

# **MISSION TO SUPPORT THE FIGHT AGAINST CORRUPTION AND IMPUNITY IN HONDURAS MACCIH-OAS**

**Achievements from April 2018 to March 2019  
Activities from April 2019 to January 2020**



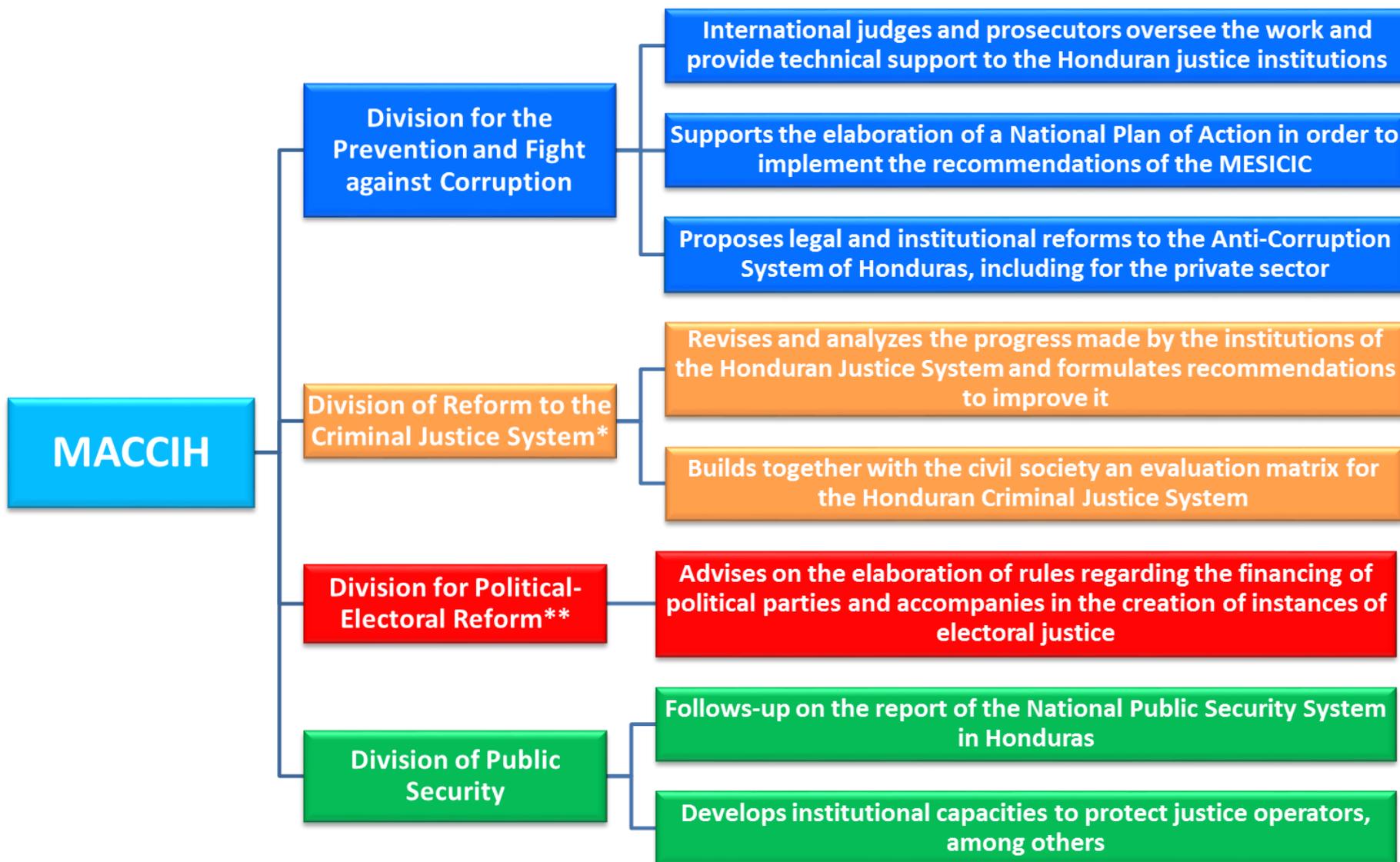
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# Action Plan



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# Summary of Results



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## Division for Preventing and Combating Corruption and Impunity

### **STRENGTHENING THE INVESTIGATION, PROSECUTION AND DISMANTLING OF CORRUPTION NETWORKS**

*IMPROVE THE CAPACITY OF THE HONDURAN INSTITUTIONS TO INVESTIGATE AND PROSECUTE CORRUPTION NETWORKS • ACTIVE COLLABORATION WITH THE HONDURAN INSTITUTIONS COMMISSIONED WITH INVESTIGATING AND COMBATING CORRUPTION AND IMPUNITY*

#### **2018- 2019 ACHIEVEMENTS**

##### **Strengthened investigation, prosecution and dismantling of corruption networks by national institutions**

- As of May 2019, a total of 12 cases had been brought to court with the support of MACCIH-OAS, leading to the prosecution of 116 people (74 civil servants and 42 private individuals).
- Eight of these cases achieved favorable resolutions at their initial hearings, allowing them to proceed to the trial stage. One case, known as the “First Lady’s Petty Cash”, is currently pending sentencing.
- The Selection and Certification Committee was set up to start the process of evaluation and certification of prosecutors, investigators and analysts to join the UFECIC-MP
- Developed trainings for prosecutors and judicial officials, and developed tools (e.g. *Manual on the Justiciability of the Right to Access Information*).
- Held events to improve the National Anticorruption System in Honduras:
  - ❖ Forum on “The scope and implications of the Law of Effective Collaboration in the fight against corruption and impunity”
  - ❖ Forum on “Research on power structures organized in cases of corruption and human rights violations”
  - ❖ Diploma in Criminal Law and Criminal Prosecution. Academic event co-sponsored by the OAS School of Government.

#### **2019-2020 ACTIVITIES**

- Continue to provide active collaboration to the UFECIC in investigating and prosecuting corruption. Currently working on 23 lines of investigation.
- Improve criminal investigation of corruption cases through trainings and workshops.
- Collaborate in improving the management system of existing cases in the Public Prosecutor's Office (SIGEFI):
  - ❖ Incorporate new elements that allow monitoring the flow of information for complaints.
  - ❖ Establish clear rules of procedure.
  - ❖ Protect the identity of whistleblowers.
  - ❖ Avoid the loss of information or unjustified delays in legal procedures for corruption cases.
- Training and workshops for public servants in order to improve investigation techniques in corruption cases.

# Summary of Results



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	2019-2020 ACTIVITIES
<p><b>2018- 2019 ACHIEVEMENTS</b></p> <p><b>Legal Initiatives and Reforms</b></p> <p>Presented new legal anticorruption initiatives:</p> <ul style="list-style-type: none"> <li>• Worked on a draft bill for effective collaboration (plea bargaining bill) containing 42 articles designed to help dismantle the corruption networks operating in the country.</li> <li>• The MACCIH-OAS also submitted to the Honduran government in February 2019 a draft amendment of Article 319 of the Constitution of the Republic, which establishes guarantees for judges and magistrates as a means to strengthen and ensure judicial independence.</li> <li>• Legal analysis of the reform of the Organic Law of the TSC, supervisory powers of the TSC and the independence of the Office of the Attorney General.</li> </ul> <p>Followed-up on previously presented legal initiatives:</p> <ul style="list-style-type: none"> <li>• On January 30, 2019, the Supreme Court of Justice declared Legislative Decree No. 141- 2017 unconstitutional (amendments to the Organic Budget Law that derives from the "Impunity Pact" case).</li> </ul>	<ul style="list-style-type: none"> <li>• Support a draft Social Security Bill sent to Congress by the Executive following tripartite meetings (government, private sector, workers) in January, which incorporates some of MACCIH-OAS's recommendations.</li> <li>• The MACCIH is preparing a National Action Plan to implement the recommendations of the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC).</li> <li>• The Mission is working on compliance mechanisms to improve the investigation and prosecution of corruption cases.</li> <li>• Develop a model legislation to fight against corruption in the private sector.</li> <li>• Provide a training program in criminal, administrative, and banking law to justice officials and other officials of the Criminal Justice System.</li> </ul>

# Summary of Results



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## Division of Criminal Justice System Reform and the Observatory of the Criminal Justice System

### PROMOTE THE IMPLEMENTATION OF REFORMS AND RECOMMENDATIONS TO STRENGTHEN THE CRIMINAL JUSTICE SYSTEM

IMPROVE THE IMPLEMENTATION OF REFORMS TO STRENGTHEN THE CRIMINAL JUSTICE SYSTEM • STRENGTHEN THE INSTITUTIONAL CAPACITY TO REFORM THE CRIMINAL JUSTICE SYSTEM • STRENGTHEN CIVIL SOCIETY CAPACITY TO OVERSEE THE IMPLEMENTATION OF REFORMS

### 2018- 2019 ACHIEVEMENTS

### 2019-2020 ACTIVITIES

Justice Studies Center of the Americas

- The *Proposal for the Honduran Criminal Justice System in the Treatment and Management of the Causes of High Social Impact and Corruption* was presented in March 2019. Among these recommendations are the following:
  1. Develop a integrated system for the registration, storage and management of statistics in public institutions.
  2. Strengthen transparency and accountability in public institutions.
  3. Reassess the hearings held before the oral trial and the proceedings during the trial.

- Work with the PGR in the regulation of the fiscal career to regulate the entry system to the PGR, as well as the permanence, promotion and disciplinary control.
- Work with different state institutions to follow up on the recommendations presented by the JSCA.

Observatory of the Criminal Justice System

- The Observatory's Interim Committee defined and approved the procedures and rules that will guide its organizational structure. We expect more than 100 NGOs to participate.
- The methodology was decided and the preparations begun for the first report on the state of criminal justice in Honduras, which will be done every two years.
- 7 citizen forums were planned for the next few months. The following events have already been held:
  - **Workshop:** How do we build an independent observatory of the administration of justice? October 17, 2018
  - **International Seminar:** The costs of corruption in Central America: the case of Honduras. March 28, 2019

- Update and activate the Observatory website.
- Promote the participation of civil society in the Observatory.
- Begin the process of decentralization of the observatory through the hosting of 6 regional assemblies and a national assembly.
- Empower and leave installed capacity to members of civil society participating in the Observatory to monitor the Honduran justice system.
- Continue with the promotional work on the MACCIH's proposals and disseminate the work of the Mission.

# Summary of Results



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## Division of Public Security

### **IMPROVE THE IMPLEMENTATION OF REFORMS AND RECOMMENDATIONS ADOPTED TO STRENGTHEN THE PUBLIC SECURITY SYSTEM**

*IMPROVE THE INSTITUTIONAL IMPLEMENTATION OF REFORMS TO STRENGTHEN THE PUBLIC SECURITY SYSTEM • STRENGTHEN INSTITUTIONAL CAPACITY FOR CITIZEN SECURITY AND PROTECTING HUMAN RIGHTS DEFENDERS, JOURNALISTS AND JUSTICE OFFICIALS, AMONG OTHERS*

#### **2018- 2019 ACHIEVEMENTS**

- The creation proposals for the Technical Protection Units for the Public Ministry and the Judicial Power and their respective regulations were presented.
- The Judicial Branch approved said projects and created the Technical Unit. The Public Prosecutor's Office included the proposals within the existing Program for the Protection of Witnesses and Officials of the Public Ministry.
- The community police were trained in gender and human rights issues in the field of public security (jointly with the Konrad Adenauer Foundation and the UNAH).
- The MACCIH Report Number 7 was published, which is on *Recommendations on the Mainstreaming of Gender Equity in the State Security Policies of Honduras*.
- The "First Meeting on Gender Equity" was organized at the MACCIH facilities and was attended by state institutions, academic sectors, and NGOs linked to the themes of human rights, gender equality and vulnerable groups.
- The "Promoting the effective application of the Protection Law for Human Rights Defenders, Journalists and Social Communicators in Honduras" forum was held.

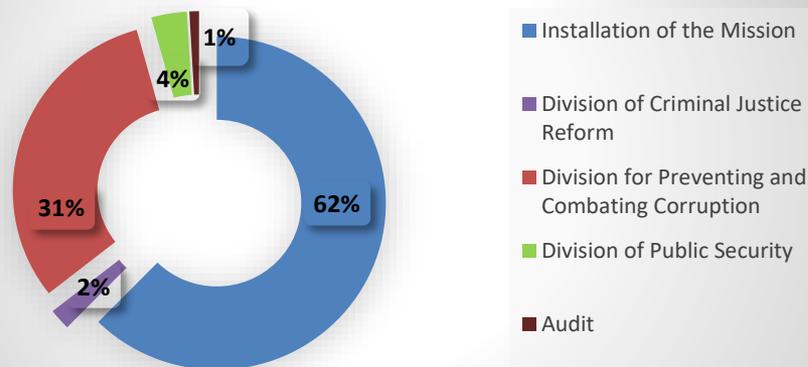
#### **2019-2020 ACTIVITIES**

- Review the recommendations presented by the General Secretariat of the OAS (2012-2014) to the National System of Public Safety (SNSC).
- Support civil society (Bar Association of Honduras-CAH) in the creation of the Office of Prevention to protect lawyers in the exercise of their profession.
- Monitor the implementation of legislation related to citizen security (Organic Law of the Ministry of Security and National Police, Police Career Law, Weapons Law).
- Provide recommendations on the Law on Private Security Companies.
- Continue to support the training of members of the Secretariat of Security and the National Police in matters of human rights, gender equity and execution of protection measures issued by national and international institutions (CIDH).
- Provide training (advanced level courses), to promote respect for human rights and the principle of gender equity in prisons.



During the 2018-2019 period of MACCIH received new contributions from Sweden, Switzerland, European Union, Germany, and Spain

Basket funds allocations per outputs



Contributions received by MACCIH-OAS for 2016-2020

Donor Country	Amount in USD
Canada	3,619,642
Chile	10,000
European Union	4,718,165
Germany	1,538,980
Italy	228,780
Peru	10,023
Spain	269,123
Sweden	2,622,850
Switzerland	2,398,536
United Kingdom	62,231
United States	8,000,000
<b>Total Amount Received</b>	<b>23,478,330</b>

*These amounts are based on signed agreements and include pending disbursements. This does not reflect the funds that MACCIH-OAS currently has available.*

## During the 2018-2019 period:

- Luiz Antonio Guimarães Marrey was appointed in June 2018 as the Mission's new Spokesperson and Special Representative of the Secretary General
- Cecilia Cortéz was selected as the new Chief of the Criminal Justice System Observatory with participation from civil society
- The Mission conducted 7 national and 20 international competitive contracting processes based on calls for resumes to identify the most competent candidates. Through these processes, the Mission received a total of 341 applications and ultimately filled 20 positions.

	Number of Employees
Operations- Management	30
Preventing and Combating Corruption	28
Criminal Justice System Reform	2
Public Security	1
<b>Total</b>	<b>61</b>

MACCIH-OAS team by division/area