

117TH CONGRESS
1ST SESSION

H. R. 2716

To suspend certain United States assistance for the Government of Honduras until corruption, impunity, and human rights violations are no longer systemic, and the perpetrators of these crimes are being brought to justice.

IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2021

Ms. SCHAKOWSKY (for herself, Mr. JOHNSON of Georgia, Mr. CASTRO of Texas, Mr. GARCÍA of Illinois, Ms. KAPTUR, Ms. OMAR, Mr. BLUMENAUER, Mr. CICILLINE, Mr. COHEN, Mr. DANNY K. DAVIS of Illinois, Mr. ESPAILLAT, Mr. GRIJALVA, Ms. JAYAPAL, Mr. LOWENTHAL, Mr. MCGOVERN, Mrs. NAPOLITANO, Ms. NORTON, Mr. PANETTA, Mr. POCAN, Ms. PORTER, Mr. RASKIN, Mr. RUSH, Ms. TLAIB, Mr. VARGAS, Mr. WELCH, Ms. SCANLON, and Ms. PRESSLEY) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To suspend certain United States assistance for the Government of Honduras until corruption, impunity, and human rights violations are no longer systemic, and the perpetrators of these crimes are being brought to justice.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Honduras Human Rights and Anti-Corruption Act of
4 2021”.

5 (b) TABLE OF CONTENTS.—The table of contents for
6 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Police or military of the Republic of Honduras defined.
- Sec. 3. Findings.
- Sec. 4. Sense of Congress.
- Sec. 5. Office of the United Nations High Commissioner for Human Rights.
- Sec. 6. Imposition of sanctions with respect to the president of Honduras.
- Sec. 7. Prohibition on commercial export of covered defense articles and services and covered munitions items to the Honduran police or military.
- Sec. 8. Suspension and restrictions of security assistance extended to the Republic of Honduras unless certain conditions are met.
- Sec. 9. Sunset.

7 **SEC. 2. POLICE OR MILITARY OF THE REPUBLIC OF HON-**
8 **DURAS DEFINED.**

9 In this Act, the term “police or military of the Repub-
10 lic of Honduras” means—

- 11 (1) the Honduran National Police;
- 12 (2) the Honduran Armed Forces;
- 13 (3) the Military Police of Public Order of the
14 Republic of Honduras; or
- 15 (4) para-police or paramilitary elements, acting
16 under color of law or having received financing,
17 training, orders, intelligence, weapons, or other
18 forms of material assistance from the forces identi-
19 fied in paragraphs (1) through (3).

1 **SEC. 3. FINDINGS.**

2 Congress makes the following findings:

3 (1) Since the 2009 military coup, the Republic
4 of Honduras remains plagued by systemic corruption
5 and human rights violations, exemplified by—

6 (A) widespread collusion among govern-
7 ment officials, state and private security forces,
8 organized crime, and members of the private
9 sector, including in the knowledge and perpetra-
10 tion of physical and legal threats, assassina-
11 tions, forced disappearances, and other abuses
12 against human rights and environmental de-
13 fenders, members of the political opposition,
14 journalists, and others;

15 (B) the excessive use of force by members
16 of the police or military of the Republic of Hon-
17 duras, particularly in the context of civil society
18 protests;

19 (C) the failure of the Government of Hon-
20 duras to protect the rights, interests, and phys-
21 ical security of indigenous peoples in land and
22 natural resources disputes, in contravention of
23 its obligations under the Honduran constitution
24 and under international treaties to which it is
25 a state party; and

1 (D) the failure of the Government of Hon-
2 duras to enforce the Honduran Labor Code in
3 violation of its obligations under International
4 Labor Organization Conventions, which the
5 Government of Honduras has ratified, guaran-
6 teeing freedom of association, the right to col-
7 lective bargaining, and other fundamental labor
8 protections.

9 (2) There is substantial evidence that President
10 of Honduras Juan Orlando Hernández has engaged
11 in a pattern of criminal activity and use of the state
12 apparatus to protect and facilitate drug trafficking,
13 as exemplified by three high-profile corruption and
14 drug trafficking cases that were tried or are being
15 prosecuted in the United States District Court for
16 the Southern District of New York, in which the
17 President of Honduras was named as a co-con-
18 spirator, including the following:

19 (A) The October 2019 conviction of the
20 President of Honduras's brother Juan Antonio
21 Hernández, in which Federal prosecutors and
22 multiple witnesses testified that the President
23 of Honduras received \$1,500,000 in drug pro-
24 ceeds that were funneled toward his successful
25 2013 presidential campaign, and that organized

1 crime had infiltrated the Honduran National
2 Police and National Party.

3 (B) The March 2020 indictment of
4 Geovanny Daniel Fuentes, a drug trafficker, in
5 which Federal prosecutors alleged that the
6 President of Honduras accepted \$25,000 in
7 bribes in exchange for protecting the defendant
8 from law enforcement intervention against his
9 cocaine trafficking activities and facilitated the
10 use of Honduran military personnel as security
11 for the defendant's drug trafficking operations.
12 On February 5, 2021, Federal prosecutors filed
13 a court document stating that the President of
14 Honduras was under investigation in connection
15 with the case.

16 (C) The April 2020 indictment of former
17 National Director of Police Juan Carlos "El
18 Tigre" Bonilla, in which Federal prosecutors al-
19 leged that the President of Honduras accepted
20 bribes from drug traffickers, facilitated multi-
21 ton shipments of cocaine bound for the United
22 States, and entrusted the defendant with spe-
23 cial assignments, including murder.

1 (3) The President of Honduras has also dem-
2 onstrated a track record of contempt for the rule of
3 law, exhibited by—

4 (A) his support for the 2009 military coup,
5 repudiated as unlawful by the United Nations,
6 the Organization of American States, the Euro-
7 pean Union, and numerous foreign govern-
8 ments, while a member of Congress;

9 (B) his support for a 2012 congressional
10 measure, widely viewed as illegal, to replace
11 four Supreme Court justices while the leader of
12 Congress; and

13 (C) his 2017 candidacy for a second presi-
14 dential term, in violation of the Honduran con-
15 stitution's longstanding prohibition on presi-
16 dential reelection, which in 2015 was nullified
17 in a ruling by the justices referred to in sub-
18 paragraph (B).

19 (4) In recent months, the executive and legisla-
20 tive branches of the Government of Honduras have
21 taken significant steps to entrench corruption, block
22 oversight by national prosecutors and international
23 investigators, and shield senior officials and parlia-
24 mentarians from criminal liability, including the fol-
25 lowing actions:

1 (A) On January 19, 2020, the Government
2 of Honduras announced the closing of the Mis-
3 sion of Support against Corruption and Impu-
4 nity in Honduras (MACCIH), the anti-corrup-
5 tion mechanism established in 2015 by the Or-
6 ganization of American States and the Govern-
7 ment of Honduras. MACCIH brought 14 cor-
8 ruption-related cases against dozens of high-
9 profile criminal defendants and oversaw the cre-
10 ation of an anti-corruption judicial circuit and
11 special prosecutor’s unit that was disbanded fol-
12 lowing the mission’s closure.

13 (B) On June 25, 2020, the Government of
14 Honduras enacted a new penal code that re-
15 duced prison terms for corruption-related
16 crimes, including embezzlement, illicit enrich-
17 ment, obstruction of justice, and fraud. The
18 measure is retroactive, benefitting Honduran
19 officials already convicted or facing prosecution.

20 (C) On October 16, 2019, the National
21 Congress of Honduras passed a law that re-
22 stored immunity to all parliamentarians for
23 crimes related to legislative activities and a law
24 that blocked the Attorney General’s office from

1 investigating cases involving the improper use
2 of state funds for up to 7 years.

3 (5) These recent measures follow a longer pat-
4 tern of congressional decrees of amnesty or immu-
5 nity for crimes perpetrated by authorities in Hon-
6 duras, including for those committed during the
7 2009 coup and its aftermath, those perpetrated by
8 state security forces, and those involving the misuse
9 of public funds by former and current legislators,
10 contributing to a climate of impunity.

11 (6) Space for civil society to operate in the Re-
12 public of Honduras remains severely constrained,
13 with rights activists and journalists subject to acute
14 levels of violence, surveillance, harassment, and in-
15 timidation. The Republic of Honduras ranks as the
16 deadliest country in the world for human rights and
17 environmental defenders on a per capita basis and
18 third in the number of assassinations, with 31 de-
19 fenders killed in 2019 and 204 defenders killed since
20 2009.

21 (7) The 2019 United States Department of
22 State Country Reports on Human Rights Practices,
23 international human rights bodies, and numerous
24 monitoring groups have reported that the Honduran
25 police and military commit human rights violations

1 with impunity, including unlawful killings, torture,
2 and the use of unnecessary force and lethal weapons
3 against protestors and civilian bystanders. Individ-
4 uals with documented records of human rights viola-
5 tions and links to drug trafficking continue to serve
6 in high-ranking positions within the Honduran police
7 and military, and few of the alleged cases of human
8 rights abuses perpetrated by police and military per-
9 sonnel are prosecuted or tried in court.

10 (8) The Office of the United Nations High
11 Commissioner for Human Rights and the Inter-
12 American Commission on Human Rights have docu-
13 mented the use of arbitrary detentions, forced dis-
14 appearances, and specious judicial proceedings to
15 criminalize indigenous and human rights activists,
16 environmental defenders, journalists, opposition poli-
17 ticians, and others, including—

18 (A) members of the Tocoa Municipal Com-
19 mittee for the Defense of Common and Public
20 Assets, who since September 2019 have been
21 detained pending trial following their protest of
22 an illegal mining concession affecting the
23 Guapinol and San Pedro rivers;

24 (B) four Afro-indigenous Garífuna land de-
25 fenders, who on July 18, 2020, were abducted

1 from their homes and reportedly forced into un-
2 marked vehicles at gunpoint by armed men in
3 police uniforms without a warrant and remain
4 forcibly disappeared; and

5 (C) opposition lawmaker María Luisa
6 Borjas, who on July 21, 2020, was convicted of
7 defamation and sentenced to nearly three years
8 in prison for naming Ficohsa bank president
9 Camilo Atala as an intellectual author of the
10 2016 assassination of environmental and indige-
11 nous rights activist Berta Cáceres.

12 (9) The vilification and criminalization of civil
13 society actors and human rights defenders by Hon-
14 duran authorities has continued unabated under the
15 cover of COVID–19 pandemic response. On March
16 16, 2020, the Government of Honduras first notified
17 the Organization of American States of its deroga-
18 tion from treaty obligations under the American
19 Convention on Human Rights and has since sus-
20 pended nine constitutional guarantees, including the
21 rights to freedom of assembly and expression, the
22 latter of which was restored after international out-
23 cry. At least 34,000 citizens have been detained for
24 violating curfew and lockdown restrictions, and jour-
25 nalists and human rights defenders have been im-

1 peded in their efforts to report on and expose human
2 rights abuses during the pandemic.

3 **SEC. 4. SENSE OF CONGRESS.**

4 It is the sense of Congress that—

5 (1) systemic corruption, impunity, and human
6 rights violations by national government officials,
7 private citizens, and members of the police and mili-
8 tary of the Republic of Honduras deplete public re-
9 sources and fuel widespread impoverishment, citizen
10 insecurity, and forced displacement;

11 (2) the President should impose sanctions on
12 President of Honduras Juan Orlando Hernández for
13 acts of significant corruption and human rights vio-
14 lations and determine under the Foreign Narcotics
15 Kingpin Sanctions Regulations under part 598 of
16 title 31, Code of Federal Regulations, whether the
17 President of Honduras is a specially designated nar-
18 cotics trafficker;

19 (3) the President and Secretary of State should
20 seek to ensure that security assistance from the
21 United States and exports of munitions by United
22 States entities are not complicit in human rights
23 abuses perpetrated by the police and military of the
24 Government of Honduras, or misused to impede
25 peaceful protestors, human rights and environmental

1 defenders, and others from exercising the right to
2 freedom of expression, association, or assembly;

3 (4) the Government of Honduras should imme-
4 diately initiate discussions with the United Nations
5 to negotiate the mandate for a new, independent
6 mechanism to combat corruption and impunity with
7 a mission comparable to that of MACCIH, equipped
8 with—

9 (A) the authority to initiate cases, in co-
10 ordination with the Specialized Prosecutor’s
11 Unit against Networks of Corruption
12 (UFERCO), against any citizen of the Republic
13 of Honduras, irrespective of their office, rank,
14 position, or title;

15 (B) the unimpeded authority to inves-
16 tigate, including the authority to subpoena doc-
17 uments, interview witnesses and suspects, and
18 conduct surveillance;

19 (C) the ability to propose laws, constitu-
20 tional amendments, and regulatory changes to
21 the Attorney General’s office and other institu-
22 tions within the justice sector that are assured
23 expeditious consideration and debate by the Na-
24 tional Congress; and

1 (D) the requirement to conduct regular
2 and transparent consultations with a broad
3 range of civil society members with the goal of
4 promoting the mandate's successful implemen-
5 tation;

6 (5) the Government of Honduras should con-
7 tinue to pursue MACCIH's ongoing anti-corruption
8 cases and adopt legal and institutional reforms to
9 strengthen judicial independence and protect human
10 rights recommended by MACCIH, the Office of the
11 United Nations High Commissioner for Human
12 Rights, and UFERCO;

13 (6) the United States should support credible
14 national and international efforts to combat corrup-
15 tion and human rights violations in the Republic of
16 Honduras, including UFERCO, the Office of the
17 United Nations High Commissioner for Human
18 Rights, and organizations working to defend human
19 rights and expose and prevent corruption, with the
20 necessary resources for holding private and govern-
21 ment actors accountable under the law and sup-
22 porting independent monitoring by a free press and
23 civil society, provided that they demonstrate suffi-
24 cient political autonomy and willingness to prosecute

1 high-level cases, including against senior officials
2 and legislators of the Republic of Honduras; and

3 (7) the Secretary of State should develop, in
4 consultation with a broad range of representatives of
5 civil society and human rights organizations in Hon-
6 duras, as appropriate, comprehensive and specific
7 guidelines to use United States diplomacy and as-
8 sistance to protect human rights and environmental
9 defenders in the Republic of Honduras from phys-
10 ical, legal, or financial reprisals and threats, includ-
11 ing by government, police, and military officials or
12 their associates.

13 **SEC. 5. OFFICE OF THE UNITED NATIONS HIGH COMMIS-**
14 **SIONER FOR HUMAN RIGHTS.**

15 In addition to amounts otherwise appropriated for
16 such purposes, there is authorized to be appropriated
17 \$2,000,000 in voluntary contributions to support the work
18 of the Office of the United Nations High Commissioner
19 for Human Rights in Honduras to monitor and document
20 human rights violations, issue public reports and rec-
21 ommendations, and promote international human rights
22 standards.

1 **SEC. 6. IMPOSITION OF SANCTIONS WITH RESPECT TO THE**
2 **PRESIDENT OF HONDURAS.**

3 (a) IMPOSITION OF SANCTIONS.—Not later than 180
4 days after the date of the enactment of this Act, the Presi-
5 dent shall impose the sanctions described in subsection (b)
6 with respect to the President of Honduras, Juan Orlando
7 Hernández.

8 (b) SANCTIONS DESCRIBED.—The sanctions de-
9 scribed in this subsection are the following:

10 (1) ASSET BLOCKING.—The President shall ex-
11 ercise all of the powers granted to the President
12 under the International Emergency Economic Pow-
13 ers Act (50 U.S.C. 1701 et seq.) to the extent nec-
14 essary to block and prohibit all transactions in prop-
15 erty and interests in property of Juan Orlando
16 Hernández if such property and interests in property
17 are in the United States, come within the United
18 States, or are or come within the possession or con-
19 trol of a United States person.

20 (2) INELIGIBILITY FOR VISAS, ADMISSION, OR
21 PAROLE.—

22 (A) VISAS, ADMISSION, OR PAROLE.—Juan
23 Orlando Hernández is—

24 (i) inadmissible to the United States;

1 (ii) ineligible to receive a visa or other
2 documentation to enter the United States;
3 and

4 (iii) otherwise ineligible to be admitted
5 or paroled into the United States or to re-
6 ceive any other benefit under the Immigra-
7 tion and Nationality Act (8 U.S.C. 1101 et
8 seq.).

9 (B) CURRENT VISAS REVOKED.—

10 (i) IN GENERAL.—Juan Orlando
11 Hernández is subject to revocation of any
12 visa or other entry documentation regard-
13 less of when the visa or other entry docu-
14 mentation is or was issued.

15 (ii) IMMEDIATE EFFECT.—A revoca-
16 tion under clause (i) shall—

17 (I) take effect immediately; and

18 (II) cancel any other valid visa or
19 entry documentation that is in Juan
20 Orlando Hernández's possession.

21 (c) IMPLEMENTATION; PENALTIES.—

22 (1) IMPLEMENTATION.—The President may ex-
23 ercise all authorities provided under sections 203
24 and 205 of the International Emergency Economic

1 Powers Act (50 U.S.C. 1702 and 1704) to the ex-
2 tent necessary to carry out this section.

3 (2) PENALTIES.—A person that violates, at-
4 tempts to violate, conspires to violate, or causes a
5 violation of subsection (b)(1), or any regulation, li-
6 cense, or order issued to carry out that subsection,
7 shall be subject to the penalties set forth in sub-
8 sections (b) and (c) of section 206 of the Inter-
9 national Emergency Economic Powers Act (50
10 U.S.C. 1705) to the same extent as a person that
11 commits an unlawful act described in subsection (a)
12 of that section.

13 (d) WAIVER.—The President may waive the applica-
14 tion of sanctions under this section if the President deter-
15 mines and certifies to the appropriate congressional com-
16 mittees that such a waiver is important to the national
17 interest of the United States.

18 (e) EXCEPTIONS.—

19 (1) EXCEPTION TO COMPLY WITH INTER-
20 NATIONAL OBLIGATIONS AND FOR LAW ENFORCE-
21 MENT ACTIVITIES.—Sanctions under subsection
22 (b)(2) shall not apply if admitting or paroling Juan
23 Orlando Hernández into the United States is nec-
24 essary—

1 (A) to permit the United States to comply
2 with the Agreement regarding the Head-
3 quarters of the United Nations, signed at Lake
4 Success June 26, 1947, and entered into force
5 November 21, 1947, between the United Na-
6 tions and the United States, or other applicable
7 international obligations; or

8 (B) to carry out or assist law enforcement
9 activity in the United States.

10 (2) EXCEPTION RELATING TO THE IMPORTA-
11 TION OF GOODS.—

12 (A) IN GENERAL.—The authorities and re-
13 quirements to impose sanctions authorized
14 under this section shall not include the author-
15 ity or a requirement to impose sanctions on the
16 importation of goods.

17 (B) GOOD DEFINED.—In this paragraph,
18 the term “good” means any article, natural or
19 manmade substance, material, supply, or manu-
20 factured product, including inspection and test
21 equipment, and excluding technical data.

22 (f) TERMINATION OF SANCTIONS.—The President
23 may terminate the application of sanctions under this sec-
24 tion if the President determines and reports to the appro-

1 p r i a t e c o n g r e s s i o n a l c o m m i t t e e s n o t l a t e r t h a n 15 d a y s b e -
 2 f o r e t h e t e r m i n a t i o n t a k e s e f f e c t t h a t —

3 (1) c r e d i b l e i n f o r m a t i o n e x i s t s t h a t J u a n O r -
 4 l a n d o H e r n á n d e z d i d n o t e n g a g e i n t h e a c t i v i t y f o r
 5 w h i c h s a n c t i o n s w e r e i m p o s e d ;

6 (2) J u a n O r l a n d o H e r n á n d e z h a s b e e n p r o s -
 7 e c u t e d a p p r o p r i a t e l y f o r t h e a c t i v i t y f o r w h i c h s a n c -
 8 t i o n s w e r e i m p o s e d ; o r

9 (3) J u a n O r l a n d o H e r n á n d e z h a s c r e d i b l y d e m -
 10 o n s t r a t e d a s i g n i f i c a n t c h a n g e i n b e h a v i o r , h a s p a i d
 11 a n a p p r o p r i a t e c o n s e q u e n c e f o r t h e a c t i v i t y f o r
 12 w h i c h s a n c t i o n s w e r e i m p o s e d , a n d h a s c r e d i b l y c o m -
 13 m i t t e d t o n o t e n g a g e i n a n a c t i v i t y f o r w h i c h t h e
 14 s a n c t i o n s w e r e i m p o s e d i n t h e f u t u r e .

15 (g) D E F I N I T I O N S . — I n t h i s s e c t i o n :

16 (1) A D M I S S I O N ; A D M I T T E D . — T h e t e r m s “ a d -
 17 m i s s i o n ” a n d “ a d m i t t e d ” h a v e t h e m e a n i n g s g i v e n
 18 t h o s e t e r m s i n s e c t i o n 101 o f t h e I m m i g r a t i o n a n d
 19 N a t i o n a l i t y A c t (8 U.S.C. 1101).

20 (2) A P P R O P R I A T E C O N G R E S S I O N A L C O M M I T -
 21 T E E S . — T h e t e r m “ a p p r o p r i a t e c o n g r e s s i o n a l c o m -
 22 m i t t e e s ” m e a n s —

23 (A) t h e C o m m i t t e e o n F o r e i g n R e l a t i o n s
 24 a n d t h e C o m m i t t e e o n B a n k i n g , H o u s i n g , a n d
 25 U r b a n A f f a i r s o f t h e S e n a t e ; a n d

1 (B) the Committee on Foreign Affairs and
2 the Committee on Financial Services of the
3 House of Representatives.

4 (3) UNITED STATES PERSON.—The term
5 “United States person” means—

6 (A) an individual who is a United States
7 citizen or an alien lawfully admitted for perma-
8 nent residence to the United States;

9 (B) an entity organized under the laws of
10 the United States or any jurisdiction within the
11 United States, including a foreign branch of
12 such an entity; or

13 (C) any person in the United States.

14 **SEC. 7. PROHIBITION ON COMMERCIAL EXPORT OF COV-**
15 **ERED DEFENSE ARTICLES AND SERVICES**
16 **AND COVERED MUNITIONS ITEMS TO THE**
17 **HONDURAN POLICE OR MILITARY.**

18 (a) IN GENERAL.—Not later than 30 days after the
19 date of the enactment of this Act, the President shall pro-
20 hibit the issuance of licenses to export covered defense ar-
21 ticles and services and covered munitions items to the po-
22 lice or military of the Republic of Honduras.

23 (b) TERMINATION.—The prohibition under sub-
24 section (a) shall terminate on the date on which the Presi-
25 dent determines and reports to the appropriate congres-

1 sional committees that the police or military of the Repub-
2 lic of Honduras have not engaged in gross violations dur-
3 ing the one-year period ending on the date of such deter-
4 mination.

5 (c) WAIVER.—The prohibition under subsection (a)
6 shall not apply to the issuance of a license with respect
7 to which the President submits to the appropriate congres-
8 sional committees a written certification that the exports
9 to be covered by such license are important to the national
10 interests and foreign policy goals of the United States, in-
11 cluding a description of the manner in which such exports
12 will promote such interests and goals.

13 (d) DEFINITIONS.—In this section:

14 (1) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES.—The term “appropriate congressional com-
16 mittees” means—

17 (A) the Committee on Foreign Relations
18 and the Committee on Appropriations of the
19 Senate; and

20 (B) the Committee on Foreign Affairs and
21 the Committee on Appropriations of the House
22 of Representatives.

23 (2) COVERED DEFENSE ARTICLES AND SERV-
24 ICES.—The term “covered defense articles and serv-
25 ices” means defense articles and defense services

1 designated by the President under section 38(a)(1)
2 of the Arms Export Control Act (22 U.S.C.
3 2778(a)(1)).

4 (3) COVERED MUNITIONS ITEMS.—The term
5 “covered munitions items” means tear gas, pepper
6 spray, rubber bullets, foam rounds, bean bag rounds,
7 pepper balls, water cannons, handcuffs, shackles,
8 stun guns, tasers, semi-automatic firearms, and
9 their associated munitions not included in the defini-
10 tion under paragraph (2).

11 **SEC. 8. SUSPENSION AND RESTRICTIONS OF SECURITY AS-**
12 **SISTANCE EXTENDED TO THE REPUBLIC OF**
13 **HONDURAS UNLESS CERTAIN CONDITIONS**
14 **ARE MET.**

15 (a) SUSPENSION OF SECURITY ASSISTANCE.—No as-
16 sistance may be made available for the police or military
17 of the Republic of Honduras, including assistance for
18 equipment and training.

19 (b) LOANS FROM MULTILATERAL DEVELOPMENT
20 BANKS AND THE UNITED STATES INTERNATIONAL DE-
21 VELOPMENT FINANCE CORPORATION.—The Secretary of
22 the Treasury shall—

23 (1) instruct United States representatives at
24 multilateral development banks to use their voice

1 and vote to oppose any loans for the police or mili-
2 tary of the Republic of Honduras; and

3 (2) instruct the United States Executive Direc-
4 tor of each international financial institution and the
5 Chief Executive Officer of the United States Inter-
6 national Development Finance Corporation to pro-
7 mote human rights due diligence and risk manage-
8 ment in connection with any loan, grant, policy, or
9 strategy related to the Republic of Honduras, in ac-
10 cordance with the criteria specified in subsection
11 7029(d) of the Department of State, Foreign Oper-
12 ations, and Related Programs Appropriations Act,
13 2020 (division G of Public Law 116–94; 133 Stat.
14 2863) and accompanying report.

15 (c) CONDITIONS FOR LIFTING SUSPENSIONS AND
16 RESTRICTIONS.—The provisions of this section shall ter-
17minate on the date on which the Secretary of State deter-
18mines and reports to the Committees on Foreign Relations
19and Appropriations of the Senate and the Committees on
20Foreign Affairs and Appropriations of the House of Rep-
21resentatives that the Government of Honduras has—

22 (1) pursued all legal avenues to bring to trial
23 and obtain a verdict of all those who ordered, carried
24 out, and covered up—

1 (A) the March 2, 2016, murder of Berta
2 Cáceres;

3 (B) the killings of over 100 small-farmer
4 activists in the Aguán Valley;

5 (C) the killings of 22 people and forced
6 disappearance of 1 person by state security
7 forces in the context of the 2017 post-electoral
8 crisis;

9 (D) the killings of at least 6 people by
10 state security forces in the context of anti-gov-
11 ernment demonstrations between March and
12 July of 2019;

13 (E) the killings of at least 21 journalists
14 and media workers between October 2016 and
15 July 2020;

16 (F) the July 18, 2020, forced disappear-
17 ances of 4 Garífuna community leaders from
18 Triunfo de la Cruz; and

19 (G) the December 26, 2020, killing of in-
20 digenous Lenca leader and environmental activ-
21 ist Félix Vásquez at his home in La Paz, and
22 the December 29, 2020, killing of indigenous
23 Tolupan leader and environmental activist Adan
24 Mejía in Yoro;

1 (2) investigated and successfully prosecuted
2 members of military and police forces who are
3 credibly found to have violated human rights and en-
4 sured that the military and police cooperated in such
5 cases, and that such violations have ceased;

6 (3) withdrawn the military from domestic polic-
7 ing and ensured that all domestic police functions
8 are separated from the command and control of the
9 Armed Forces of Honduras and are instead directly
10 responsible to civilian authority;

11 (4) established that it protects effectively the
12 rights of trade unionists, journalists, small farmers,
13 human rights and environmental defenders, indige-
14 nous and Afro-indigenous community members and
15 rights activists, women's and LGBTQI rights activ-
16 ists, critics of the government, and other members of
17 civil society to operate without interference or re-
18 pression; and

19 (5) taken effective steps to establish the rule of
20 law and to guarantee a judicial system that is capa-
21 ble of investigating, prosecuting, and bringing to jus-
22 tice members of the police and military who have
23 committed human rights abuses.

1 **SEC. 9. SUNSET.**

2 This Act shall terminate on the date that is 5 years
3 after the date of the enactment of this Act.

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