

# Civil Society Space for Action in Honduras

Guido Eguigure Borjas  
Anna Leissing

# KOFF Essential

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Editors

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The “Essentials” Series

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Cover image

“Office wall in Tegucigalpa”, Honduras. Copyright: Anna Leissing/ swisspeace

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swisspeace  
Sonnenbergstrasse 17  
P.O. Box, 3001 Bern  
Bernoullistrasse 14/16  
4056 Basel  
Switzerland  
www.swisspeace.org  
info@swisspeace.ch  
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“... for us as an organization, as COPINH and as Lenca people, we know and have been saying for twenty years that we don’t need to be lawyers to know our rights. We, the Lenca people, the indigenous people, have rights whether they are documented or not. Regardless of the existence of Convention 169, whether there are title rights of whatever kind or not, we the Lenca people, the indigenous people, have a right to our ancestral land and that is what they are criminalizing; they want to come in and punish us, like we said right from the beginning when we founded COPINH, and stop our fight to defend our lands and the riches of nature.”

Bertha Cáceres on the radio program ‘Sin Café No Hay Mañana’, Radio Globo, September 17, 2013.

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The crucial and indispensable role played by non-governmental organizations (NGOs), civil society organizations (CSOs), social and popular movements, and human rights defenders in achieving fair, inclusive, peaceful and sustainable societies has been recognized and reaffirmed internationally and in the legislation of most countries in the world.

Yet, there is a growing tendency worldwide to regard these organizations and movements as a threat. This leads more and more governments and influential groups to limit the political space in which these organizations carry out their important work.

This affects especially those organizations that work in areas relating to human rights, access to justice or defense of land and the riches of nature.

Contrary to this perception and despite all the external constraints, such as government policies, restrictive laws and excessive control, and internal constraints, such as poor coordination, limited capacity to put forward proposals and exert influence or a lack of sources of finance, the CSOs continue to play a major role, enriching the debate on crucial issues such as promoting and defending human rights, building a rule of law, and democracy. Their efforts quite often have very serious implications; there has been an increase in the number of threats and attacks on the lives of some of their most high-profile leaders.

Concerned about this situation and aiming to find the key to these socio-political dynamics to give CSOs more room for maneuver, ACT Alliance and CIDSE (Coopération Internationale pour le Développement et la Solidarité – International Cooperation for Development and Solidarity) launched a comprehensive study in ten countries. The results showed that, in general, political space and room for maneuver in civil society had diminished.<sup>1</sup>

### 1.1 The joint learning process

At the end of 2015, a group of Swiss NGOs involved in development, human rights and peacebuilding in Central America decided to replicate this study in Honduras. They were aware the coup d'état of June 2009 was a turning point in the country's history and since then, not only the conditions in which the CSOs worked, but the political and economic model had drastically changed. This had a negative impact on the CSOs and society in general and, at the other extreme, favored influential groups made up of the political, economic and military elites. On the initiative of two Swiss NGOs, HEKS/EPER and PWS, it was decided that a joint learning process was the best way forward. The very name implies the exchange of experiences and knowledge by a group of organizations, with the aim of understanding how their working environment has changed and finding the keys to decipher and broaden their space for action for the benefit of the communities and people for whom they work. Joint learning processes facilitated by KOFF, are processes that have a jointly defined question or topic (in this case, an analysis of the civil society space in Honduras), they link activities in Switzerland to specific activities in a given context (in this case, Honduras), and they are largely financed by contributions from the participating organizations themselves.

<sup>1</sup> ACT Alliance/CIDSE, 2014: Space for Civil Society: How to Protect and Expand an Enabling Environment. Investigative Report.

Joint learning processes encourage joint reflection and analysis, they help to build trust and solidarity between stakeholders with different perspectives and opinions, and they draw on synergies between participating organizations.

2 The methodology was developed by ACT Alliance and CIDSE, and tailored to the situation in Honduras. It was designed to analyze the diminishing political space for action from the perspective of those who use it.

3 HEKS; KOFF/swisspeace; PWS 2017: Joint Learning Process: Diminishing Space and Room for Maneuver in Civil Society in Honduras.

In this way, it is possible to go far beyond the technical implementation of programs and projects, to increase budgetary flexibility and reduce financial dependence on major donors. The hope then is to increase the joint impact, which in turn will strengthen the processes for social and political change.

This edition of “Essential” – as the name suggests – sets out the essence of this learning process. It is based on the complete report, which includes a comprehensive description of the current situation in Honduras, the process and methodology used<sup>2</sup>, and the information collected from surveys, interviews, focus groups and workshops.<sup>3</sup> This edition of “Essential” concentrates on the results, conclusions and recommendations of the learning process. It is intended to provide impetus and a tool for the future work of the various stakeholders in Honduras; this includes stakeholders both inside and outside the government, grassroots organizations as well as international NGOs, dedicated to building a fairer country, a decent life for everyone, and a more inclusive and peaceful society.

1.2 An important explanation

During the process of collecting information, some organizations that were sent the survey refused to fill it out. A number of leaders from popular organizations took this stance. Their decision was based on a feeling of apprehension about the civil society concept used in the joint learning process, which these organizations do not feel a part of. Given their organizational structure, mandates, practices and experiences, they prefer to be called and identified as popular organizations or social movements, which determines, in principle, distancing from traditional NGOs, since they have specific characteristics, which identify and distinguish them from the former.

This divide has existed for many years and assumes that NGOs, which are indeed considered part of civil society, do not have the legitimacy provided by a particular population and constituted by popular assemblies. Furthermore, they do not use practical methods of struggle out on the streets, and have to limit their action to the amount of financing they receive to carry out projects or programs. Another criticism is that they work within time constraints, in particular due to specific and inflexible schedules. More importantly, they do not aspire to social change through the struggle for power. Therefore, from the point of view of popular organizations and social movements, they have limited legitimacy and fundamentally different aims. There are accusations about the role of some NGOs in defining the agenda and, above all, in the media projection of the fight for rights led by the communities and their representative organizations.

We should point out that the term ‘civil society’ in Honduras is not always interpreted as an inclusive concept. Quite often, it is said in public that there is more than one civil society.

A significant group of NGOs has been identified, for example, as being more inclined to act in line or very close to government strategy; in other words, they are less critical, less independent and more likely to be co-opted from the various government programs. This is most definitely the case in issues relating to human rights or anti-corruption, where these organizations act in line with government policy which “puts a gloss” on the situation. The invitation to UN special envoys to visit the country is perceived as a need to promote Honduras to the world as a country respecting human rights. However, various reports from independent international organizations show a completely different reality. There is another civil society, however, which works more closely with the people, which fights for their rights and distances itself from public institutions. Some NGOs are also included in this group. It is highly likely that popular organizations or social movements do not make such a distinction and class all NGOs as the same. This is where their aversion to being included in this concept of civil society comes from.

From this perspective then, there is more than one sort of civil organization in Honduras. Although we in no way claim to establish the characteristics and differences in Honduran civil society, and, even less, to conceptualize it, we must make these explanations perfectly clear as, to some extent, they determine the

results obtained through this joint learning process. However, what we are hoping to do is contribute to opening spaces for dialogue, exchange and analysis to achieve greater understanding of civil society in Honduras and to identify strategies to widen its political space and room for maneuver.

### 1.3 Participating organizations

Thirty-seven organizations of differing types, focus and size from different locations took part in this learning process in a variety of activities. For greater understanding, we grouped them in accordance with some of their most distinctive features. We did this to get a wider perspective, not of what they represent in terms of statistics, but to describe their diversity.

**By type:** 14 grassroots organizations, 13 NGOs, 4 social movements, 3 faith-based organizations, 3 NGO themed networks

**By structure:** 6 organization networks, 31 organizations

**By location:** 20 based in Tegucigalpa and San Pedro Sula, 17 based in other towns/villages

**By region and work dynamic:** 15 work nationally, 5 work regionally, 17 work locally

**By key target population:** 12 rural populations, 11 general populations, 4 female populations (rural and urban areas), 3 LGBTI populations, 2 journalist and media worker populations, 2 indigenous populations, 1 migrant population, 1 childhood and youth population, 1 judge and magistrate population

**By size of organization:** 10 with fewer than 50 members/employees, 2 with between 50 and 100 members, 3 with between 100 and 500 members, 2 with between 500 and 1000 members, 1 with over 3000 members, 19 could not be determined

## 2 Results of the learning process

The following presentation of results summarizes the thoughts and responses of organizations and individuals surveyed on eight topics that were identified as key in relation to space and room for maneuver in civil society in Honduras, and which formed part of the survey, interviews and focus groups carried out to collect information in Honduras.

### 2.1 Government openness

Responses relating to government openness in the following areas were rated negatively: Coordination and participation of CSOs in the National Development Plan (NDP); the tolerance of the Government of Honduras (GOH) with regard to organizations working in development; whether the environment is more favorable now than it was eight years ago; the extent to which CSOs have increased their activities and the impact of their work; how physically safe they feel in the work they do. In other words:

The majority of the CSOs surveyed consider that the political space they work in has diminished compared with eight years ago and that their physical safety is precarious because of the measures and policies taken by the current government.

4 Berta Cáceres is the most high-profile leader to be murdered for opposing this model and these projects. However, she wasn't the only one. Honduras has been named as the most dangerous place to defend the planet, as between 2010 and 2016, more than 120 environmental activists were murdered (Global Witness 2017: Honduras: The Deadliest Country in the World for Environmental Activism).

5 Response of one CSO in the survey.

There is consensus among the majority of organizations taking part, about the role that the state and influential groups exert in the space where CSOs work. On the one hand, the role of the state is embodied by related civil organizations using a model of participation that legitimizes state action. These are then “rewarded” by the system with the assignment of projects, resources and, ultimately, with the appointment of officials from these NGOs to state commissions, to try and resolve the country’s problems, which in turn brings them “reputation and prestige.” At the other extreme, state interference takes on several different forms from manipulation, threats and the enforcement of legal mechanisms to the criminalization and criminal prosecution of those who oppose its policies and development model. Many organizations mentioned that they had suffered such actions first-hand and that they very often result in prison, non-custodial measures or, in extreme cases, in the death of members of these organizations.<sup>4</sup>

“The state retaliates against organizations that don’t share its ideology and, in some cases, it seeks to annihilate them when they pose a threat to the political project it has set up.”<sup>5</sup>

The elites also play a fundamental role in this diminishing space: they appropriate land and resources, such as water, minerals and beaches, in the regions without consulting with those who live there. These elites always have the backing of armed police, the army and armed civilians acting under official tolerance or complicity.

“The odds are very much in favor of the landowner and his company as they can mobilize the army” and “the only strategy we have to defend ourselves is by coming together ... united, we can do it.”<sup>6</sup>

Militarization is justified amidst this unbridled violence and is sold to the public through the mass media. A good proportion of the population considers such a solution to be legitimate; however, the facts show that violence cannot be resolved with militarization. From the perspective of human security, that is, freedom from fear and from need, there are many factors that come into play, proposing comprehensive solutions to a situation that many organizations consider has outgrown the state’s current capabilities.<sup>7</sup>

## 2.2 Defamation and stigmatization

The great majority of organizations surveyed said that it was difficult, very difficult or impossible to get the same treatment as other organizations. The reason given in the explanations relates to the difference in the way respondents define their organizations, compared with those that are most likely to be co-opted or even those that work closely with the government. Assistance models used by the government as compensation, such as food parcels, accommodation or direct transfers through specific-sector bonds, are left wide open to corruption from unscrupulous social leaders who end up assuming the official stance and rhetoric. In this sense, we understand the overwhelming response against

- 6 Statement by a farmer in one of the focus groups.
- 7 Widespread violence is a major problem. In the last eight years, there have been more than 48,000 murders with the majority of victims of being young people. Organized crime, gangs and common criminality are mostly responsible for such acts, the former having direct links to the highest institutional level (InSight Crime, 2016: Elites and Organized Crime in Honduras).

8 Response of one CSO in the survey.

these practices, and why they are treated with disdain and discrimination because of their critical and independent stance.

“We have been treated as drug-traffickers, members of organized crime and smugglers at all levels, up to the President himself, and they have even set up call centers to revile us in our private life.”<sup>8</sup>

It often happens in societies with authoritarian regimes, like the one in Honduras, that social leaders and human rights defenders become the target for attacks from public officials and officers at various levels. Honduras is no exception.

Another factor that promotes the practice of stigmatization is the loss of respect for the constitutional figure of the secular state in everyday life, which has been patently obvious in recent governments. Women’s organizations have been denouncing it as a significant loss for democracy. Interference from religious groups is harmful as it contradicts the individual right to choose a religious faith or not, turning it into an official policy that discriminates and attacks those who do not fall in line. The increasingly frequent presence of religious leaders with input on the agenda at official events confirms this dynamic, which then reduces the space for civil organizations.

Another topic that some organizations mentioned is the stigmatization of women who take part in activities outside of the home, and how easily the murder of women is classed as a crime of passion, as they tried to do at first in the case of Berta Cáceres. The persistence of gender discrimination in official discourse, especially to accuse opponents, is becoming increasingly common.

9 Statement by a participant in one of the focus groups.

“If they kill a woman during a demonstration, they then say that it was because she didn’t stay at home like a good Honduran woman should do.”<sup>9</sup>

As you can appreciate from these few lines, defamation and stigmatization are tools that put social leaders at serious risk and are frequently used by the public authorities and the elites at their discretion. Mass media – almost entirely controlled by the government – constitutes the preferred channel to defame and stigmatize the leaders of CSOs and, in cases involving public officials, they use the legal recourses available to them against the social leaders. It is clearly an unequal fight between the CSOs and the power of the state and the elites.

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### Community radios against stigmatization

Recently, the President himself greatly stigmatized NGOs and social leaders in a public appearance because, according to him, “they distort the truth” and “cause a lot of damage to the country.” He went on saying, “we also have to defend ourselves against them.”<sup>10</sup> The President was referring to a report put together by the Coalition Against Impunity, which described the serious human rights situation in Honduras and the Honduran state’s shortcomings. Thus, it requested the suspension of assistance to Honduras provided as part of the Partnership for Prosperity.<sup>11</sup> A few days later, a feature on a community radio station responded to the President’s attack, saying that it is the government that is harming the country with the things it does and does not do. It quoted a recent report by the Inter-American Commission on Human Rights (IACHR), which highlighted that in Honduras, there is an “alarming number of disappearances, high levels of sexual violence and serious agrarian conflicts,” as well as “the illegal occupation of indigenous lands, high levels of violence against human rights defenders, LGTBI individuals, migrants, journalists and media workers.”<sup>12</sup> Here is an example of something mentioned during the learning process: Community radio stations are an important arena to inform, raise awareness and rally the people together. Although their

10 El Heraldo (July 14, 2016): President Hernández: NGOs distort the truth in Washington.

11 Coalition Against Impunity 2016: Presentation to mark compliance with the conditions of the Appropriation Act for the Partnership for Prosperity in the northern triangle of Central America.

12 Radio Progreso (July 19, 2016): You’re the ones who are giving the country a bad name.

coverage and power are in their early stages, they now represent an enormous potential to democratize and expand the room for maneuver for civil society in Honduras. Therefore, everything must be done to protect, expand and improve their abilities, power and coverage, as well as the possibility of improving their potential to operate in coordinated networks and address major challenges.

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### 2.3 Control and threats

The already weak democracy in Honduras took a step back with the coup d’état. Following this, there were efforts to control social organizations through a series of laws, practices and procedures, restricting their freedom to act independently.

Accordingly, the majority of organizations surveyed mentioned the DEI (Dirección Ejecutiva de Ingresos – the revenue department, now known as SAR – Servicio de Administración de Rentas) and the URSAC (Unidad de Registro y Seguimiento de Asociaciones Civiles – Civil association registration and monitoring unit) as mechanisms that are affecting their operations and reducing their space. They explained that several years ago, before this institutional reform, the URSAC requirements were few and far between. Nowadays, they are asked for more and more information, which is then used internally. For example, to open a bank account for a project, they are asked for a copy of cooperation agreements. This is very damaging, in particular to organizations that are considered uncomfortable and which are critical of the current regime. Restrictions in the new billing system are limiting the work they can do in the most impoverished sectors, due to the fact that they cannot now use straightforward receipts to claim for food expenses when traveling or attending meetings or workshops in rural areas. Now, they have to submit invoices authorized by SAR. Whereas before, the small economies in rural communities benefited from these activities, they have now been pushed aside.

## There is a perception amongst respondents that the current government has developed a new fiscal system through which it not only wants to control tax evasion and thereby increase its revenue, but also uses it as an instrument of political control.

A large proportion of CSOs surveyed said that their organizations had never been threatened with closure. Although this is seen as a positive trend, two years ago, the URSAC threatened and then shut down over 4000 organizations, which they claimed did not comply with the legal requirements. In fact, most of these disbanded organizations probably belonged to two groups. The first consists of local organizations with limited capabilities, which means that they did not comply with basic requirements such as appointing a board of directors each period, they did not submit activity or financial reports, or the purpose for which they were formally set up was no longer valid. The second group consists of organizations known as “briefcase organizations,” i.e. they only existed on paper. In the world of corruption, these organizations are used to “launder” or “legalize” the theft of public resources. Among the mass of civil organizations that had their legal status withdrawn, there were some that did comply with the requirements, including some of those surveyed. These had to make the necessary arrangements to prove that they did comply with the legal requirements and that they did actually exist and were fulfilling the objectives they were created for.

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### **Turning to international agencies and mechanisms as a strategy**

The exercise of control and threats can clearly be seen in an organization of judges, who were only able to get their legal status back after bringing the state before the Inter-American Court of Human Rights. The control and threats against this organization continued through all sorts of actions, such as excluding its members from training procedures, promotion and development processes and victimization through the judiciary council and disciplinary system. The latter resulted in three judges and one magistrate being struck off; all were members of the organization, which is independent and critical of politicization and the lack of judicial independence. This case was taken to the Inter-American Court of Human Rights and the Honduran state was convicted of violating the fundamental rights of those it had dismissed. Although the sentence was passed on October 5, 2015, more than a year has gone by and there are no signs that the Honduran state will comply.<sup>13</sup> This case serves as an example of the strategy that some CSOs have used with some success when faced with the contempt of the country’s current authorities for the rule of law and the sovereignty of law: they turn to international institutions and mechanisms to seek access to justice, truth, reparation and non-repetition. However, more effective ways of making the Honduran state comply with its obligations need to be found.

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<sup>13</sup> Ref.: Center for Justice and International Law (June 20, 2017): Inter-American Court again instructs Honduras to reinstate dismissed judges.

14 Three measures come to the fore as regards (re-)militarization: direct control of civil institutions by military personnel, an increased budget prioritized over other sectors, and legislation allowing the army to occupy civil space (G. Eguigure 2013: La conducción civil y los cambios fundamentales en las misiones y funciones constitucionales de las fuerzas armadas [Civil Conduct and Fundamental Changes in the Constitutional Functions and Missions of the Armed Forces]).

With regard to how easy it is to call up and mobilize communities to get involved in peaceful public protests, and whether it is now easier to organize a peaceful protest, a large number of CSOs surveyed said that it is difficult or very difficult to do. Explanations range from the poverty of the people, organizations' shortage of resources and the population's lack of awareness about their problems and the need to mobilize, to the barriers imposed by the government. The most worrying aspect in this trend is discussion about the articles of the new Criminal Code that will include social protests being considered a crime.

In practice, this would mean that not only social leaders could be prosecuted, but also those in charge of international cooperation programs that financially support organizations making use of the right to protest.

The lowest score was found in the question relating to how easy it is to travel around the country to the areas where organizations work, without experiencing checks by the authorities. A large number of organizations said that it was difficult to travel around without checks. This is clearly related to at least two points. Firstly, the militarization of the country.<sup>14</sup> This is widespread in areas of intense conflict. In addition, as a repressive measure following the coup to prevent large mobilizations of people descending on the capital, military and police checkpoints were set up on all the country's highways.

This practice has worked pretty well for them and continues to be in force, thereby restricting the human and constitutional right to free movement.

Secondly, in regions that are attractive because of their land, water, minerals and tourism, the public authorities and elites are interested in controlling the CSOs, so that they can get to know their routes and contacts, and they put preventive measures in place allowing them to go ahead with their projects. Another measure relating to the current government's economic model has actually ended up restricting civil society space. We are referring to the construction of tollbooths on the main highways of the country; however, no alternate routes have been left which can be used by those who cannot pay. Furthermore, the secret way these projects are awarded and the basic lack of transparency in their allocation and the amount of income and tax payments provide critics with all the arguments they need to believe there is state corruption behind them.<sup>15</sup>

A positive trend was observed in the question relating to the payment of bribes in order to carry out their work. In this question, only two organizations mentioned that they had to pay them. However, from the explanations, one of them pays not as a bribe, but as an extortion payment. Due to its work on the ground, the organization has to travel to different regions. Furthermore, due to the high level of violence in the area where it is located, the mistrust in the police system and the stigma it is frequently subjected to, the organization chooses to pay this extortion money, or the "war tax" as it is also known, as a preventive measure. However, the great majority of organizations completely reject it, saying that it goes against all their policies, principles and ethics.

15 Corruption has undermined the state's institutional ability to respond to the demands of the people. A recent study concluded that in Honduras, corruption is no longer the preserve of a few criminal individuals; it is the way the country works (S. Chayes 2017: When Corruption is the Operating System: The Case of Honduras).

16 Response of one CSO in the survey.

Other forms of control mentioned by some organizations relate to the introduction of laws that breach an individual's right to privacy. This is the case of the so-called Listening Law, which allows state agents to listen in to the private conversations of individuals or organizations. The government passed the Special Law on Intervention into Private Communications for such purpose. Given the institutional fragility in the justice sector and the power given to the police, military and state intelligence, it is quite likely that abuse is committed protected by this law.

“So they created a law that has legalized what has been going on since the 1980s – tapping in to the conversations of people who think differently.”<sup>16</sup>

Furthermore, the extraction of information by state agents has increased not only by listening in to conversations, but also through forms of intimidation, such as illegally entering officials' houses and offices, the seizure of computer equipment, such as laptops and hard drives, as well as the public assault to obtain such equipment.

#### 2.4 Access to public information

To ensure the success of the economic, social and political model, a body of laws was passed which includes economic aspects (fiscal benefits, investment protection, trusts, deregulation), institutional reforms (the creation of promotion agencies such as Coalianza, adapting the security forces) and updating the country's infrastructure (logistics agents, changing the energy matrix, modernizing the customs system). This huge

quantity of laws was passed in record time. Participating organizations expressed difficulty in monitoring their passage through the National Congress so that they could keep up to date with all the laws that were being approved. There are certain aspects that contribute to this. Unlike other countries in the region, in Honduras, the national newspaper 'La Gaceta' is not always public. Some editions are almost turned into state secrets. The lack of transparency is obvious.

Also, the right of citizens to access public information in Honduras, for which a law and an institution, the Instituto de Acceso a la Información Pública (IAIP – Institute for access to public information) were created, has been drastically restricted with the approval of the Law on the Classification of Public Documents Relating to Security and National Defense (Honduran decree No 418-2013). Even before, there was a lot of criticism about the operation of the IAIP due to its lack of mechanisms and sanctions for institutions that failed to comply with the law, by rejecting or dragging their heels with access to information requests. Now, with the “secrecy law” as it is commonly known, the door to the possibility of achieving a real level of transparency in public administration has been slammed shut. Despite the fact that international standards relating to access to public information are quite the opposite of the reasoning applied in this law, it was approved without any restrictions. In enforcing the secrecy law, a group of officials and members of the National Council of Defense and Security decided to declare information about 18 state institutions as secret, and left the option open to add more in the future. The resolution for this decree was also declared secret.<sup>17</sup>

17 C-Libre 2016: Report on Freedom of Expression (ILE – 2015). The State of Freedom of Expression in 2015.

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### Exchange between CSOs to increase knowledge and skills

In one of the workshops, a participating organization introduced a campaign against the so-called secrecy law, stating that it restricted the right of citizens to access public information. This organization with its experience and knowledge about the subject has great potential to share with other organizations, as we have seen above, especially grassroots organizations working locally, which are limited in their management of information and ideas about specialized subjects, but which are affected and restricted in their rights with laws such as this one. It is clear that exchange is needed to take advantage of the good initiatives that some organizations take and therefore contribute to improving the overall knowledge and skills of the CSOs.

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#### 2.5 Freedom of expression

Most of the organizations surveyed said that they found it difficult, very difficult or even impossible to publish their opinions in the press. It is important to bear in mind that there are no local newspapers in Honduras. National papers do not usually consult many organizations and allow them to express their opinions. However, depending on the subject and the aptitude of the institution, a few of them have managed to get access to the printed media. On the other hand, when it comes to the possibility of expressing opinions on radio or television, results were mixed. A large number of respondents assured us that it was easy or very easy to give an interview. This should be interpreted from the standpoint that for a number of years now, there has been a huge amount of local media on air (radio and TV). They usually have several slots that they need to fill with news stories. Therefore, it is much easier for organizations to access them. As for organizations based in Tegucigalpa, several of those surveyed are experts on subjects that

are frequently on the public agenda, and so it is easy for them to give an interview on radio and/or television.

A large number of the CSOs surveyed said that they often worry or worry all the time when they publicly criticize the government on subjects relating to development or human rights. At the same time, the vast majority of respondents said that it was difficult, very difficult or impossible to make such criticisms. Leaders of organizations who dare to criticize government policies or practices then have the burden of worry hanging over them, especially the fear of reprisals against them.

“Nowadays, it is much more difficult to express outright opposition; if we make any criticism publicly, we feel we are much more exposed than before.”<sup>18</sup>

This suggests that the exercise of violence is used as a mechanism to restrict the exercise of free expression. The number of murdered journalists and social media workers has increased since the coup. Last year, ten people linked to the media were murdered, including media owners, journalists, operators and other employees. A member of one organization, a journalist by profession, who took part in this learning process, was the victim of a criminal attack relating to the publication of sensitive information in a corruption case. Because of this attack, he had to leave the country and leave his organizational and advisory responsibilities behind; this not only impaired his right to free expression, but also impaired and restricted his organization’s room for maneuver.

18 Response of one CSO in the survey.

19 C-Libre 2016: Report on Freedom of Expression (ILE – 2015). The State of Freedom of Expression in 2015.

Another of the mechanisms restricting the right to free expression is co-option exercised from a position of power. This is done through two mechanisms that the public knows about, but which few openly accept: advertising contracts and the payment of “backhanders”. The current government has taken on control of the media as a policy, giving it particular attention. Analysts accept that the executive controls not only conventional media, but also that it has now managed to co-opt media identified with the opposition.

The concentration of power is so intense that, in the opinion of participants in the process, there is even fear among public officials should they somehow communicate with a CSO and as a result are classed as very weak or worse still that they are considered to be linked to the CSO. In this way, not only is the freedom to express ideas and suggestions seriously limited, but it also undermines any possibility of discussion or effective dialog between civil society and the state.

## 2.6 Space for proposals

It has never been easy for independent and critical CSOs to make proposals to government authorities in any domain. Experiences such as developing the Poverty Reduction Strategy were judged negatively in the sense that governments used CSO participation to legitimize its decisions and sell a positive image, especially to the international community. However, there are some experiences of particular work at local level, where it is easier to set up links and implement practical action. Examples from healthcare are found in several places in the country, in subjects such as child nutrition and vaccinations. What is difficult is finding experience in issues that involve political decisions with a direct impact on the regions, on the rights of communities and on indigenous peoples.

This is where the contradictions occur, between a model that has given priority to the sale of land for national and foreign investment, and the rights of the indigenous people and populations fighting to preserve a healthy environment.<sup>20</sup>

Some civil organizations involved in areas of local development do not see any problem with the implementation of megaprojects in indigenous communities; indeed, they see it as an opportunity for development and a potential to carry out their role. The distance is evident between these approaches and the approach supported by human-rights-based organizations which place human beings at the center of what they do — in these cases, communities, indigenous people and their individual and collective rights.

One source of potential in the area of making proposals is through international coordination and cooperation. Throughout this joint learning process, several models stood out, involving cooperation with European organizations to improve room for maneuver for civil organizations in Honduras, in areas such as human rights and development. Coordination within the framework of dialog with the official cooperation of governments (bilateral), with the EU and others has significant potential to exert influence on public policies and the actions of governments in Honduras.

<sup>20</sup> The key features of the economic model pushed forward since the coup d'état are the prioritization of foreign investment in extractive, energy and tourism industries, with the setting up of Special Zones for Employment and Economic Development (ZEDE), the privatization of state companies and resources, especially services, and the reduction in social spending and the regressive tax model.

The ease of working with United Nations agencies mentioned by a good proportion of participating organizations is a potential to explore going forward; joint initiatives can be achieved with the possibility of creating space for civil society.

Although it is accepted that there are forums to make proposals and facilities for sharing information and coordinating with UN agencies or national and international CSOs, when it comes to establishing an open and purposeful dialog about development and human rights with government officials, the possibilities are much more restrictive. CSO leaders perceive the approval and use of legal frameworks for intelligence activities as a threat, which puts their work, organizations and lives at greater risk. They clearly identify where these threats come from and why, and they state that the situation has drastically changed from eight years ago, concluding that there are obvious restrictions in the political space where they carry out their work.

2.7 Discrimination and abuse

Among the positive trends in this section, we found that with regard to discrimination in specific areas, such as denying access to credit or housing, half of respondents said they had never encountered discrimination of this type. A few said that it happens to them all the time or frequently. When discussing discrimination, there are some points that we need to highlight:

In Honduras, groups are picked out for discrimination, groups deemed to “transgress” in some way from the established rules, whether these are legal, social or religious rules.

These groups include communities of differing sexual orientation, female human rights defenders, and independent judges and magistrates. All these are on the front line when it comes to this deplorable practice. Other target groups are political opponents, students and those who use the streets to protest against measures that restrict their rights. Stigma is widely used in conjunction with discrimination.

On the subject of protection, there is consensus among organizations with members granted precautionary measures by the Inter-American Court of Human Rights that these measures are not being implemented and are not effective due to a lack of interest from the government and the corresponding authorities. Some also highlight not only the lack of willingness to comply, but rather the lack of interest. The National Commission on Human Rights in Honduras (Comisionado Nacional de Derechos Humanos de Honduras – CONADEH), should guarantee the human rights of the entire population. However, it has not even spoken out on the lack of protection faced by individuals with precautionary measures for legitimately exercising their social role. Furthermore, there is consensus among men and women granted precautionary measures, that, after the coup d'état, it is very difficult to accept state protection when those who are going to provide it are the same ones who are threatening them (the police).

Firstly, the point they make is “those who pursue us, intimidate us, watch over us and threaten us are the ones who are now going to be taking care of us...”

Secondly, in addition to this, the “protected” have to foot the bill for the food and fuel expenses incurred by their “protectors.” Thirdly, they feel they completely lose their privacy and actually feel they are at higher risk with these “protectors” as they know where they go every day, their schedules, routes, etc.

This loss of confidence in the police and military forces not only stems from the history of repression and death since the 1980s, but also from the proven involvement of members of said forces in some of the country’s most symbolic crimes.

On the positive side, with the recent approval of the Law for the Protection of Human Rights Defenders, Journalists, Social Communicators and Operators of Justice), the approval of its regulations, the establishment of the Council of Protection, and the budget allocation given to the Council, it is hoped that viable protection mechanisms can be implemented. They are urgently needed, so that those whose lives are already at high risk because of the work they do, are not left feeling defenseless.

#### 2.8 Restrictions on access to funding

Many CSOs agree that there has been a tendency in international cooperation in the last few years where several agencies providing solidarity partnerships have withdrawn from the country. Added to this, there

has been a reduction in the amounts given to support projects and a sort of “hardening” of the conditions for their approval. Although some organizations know what the Busan Agenda means, the majority do not. However, they are aware of its effects. Human rights organizations and organizations that suffer from state repression interpret their situation and link it to the restrictions on access to funding. They conclude that it is a contradictory situation that affects their ability to respond on behalf of those they are working for.

21 A participant in the learning process during an interview.

“International cooperation has cut its support and some organizations have closed their offices, leaving the people increasingly defenseless. It looks like they’re aiming at strengthening a corrupt and dictatorial government that violates human rights.”<sup>21</sup>

Many years ago in Honduras and specifically in the field of CSOs and aid agencies, talk turned to the need to look for sustainability. Pushed by aid agencies in every project, especially in evaluations, this has been an area of particular emphasis, and some have even set aside funds for consultancy to help CSOs to find alternatives to the very real prospect of the withdrawal of aid from Honduras. This started when the country, or at least the economic indicators, showed that it had passed the threshold and was now a middle-income country. Another factor is the rise to power of conservative parties in

European countries, which cut their aid budgets, added to the global economic crisis that is affecting Europe and its aid organizations. This was discussed in one of the workshops and is a clear example of joint learning between Honduran and European organizations.

Very few CSOs have been serious enough in searching for sustainable alternatives; which allow them not to abandon their work for other activities, which, although they guarantee income, mean they have less time available to continue their efforts for development and human rights. Perhaps these organizations had significant institutional support and channeled their efforts, which helped them to strengthen in certain areas and left them in a very good position to generate income without leaving their institutional objectives aside. What is certain is that lessons must be learned from these few experiences and viable strategies should be drawn up for the great majority of organizations that are in real danger of disappearing. This topic was discussed in the workshop and the point was raised that Honduran CSOs need to be more proactive, instead of reactive, in this issue.

22 Open Forum on CSO Development Effectiveness 2010: Advocacy Toolkit: Guidance on How to Advocate for a More Enabling Environment for Civil Society in your Context.

In this section, we present the conclusions of our findings from the joint learning process, consistent with all the information collected in the process. They are grouped according to the five minimum standards of the Open Forum on CSO Development Effectiveness:

a) Fulfilling human rights obligations, b) Recognizing CSOs as actors in their own right, c) Fostering inclusive political dialog, d) Accountability and transparency, e) Creating adequate funding.<sup>22</sup>

## 3.1 Fulfilling human rights obligations

- The state and influential groups have implemented **an extensive system for controlling society, through surveillance, monitoring, phone-tapping, Internet control, military controls and tax reform, to name a few**. New police-military hybrid groups play a key role in all this, but so too do irregular forces that cross over into them.
- **Stigmatization is something that has spread widely** through the mass media and is used especially against minorities, such as the LGBTI community, indigenous or rural people, women, environmental activists and human rights defenders. Stigmatization legitimizes violence against these groups.
- **Freedom of expression in Honduras is in a precarious situation**. Although some mechanisms restricting freedom of expression are subtle and barely discernible, others are much more obvious. The murder of journalists is a reality; it acts as a veiled threat against those choosing to exercise this right against the corporate interests of influential groups, including high-ranking government officials.
- For the most part, the media is controlled by influential groups and it responds to their interests and those of the government. **In the last few years, community radios have become a viable alternative to counteract the messages from the corridors of power**, as a channel for information, raising

awareness and mobilization in defense of the rights of the people. However, the challenges and opposition they face are enormous.

- Today, the people of Honduras and the CSOs face **defenselessness and a total lack of protection** because the body supposed to be guaranteeing human rights (CONADEH) has been co-opted and subordinated to the interests of whichever government is in power. Against this background, protection is left as an individual responsibility.
- Given that CONADEH is not up to its role in guaranteeing human rights nationally, **external mechanisms and international solidarity constitute a valid strategy**. They provide hope for victims in their search for justice, truth, reparation and non-repetition. Civil organizations in Honduras have made **effective use of international mechanisms to access justice and the protection of rights** (UN, IACHR). However, as has been seen with several rulings against the state, governments are not always willing to comply with them.
- **The guidelines for the protection of human rights defenders** (EU, Switzerland) represent an instrument for use by embassies and the international community in the country to improve the security of CSOs. **International support and accompaniment** of human rights defenders has proved to be an effective, though still very limited, measure. In general, it can be said that reality on the ground in Honduras has shown that current protection measures are not effective enough. Therefore, there is an urgent need to find protection measures that go beyond current approaches.

23 In 2017, based on a decision taken in an assembly, the UPR Platform was incorporated into the Coalition Against Impunity, a broader forum which has taken over the Platform's work.

### 3.2 Recognizing CSOs as actors in their own right

- Because of the difficult funding situation and other pressures, **many organizations are reactive instead of proactive**. They adapt to the cooperation agenda instead of putting ideas forward themselves and do not have clear strategies about their potential within the cooperation framework.
- **There is little or limited dialog between organizations from different sectors and/or political standpoints**. They all want to impose an agenda and approaches from their own standpoint. This affects CSOs as stakeholders in their own right. It limits the potential for alliances and synergies that could help to overcome the lack of information, skills and resources. This in turn limits the ability to take part in and effectively influence decision-making nationally and internationally.
- There is a feeling of **disconnectedness and mistrust between CSOs, but at the same time, there is broad consensus about unity as an essential prerequisite** for building a collaborative path toward a real rule of law and inclusive democracy in the country. **There are some positive initiatives in this regard**: The UPR Platform<sup>23</sup>, which consists of more than 60 CSOs, succeeded in taking part in the Universal Periodic Review on Honduras at the UN Human Rights Council with a shared agenda that was drafted and agreed through a collective process. There is also the movement called Articulación Popular Hondureña “Berta Cáceres Vive”, which is fighting for an impartial investigation of her murder and for the rights of indigenous people with regard to development projects on their land.
- Despite all the conditions against them and the diminishing room for maneuver for civil society, **people still have the courage to keep fighting** and change all that is wrong in the country. This potential can be harnessed.

### 3.3 Fostering inclusive political dialog

- **The socio-political situation in Honduras after the military and business coup d'état of June 2009 seriously affected the faltering democratic process** which Honduras had been building since the early 1980s. It also involved a social, economic and political cost from which the country has not yet recovered. Processes for combating poverty came to a standstill and were abandoned, while the accumulation of wealth and inequality increased as never before.
- The government prioritized the implementation of **an economic model based on encouraging foreign investment and set up an internal constitution in line with this model (legal, institutional and political)**. It also laid the foundations to create wealth at one extreme, but created exclusion and made the lives of most of the population extremely precarious at the other, as the model requires land with an abundance of raw materials (farmland, water, minerals, beaches, forests and biodiversity). The law on the Special Zones of Employment and Economic Development (ZEDE) encapsulates these objectives.
- Implementing this model comes into direct conflict with some communities who are fighting for their right to make decisions about their lands and the use of common natural assets. They want to ensure that future generations can enjoy a healthy environment and one that provides sustenance for life. **From this conflict perspective, communities, organizations and human rights defenders who oppose this neoliberal economic model are among the most threatened and persecuted**. In fact, their physical integrity and even their lives are in serious danger. The murder of Berta Cáceres shows just how far this conflict has gone.
- There is an obvious **lack of dialog** built on solid foundations between civil society and government and business stakeholders at the highest level. The need to address these issues makes this point a priority.

- It is not possible to make proposals, especially relating to sensitive topics (land, anti-corruption, etc.), which also creates a division between civil society organizations. There is a “deaf ears” policy in place because they listen, but then do not do anything (particularly in the field of human rights on the international stage).

#### 3.4 Accountability and transparency

- To ensure the success of the economic, social and political model, a body of laws was passed which includes economic aspects (fiscal benefits, investment protection, trusts, deregulation), institutional reforms (the creation of promotion agencies such as Coalianza, adapting the security forces) and updating the country’s infrastructure (logistics agents, changing the energy matrix, modernizing the customs system).
- This huge amount of laws was passed in record time. Participating organizations expressed difficulty in monitoring their passage through the National Congress so that they could keep up to date with all the laws that were being approved. There are certain aspects that contribute to this. Unlike other countries in the region, in Honduras, the national newspaper ‘La Gaceta’ is not always public. Some editions are almost turned into state secrets. There is an obvious lack of transparency in the approval, reform and repeal of decrees and/or laws.
- The right to access public information in Honduras was seriously violated with the approval of the so-called secrecy law, which gives public officials complete discretion to restrict access to public information.
- However, on the plus side when it comes to access to public information and the body of laws, we should highlight the work of C-Libre on the secrecy law and work of CODEMUH (Colectiva de Mujeres Hondureñas – Honduran women’s collective) on the domestic

violence law. The experience and specific knowledge of these organizations aroused the interest of other organizations in one of the workshops. It is fair to say that exchange is needed to make the most of synergies and the excellent initiatives that some organizations take.

#### 3.5 Creating adequate funding

- There is a constant worry among CSOs about the withdrawal of organizations from the international cooperation, and about restricted access to funding and its increasingly complex requirements. Added to this is the mistrust about the destination and use of aid by the government. There is an urgent need for new forms of international cooperation and more transparency regarding financial flows, the requirements for project funding, and on how long they stay in the country, helping CSOs as much as possible to implement realistic measures in their search for alternate sources, which will ensure a degree of operability.
- These initiatives need flexible budgets, which can be adapted to a changing environment, as was done with this learning process.

24 Also see: Berghof Foundation 2016: Organizations under Pressure but Powering on – the Psychosocial Approach within Integrated Management of Threat; and Peace Brigades International 2017: Integral Protection Manual.

The following recommendations emerge from the findings and conclusions of the learning process:

### 4.1 For international donors

- Aid agencies should provide support to **create viable options for sustainable funding** which are as realistic as possible and are based on processes that do not detract from the CSOs' founding organizational objectives.
- Agencies can help to **establish coordination mechanisms to protect communities, organizations and defenders**, supporting initiatives for political and operational interaction. This could be implemented in high-risk areas as a pilot scheme, helping to reduce the risk while improving the skills of the CSOs.
- **Strengthen participation of CSO members in the National Council of Protection**, which will allow them to continually monitor the situation and put forward proposals. Through these proposals, the aim is to set up effective protection mechanisms.
- Support all necessary efforts to ensure the safety of communities, organizations and human rights defenders, especially those that are at greatest risk because of their work to protect the land and common natural assets. Agencies should **prioritize extending and coordinating protection funds, review and improve warning and emergency mechanisms, improve risk analysis capabilities, and extend international support and accompaniment initiatives, combining such support with actions relating to, for example, strategic impact and information both nationally and internationally**. In all this, there has to be a special focus on **protecting change processes, taking into account the collective nature of these processes, as well as the psychosocial dimension of human security**.<sup>24</sup>

- **Provide the space and resources for exchanges, joint analysis, dialog, interaction and the creation of alliances**, which go far beyond the technical implementation of programs and projects.
- **Provide support for documentation, systematization and circulation of good practices and positive initiatives**. Emphasis should be placed on analyzing successful experiences of CSOs, which, in adverse conditions, have managed to expand their space and room for maneuver, and achieve success with specific actions. Such exercises should be shared so that adjustments can be made to the strategies of other organizations, including joint learning between Honduran and European organizations.

### 4.2 For the government of Honduras

- **Real dialog should be encouraged on the subjects that are currently distancing civil society from the government**. In principle, no sector should be excluded from this dialog, regardless of how critical it is. To do this, a discussion group should be set up comprising stakeholders accepted by the parties, which will set out the group's foundations and procedures. The dialog that took place at Honduras' National University last year is a perfect example.
- The various protection mechanisms should be strengthened and coordinated. It is particularly important to find **flexible and viable mechanisms so that precautionary measures issued by the Inter-American Court are effective and provide the necessary protection to their recipients**. Only through dialog with human rights organizations can such methods be found as they need to be effective and acceptable to those individuals under threat.
- **Laws and mechanisms that breach rights**, such as the rights to free expression and access to public information, should be reviewed. This is an attack on transparency and democracy. It is especially important to bring them into line with international standards.

- [A genuine judicial system should be established](#) which ensures clear, transparent and appropriate mechanisms for admission, promotion, training, the implementation of disciplinary mechanisms, the protection of judges and magistrates and, fundamentally, the transparent election of magistrates to the Supreme Court of Justice.
- All necessary legal, institutional and social measures should be taken to [remove stigmatization from public discourse and institutional practices](#), especially in state institutions, and particularly in the security forces and those defending the most vulnerable groups, such as the LGBTBI community, indigenous and rural people and women.
- [Public debate on subjects relating to human rights should be strengthened](#) using traditional and alternative (community) means of communication. To do this, national campaigns should be developed and promoted using community and state media.
- [Internationally accepted recommendations and measures should be implemented](#), such as those from the UPR, IACHR and the Inter-American Court of Human Rights. It is particularly important that the government fully complies with the rulings of the Inter-American Court of Human Rights.

#### 4.3 For social, popular and civil society organizations

- Strengthen the ability of CSOs to identify, analyze and respond to an environment of threat and risk. In this respect, training should be extended and progress should be made in creating models and measures that ensure that CSOs can continue to carry out the important work they do. Of particular importance is the [development of agile mechanisms for risk analysis, warnings, support and protection](#), which may pre-empt potential attacks on key social leaders in their organizations.

- The various organized social sectors should [seriously consider a coordination process](#) so that they can address the great challenges found in all areas of the CSOs' work with better chances of success. [Experience from the UPR Platform under the Coalition Against Impunity and from the Berta Cáceres movement should be studied and circulated](#) so that organizations are aware of key points and best practices that might be implemented in other arenas and regions.
- [Community radio stations should be strengthened, developing their skills and supporting coordination of their networks](#). This will increase their power, coverage and ability to inform, raise awareness and rally the people on different topics of interest to the CSOs in the areas where they work.
- [A system should be set up for good practices](#) identified through successful experiences in the search for alternatives to the withdrawal of aid; however, this should not detract from the founding objectives of the CSOs.
- [Broaden the scope for coordination](#) so that organizations with greater capacity can share their experiences and knowledge with grassroots organizations. There are plenty of examples around of this innovative practice.

## About the authors

### Guido Eguigure Borjas

Peace Watch Switzerland representative in Honduras and Human Rights Program Officer at the HEKS/EPER office in Honduras. Graduate in Sociology from the Central American University in Managua, Nicaragua. For the last six years, he has been an independent consultant for different non-governmental organizations and an educator with organized groups of disabled people, women, relatives of missing migrants, and returning migrants with disabilities. He works with the Association of Judges for Democracy and Radio Progreso.

### Anna Leissing

Works for the Swiss Platform for Peacebuilding (KOFF), part of swisspeace. Graduate in Social Anthropology (MA) from the University of Bern, Switzerland and has a Certificate in Advanced Studies (CAS) in Civilian Peacebuilding from the University of Basel, Switzerland. Throughout her professional career, she has worked with several non-governmental organizations in the field of international cooperation, focusing on issues relating to human rights and indigenous peoples, conflicts involving businesses and the extractive industry, and the role of art in fragile, conflict and/or violent contexts.

## About the publishing organizations

**HEKS/EPER** – Swiss Protestant Church Aid – is a Swiss non-governmental organization that works in 32 countries in Africa, Asia, Latin America and Europe, supporting development and humanitarian aid projects to combat poverty and injustice. Since the 1980s, HEKS/EPER has been working in Honduras in the areas of development of rural communities, human rights, and peace and conflict transformation, with special focus on rights, gender and peace. As a result of this study at hand, HEKS/EPER has extended its work in Honduras on protection of human rights, security for human rights defenders and coordination between stakeholders that work in these fields, through the implementation of a human rights umbrella project involving multiple partner organizations.

**Peace Watch Switzerland** (PWS) is a Swiss non-governmental organization and association with headquarters in Switzerland. It was founded in 2001. PWS sends volunteers on international human rights observation missions to projects in Guatemala, Colombia and Palestine/Israel. In Honduras, it took part in the Honduras Accompaniment Project (PROAH) from 2012 to 2015. In 2017, PWS put forward the Project for International Accompaniment in Honduras (ACO-H – Proyecto de Acompañamiento Internacional) and obtained legal status in Honduras.

**swisspeace** is a practice-oriented peace research institute. This institute analyzes the causes of violent conflict and develops strategies for peaceful transformation. swisspeace's mission is to contribute to the improvement of conflict prevention and conflict transformation by delivering innovative investigations, shaping dialog on international peace policies, developing and implementing new tools and methodologies for peacebuilding, supporting and advising other peace players, and providing and facilitating a place for analysis, discussion, critical reflection and learning.

swisspeace is associated with the University of Basel and is a member of the Swiss Academy of Humanities and Social Sciences. Its most important members and clients include the Swiss Federal Department of Foreign Affairs, the State Secretariat for Education, Research and Innovation, international organizations, discussion groups and NGOs.

**KOFF** is a platform for exchange and dialog, founded in 2001, and facilitated by swisspeace. Its members are stakeholders from the government and civil society in Switzerland in the field of peacebuilding. KOFF's mission is to help strengthen peacebuilding, increasing its visibility and demonstrating its relevance.