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FEATURED Q&A

Is the Rule of Law Beating Impunity in Honduras?



Juan Antonio Hernández, the brother of Honduran President Juan Orlando Hernández (pictured), was arrested last month in the United States on drug charges. The president has said no one is above the law. // File Photo: Honduran Government.

Q Juan Antonio "Tony" Hernández, the brother of Honduran President Juan Orlando Hernández and a former congressman, was arrested in Miami in late November on drug trafficking charges, with U.S. prosecutors alleging he was so established in moving narcotics that he had his own cocaine brand. How will his brother's criminal case affect President Hernández's government? To what extent does the case hurt the Central American country's relations with the United States at a time of ongoing tension over Honduran migration north? How is Hernández faring almost one year into his presidency?

A James Nealon, former U.S. ambassador to Honduras: "Two recent, unrelated events in Honduras demonstrate both the ongoing challenges that Honduras faces, as well as the real progress that has been made over the past five years. On Nov. 23, Juan Antonio 'Tony' Hernández, brother of Honduran President Juan Orlando Hernández, was arrested in Miami on drug-related charges. On Nov. 29, seven individuals were convicted by a Honduran court for the murder of indigenous environmental activist Berta Cáceres. An eighth was found innocent, and a ninth suspect awaits trial. The arrest of Tony Hernández illustrates again the degree to which the drug trade has penetrated the highest levels of Honduran society. But it also demonstrates that Honduras is changing. Today, nobody is surprised when political elites previously thought to be untouchable face the consequences of their actions. Each time I told President Hernández of an impending action against a prominent Honduran—the arrests of former President Calle-

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TODAY'S NEWS

ECONOMIC

Maduro: Russia Will Invest \$6 Bn in Venezuela

Russia will invest more than \$5 billion to boost oil production in Venezuela and \$1 billion in the country's mining sector, Venezuelan President Nicolás Maduro announced.

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BUSINESS

Brazilian Judge Freezes Embraer-Boeing Deal

Embraer vowed to appeal the injunction that halts the tie-up between the two aircraft manufacturers.

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POLITICAL

Assange Has Clear Path to Leave Embassy: Moreno

The British government has provided written assurances that WikiLeaks founder Julian Assange will not be extradited to any country where he would face the death penalty, Ecuador's president said in a radio interview. Assange has lived in Ecuador's London embassy since 2012.

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Assange // File Photo: Ecuadorean Government.

ECONOMIC NEWS

Russia to Provide \$6 Bn in Investment to Venezuela: Maduro

Venezuela and Russia have signed agreements that secure investment in the South American country's oil and gas sectors, Venezuelan President Nicolás Maduro said Thursday at the close of his visit to Moscow, Reuters reported. After meeting with Russian President Vladimir Putin, Maduro posted a video on Twitter saying he had "signed contracts to guarantee investments of more than \$5 billion



Maduro met with Putin on Wednesday in Moscow. // Photo: Venezuelan Government.

with our Russian partners in joint ventures to raise oil production." He added, "We are also guaranteeing an investment of \$1 billion for mining, mostly in gold." Additionally, Russia will continue to supply Venezuela's military arsenal, invest in the country's diamond sector, provide new satellite technology and export some 600 tons of wheat next year, the Miami Herald reported. The deals are key for the oil-rich South American country, where a five-year recession and a hyperinflation crisis have led to severe shortages of food, medicine and other basic goods. However, some analysts are skeptic about the substance of the agreements, since Venezuela already owes Russia approximately \$6 billion in overdue loans, the Miami Herald reported. "What Maduro says is irrelevant," David Morán, former Venezuelan vice minister of finance, told the newspaper. "No one is going to finance communism in this day and age. Not Russia, not China and not Turkey," Morán said. On Thursday, Turkish President

Recep Tayyip Erdoğan visited Venezuela, where the two countries signed unspecified deals on gold mining and energy cooperation. [Editor's note: See related [Q&A](#) in the Feb. 5 issue of the Advisor.]

POLITICAL NEWS

Assange Has a Path to Leave Embassy: Ecuador's Moreno

Britain's government has provided written assurances to Ecuador that WikiLeaks founder Julian Assange would not be extradited to any country where he would face the death penalty, Ecuadorean President Lenín Moreno said Thursday in a local radio interview, The Guardian reported. Assange has lived in the South American country's embassy in London since 2012, and Moreno said during the interview that Assange now has sufficient guarantees to depart the embassy. "The road is clear for Mr. Assange to take the decision to leave," the president said, the Associated Press reported. Moreno stopped short of saying his

“ I am not happy with Assange's presence in the Ecuadorean Embassy ... It seems to us six years is too much.”

— Lenín Moreno

government would force Assange to leave the embassy. Moreno said he wanted to end Assange's stay in the embassy and had been working with authorities in Britain in order for that to happen. "I am not happy with Assange's presence in the Ecuadorean Embassy," said Moreno, The San Diego Union-Tribune reported. "It seems to us six years is too much." At the time that Assange entered the embassy in June 2012 and requested asylum, he was accused of

NEWS BRIEFS

Head of Peru's Soccer Network Arrested

The head of the Peruvian soccer federation, Edwin Oviedo, was arrested Thursday in connection with a probe into a criminal network that paid for judges to attend the World Cup in Russia earlier this year, the Associated Press reported. Prosecutors said Oviedo will be in custody for 15 days as they investigate his alleged role in the scheme that sought to buy the judges' support for Oviedo, who stands accused of ordering the killings of two union leaders in a separate case. He has denied all accusations.

Argentina's Soybean Exports to China May Hit Record This Season

Argentina's soybean exports to China could hit a record 14 million metric tons this season if trade tensions between the United States and China continue, up from the previous high of 13.3 million metric tons in the 2009-2010 crop year, the Rosario grains exchange said Thursday, Reuters reported. China has virtually stopped buying soybeans from the United States, creating an opening in the Chinese market that Argentina has rushed to fill. Roughly 95 percent of Argentine soybean exports are currently going to China, according to analysts.

Cuba to Import Hundreds of Buses as it Clamps Down on Private Taxis

Cuba's government announced Thursday that it would import hundreds of buses and microbuses in order to provide better public transportation, Reuters reported. The announcement followed a tightening of restrictions on Cuba's more than 6,000 private taxis, many of which are vintage cars from the United States. The government published the new restrictions in July, and many drivers have said they are so stifling that they can no longer make a living.

raping two women in Sweden. Swedish authorities have since dropped the charges, but Assange has refused to step outside the embassy for fear that British authorities would detain him and eventually extradite him to the United States to face charges related to his release of classified U.S. government documents. The United States has never publicly acknowledged that it has charged the WikiLeaks founder, but three weeks ago, federal prosecutors in Virginia inadvertently revealed that criminal charges against him were filed and are under seal.

BUSINESS NEWS

Brazilian Judge Freezes Embraer-Boeing Deal

Brazilian airplane manufacturer Embraer said today that it would appeal an injunction a federal judge issued hours earlier that froze its proposed tie-up with Boeing, according to a securities filing, Reuters reported. Judge Victorio Giuzio Neto on Thursday ordered the two companies to “suspend any concrete effect of an eventual decision of the board of Embraer” before the incoming government of Jair Bolsonaro takes office on Jan. 1, Folha de S.Paulo reported. The injunction was initially submitted by the leftist Workers’ Party, which opposes the deal. Negotiations on the sale of 80 percent of Embraer’s commercial jet unit to Boeing have been ongoing for months, with the two companies signing an agreement worth \$4.75 billion in July, the Financial Times reported. The deal has stalled since then, awaiting the Brazilian government’s approval, which Embraer requires before it can formally present the sale to its shareholders, Reuters reported. The Brazilian aircraft manufacturer is considered one of the South American country’s most strategic assets for its role in the defense industry. Analysts reportedly expect Bolsonaro to approve the tie-up since it excludes Embraer’s defense unit. Embraer’s shares dropped sharply after the federal judge’s ruling, falling 2.3 percent, the Financial Times reported.

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jas and the son of former President Lobo, rumors swirling about his brother, Tony—the president said the same thing: ‘nobody is above the law.’ Nothing demonstrates that more clearly than the recent murder convictions in the Cáceres case. Those convicted represent a chain of intellectual authorship—the gunmen who murdered Cáceres in her home, middlemen who arranged the murder and businessmen who apparently ordered it. The ninth suspect awaiting trial was president of the company that was building the dam that Cáceres was protesting. It is difficult to imagine a guilty verdict in such a case, pitting powerful moneyed interests against an indigenous environmentalist, just a few years ago. Progress in Honduras is gradual, uneven and fragile, but it is also real, as the Hernández and Cáceres cases reveal. Sustained focus by the Honduran government and civil society and continued support from the international community are the best chance for real change that Honduras has seen in decades.”

A **Orlando J. Pérez, associate dean at the College of Arts, Humanities & Social Sciences of Millersville University:** “The arrest of Juan Antonio ‘Tony’ Hernández is the latest in a series of corruption and political scandals that have rocked Honduras. For President Juan Orlando Hernández, the arrest of his brother could not have come at a worse time. Weakened politically by the controversial re-election campaign, plagued by continued charges of corruption and a slowing economy and the migration crisis tarnishing his relations with President Trump, 2018 has turned into an ‘annus horribilis.’ The extent of corruption and criminal activity among Honduran elites is significant and widespread. Last year, the son of former President Porfirio Lobo was convicted of drug trafficking. That same year, a former minister and nephew of a former vice president, Yankel Rosenthal, was also convicted of drug trafficking. Evidence presented at

the trial of several members of Honduras’ leading drug cartel, the Cachiros, revealed extensive links between the drug traffickers and Honduran political elites. According to the Washington Office on Latin America (WOLA), U.S. assistance to Honduras totaled

“**The extent of corruption and criminal activity among Honduran elites is significant and widespread.”**

— Orlando J. Pérez

about \$181 million in 2017. Most of that aid is aimed at bolstering Honduras’ police and security agencies. While President Hernández has used hardline policies to some effect in reducing the rate of homicides, corruption and criminal networks linked to international drug trafficking continue to plague the country. It is ironic that President Trump has threatened to withdraw assistance to Honduras over the issue of the ‘migrant caravan,’ but he seems to ignore the more serious criminal and corruption problems facing Honduras. It is not clear at this point whether the arrest of the president’s brother will change U.S. policy toward the Central American country. What is clear is that the arrest of Tony Hernández represents another serious blow to the Honduran president.”

A **Maria Velez de Berliner, managing director of RTG-Red Team Group, Inc:** “U.S. courts’ attempts against drug-fueled grand corruption in Honduras are welcome but not sufficient. Regardless of who ‘Tony’ Hernández, members of the Rivera Maradiaga family and witnesses in the trial of Mexico’s ‘Chapo’ Guzmán name in exchange for lesser sentences in the United States, the intricate links of corruption among Honduras’ governmental, political, financial

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and social elites will continue unbroken. The Cachiros trafficking gang is strategically positioned to place members of Congress, judges, financiers, industrialists and governmental officials where the Cachiros need them, at the right time, to subvert justice, supervise trafficking routes and share military and police intelligence to allow the Cachiros to operate as a government within the government. The political expedience of the day in the United States and in Mexico determines who benefits and how from the plight of Hondurans massed at the U.S.-Mexico border. The safety and security of Joint Task Force Bravo (JTF-Bravo), housed at the Soto Cano Air Force Base in Honduras, is the 'raison d'être' for the United States' interest in Honduras, as well as for the Trump administration's recognition of President Hernández's government, despite credible evidence of electoral fraud. As long as JTF-Bravo and Soto Cano remain the linchpin of the United States' security and intelligence collection in Central America, President Hernández will do well by the United States. Whether he does well for Hondurans is another matter. For sure, his administration will continue to

be dogged by charges of grand corruption, institutionalized in Honduras, Colombia, Guatemala, Venezuela, Mexico and Nicaragua, all integral to Honduras' drug supply chain into the United States."

Editor's Note: In a statement to the Advisor, the Honduran Embassy in Washington, said in part, "In the case of Juan Antonio Hernández as well as that of any other Honduran, the President and his government maintain the position that everyone is responsible for their actions and that this responsibility is not transferable to other people. The Government of the Republic of Honduras reiterates its commitment to lend its full support to ensure that investigations by law enforcement bodies are carried out with absolute openness and in strict adherence to the law. Also, that in this as in other cases, the rights of all detainees, as well as the universal principle of presumption of innocence be observed, and due process guaranteed."

The Advisor welcomes comments on its Q&A section. Readers can write editor Gene Kuleta at gkuleta@thedialogue.org.

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Advisor Video

Defending LGBTIQ Rights in Latin America: Obstacles and Advancements in Law and Culture

An Inter-American Dialogue Discussion with Iván Chanis Barahona, Fundación Iguales
Abraham Banegas Molina, Association of Human Rights Cozumel Trans
Fanny Catalina Gomez-Lugo, Synergia - Initiatives for Human Rights
Carlos Quesada, International Institute on Race, Equality and Human Rights

View a webcast of the Dec. 4 discussion.

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