We Are Connected.

TRIP REPORT: MCEA TRAVELS TO HONDURAS

By Kathryn Hoffman and JT Haines
January 29, 2024
EXECUTIVE SUMMARY

MCEA was founded in 1974, and perhaps no issue has come up so consistently in 50 years as sulfide mining. Our lawyers and scientists have seen a whole range of proposals and tactics come and go over the decades. One common tactic deployed aggressively in recent years is to accuse MCEA and its allies of a certain parochialism, or even hypocrisy. These critics suggest that by protecting our water and future in Minnesota, our work is indifferent or even damaging to communities around the world where mining companies seek to operate. We do not agree with this argument, but it did lead us to ask the questions—how do we think of our work on mining in Minnesota in an international context? How can we act out of solidarity with other communities facing the risks of nearby mining operations?

In 2023, MCEA joined a mining-focused delegation to Honduras led by another nonprofit, Witness for Peace, to help us answer these questions. Over 10 days, we traveled around the country, meeting with community members affected by land disputes with palm oil firms, major mining conglomerates, and tourism companies looking to take Indigenous land to build resorts. These communities spoke of their experience with violence, political oppression, and fear. They also spoke of hope for change, love of their land, and determination. We met with the lawyers who represented them and the judges who play a role in deciding their fate. In the capital of Honduras, we met with the government officials who lead law enforcement efforts and environmental protection agencies, as well as representatives of our own government at the U.S. Embassy.

The trip was at turns eye-opening, heart-breaking, emotionally draining, and inspiring. We learned of our own government’s role in creating the conditions of oppression and violence in Honduras. After years of a US-backed narco-dictatorship, Honduras elected a new president in 2021, a president who vowed to work for the people of Honduras and take on the forces of corruption. Officials from the new administration spoke of the challenges in implementing these lofty promises in the face of internal and external forces.

And, when we visited the mine sites, we saw a playbook that is all too familiar. We saw mining companies seeking to divide communities against themselves. We saw promises of economic investment and opportunity that ultimately rang hollow, while environmental impacts were worse than predicted. We saw mining companies attempting to change the laws that thwart their goals, and simply ignoring laws they could not change. And we saw huge multinational conglomerates using their massive resources to overpower democratic institutions. For certain, the way that Hondurans experience this playbook is very different than how we experience it in Minnesota, and we do not wish to diminish the unique experience of Hondurans. But the strategies themselves were remarkably similar.

We have much to learn about communities in Honduras and the challenges they face, and our visit was only the beginning. We understand better now that our advocacy in Minnesota is not in opposition to communities elsewhere, but rather as part of the same struggle. The actions of mining companies elsewhere do not amount to a call for us to soften our advocacy, but rather to strengthen it against abuses everywhere. We understand better how we are all connected.

We hope that you will take the time to download the full report and read it, and we thank you for your support and attention.
The industry’s presence in Minnesota is getting more international by the day, it seems.

In our advocacy to protect Minnesota from mining pollution, it’s common for us to hear accusations of “NIMBYism.” A “NIMBY” (Not In My Backyard) is “a person who objects to the siting of something perceived as unpleasant or hazardous in the area where they live, especially while raising no such objections to similar developments elsewhere.” The suggestion, then, is that when we oppose bad mine proposals in our own “backyards”, we are indifferent to the plight of communities in other countries. And yet, the industry seeks to operate both here and in other countries, and we have always been skeptical of the argument that protecting our home must come at the cost of protecting communities elsewhere. Accepting the industry’s frame at face value does not seem likely to serve impacted communities anywhere.

Nevertheless, we wondered – how does our advocacy in Minnesota relate to an international context? What does it mean for an industry to levy accusations of NIMBYism while itself operating globally? How can we in Minnesota support mining-affected communities everywhere?

With this invitation, we saw a chance to explore these questions more deeply. We discussed goals for the trip, which included learning directly from mining-impacted communities, building our understanding of international justice issues, and identifying lessons and takeaways that may be useful for our work here at home. Joining the delegation from MCEA were JT Barber (Honor the Earth), and Jackson Faris (a recent graduate of the College of St. Scholastica). Joining from Minnesota also were Jenna Yeakle (Sierra Club), Shanai Matteson and Johnny Hoffman. Joining from Minnesota also were Jenna Yeakle (Sierra Club), Shanai Matteson and Johnny Barber (Honour the Earth), and Jackson Faris (a recent graduate of the College of St. Scholastica).

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This is a chance to explore these questions more deeply.
The history of Honduras is long, complex, and beyond our expertise. In order to understand the impacts of mining in Honduras, though, it’s important to consider some context about the country. In this section, we share some information that we’ve found relevant to this inquiry, and encourage all readers to do their own research.  

Honduras gained independence from Spain in 1821, and for most of the period since, has been significantly in the United States’ sphere of influence. The U.S. has a major economic, diplomatic, and military presence, and numerous U.S.-based corporations do business in Honduras. You may have heard the term “banana republic.” That term originated “as a way to describe the experiences of many countries in Central America, whose economies and politics were dominated by U.S.-based exporters.”

Echoes of that idea can be heard still in the statements of Honduras’ current president, which we’ll discuss further below.

The power of Honduras, at least in economic terms, is small compared to the United States economy and even large international mining companies. The overall poverty rate is extremely high, 73.6% in 2021. And the national debt is around $16 billion, about half of the entire national GDP. (For reference, spending in the state of Minnesota alone is about $50 billion per year.) Honduras remains a significantly export-dependent economy, exporting $9.22B in products in 2021—half of which went to the United States. Major exports include coffee, knit t-shirts and sweatshirts, palm oil, bananas, and gold. Ethnically, Honduras is majority Mestizo (European-Indigenous) as well as Indigenous, Afro-Indigenous, and white.

Recently the country suffered a devastating coup d’etat. In 2009, the Honduran military removed elected president Manuel “Mel” Zelaya from office and the country. Human rights observers believe the coup must have had at least tacit approval from the United States. The United States and Honduras share a significant military base in nearby Palmerola, and while the UN, European Union, the Organisation of American States, and initially the U.S.’s own Ambassador, all condemned the coup as illegal, the U.S. State Department under Secretary Clinton worked behind the scenes to undermine efforts to restore Zelaya to office. As NPR reported,

“Despite the call for Zelaya’s return by nearly every other country in the hemisphere, Washington chose to back new elections.”

The effects of the coup were disastrous, for democracy and environmental activists especially. “People were beaten, tortured, disappeared, jailed illegally,” said Karen Spring in the Guardian coverage. “There were no conditions for free and fair elections; there was no peaceful transition.” What followed, according to observers, was a period “of brutal, corrupt, ‘open-for-global-business’ regimes fully supported by the U.S. and Canada.”

Between 2009 and 2015, the Inter-American Commission on Human Rights found that union workers, lawyers, LGBT people, and environmental workers, lawyers, and environmental activists were beaten, tortured, disappeared, and jailed illegally. The coup ushered in an era of violence.

En route to El Progreso

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*We have included references to some additional materials after the conclusion.*

4. Honduras Exports, Imports, and Trade Partners, Observatory of Economic Complexity. OEC.world
8. Lakhani, Id.
and Indigenous activists were all facing particular risks. In the Bajo Aguán, for example (which we visited early in our trip), numerous peasant farmers were murdered by, according to witnesses, militarized private security working in collaboration with U.S.-supported Honduran special forces. According to Guardian coverage in 2014, “the farmers say thousands of hectares of land used for subsistence farming were fraudulently and coercively transferred to agribusinesses that grow African palms, which are lucratively exported to the west for biofuel, and are traded in the carbon credit market.” Before being interrupted by the coup in 2009, President Zelaya had agreed to investigate the land conflict in the region.

In 2016, renowned Indigenous environmental leader of the Lenca people and winner of the Goldman Environmental Prize, Berta Cáceres, was assassinated in her home. In her Goldman acceptance speech the year prior, Berta described the effects of the coup and post-coup regime on environmental protection efforts: “Honduras has witnessed an explosive growth in environmentally destructive megaprojects that would displace indigenous communities,” she said. Concessions to international mining companies indeed increased significantly in the post-coup period. Prior to 2009, a moratorium had been in place on new mining concessions. After the coup, in 2013, a new industry-favorable mining law was passed. Hundreds of new concessions were granted to Honduran and foreign mining companies, often without consultation.

Despite an international consensus and findings by the U.S. State Department about the existence of major human rights violations in the country, the U.S. continued to send military aid to the Honduran government throughout the post-coup period.

In 2021, the people of Honduras elected leftist coalition candidate Xiomara Castro as president in a landslide, repudiating the post-coup era. Castro, the nation’s first woman president, promised to “pull Honduras out of the abyss we have been buried in by neoliberalism, a narco-dictator and corruption.” One of her administration’s earliest actions was to declare the entire country of Honduras free of open pit mining. (We describe our discussion of this announcement with administration lawyers later in this report.)

On October 11, 2022, Castro delivered a speech to the United Nations General Assembly addressing the causes of the harms and struggles faced by her country. In it, she was clear in her view that the coup regime was “protected by the international community,” that industrialized nations “are responsible for the serious deterioration of the environment” in Honduras, and that the root causes of migration include international plundering of resources.

“I take this platform to demand that we be respected,” she said. “We want to live in peace. Do not continue trying to destabilize Honduras and dictate its measures. Never again will we carry the stereotype of the Banana Republic; we will end the monopolies and oligopolies that only impoverish our economy.”

Today, communities continue to deal with the consequences of concessions to mining companies, judicial appointments, and law changes made by the post-coup governments. Honduras remains one of the most dangerous countries in the world for environmental activists.

To conclude this summary, we recognize that this context is challenging, especially since it implicates our own government’s actions and policies. With that said, it seems clear to us that the international community, including the United States, has played an outsized and destabilizing role in the history of Honduras, and that this context is essential to understanding the ways in which it has made communities more vulnerable to exploitation by the mining industry. In the next section, we describe our visit to one of the impacted communities.

8 Lakhani, Id.
VISITING AZACUALPA AND THE SAN ANDRÉS MINE

The community of Azacualpa sits a few miles from the Guatemalan border near Santa Rosa de Copan, 4,567 feet above sea level. One of several communities we visited in Honduras, we highlight Azacualpa here both because of the community’s specific experience dealing with an international mining operation, and because the themes we heard in Azacualpa are representative of themes we heard in each Honduran community we visited, which we discuss in the sections that follow.

Our visit to Azacualpa was informed immediately by our journey to and from. There’s a single road into and out of Azacualpa, and that road passes directly through the San Andrés open-pit gold mine. By directly through, we mean literally right through the mine, mere feet from the open pit, almost as if we were in one of the trucks that can be seen operating in the pits on Minnesota’s Iron Range. The grade is steep, and the dust so thick that about half of our group later got sick despite efforts to don masks and close windows. Most intense was the security apparatus. The road to Azacualpa, in theory, a public road. In practice, it is operated by the mining company that controls and changes it to facilitate the mining operation. The presence of company security trucks, both in front of us and behind, was impossible to ignore. At the top, having seen the chasm below, we never felt on solid ground.

We mention this because we now understand a little bit better the daily reality of the people living in Azacualpa, specifically because we experienced it in person.

A person cannot access the community by vehicle without passing through a sizable mining operation. A walk to a neighboring community that used to take 20 minutes we are told now takes an hour and a half.

The San Andrés mine has been in operation in Azacualpa under one set of ownership or another since the 1980’s. Since 2009, the mine has been owned by...
Aura Minerals, a U.S. and Canada-based multinational, and operated by Aura’s Honduran subsidiary, MINOSA. Aura and MINOSA own 50 square kilometers of mineral rights at the site, and previous expansions displaced two communities. The company is continuing to explore for further deposits in the area.20  

In the community, we met with members of a local grassroots group that calls itself El Comité de Personas Afectadas por MINOSA (the Committee of Persons Affected by MINOSA). We joined about thirty or so community members in a local school building to hear about the extensive struggles they’ve been facing living with the mine. They detailed issues with the water, the road, and a lack of sustained economic benefit to the community — a complaint that appears borne out by the absence of visible structural improvements that one might expect after 40 years of operation and promised benefits.

They also shared some of the legal complexities associated with land rights. Like many Indigenous communities in Honduras, Azacualpa is part of a communal land title. This has a number of important legal implications, including that it is supposed to afford the community certain consultation rights before mining activities are permitted.21 Despite this, in 2014, community members noticed that MINOSA was beginning to encroach on the area around a 200-year-old ancestral cemetery. This set off a painful dispute that is ongoing today.

Local law enforcement, in cooperation with the company, arrested community members resisting the encroachment “in an attempt to criminalize community leaders that had been most active in publicly denouncing the company.”22 MINOSA continued to operate near the cemetery.

In 2022, the Honduras Ministry of Natural Resources and Environment ordered MINOSA to suspend operations near the cemetery, a significant legal win for the community, and asked that the company prove it had legal authorization to exhume bodies before resuming activities at the site.23 However, the company continued to mine, encircling the cemetery and leaving steep cliffs on three sides. Having thus rendered the area unstable, the company sought a new court permission from a different judge to move the cemetery as a “public health protection,” citing an emergency action and asserting no community opposition. The Comité and its lawyers told us that they were not contacted to address this new request before it was approved, nor, crucially, was the public prosecutor (like an attorney general) whose sign off was meant to be required.

Within a matter of days, the company came in with heavy equipment and moved the cemetery — accompanied by armed police and military, and under cover of darkness, according to the local testimony. Unlike the court decisions before it, this was an irreversible act.

Community members took us to see the relocated cemetery. At the new location, we observed cement
rows of stacked burial chambers, with names and numbers sketched by hand into sections. The community members described to us how, because they were denied any access during the moving of the remains, they have no way to confirm the actual location of their loved ones. Some suspect that there are no bodies in these graves, that the bodies were simply dumped and the company erected empty tombs.

The next day, we met with a panel of judges in the same province. Unexpectedly, both the trial judge and appellate judge who heard the cemetery case attended the meeting. We asked the judges about the details of the case and were surprised at how openly their statements contradicted those of the community. For example, the issuing judge told us that the community wanted the cemetery moved, that its lawyers were all informed, and that the mining company would compensate the community (even though the court has not ordered that). We understand this judge is widely perceived as corrupt and on the payroll of the mining company. Whether or not that is true, his attitude towards the facts, and the very nature of the meeting with us itself, were quite shocking to us. The meeting clearly demonstrated the challenges that lawyers in Honduras face in winning justice for the communities they represent.

An appeal of this case is pending based on the failure to contact the public prosecutor, but since the cemetery is already desecrated, it is hard to see what type of relief is available.

As we left Azacualpa, as with each community we visited, we were invited to share what we saw and heard with government officials in the capital city.
MEETINGS WITH GOVERNMENT OFFICIALS IN TEGUCIGALPA

As we progressed south and east from Azacualpa and Santa Rosa de Copan, we prepared for meetings in the capital city. While in Tegucigalpa, we met with the Secretariat of Environment and Natural Resources (similar to our EPA and Bureau of Land Management), the Procuraduría General de la República (similar to our Solicitor General), the office of the Legal Advisor to President Xiomara Castro’s Chief of Staff, and representatives of the U.S. Embassy. As with the community meetings, each of these meetings was arranged by delegation organizers from Witness for Peace and its partners. We highlight two of the meetings here.

We were pleased to meet with the office of the legal advisor to the President’s Chief of Staff, especially in the context of the major democratic transition underway in the country. We asked about the administration’s early announcement that Honduras would ban open-pit mining and cancel environmental permits in the country. Activists that we spoke with previously had expressed a concern that the administration may be backing away from this promise. We relayed the stories we heard in the places we visited and to share the stories we heard in the places we visited and to hear our government’s semi-official reactions to these stories. Photos and phones were prohibited, and only a pen and a notepad were permitted.

Working to oppose and prevent the excesses and abuses typical to the mining industry is a challenge familiar to many of us in Minnesota, so we sympathized with the difficulties faced by these government lawyers. The lawyers explained an additional challenge: there are significant external forces that limit Honduras’ ability to act as a sovereign government. For example, under certain international trade agreements, there is a process that allows foreign companies to contest changes in law by party countries like Honduras. Nonpublic tribunals under Investor-State Dispute Settlement (ISDS) provisions allow companies to pursue damages from countries that enact new regulations that impact (or allegedly impact) business, even if those regulations are enacted by a democratically elected government. Apparently the process is not available to governments, unions, or communities — only corporations.

Currently, there are ten cases pending against the Republic of Honduras listed on the World Bank ISDS website, most of which were registered during the narco-dictatorship period. One company, for example, has a claim against the country for over $10 billion in connection with protections enacted by the Castro Administration. As a reminder, the entire GDP of Honduras is around $30 billion.

Notably, the Biden Administration has promised to eliminate these provisions from new U.S. trade agreements, but has not altered existing agreements. President Castro mentioned Honduras’ intention to renegotiate its trade agreements in her 2022 address to the United Nations. This is only one example of external economic forces working to limit Honduras’ sovereignty and ability to defend its own people and resources. The coup (and the violent anti-democratic actions associated therewith) is a major part of this context more broadly.

Finally, we met with a political attaché and an economic attaché of the United States government in the U.S. Embassy in Tegucigalpa. Our goals for this meeting were to share the stories we heard in the places we visited and to hear our government’s semi-official reactions to these stories. Photos and phones were prohibited, and only a pen and a notepad were permitted.

On the invitation of the communities, we shared about the places we visited, especially the stories of efforts to assert and defend legitimate rights. We spoke about our visit to the Bajo Aguán and the apparent impacts of agro-industrialist palm oil plantations and resulting land conflicts in communities there; we talked about mining in Guapinol; and we shared the testimony and demands from the Garífuna community in the coastal north in its struggle with both industrial agriculture and international tourism. We shared the harms described by the community in connection with the cemetery desecration in Azacualpa. We expressed our concern that U.S. policy towards Honduras is in effect, if not by design, primarily aiding foreign businesses and exacerbating community harms. We relayed the consistent theme from each place we visited that these harms and actions are intensifying migration pressures.

We asked whether it is the position of the United States government that Honduras should be for Hondurans. The representatives, while agreeing that indeed “Honduras should be for Hondurans,” seemed generally comfortable and unapologetic about the pursuit of U.S. corporate interests in the country. They described an interest in the “rule of law” and the preservation of the rule of law. But the “rule of law” that they described was a very specific one, protecting the investments of U.S. companies.

As we concluded the meeting, one of the government representatives shared his view that, ultimately, “we have to respect the sovereignty of Honduras” and that “we haven’t been great.”

The representatives invited us to share additional information with them in the future.

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26 BBC Staff. “Newly elected Honduras government to ban open-pit mining,” BBC.com, March 1, 2022.
OBSERVATIONS IN HONDURAS

In this report, we have described a number of dynamics, facts, meetings, and testimony that we heard or experienced during our trip to Honduras, all of which are fairly new to us as an organization. As such, we recognize that in offering observations about the trip, we are doing so first and foremost as part of an ongoing learning process. With that said, in this section and the next, we’d like to share a few observations based on our journey that we believe can help inform our work here in Minnesota and our connection to a global movement.

First, the geopolitical context is extremely important. Before the trip, we had a general sense of the activities of mining companies in other countries, and we set out to learn more about the direct impacts of these activities on communities in Honduras. But we did not necessarily set out to grapple with broad geopolitical forces and the actions of our own government in the process. We now understand how inseparable the two are.

Second, we learned about some of the legal challenges faced by individuals and communities in places like Azacualpa. As we consider these challenges in the context of international mining, it seems evident that, unchecked, the power of global companies can overwhelm the ability of people and their governments to protect themselves. Healthy democratic institutions are necessary for communities and countries to counter the power of corporate interests.

In Honduras, these institutions have been under attack, most obviously in connection with the 2009 coup. The U.S. has actively intervened in the politics of Honduras in a way that negatively impacts the country’s sovereignty and ability to protect itself democratically.

Relatedly, a system of laws only works if people can rely on the courts, and an independent judiciary is key to a functioning democracy. Private access to judges creates opportunities for corruption. We experienced a small hint of this in our meeting with judges in Santa Rosa de Copan as there appear to be limited ethical constraints against meeting with presiding judges in private.

In this context, it appears easier for mining companies to create legal consequences and difficulties for individuals and communities than it is for communities to respond. Working within the courts is a complex process and requires significant resources that some communities don’t have. Arrests or threats of arrest can deter communities and individuals from defending their basic rights, even when individuals are never convicted. And even court wins are not enough to prevent the desecration of an ancestral cemetery on communal land.

Finally, companies can, and often do, exploit community divisions — by, for example, promoting one-sided accounts of community meetings and agreements, and by using select economic benefits to pit people against each other.

Notably, when communities are exploited in this way, migration pressures are exacerbated.

Something we heard in every community we visited was some version of “We have a home, and we want to stay here. But if we cannot stay, we will be forced to migrate.” One community in the north reported a 20% decline in its population over recent years, pointing specifically to migration as the main driver.

We are grateful to the communities and organizers in Honduras for having received us to help us learn more about these dynamics, and as noted below, look forward to sharing more in conversations in Minnesota.

In the next section, we will draw some connections between what we observed in Honduras and our work here in Minnesota.
We understand better now that when we are advocating in Minnesota, we are not advocating in opposition to communities in Honduras, but rather as part of the same struggle.
benefits were promised and unrealized in Azacualpa, we can expect the same type of broken promises here.

A community member in Honduras told us about an exchange with a mining company representative that resonated with us. In a community meeting, the mining company asked, “Why are you against development?” And he responded, “We aren’t. It’s the way they are developing. This development is only for the company, and does not include the community.”

Similarly, benefits promised are at the expense of the health of water, land, and biodiversity. During the review process, mining companies consistently assure the public that they will deploy state-of-the-art technology that will protect these resources, despite a lengthy history of failing to do so. In the case of PolyMet, for example, we know through years of court cases that the company has failed to meet basic requirements of a local jurisdiction. On the other, it is instructive for advocates everywhere as to how we might respond to this argument about ‘NIMBY’ism.

As in Honduras, we see mining companies flouting the law to promote their interests, even as — here in Minnesota — they simultaneously celebrate those laws as “the best in the world.”

In sum, we see that the tactics of the industry are global. Companies are not merely pitting neighbor against neighbor in northeastern Minnesota, but also Minnesotans against Hondurans and other communities around the world. As we at MCEA consider the balance of our advocacy in the context of mining harms everywhere, we understand better now that when we are advocating in Minnesota, we are not advocating in opposition to communities in Honduras, but rather as part of the same struggle. We conclude that the actions of the mining industry elsewhere do not amount to a call for us to soften our advocacy here. To the contrary, our stance should be against these abuses, and for better standards, everywhere.

As one activist in Honduras told us, “it is a source of great privilege to know what we need to do.”

22 Eschens, Rilyn, “Law enforcement has received $500,000 in Enbridge money for work related to Line 3” Minnesota Reformer, April 12, 2021.

A question we’ve heard from friends and colleagues after our trip has been, in addition to the value for us, what do we think the value has been of our presence to the communities we visited? At a Witness for Peace event in Minnesota in 2019, Afro-Indigenous Garifuna Honduran activist Miriam Miranda described an understanding of solidarity that is more than empathy, that is about “looking each other in the eye and recognizing that your problem is my problem.”

Fond du Lac Tribal Elder Ricky DeFoe echoed this sentiment at an event in Duluth about the Honduras trip as well when he said, “we are part of a community of respect. We are part of a whole.”

As we consider the value of our visit to Honduras more broadly, we understand that we have limited ability to directly impact the struggles of the communities we visited. But we also understand a bit better now how their problem is our problem. And that we are connected. Moving forward, we can view our local advocacy through this lens as well.

We look forward to further discussions about what we’ve learned in Minnesota, and welcome invitations to join events as speakers.

We are part of a community of respect. We are part of a whole.

To learn more about the Witness for Peace organization and work happening in Honduras today, visit https://www.solidaritycollective.org/. For Allison Lira’s 2022 report on the conditions in Azacualpa, visit https://nacla.org/honduras-mining-azacualpa. Johnny Barber, a member of the delegation working to protect the St. Croix River/Mississippi watershed, has posted a series of videos from the trip that you can view here: https://vimeo.com/showcase/10710449.

Beginning on February 5, 2024, former Honduran President Juan Orlando Hernandez will face drug trafficking charges in the United States. Karen Spring (Honduras Solidarity Network), one of the organizers of our delegation, will be reporting on the trial as part of a campaign to put it in the context of U.S. and Canadian support of the Honduran Narco-Dictatorship regime. To follow, visit https://www.hondurasnow.org/. Ms. Spring’s Report on U.S. Interventions in Honduras is available at https://www.hondurasnow.org/us-intervention-monitor/.

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For 50 years, MCEA has worked to hold private industries and agencies accountable to our environmental regulations and we’re committed to continuing that legacy.