

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

<b>Stage</b>	Framework/substantive - partial
<b>Conflict nature</b>	Government
<b>Peace process</b>	Honduran constitutional crisis process
<b>Parties</b>	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**

Not signed, but confirmed from secondary sources:

OAS

Oscar Arias, mediator

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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.

**Description**

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.

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**Agreement document**

[HN\\_091030\\_Dialogo Guaymuras - Acuerdo Tegucigalpa-San Jose\\_EN.pdf \(opens in new tab\)](#) | [Download PDF](#)

**Agreement document (original language)**

[HN\\_091030\\_Dialogo Guaymuras - Acuerdo Tegucigalpa-San Jose\\_ES.pdf \(opens in new tab\)](#)

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## **Groups**

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

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## **Gender**

<b>Women, girls and gender</b>	No specific mention.
<b>Men and boys</b>	No specific mention.
<b>LGBTI</b>	No specific mention.
<b>Family</b>	No specific mention.

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## **State definition**

<b>Nature of state (general)</b>	No specific mention.
<b>State configuration</b>	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.

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## **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**

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**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  
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.

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**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:  
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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.

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### **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.

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### **Rights institutions**

**NHRI** No specific mention.

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

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### **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.

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### **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.

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**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.

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**Security sector**

**Security  
Guarantees** No specific mention.

**Ceasefire** No specific mention.

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

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**Armed forces**

Page 2:

**4. ON THE ARMED FORCES AND THE NATIONAL POLICE**

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**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.

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**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:

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**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**

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**Related cases**

No specific mention.

**Source**

[https://drive.google.com/file/d/0B08-H8hU7cl\\_YjhhY2EzZWQtOGU4Zi00ZjQyLTljOGltNzlhNmQ2ODExMzYw/view?hl=en](https://drive.google.com/file/d/0B08-H8hU7cl_YjhhY2EzZWQtOGU4Zi00ZjQyLTljOGltNzlhNmQ2ODExMzYw/view?hl=en)