

## Introduction

1. Honduras is a particularly dangerous country for human rights defenders (HRDs). Human rights defenders and journalists work in a very tense, insecure and violent environment. Following the coup d'etat of 28 June 2009, the level of violence has increased dramatically: the country's murder rate in 2012 was one of the highest in the world.<sup>1</sup>

2. HRDs and journalists are subject to intimidation, surveillance, stigmatisation and smear campaigns, death threats, arbitrary detention, judicial harassment, abduction, physical attacks and killings. The perpetrators are in many cases state authorities and security forces, such as the police and the military, as well as organised crime and private security services. Local organisations report that more than 90% of the killings and violations against HRDs remain unpunished.<sup>2</sup>

3. Indigenous, *campesino* and Afro-descendant (*garifunas*) rights defenders that work to promote environmental and land rights issues face high risks, particularly in Nueva Esperanza, Atlántida, Río Blanco, Intibucá, Locomapa and Yoro. Journalists and HRDs denouncing corruption and abuses by state forces also face attacks and killings. LGBTI and women's rights defenders are particularly vulnerable.

4. Following its 2010 UPR<sup>3</sup>, Honduras accepted the following recommendations on HRDs, considering them to be in the process of being implemented:

A - 81.2. Implement the provision of the resolution on human rights defenders adopted by the Human Rights Council at its thirteenth session, on the establishment of a focal point for the protection of human rights defenders within the national administration

A - 82.30. Take the necessary steps to ensure the protection of human rights defenders, including by implementing precautionary measures requested by international human rights bodies

A - 82.31. Adopt measures to end threats against and harassment of human rights defenders, journalists and judges, in accordance with the 1998 General Assembly declaration on human rights defenders, such as the establishment of a mechanism to effectively implement the precautionary measures requested by the Inter-American Commission on Human Rights

A - 82.32. Increase efforts to protect journalists

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1 UN Office for Drugs and Crime (UNODC), Global Study on Homicide 2013, available at [http://www.unodc.org/documents/gsh/pdfs/2014\\_GLOBAL\\_HOMICIDE\\_BOOK\\_web.pdf](http://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf).

2 See ACI Participa, *Impunidad e Indefensión*, available at <https://www.aci-participa.org/sites/default/files/IMPUNIDAD%20E%20INDEFENSION%20UN%20VISTAZO%20A%20LA%20REALIDAD.pdf>.

3 [www.upr-info.org/sites/default/files/document/honduras/session\\_9\\_-\\_november\\_2010/recommendationstohonduras2011.pdf](http://www.upr-info.org/sites/default/files/document/honduras/session_9_-_november_2010/recommendationstohonduras2011.pdf).

5. No significant progress has been made in this regard. HRDs and journalists continue to be targeted, no specific protection measures have been undertaken, and violations remain unpunished.

6. The UN Special Rapporteur on the situation of human rights defenders also issued a set of recommendations following a country visit in February 2012.<sup>4</sup> These recommendations remain equally not implemented.

### **Killings and attacks against *campesino*, indigenous and Afro-descendant rights defenders**

7. There exist a pattern of systematic targeting of environmental and land rights defenders. *Campesino*, indigenous and *garifunas* rights defenders have been targeted for defending community lands.

8. The situation is of particular concern in the Bajo Aguán region, in the Northern departments of Colón and Yoro, where a long-standing land conflict opposes local inhabitants to businesspeople. Since the 2009 coup, the number of killings, threats and acts of intimidation against farmers and HRDs increased. The Inter American Commission on Human Rights (IACHR) expressed concern at the situation in Bajo Aguán in its 2013 report.<sup>5</sup> According to a network of national and international organisations monitoring the situation in the area, 112 *campesinos* have been killed in the last four years in connection to land conflict.

9. In April 2010, the Government signed an agreement with peasant organisations in the area, which was meant to be a solution to the problem. However, the violence has continued. Mr **Antonio Trejo Cabrera**, a human rights lawyer providing legal assistance to *campesinos* in relation to the land conflict, was killed on 22 September 2012. He had regularly received death threats in connection to his work.

10. On 12 March 2013, Messrs **Yoni Rivas** and **Vitalino Alvarez**, leaders of *Movimiento Unificado Campesino del Aguán* (MUCA) faced an attempted killing, when heavily armed men entered their hotel, looking for them, just shortly after they had left. The peasant leaders believe this incident was an attempt to kill them as a result of their defence of the rights of peasant farmers in the region.

11. Land conflicts also affect the areas inhabited by indigenous and *garifuna* communities, along the Northern coast. In the last two years, the Government has granted permission for the

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4 A/HRC/22/47/Add.1.

5 IACHR page 11 <http://www.oas.org/en/iachr/docs/annual/2013/docs-en/AnnualReport-Chap4-Honduras.pdf> and [http://www.oas.org/en/iachr/media\\_center/PReleases/2014/094.asp](http://www.oas.org/en/iachr/media_center/PReleases/2014/094.asp).

development of hydroelectric projects in areas that had previously been declared as protected zone. The indigenous and *garifuna* peoples have been mostly affected. Social protests arose, followed by attacks and harassment of HRDs supporting the communities in the defense of the land. On 17 July 2014, human rights defender Ms **Miriam Miranda** and other members of the *garifuna* community were abducted by four heavily armed men, who took their mobile phones and told them that they were going to kill them. They were eventually released hours later following negotiations by the community. Miriam Miranda is the general coordinator of the *Organización Fraternal Negra de Honduras* (OFRANEH).

12. Indigenous rights defenders have also been targeted in the Lenca and Tolupan territories, in the department of Intibucá. [On 5 March 2014](#), Ms **María Santos Domínguez**, co-ordinator of the *Organización del Consejo Indígena del Río Blanco y del Sector Norte de Intibucá* and member of the *Consejo Cívico de Organizaciones Indígenas y Populares de Honduras* (COPINH), suffered an attempted killing as she returned home, where was surrounded and attacked by a group of seven people armed with sticks, stones and machetes. María Santos Domínguez, who has faced death threats on repeated occasions, is a leader in the struggle for the defence of the Gualcarque river and the indigenous Lenca territory.

13. [On 21 January 2014](#), human rights defender Mr **Justo Sorto**, was found dead on a farming estate of the Yance community in the municipality of Jesús de Otoro, in the department of Intibucá. Justo Sorto was a prominent leader of an indigenous Lenca community and active member of COPINH. Justo Sorto was detained by police on various occasions for his participation in protests against lumber dealers operating in the forests where the Lenca community lives, in the departments of Lempira, Intibucá and Santa Barbara.

14. [On 25 August 2013](#), human rights defenders Ms **María Enriqueta Matute**, Mr **Armando Fúnez Medina** and Mr **Ricardo Soto Fúnez** were killed in an attack. The three belonged to various tribes of the Tolupán indigenous people, from Locomapa, in the Yoro zone, and had been involved in a peaceful protest against a local antimony mining operation and the construction of a hydroelectric dam in their indigenous area.

## **Criminalisation of human rights defenders**

15. A number of HRDs have faced charges in connection to their work, ranging from usurpation of land, coercion, damages, and illegal protest to violence and illegal possession of firearms.

16. Criminalisation and stigmatisation of indigenous right defender Ms **Berta Cáceres**, general coordinator of COPINH, has been a long term strategy to undermine the work of the organisation in the defence of the indigenous territories. [On 24 May 2013](#), Berta Cáceres and **Tomás Gómez Membreño** were arrested during a search on their car by a military operation in the Agua Caliente sector of Santa Barbara. They were charged with possession of illegal firearms, which had been planted in her vehicle. She was re-arrested in relation to the same charge on 26 January 2014, despite the fact that she had been granted a temporary stay in proceedings against her due to lack of evidence in [June 2013](#). The case against her was eventually dismissed on [10 February 2014](#).

17. On [10 March 2014](#) human rights lawyer Ms **Marlen Cruz Licona** was brought before the court of San Pedro Sula, in southern Honduras, on charges of participating in the illegal occupation of land and of instigating an attack against police officers. She was ordered to sign on every 15 days and not to approach the plantations where the alleged crime took place. Her case remains pending.

18. [On 8 May 2014](#), human rights defender Mr **José Guadalupe Ruelas García** was beaten in front of the Presidential Palace by members of the military police before being arrested. He was detained on the grounds of driving dangerously and under the influence of alcohol. The alcohol tests, however, confirmed his sobriety. The incidents came two days after he made a statement in the media criticising the policies of the government towards children.

## **Public stigmatisation**

19. Public officials and members of the military have publicly attacked HRDs and journalists for their work in investigating violence and defending land and environmental rights. Smear campaigns not only discredit the role and work of HRDs, but they also increase the risks they face. Stigmatisation, especially when followed by criminalisation, weaken the network of support enjoyed by communities and organisations, thus making it easier to target them. In some cases they cause internal conflicts in communities and organisations; they reduce their capacity to advocate effectively, and may alienate potential donors, thus impacting on their finances.

20. [On 18 February 2013](#), the Xatruch Joint Task Force of the Armed forces publicly accused a number of HRDs, journalists and civil society organisations of carrying out a “well orchestrated campaign of disinformation” and of publishing defamatory and false material on the military task force in the Aguán region. The commander of the Task Force named specific HRDs and organisations describing them as “creating constant problems irrespective of laws and legally established institutions, provoking instability and insecurity”.

## **Violent targeting of journalists**

21. The risks faced by journalists have increased since the 2009 coup. The organisation C-Libre reported 191 attacks and 11 killings of journalists in 2013 alone. According to PEN International, at

least 42 journalists have been murdered since 2003, 36 of them since the coup.

22. On 11 April 2014, Mr **Carlos Hilario Mejía Orellana** was found dead in his home with multiple stab wounds in El Progreso municipality. Carlos Hilario Mejía Orellana was head of marketing for **Radio Progreso** and a member of its Reflection, Investigation and Communication Team.

23. On 7 December 2013, Mr **Juan Carlos Argeñal** was shot twice and killed by two unknown individuals in his house. The journalist was a correspondent for **Radio Globo** and **Globo TV**, as well as the owner of a local TV station and an activist for *Partido Libertad y Refundación* (LIBRE). Juan Carlos Argeñal had been reporting about local corruption in the government.

24. [On 8 April 2013](#), another journalist from Globo TV, Ms **Fidelina Sandoval**, was shot at, metres away from the television station where she worked. She was not injured and managed to escape from her aggressors. Fidelina Sandoval covered a number of issues relating to human rights, security and civil society organisations.

### **LGBTI rights defenders**

25. Since the 2009 coup, the attacks against LGBTI rights defenders have multiplied. LGBTI rights defenders have been subject to surveillance, break-ins and assaults, death threats and physical attacks.

26. [On 15 December 2013](#), the offices of the ***Asociación para una Vida Mejor*** (APUVIMEH) were broken into by unknown armed men. They threatened to kill all members of APUVIMEH if they were not paid 13,000 Honduran Lempira (470 Euro). Earlier that year, on 9 August 2013, human rights defender Ms [Arely Victoria Gómez](#) from APUVIMEH was assaulted by four men who beat her and robbed her belongings. On 20 June 2013, the 16-year-old daughter of human rights defender Ms [Sandra Zambrano](#), also from APUVIMEH, was forced into a car by two unknown men and held for approximately three hours. In light of these and other incidents, including death threats, APUVIMEH stopped its human rights advocacy and closed for a period of time.

27. [On 1 September 2013](#), the offices of the organisation ***Asociación LGTB Arcoiris*** were broken into and a computer was stolen. A second break-in occurred a week later. The circumstances of the incident indicate that it was a targeted attack, the latest in a long series of instances of harassment that the organisation's leaders and members have been facing.

### **IACHR precautionary measures and a national initiative to protect HRDs**

28. The IACHR granted a number of precautionary measures, in particular after the 2009 coup. However, many of those decisions have not been complied with and some of the beneficiaries have been killed or otherwise targeted.

29. At the end of April 2014, the Government requested that the IACHR suspend of a number of precautionary measures granted in previous years, arguing that the context that gave rise to them had completely changed and that the political crisis of 2009 had been overcome. As the cases listed in this submission show, however, a number of HRDs continue to be targeted.

30. On 3 July 2014, **Father César Augusto Espinoza Muñoz** and **Father Abel Carbajal**, priests of the parish of Arizona, Atlántida, and three international human rights observers of the **Proyecto de Acompañamiento Internacional en Honduras** (PROAH) were assaulted and abducted. Three armed men got into the vehicle where the five were travelling and held them for 45 minutes, issuing death threats. Both priests are beneficiaries of the protection measures granted by the IACHR.

31. Since the presentation of reports on human rights violations in Honduras in April 2014, the **Comité de Familiares de Detenidos Desaparecidos en Honduras** (COFADEH) and its members have been subjected to increased surveillance. Furthermore, on 5 June 2014, a member of the organisation was abducted in a taxi, suffering an assault before being released. Members of COFADEH are also beneficiaries of the precautionary measures granted by the IACHR.

32. Human rights defender **Miriam Miranda** from **OFRANEH** is also beneficiary of precautionary measures from the IACHR (see paragraph 11 above for details on her abduction in July 2014).

33. On 4 June 2014 the Honduran Congress passed in first reading a draft for a proposed Law to Protect Journalists, Human Rights Defenders and Justice System workers (*Ley de Protección para los Defensores de Derechos Humanos, Periodistas, Comunicadores Sociales y Operadores de Justicia*). The draft provides for the establishment of a National Council on Protection, to be created within the government's Human Rights Secretariat and which should include representatives of relevant government departments and civil society, as well as of a new Directorate General in charge of providing protection measures. Civil society organisations have recommended a number of amendments to be made before the law is passed.

## Recommendations

34. Front Line Defenders calls upon the member states of the UN Human Rights Council to urge the authorities in Honduras to prioritise the protection of HRDs and in doing so to:

- (a) Make public and frequent statements on the important role played by HRDs and journalists in Honduras, recognising the level of risk that they face in carrying out their legitimate and peaceful activities;

- (b) Promptly provide human rights defenders and journalists at risk with adequate protective measures tailored to their individual security needs with the aim of preventing future attacks and ensure that all human rights defenders in Honduras are free to carry out their human rights activities free from persecution;
- (c) Give serious consideration to the amendments proposed by civil society to the draft *Ley de Protección para los Defensores de Derechos Humanos, Periodistas, Comunicadores Sociales y Operadores de Justicia*, ensure its speedy approval and the provision of adequate budget and human resources; ensure that it responds to HRD's need and that human rights defenders are effectively consulted at all stages of its implementation;
- (d) Ensure that an immediate, thorough and impartial investigations into all reported cases of killings and other attacks against human rights defenders is carried out, with a view to publishing the results and bringing those responsible to justice in accordance with international standards;
- (e) Take measures to put an end to judicial harassment against human rights defenders, and in so doing ensure the immediate revision of all standing criminal investigations against HRDs, close those cases where accusations are unfounded, and immediately drop all charges of HRDs who are being unjustly prosecuted;
- (f) Establish a high level task force mandated to investigate the issue of killing of human rights defenders and journalists, and to devise strategies to address it;
- (g) Guarantee the right of women human rights defenders and LGBTI human rights defenders to engage in human rights work and take measures to ensure their protection before the law and in society;
- (h) Fully implement the adopted UPR recommendations on human rights defenders in a transparent and participatory manner with full involvement of human rights defenders at all levels;
- (i) Fully implement the recommendations made by the UN Special Rapporteur on the situation of human rights defenders following the 2012 country visit to Honduras;
- (j) Guarantee in all circumstances that all human rights defenders in Honduras are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions and ensure full respect for the UN Declaration on Human Rights Defenders.