

Country/entity	Honduras
Region	Americas
Agreement name	Dialogo Guaymuras Acuerdo Tegucigalpa/San Jose Para La Reconciliacion Nacional Y El Fortalecimiento de la democracia en Honduras
Date	30 Oct 2009
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Honduras coup d'état (2009)

In 2009, the president of Honduras, Jose Manuel Zelaya, planned a referendum on the subject of creating a constituent assembly to decide on constitutional reforms. His plan found broad support among the civil society, trade unions and peasants, hoping for a more participatory democracy. But on 28 June 2009, the Honduran Supreme Court ordered to send the president to exile and sent the Honduran Army, capturing Zelaya the same day. Instead of facing a trial, he was flown to Costa Rica, while the Honduran Congress voted to remove him from office.

On the international level, this coup d'état was criticized, also by the United Nations, the European Union and the Organization of American States, who later voted to suspend Honduras from the organization. The Honduras Truth and Reconciliation Commission stated in 2011 that the removal of president Zelaya had been unconstitutional, also was the interim government which followed the coup.

Close

Honduras coup d'état (2009)

Stage	Framework/substantive - partial
Conflict nature	Government
Peace process	Honduran constitutional crisis process
Parties	Signed: Armando Aguilar Cruz Vilma Cecilia Morales Montalvan Arturo Gerardo Corrales Alvarez Victor Orlando Meza Lopez Mayra Janeth Mejia del Cid Rodil Rivera Rodil

Third parties	<p>Not signed, but confirmed from secondary sources:</p> <p>OAS</p> <p>Oscar Arias, mediator</p> <p>Page 4:</p> <p>We take this opportunity to thank the International Community, especially the Organization of American States and its Secretary General, Jose Miguel Insulza; the Missions of Chancellors of the Hemisphere; the President of Costa Rica, Oscar Arias Sanchez; the Government of the United States, its President Barack Obama, and its Secretary of State, Hillary Clinton.</p>
Description	<p>The Micheletti and Zedaya representatives agree on a way forward after electoral crisis, agreeing to not have a constituent assembly, to have international election monitors present, revert executive to its state prior to June 28, to have an OAS-led verification and committees.</p>
Agreement document	<p>HN_091030_Dialogo Guaymuras - Acuerdo Tegucigalpa-San Jose_EN.pdf (opens in new tab) Download PDF</p>
Agreement document (original language)	<p>HN_091030_Dialogo Guaymuras - Acuerdo Tegucigalpa-San Jose_ES.pdf (opens in new tab)</p>

Groups

Children/youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender	No specific mention.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

State definition

Nature of state (general)	No specific mention.
State configuration	No specific mention.

Self determination	No specific mention.
Referendum	No specific mention.
State symbols	No specific mention.
Independence/ secession	No specific mention.
Accession/ unification	No specific mention.
Border delimitation	No specific mention.
Cross-border provision	No specific mention.

Governance

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→General references
Page 2-3:

5. ON THE EXECUTIVE POWER

In order to achieve reconciliation and strengthen democracy, in the spirit of the San Jose Agreement, both negotiating committees have decided, respectfully, that the National Congress, as an institutional expression of popular sovereignty, in use of its faculties and in accordance with the law, must deal with issues appropriately with the view to "bringing back ownership of the Executive Power to its state prior to June 28 until the conclusion of the current governmental period, on 27 January 2010. "

The decision adopted by the National Congress should lay the foundations for achieving social peace, political tranquillity, and democratic governance that the society and country needs.

Elections

Page 2:

3. ON THE GENERAL ELECTIONS AND THE HANDOVER OF POWER

To achieve reconciliation and strengthen democracy, we reiterate that, in accordance with articles 44 and 51 of the Constitution of the Republic of Honduras, the vote is universal, obligatory, equal, direct, free and secret, and it is the duty of the Supreme Electoral Tribunal, with full autonomy and independence, to supervise and execute everything related to the electoral process.

Likewise, we call on the Honduran people to participate in the next general elections and avoid all kinds of demonstrations that oppose the elections or their results, or promote insurrection, unlawful conduct, civil disobedience or other acts that could produce violent confrontations or transgressions of the law.

In order to demonstrate the transparency and legitimacy of the electoral process, we urge the Supreme Electoral Tribunal to authorize and accredit the presence of any international influences from now until the declaration of the result of the general elections, as well as during the handover of power that will take place on 27 January 2010, in line with Article 237 of the Constitution of the Republic of Honduras.

Page 2:

4. ON THE ARMED FORCES AND THE NATIONAL POLICE

In order to achieve reconciliation and strengthen democracy, we reaffirm our willingness to comply with all aspects of article 272 of the Constitution of the Republic of Honduras, pursuant to which the Armed Forces are available to the Supreme Electoral Tribunal from one month before the general elections, in order to guarantee the right to vote safely, as well as provide custody, transportation and surveillance of electoral materials and other security aspects. We reaffirm the professional, apolitical, obedient and non-deliberative nature of the Honduran Armed Forces. Likewise, we agree that the National Police must strictly adhere to what is prescribed by its special legislation.

**Electoral
commission**

Page 2:

3. ON THE GENERAL ELECTIONS AND THE HANDOVER OF POWER

To achieve reconciliation and strengthen democracy, we reiterate that, in accordance with articles 44 and 51 of the Constitution of the Republic of Honduras, the vote is universal, obligatory, equal, direct, free and secret, and it is the duty of the Supreme Electoral Tribunal, with full autonomy and independence, to supervise and execute everything related to the electoral process.

Page 2:

4. ON THE ARMED FORCES AND THE NATIONAL POLICE

In order to achieve reconciliation and strengthen democracy, we reaffirm our willingness to comply with all aspects of article 272 of the Constitution of the Republic of Honduras, pursuant to which the Armed Forces are available to the Supreme Electoral Tribunal from one month before the general elections, in order to guarantee the right to vote safely, as well as provide custody, transportation and surveillance of electoral materials and other security aspects. We reaffirm the professional, apolitical, obedient and non-deliberative nature of the Honduran Armed Forces. Likewise, we agree that the National Police must strictly adhere to what is prescribed by its special legislation.

**Political parties
reform**

No specific mention.

Civil society

No specific mention.

**Traditional/
religious leaders**

No specific mention.

**Public
administration**

No specific mention.

Constitution

No specific mention.

Power sharing

Political power sharing

Power sharing→Political power sharing→Executive coalition
State level

Page 1:

1. ON THE GOVERNMENT OF NATIONAL UNITY AND RECONCILIATION

To achieve reconciliation and strengthen democracy, we will form a Government of National Unity and Reconciliation composed of representatives of the various political parties and social organizations, recognized for their ability, honour, suitability and willingness to dialogue, and who will occupy the different Secretary and Undersecretary positions as well as other State dependencies, in accordance with Article 246 et seq. of the Constitution of the Republic of Honduras.

In view of the fact that prior to June 28, the Executive Power had not forwarded the General Budget Project of Income and Expenses to the National Congress for consideration, in accordance with the provisions of Article 205, paragraph 32, of the Constitution of the Republic of Honduras, this Government of National Unity and Reconciliation will respect and function on the basis of the General Budget recently approved by the National Congress for the fiscal year 2009.

Territorial power sharing

No specific mention.

Economic power sharing

No specific mention.

Military power sharing

No specific mention.

Human rights and equality

Human rights/RoL general

No specific mention.

Bill of rights/similar

No specific mention.

Treaty incorporation

No specific mention.

Civil and political rights

Human rights and equality→Civil and political rights→Vote and take part
Page 2:
3. ON THE GENERAL ELECTIONS AND THE HANDOVER OF POWER

To achieve reconciliation and strengthen democracy, we reiterate that, in accordance with articles 44 and 51 of the Constitution of the Republic of Honduras, the vote is universal, obligatory, equal, direct, free and secret, and it is the duty of the Supreme Electoral Tribunal, with full autonomy and independence, to supervise and execute everything related to the electoral process.

Likewise, we call on the Honduran people to participate in the next general elections and avoid all kinds of demonstrations that oppose the elections or their results, or promote insurrection, unlawful conduct, civil disobedience or other acts that could produce violent confrontations or transgressions of the law.

Socio-economic rights

No specific mention.

Rights related issues

Citizenship

No specific mention.

Democracy

Page 1:
PREAMBLE

We, Honduran citizens, men and women, convinced of the need to strengthen the rule of law, under the protection of our Constitution and the laws of our Republic, of the need to strengthen our democracy and ensure a climate of peace and tranquillity for our people, have gone through an intense and honest process of political dialogue to seek a peaceful solution to the crisis which has afflicted our country in recent months.

As a result of this dialogue, dominated by the sanity, tolerance and patriotic spirit of all its participants, we have drafted a Political Agreement that will allow us to re-establish citizen coexistence and ensure an appropriate climate for democratic governability in our country. This Agreement, we are sure, will mark the path towards peace, reconciliation and democracy, all of which are urgently needed in Honduran society.

The result of this Agreement demonstrates, once again, that Honduran men and women are capable of having successful dialogue, and through it achieve the difficult goals that the country and society demand of us.

Detention procedures

No specific mention.

Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law	No specific mention.
State of emergency provisions	No specific mention.
Judiciary and courts	No specific mention.
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction	No specific mention.
National economic plan	No specific mention.
Natural resources	No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

**Security
Guarantees** No specific mention.

Ceasefire No specific mention.

Police Page 2:
4. ON THE ARMED FORCES AND THE NATIONAL POLICE

In order to achieve reconciliation and strengthen democracy, we reaffirm our willingness to comply with all aspects of article 272 of the Constitution of the Republic of Honduras, pursuant to which the Armed Forces are available to the Supreme Electoral Tribunal from one month before the general elections, in order to guarantee the right to vote safely, as well as provide custody, transportation and surveillance of electoral materials and other security aspects. We reaffirm the professional, apolitical, obedient and non-deliberative nature of the Honduran Armed Forces. Likewise, we agree that the National Police must strictly adhere to what is prescribed by its special legislation.

Armed forces

Page 2:

4. ON THE ARMED FORCES AND THE NATIONAL POLICE

In order to achieve reconciliation and strengthen democracy, we reaffirm our willingness to comply with all aspects of article 272 of the Constitution of the Republic of Honduras, pursuant to which the Armed Forces are available to the Supreme Electoral Tribunal from one month before the general elections, in order to guarantee the right to vote safely, as well as provide custody, transportation and surveillance of electoral materials and other security aspects. We reaffirm the professional, apolitical, obedient and non-deliberative nature of the Honduran Armed Forces. Likewise, we agree that the National Police must strictly adhere to what is prescribed by its special legislation.

DDR

No specific mention.

Intelligence services

No specific mention.

Parastatal/rebel and opposition group forces

No specific mention.

Withdrawal of foreign forces

No specific mention.

Corruption

No specific mention.

Crime/organised crime

No specific mention.

Drugs

No specific mention.

Terrorism

No specific mention.

Transitional justice**Transitional justice general** No specific mention.**Amnesty/pardon** No specific mention.**Courts** No specific mention.

Mechanism

Page 3:

6. ON THE TRUTH AND VERIFICATION COMMITTEES

To achieve reconciliation and strengthen democracy, we endorse the creation of a Verification Committee, for all of the commitments made in this Agreement, and those derived from it, coordinated by the Organization of American States (OAS). Said Committee will be composed of two members of the international community and two members of the national community (one chosen by each party).

The Verification Committee will be in charge of certifying the strict compliance to all points of this Agreement, and will receive the full cooperation of Honduran public institutions.

Failure to comply with any of the commitments contained in this Agreement, as verified and declared by the Verification Committee, will result in measures that the Committee will decide upon for the offender or offenders.

In order to clarify the events that occurred before and after 28 June 2009, a Truth Committee will also be created to identify the acts that led to the current situation, and to provide the people of Honduras with the facts to help prevent these events from happening again in future.

This Dialogue Committee recommends that the next Government, within the framework of a national consensus, establish this Truth Committee during the first semester of 2010.

Prisoner release

No specific mention.

Vetting

No specific mention.

Victims

No specific mention.

Missing persons

No specific mention.

Reparations No specific mention.

Reconciliation Page 1:
1. ON THE GOVERNMENT OF NATIONAL UNITY AND RECONCILIATION

To achieve reconciliation and strengthen democracy, we will form a Government of National Unity and Reconciliation composed of representatives of the various political parties and social organizations, recognized for their ability, honour, suitability and willingness to dialogue, and who will occupy the different Secretary and Undersecretary positions as well as other State dependencies, in accordance with Article 246 et seq. of the Constitution of the Republic of Honduras.

In view of the fact that prior to June 28, the Executive Power had not forwarded the General Budget Project of Income and Expenses to the National Congress for consideration, in accordance with the provisions of Article 205, paragraph 32, of the Constitution of the Republic of Honduras, this Government of National Unity and Reconciliation will respect and function on the basis of the General Budget recently approved by the National Congress for the fiscal year 2009.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

**Enforcement
mechanism**

Page 3:

6. ON THE TRUTH AND VERIFICATION COMMITTEES

To achieve reconciliation and strengthen democracy, we endorse the creation of a Verification Committee, for all of the commitments made in this Agreement, and those derived from it, coordinated by the Organization of American States (OAS). Said Committee will be composed of two members of the international community and two members of the national community (one chosen by each party).

The Verification Committee will be in charge of certifying the strict compliance to all points of this Agreement, and will receive the full cooperation of Honduran public institutions.

Failure to comply with any of the commitments contained in this Agreement, as verified and declared by the Verification Committee, will result in measures that the Committee will decide upon for the offender or offenders.

In order to clarify the events that occurred before and after 28 June 2009, a Truth Committee will also be created to identify the acts that led to the current situation, and to provide the people of Honduras with the facts to help prevent these events from happening again in future.

This Dialogue Committee recommends that the next Government, within the framework of a national consensus, establish this Truth Committee during the first semester of 2010.

Related cases

No specific mention.

Source

https://drive.google.com/file/d/0B08-H8hU7cl_YjhhY2EzZWQtOGU4Zi00ZjQyLTJhOGltNzlhNmQ2ODExMzYw/view?hl=en
