reforms in recent history. In 2013, article 184 of the Code of Criminal Procedure was modified to require the imprisonment even before conviction of those accused of crimes such as homicide, tax fraud and terrorism, among

“Statistics prove that there is a high percentage of relapse among former inmates...”

— Jorge J. Kawas Mejía

others. As a result, the indicted are deemed guilty until they prove their innocence in contravention of the Constitution and international human rights treaties. Later, in February 2017, a reform of article 335 of the Criminal Code allowed prosecutors to label as terrorists all of those who alter public peace gravely, a decision that sparked public outrage among civil rights groups and dissidents of the status quo who defend their constitutional right to protest. Now,

Continued on page 4

## FEATURED Q&amp;A / Continued from page 3

we struggle with the dilemma of reducing the age of criminal liability to prosecute offenders under the age of 18 as adults. This proposal, as well as the aforementioned reforms, is in contravention of our Constitution and the Convention on the Rights of the Child. Furthermore, history has shown that prisons and detention centers are not well-suited to reintegrate criminal offenders into society, whatever their age. Statistics prove that there is a high percentage of relapse among former inmates, and this can be easily understood by analyzing the underlying causes of delinquency such as lack of job opportunities, resources, education, drug addiction and dismemberment of families. Scarce public resources may be better allocated by tackling such issues instead of promoting a short-term solution that has proven ineffective in the past."

**A** **Adam Blackwell, vice president for international at Development Services Group:** "Honduras does not have an inspiring record in corrections—recall the 2012 prison fire in Comayagua, which killed more than 300 people. When the OAS did a study, we found prison overpopulation rates of around 300 percent. Perhaps Honduras should review some of its harsh anti-gang laws that have had the unintended consequence of pushing gangs to recruit even younger boys and girls into their business. There is not a lot of evidence in Central America with which to make an informed decision. Research in the United States has found that

transferring juveniles to adult court does not have the intended deterrent effect. A 2016 meta-analysis of nine studies examining the effect of juvenile transfer on recidivism across the United States, including New

“**Honduras does not have an inspiring record in corrections.**”

— Adam Blackwell

York, New Jersey, Florida, Pennsylvania, Arizona, Minnesota and Washington found that youths who were transferred were not less likely to recidivate. In addition to the lack of a deterrent effect, youth who are sent to adult prisons face numerous risks, including exposure to negative role models, thwarting in educational opportunities and a lack of services designed for the developing brain of teens. Even more serious, in the United States, juveniles are five times more likely to be sexually assaulted in adult prisons than in juvenile facilities and face increased risk of suicide. Honduras should instead look to successful models like focused deterrence and cognitive behavioral therapy to help keep youth out of gangs and prisons in the first place."

*The Advisor welcomes comments on its Q&A section. Readers can write editor Gene Kuleta at [gkuleta@thedialogue.org](mailto:gkuleta@thedialogue.org).*

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