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(Original Signature of Member)

111TH CONGRESS
1ST SESSION

H. RES.

Expressing the sense of the House of Representatives regarding the November 29, 2009, elections in Honduras.

IN THE HOUSE OF REPRESENTATIVES

Ms. ROS-LEHTINEN (for herself and [see ATTACHED LIST of cosponsors]) submitted the following resolution; which was referred to the Committee on

RESOLUTION

Expressing the sense of the House of Representatives regarding the November 29, 2009, elections in Honduras.

Whereas general elections to fill nearly 3,000 posts nationwide, including the presidency and all 128 seats in the National Congress in Honduras are scheduled for November 29, 2009;

Whereas primary elections were held on November 30, 2008, to select candidates for all parties and for all offices, including the office of the President of Honduras;

Whereas this signifies that the candidates for the Honduran presidency had been selected more than six months prior

to the removal from office of Manuel Zelaya on June 28, 2009;

Whereas Article 239 of the Honduran Constitution states that “The citizen who has already held Executive Power may not be President or Designee. Anyone who violates this provision or proposes its reform, and supports those who do directly or indirectly, must immediately cease the discharge of their duties, and shall be disqualified for ten years from the exercise of any public function.”;

Whereas, on March 24, 2009, Manuel Zelaya issued a decree calling for a referendum that would consult Hondurans about whether the country should convoke a national constituent assembly to amend the constitution;

Whereas Zelaya later determined that the referendum would take place on June 28, 2009;

Whereas, on May 11, 2009, the Honduran Office of the Public Prosecutor publicly stated that the proposed referendum violates the Constitution of Honduras;

Whereas, on May 27, 2009, the Honduran Administrative Law Tribunal ruled the proposed referendum to be illegal and ordered suspension of all acts in its support;

Whereas, on May 29, 2009, Zelaya ordered the Honduran military and police to provide logistical support for the proposed referendum;

Whereas, on June 9, 2009, the Honduran Appellate Court of the Administrative Law Tribunal unanimously ruled that Zelaya’s actions violated the Constitution of Honduras;

Whereas, on June 16, 2009, a Honduran Appeals Court upheld the lower court ruling that declared the proposed referendum illegal;

Whereas, on June 19, 2009, the Honduran Supreme Court ordered the Honduran security forces not to provide any support for the proposed referendum;

Whereas, on June 23, 2009, the Honduran Congress passed a plebiscite and referendum law that prevents referendums from occurring within 180 days of a general election;

Whereas, on June 24, 2009, Zelaya fired the Chairman of the Joint Chiefs of Staff and accepted the resignation of the Minister of Defense after they refused to provide logistical support for the proposed referendum;

Whereas, on June 25, 2009, the Honduran Supreme Court unanimously ruled that Zelaya's dismissal of the Chairman of the Joint Chiefs of Staff violated the Constitution of Honduras;

Whereas, on June 25, 2009, the Honduran Supreme Electoral Tribunal declared that referendum violated the Honduran Constitution and ordered the Armed Forces to confiscate the referendum materials;

Whereas, on June 25, 2009, the Honduran Office of the Public Prosecutor filed a criminal complaint against Zelaya for Treason, Abuse of Authority, and Usurpation of Power;

Whereas, on June 26, 2009, the Honduran Supreme Court issued an arrest warrant for the Armed Forces to arrest Manuel Zelaya;

Whereas, on June 27, 2009, Zelaya led a violent mob of supporters to forcefully enter a Honduran Air Force Base and seize the referendum materials;

Whereas, on June 28, 2009, the Honduran military arrested Zelaya pursuant to a Honduran Supreme Court order, and later exiled him from the country;

Whereas, on June 28, 2009, President Barack Obama, in response to the situation in Honduras, stated that “Any existing tensions and disputes must be resolved peacefully through dialogue free from any outside interference.”;

Whereas, on August 4, 2009, in a response to Congressional concerns, the U.S. Department of State expressed that the United States “policy and strategy for engagement is not based on supporting any particular position or individual. Rather, it is based on finding a resolution that best serves the Honduran people and their democratic aspirations.”;

Whereas, on September 3, 2009, in addition to other measures, the U.S. Department of State announced that the United States “would not be able to support the outcome of the scheduled elections” until Manuel Zelaya is restored to power;

Whereas the date of the elections, presidential candidates, and presidential term have not been changed or modified since Zelaya’s removal; and

Whereas United States policy has historically recognized the right of citizens to choose their leaders in elections that are free, fair, and transparent as a fundamental component of democracy: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) calls on the Secretary of State to support

3 the efforts of the appropriate authorities in Hon-

1 duras working to ensure that the November 29,
2 2009, elections are free, fair, and transparent; and
3 (2) calls on the President of the United States
4 to recognize the November 29, 2009, elections as an
5 important step in the consolidation of democracy
6 and rule of law in Honduras.