

Contested Elections in Honduras

name redacted

Specialist in Latin American Affairs

December 6, 2017

Honduras is on the cusp of a major political crisis in the aftermath of disputed elections held on November 26, 2017. On election night, with 57% of the vote counted, Salvador Nasralla, a television personality and sports commentator backed by the left-leaning Opposition Alliance Against the Dictatorship, held a five-point lead over President Juan Orlando Hernández of the conservative National Party (PN). Hernández edged ahead of Nasralla several days later, after the country's Supreme Electoral Tribunal (TSE) belatedly processed the outstanding votes, which reportedly included the PN's rural strongholds. The TSE's lack of transparency and the statistically improbable shift in the vote have convinced the Opposition Alliance that the election was stolen. The results of legislative and municipal elections also are being contested. An Organization of American States (OAS) electoral observation mission has asserted that it is unable to verify the results due to the tight vote margin "and the irregularities, errors, and systemic problems" that surrounded the elections.

Nasralla has demanded a full vote-by-vote recount. The third-place candidate, Luis Zelaya of the center-right Liberal Party (PL), also has called for a recount, as have domestic and international election observers. The PN has asserted that it is open to a recount, but the parties have yet to reach an agreement with one another and the TSE regarding the process.

In the meantime, Hondurans have carried out a series of mass protests against the alleged election fraud, with some individuals engaging in vandalism and looting. Hernández has responded by imposing a 10-day curfew and empowering the military to arrest and detain those who disobey the order to stay off the streets. At least 11 Hondurans have died in postelection violence, many of whom reportedly were killed by security forces. Some sectors of the Honduran police rebelled against Hernández's order, refusing to leave their barracks to enforce the curfew, but they appeared to back down a day later after reaching an agreement with the government.

Political Context

The election has reexposed deep divisions in Honduran society that emerged in 2009, when President

Congressional Research Service

7-....

www.crs.gov

IN10831

Manuel Zelaya (2006-2009) was forcibly removed from office. Hernández, like most of the Honduran political class, backed the coup, ostensibly out of concern that Zelaya's push for constitutional reform could allow him to consolidate his hold on power. Upon his return from exile, Zelaya joined with fellow PL dissidents to establish the left-leaning Liberty and Re-foundation (LIBRE) party, which is the principal force behind Nasralla's Opposition Alliance.

Hernández was elected in 2013 with 37% of the vote, and he remains a polarizing figure in Honduras. Over the past four years, he has enacted a series of business-friendly economic reforms and hard-line security measures, which many Hondurans credit for a significant reduction in homicides. Others question Hernández's legitimacy as a result of allegations that his 2013 campaign was financed, in part, with bribes from drug traffickers and funds embezzled from the national health care and pension programs.

Critics contend that Hernández and his party have weakened the country's fragile democratic institutions by eroding checks and balances. In 2012, the PN-controlled Congress, led by Hernández, appeared to overstep its constitutional authority by replacing four Supreme Court justices who had struck down a pair of high-profile government initiatives. In 2014, the same Congress appointed a new slate of magistrates to the TSE on the last day of the legislative session. The appointments were made in an irregular manner since the incoming Congress, in which the PN lacked a majority, was scheduled to name the electoral body's leadership later in the year. In 2015, the Supreme Court struck down the constitution's explicit ban on presidential reelection, allowing Hernández to seek a second term. The members of the court who issued the ruling were the same justices who had been installed by Hernández in 2012.

Polls conducted in the year before the election indicated that most Hondurans lacked confidence in the electoral process. The perceived legitimacy of the elections may have deteriorated further in the lead-up to the vote as opposition parties warned of potential fraud and the press published alleged plans by the PN to manipulate the outcome.

Implications for the United States

U.S. policymakers have devoted considerable attention to Honduras and its Central American neighbors in recent years as the region has become a major transit corridor for illicit drugs and a significant source of irregular migration to the United States. U.S. assistance to Honduras has more than doubled since the 2014 launch of the U.S. Strategy for Engagement in Central America, which aims to promote prosperity, security, and good governance in the region. Although some analysts argue that Hernández has been a strong ally in these efforts, others have expressed concerns about the centralization of power and human rights abuses that have occurred during his administration.

The contested elections and ensuing political crisis could hinder U.S. objectives in Honduras by exacerbating the poor economic and security conditions that drive irregular migration. In the aftermath of the 2009 coup, Honduras experienced steep declines in tourism and investment. It also experienced significant increases in crime and violence as Honduran security forces shifted their focus from combatting transnational organized crime to repressing domestic dissent. A similar situation could lead to a reassessment of U.S. support for the Honduran government. Some Members of Congress already have called for an immediate suspension of U.S. security assistance, which exceeded \$49 million in FY2016.

Nevertheless, the official U.S. response to the elections has been fairly muted. The State Department and U.S. Embassy have urged the TSE to quickly and transparently process the results and have called on the candidates and the Honduran people to remain calm and respect the outcome. On November 28, the State Department certified that Honduras had met the conditions necessary to release 50% of the aid appropriated for the central government in FY2017. The certification states that the Honduran government is "taking effective steps" to "protect the right of political opposition parties, journalists, trade unionists, human rights defenders, and other civil society activists to operate without interference," among other actions.

EveryCRSReport.com

The Congressional Research Service (CRS) is a federal legislative branch agency, housed inside the Library of Congress, charged with providing the United States Congress non-partisan advice on issues that may come before Congress.

EveryCRSReport.com republishes CRS reports that are available to all Congressional staff. The reports are not classified, and Members of Congress routinely make individual reports available to the public.

Prior to our republication, we redacted names, phone numbers and email addresses of analysts who produced the reports. We also added this page to the report. We have not intentionally made any other changes to any report published on EveryCRSReport.com.

CRS reports, as a work of the United States government, are not subject to copyright protection in the United States. Any CRS report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS report may include copyrighted images or material from a third party, you may need to obtain permission of the copyright holder if you wish to copy or otherwise use copyrighted material.

Information in a CRS report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to members of Congress in connection with CRS' institutional role.

EveryCRSReport.com is not a government website and is not affiliated with CRS. We do not claim copyright on any CRS report we have republished.