



We Are Connected.

TRIP REPORT: MCEA TRAVELS TO HONDURAS

By Kathryn Hoffman and JT Haines
January 29, 2024



**Minnesota Center for
Environmental Advocacy**

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.

TABLE OF CONTENTS

Introduction.....	4
Country Context and the 2009 Coup.....	7
Visiting Azacualpa and the San Andrés Mine.....	11
Meetings with Government Officials in Tegucigalpa.....	16
Observations in Honduras	19
Connecting the Trip to Work in Minnesota.....	21
Next Steps in the Conversation	24
Additional Resources	25



At the judicial center in Santa Rosa de Copan.

AUTHORS

Kathryn Hoffman, JD MPP (*left*), is MCEA’s Chief Executive Officer. Kathryn started at MCEA as a staff attorney in 2010 with a focus on pipeline and mining proposals, and was selected to lead the organization as CEO in 2017. Former Chair of the Environment, Natural Resources, and Energy Law Section of the state bar and adjunct law professor at the University of Minnesota, this was Kathryn’s first trip to Honduras.

JT Haines, JD MPP (*right*), is MCEA’s Northeastern Minnesota Program Director. JT started in 2019 as MCEA’s first Duluth-based staff member where he now leads the organization’s Northeastern Minnesota program and office. JT has participated in several delegation trips to Honduras and Guatemala and is the Director of the 2013 documentary film *Gold Fever*.



Delegation in Honduras with Victor and Martin Fernández of the Estudios para la Dignidad Firm

INTRODUCTION

Around this time last year, MCEA was invited to join a mining-focused delegation to Honduras led by the human rights organization Witness for Peace. At MCEA, we work hard every day to help protect the environment here in Minnesota. Addressing mining impacts and state decisions about mining has been a fundamental part of our work since our founding a half century ago. This 10-day trip would be like nothing we had ever done before. We wondered, should we join?

There were a few things on our minds when considering the invitation. We know that mining in Minnesota is part of a global context. Ores are mined, ores are shipped, and broader economic forces are at play. This has always been true. Today, though, old taconite stalwart U.S. Steel has been acquired by Japanese giant Nippon Steel. And proposals to initiate

sulfide mining in Minnesota are coming from huge foreign conglomerates like Antofagasta, Teck, and Rio Tinto. Anglo-Swiss conglomerate Glencore — now 100% owner of the infamous PolyMet proposal — is one of the largest companies in the world, with revenues 18 times larger than U.S. Steel.

As local commentator and historian Aaron Brown said about Nippon's purchase, "the people of the Iron Range are no longer merely subservient to the whims of a powerful man, or even a board of directors. Not anymore. Instead, we have become the subjects of Gary's true heir, the holy spirit of global corporatism. It's a power greater than us all, filling in the void with profitability and ROI, lifting up the portfolios of billions."¹

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."² 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.³ 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 Haines, Adam Reinhardt, Katie Cashman, and Kathryn Hoffman. Joining from Minnesota also were Jenna Yeakle (Sierra Club), Shanai Matteson and Johnny Barber (Honor the Earth), and Jackson Faris (a recent graduate of the College of St. Scholastica).

Once in Honduras, beginning at the Palmerola International Airport in Comayagua, we traveled by van to the east, north, and west of the country, and eventually back south to the capital city of Tegucigalpa. We visited communities impacted by industrial agriculture, the garment industry, international tourism, and mining, and met with government officials from both Honduras and the United States. All in-country travel and meetings were arranged by the Witness for Peace organizers and partners and Karen Spring of the Honduras Solidarity Network. We returned to Minnesota on March 6, 2023.

In this report, we'll start with some background about the country. Then we'll discuss our meetings in communities and with government officials in the capital and at the U.S. Embassy. To conclude, we'll share some of the lessons we've taken home with us and an invitation to continue the conversation.

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?

This is a chance to explore these questions more deeply.

¹ Brown, Aaron. "U.S. Steel sold, but the founding philosophy of rapacious profit lives on." [Minnesota Reformer](#), December 18, 2023.

² Dictionary box at google.com. The term started gaining prominence in the 1990's.

³ A common related talking point goes like this: We need metals for the clean energy transition (and things like EVs), therefore we must launch new mining in Minnesota where standards are superior. To disagree with that, the suggestion goes, means not caring about labor and environmental standards elsewhere. MCEA has addressed this topic in our series, [Mining the Climate Crisis](#).

The effects of the 2009
coup in Honduras
were disastrous,
for democracy and
environmental
activists especially.

En route to El Progreso

COUNTRY CONTEXT AND THE 2009 COUP

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.⁴

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."⁵ 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.⁶ (For reference, spending in the state of Minnesota alone is about \$50 billion per year.)⁷ 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.⁸ Ethnically, Honduras is majority

Mestizo (European-Indigenous) as well as Indigenous, Afro-Indigenous, and white.

Recently the country suffered a devastating coup d'état. 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,⁹ 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.¹⁰ As NPR reported,

"Despite the call for Zelaya's return by nearly every other country in the hemisphere, Washington chose to back new elections."¹¹

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."¹² What followed, according to observers, was a period "of brutal, corrupt, 'open-for-global-business' regimes fully supported by the U.S. and Canada."¹³

Between 2009 and 2015, the Inter-American Commission on Human Rights found that union workers, lawyers, LGBT people, and environmental

⁴ We have included references to some additional materials after the conclusion.

⁵ Longley, Robert. "What is a Banana Republic? Definition and Examples." [Thoughtco.com](https://www.thoughtco.com), November 19, 2019.

⁶ Government Debt as Percentage of GDP. World Economic Outlook. [International Monetary Fund](https://www.imf.org).

⁷ Minnesota Budget. Urban Institute, [Urban.org](https://www.urban.org).

⁸ Honduras Exports, Imports, and Trade Partners, Observatory of Economic Complexity. [OEC.world](https://www.oec.world)

⁹ Liznora Castañeda, "Honduras opens new international airport at largest US military base in Central America," [Universidad de Navarra Global Affairs](https://www.unavarranews.com), February 12, 2021.

¹⁰ Lakhani, Nina. "Did Hillary Clinton stand by as Honduras coup ushered in era of violence?" [The Guardian](https://www.theguardian.com), August 31, 2016.

¹¹ Murphy, Annie. "'Who Rules in Honduras? Coup's Legacy of Violence.'" [NPR](https://www.npr.org), February 12, 2012.

¹² Lakhani, Id.

¹³ Newsletter, "Speech of President Xiomara Castro before UN." [RightsAction.org](https://www.rightsaction.org), October 13, 2022.



A community member speaking with the delegation in the Bajo Aguán.

and Indigenous activists were all facing particular risks.¹⁴ 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.”¹⁵ 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,”¹⁶ 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.”¹⁷ One of her

administration's earliest actions was to declare the entire country of Honduras free of open pit mining.¹⁸ (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.”¹⁹

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



At a celebration of the life of Indigenous rights activist Berta Cáceres in La Esperanza.

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.

¹⁴ Lakhani, Id.

¹⁵ Lakhani, Nina, “Honduras and the dirty war fuelled by the west’s drive for clean energy,” [The Guardian](#), January 7, 2014.

¹⁶ Goldman Prize Winner, Berta Cáceres. [Goldmanprize.org](#), 2015.

¹⁷ Ernst, Jeff. “Xiomara Castro poised to become first female president of Honduras.” [The Guardian](#), November 29, 2021.

¹⁸ Diarioroatan. “Miambiente cancels exploitation permits and declares Honduras free of mining.” [Diarioroatan](#), March 1, 2022.

¹⁹ Xiomara Castro Address to UN General Assembly, September 20, 2022. Video, English and Spanish transcripts [Alliance for Global Justice](#), October 6, 2022.

The road to Azacualpa is, in theory, a public road. In practice, it is operated by the mining company that controls and changes it to facilitate the mining operation.

A delegation member at the San Andrés open pit.

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 is, 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





(Above and at right) Members of the Committee for Peoples Affected by MINOSA, speaking with the delegation.

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.

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.

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

²⁰ Aura Minerals Operation Profiles. auraminerals.com.

²¹ The complex legal circumstances faced by the Azacualpa community — including under the Honduras mining law, the applicable mining concession, and the communal land title of which Azacualpa is a part — are beyond the scope of this report, though we describe some of our observations in the following sections. See also Spring, Karen. “Mining in a State of Impunity. Coerced Negotiations and Forced Displacement by Aura Minerals in Western Honduras,” [MiningWatch Canada](http://MiningWatchCanada.org), June 28, 2016.

²² *Id.*

²³ Palencia, Gustavo et al. “Honduras orders Aura Minerals subsidiary to suspend gold mining at indigenous cemetery.” [Reuters/Mining.com](http://Reuters.com), March 30, 2022.



A member of the Azacualpa community at the moved cemetery.



Delegation at the site of the moved cemetery in Azacualpa.

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.²⁴ 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.²⁵ 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.

²⁴ We understand that this meeting was possible in part because of the presence of trained attorneys on our delegation and that it presented a unique opportunity to meet with the judiciary and learn more about the thought processes of the judges.

²⁵ In the United States, judges and lawyers have ethical restrictions on how and when they can meet. Generally, a party or its lawyer cannot talk to a judge about a pending case without the other party present. This is called *ex parte* communication, and it is a violation of the code of ethics. According to the lawyers that we met with, Honduras has no such restrictions, which almost certainly contributes to corruption since companies can have unfettered access to a judge while a matter is pending.



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 Procuraduria 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 as we spoke. At this meeting, we heard frank descriptions about the new administration's challenges in bringing about change in a system that had been corrupted by 14 years of narco-dictatorship regimes.

Vestiges of the prior administration are still in place, including, for example, dictator-appointed judges like the ones issuing orders in Azacualpa.

We asked about the administration's early announcement that Honduras would ban open-pit mining and cancel environmental permits in the country.²⁶ Activists that we spoke with previously had expressed a concern that the administration may be backing away from this promise. The lawyers shared with us some of the difficulties in implementation and emphasized that the ban remains the position and intent of the administration. (It's worth noting here that the announced ban exceeds standards for tailings storage in Minnesota, and would altogether prohibit the now-suspended PolyMet proposal.)

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.²⁷ 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



Members of the delegation at the office of the Legal Advisor to the President's Chief of Staff.

demands from the Garifuna 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.

²⁶ BBC Staff. “Newly elected Honduras government to ban open-pit mining,” [BBC.com](https://www.bbc.com/news/world-latin-america-57111111), March 1, 2022.

²⁷ World Bank, Pending Cases Int’l Centre for Settlement of Investor Disputes. icsid.worldbank.org.

A person with their hair in a bun, wearing a blue sleeveless shirt with 'DERECHOS HUMANOS' on the back, green shorts, and brown boots, stands in a river. They are looking towards a large rock on the left bank that has 'NO a los Miheyos' written on it in blue. The background is a dense forest of green trees. The text 'In offering observations about the trip, we are doing so first and foremost as part of an ongoing learning process.' is overlaid on the left side of the image.

In offering observations about the trip, we are doing so first and foremost as part of an ongoing learning process.

Delegation member at the Guapinol river.

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.



Tegucigalpa at night.



CONNECTING THE TRIP TO OUR WORK IN MINNESOTA

As described in the introduction, our goals for this trip included learning more about international justice issues and also drawing some lessons for our work at home. While our experience in Honduras is new, as an organization we have 50 years working on mining issues in Minnesota. Perhaps the most basic takeaway from our trip is that, while we see differences, we also see illuminating similarities between the challenges faced by communities dealing with mining company activities in both places.

Before we address a few of these similarities, we want to acknowledge that which is hopefully obvious: the challenges in Honduras are significant, and different in type, scale, and level of danger from those we face. But we do not feel immune. Rather, we see an industry that is global, with a “playbook,” so to speak, that it applies in any jurisdiction.

For example, using community division to further its interests is an industry tactic that we have also seen in Minnesota. The PolyMet sulfide mine proposal is a particularly salient and longstanding example of how community division can be used to garner political advantage. In Minnesota, PolyMet succeeded in enlisting a relatively small number of key local politicians and trade groups to the cause before any state review or agency decision making was underway. As a result, the whole of northeastern Minnesota and much of the state in general became locked in a painful “us vs them” debate for going on 20 years. Communities are fatigued, and a herculean effort has been required to prevent what is now understood to be a flawed and dangerous international proposal.

As part of this, the industry has promoted certain economic benefits that do not include the whole community and too often pit neighbor against neighbor. The industry has promoted a vision of a return to halcyon days of iron mining, when direct employment was up to 15,000 jobs at its peak. But the jobs that would be associated with PolyMet are a fraction of what the Iron Range once saw in mining, and may not have the same union representation. Just as durable economic



Our delegation in transit.

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 Minnesota law for environmental protection and that if built it would indeed destroy sensitive wetlands and pollute groundwater. Meanwhile, multiple taconite mines operate with long-expired water permits.

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.” As attorneys who have worked on these issues for decades, we have seen multiple instances of mining companies seeking variances or exceptions — for example, variances to water quality standards that protect wild rice. In 2018, the industry successfully pushed to change the laws in Minnesota governing key Department of Natural Resources permits to make it so that very few people had the ability, or legal “standing,” to challenge those permits. Most recently, court cases in Minnesota have revealed the variety of ways in which the Glencore/PolyMet company has sought to flout Minnesota’s laws and render our written protections completely ineffective in practice. The overall playbook is a race to the bottom, to the lowest possible standards, to maximize profits.

Nor are we immune to the major economic power dynamics at play. Glencore, the owner of the PolyMet proposal, is a \$256 billion transnational company, whose annual revenues are more than four times Minnesota’s entire state budget. There can be no question that the company has exerted significant pressure on our agencies and democratic decision making as a state. The company’s financial sponsorship of scholarships, libraries, and hockey arenas across the

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.”

north is reminiscent of the doling out of similar (paltry) economic benefits in Honduras to engender support — not to mention the hundreds of thousands of dollars spent on lobbying and advertising.

The economic relationship between transnational companies and local law enforcement is also familiar to us in Minnesota. It would require an historian to address the strife involved in labor disputes between mining companies and workers on the Iron Range over time, but even recent history includes examples of cooperation between companies and local law enforcement. During the construction of Line 3, for example, when there were many peaceful protests near the site of the crude oil pipeline, county sheriffs’ offices received hundreds of thousands of company dollars in connection with enforcement actions.²⁸ In Ely, a Chilean mining company donated thousands of dollars of gear to the city police through a Christian nonprofit intermediary.²⁹ These are only two direct and public examples. Meanwhile, environmentalists face individual legal consequences in Minnesota courts, much like in Honduras. One can debate the details of these relationships, but one cannot dispute that there is an effect on the ability of communities to stand up for clean air and water. The problem of global corporations exercising significant influence over democratic institutions is a risk everywhere, not just in the Global South.

In a moment of relative candor in a meeting with us in our Duluth office, representatives from one of the transnational mining companies seeking to operate in Minnesota told us that they adjust their proposals

to the requirements of the jurisdiction in which they are seeking to operate. We had asked them if they were committed to not using a risky type of tailings storage and dam design that would, as it happens, be legal in Minnesota but illegal in Honduras pursuant to the Xiomara administration’s declaration. On the one hand, it’s not surprising that a large mining company would design their proposals to meet the minimum 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.

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.”

²⁸ Eischens, Rilyn, “Law enforcement has received \$500,000 in Enbridge money for work related to Line 3.” [Minnesota Reformer](#), April 12, 2021.

²⁹ Brown, Alleen, “How a Christian Nonprofit Helped a Controversial Minnesota Mining Company Buy Gear for Local Police.” [The Intercept](#), April 15, 2019.



Delegation in the Bajo Aguán.

NEXT STEPS IN THE CONVERSATION

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."³⁰ 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.

³⁰ José Méndez, María. "Acuerpar: The Decolonial Feminist Call for Embodied Solidarity." University of Chicago Press Journal of Women in Culture and Society, volume 49, number 1, Autumn 2023.

ADDITIONAL RESOURCES

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/>.

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



Meeting with OFRANEH leaders in Triunfo de la Cruz







**Minnesota Center for
Environmental Advocacy**

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.

MNCENTER.ORG