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*Plenary sitting*

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**B8-0473/2016**

12.4.2016

## MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Honduras: situation of Human rights defenders  
(2016/2648(RSP))

**Josef Weidenholzer, Victor Boștinăru, Knut Fleckenstein, Richard Howitt, Elena Valenciano, Eric Andrieu, Nikos Androulakis, Francisco Assis, Zigmantas Balčytis, Hugues Bayet, Brando Benifei, Goffredo Maria Bettini, José Blanco López, Vilija Blinkevičiūtė, Simona Bonafè, Biljana Borzan, Soledad Cabezón Ruiz, Nicola Caputo, Andrea Cozzolino, Viorica Dăncilă, Doru-Claudian Frunzuliță, Eider Gardiazabal Rubial, Enrico Gasbarra, Elena Gentile, Lidia Joanna Geringer de Oedenberg, Neena Gill, Michela Giuffrida, Maria Grapini, Theresa Griffin, Sylvie Guillaume, Jytte Guteland, Sergio Gutiérrez Prieto, Anna Hedh, Cătălin Sorin Ivan, Liisa Jaakonsaari, Afzal Khan, Jeppe Kofod, Kashetu Kyenge, Arne Lietz, Juan Fernando López Aguilar, Olle Ludvigsson, Krystyna Lybacka, Costas Mavrides, Sorin Moisă, Csaba Molnár, Alessia Maria Mosca, Victor Negrescu, Momchil Nekov, Norbert Neuser, Demetris Papadakis, Vincent Peillon, Pina Picierno, Tonino Picula, Miroslav Poche, Liliana Rodrigues, Inmaculada Rodríguez-Piñero Fernández, Daciana Octavia Sârbu, Renato Soru, Tibor Szanyi, Claudia Tapardel, Marc Tarabella, Julie Ward, Flavio Zanonato**  
on behalf of the S&D Group



**European Parliament resolution on Honduras: situation of Human rights defenders (2016/2648(RSP))**

*The European Parliament,*

- having regard to the UN Covenant on Civil and Political Rights of 1966;
- having regard to the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms (Declaration on Human Rights Defenders), 1998;
- having regard to the 'EU Guidelines on Human Rights Defenders', adopted by the General Affairs Council on 8 December 2008;
- having regard to the 2009 Council Conclusions on Democracy Support in the EU's External Relations;
- having regard to the 2009 Council's Guidelines on Human Rights and International Humanitarian Law;
- having regard to the European Commission's Mid Term review of the Country Strategy for Honduras 2007-2013;
- having regard to its resolution of 11 December 2012 on the EU-Central America Association agreement;
- having regard to the EU's 2014-2020 Multiannual Indicative Programme for Honduras;
- having regard to 'EU Guidelines to Promote and Protect the Enjoyment of All Human Rights by LGBTI Persons', adopted by the Foreign Affairs Council on 24 June 2013;
- having regards to the European Union Election Observation Mission's Final Report on the General Elections in Honduras, 2013;
- having regard to the EU Action Plan on Human Rights and Democracy (2015-2019)<sup>1</sup>;
- having regards to United Nations Human Rights Council's Report of the Special Rapporteur on violence against women, its causes and consequences, Rashida Majoo, 10 June 2015;
- having regard to the 2015 United Nations' Universal Periodic Review Recommendations to Honduras of 8 May 2015;

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○ <sup>1</sup> *JOIN(2015) 16 final, Brussels, 28.4.2015*

- having regard to the United Nations Special Rapporteur’s report on the global threats facing human rights defenders, and on the situation of women human rights defenders<sup>1</sup>;
  - having regard to the United Nations Special Rapporteur's statement on the situation of human rights defenders in Honduras on 18 March 2016 in Geneva;
  - having regard to Article 25 of the Rules of Procedure on the mechanism for precautionary measures of the Inter American Commission for Human Rights;
  - having regard to the 1989 Convention concerning Indigenous and Tribal Peoples in Independent Countries;
  - having regard to previous European Parliament legislative resolutions on Honduras,<sup>2</sup>
  - having regard to the 2014-2017 EU Roadmap for Engagement with Civil Society in Partner Countries
  - having regard to a EU Heads of Mission statement on the difficult situation the LGBTI community faces in Honduras, 17 February 2016;
- A. whereas support for human rights defenders is an integral element of the European Union's human rights external relations policy;
- B. whereas human rights continue to be a major concern in Honduras in spite of positive commitments taken by the government that includes inter alia the opening of an UN Human Rights Commissioner’s Office; the openness of national authorities to allow human rights international monitoring missions;
- C. whereas Honduras Congress approved in April the Protection Law for Human Rights

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<sup>1</sup> <http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/AnnualReports.aspx>

<sup>2</sup> European Parliament legislative resolution Resolution on 26 February 2014 on the draft Council decision on the conclusion on behalf of the European Union of the Political Dialogue and Cooperation Agreement between the European Community and its Member States, of the one part, and the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama, of the other part, as regards Article 49(3) thereof (12400/2013 – C7-0426/2013 – 2012/0219B(NLE));

European Parliament legislative resolution of 26 February 2014 on the draft Council decision on the conclusion on behalf of the European Union of the Political Dialogue and Cooperation Agreement between the European Community and its Members States, of the one part, and the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama, of the other part, with the exception of Article 49(3) thereof (12399/2013 – C7-0425/2013 – 2012/0219A(NLE)) (Consent);

European Parliament legislative resolution of 26 February 2004 on the proposal for a Council decision on the conclusion of a Political Dialogue and Cooperation Agreement between the European Community and its Member States, of the one part, and the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama, of the other (COM(2003) 677 – C5-0658/2003 – 2003/0266(CNS));

Defenders, Journalist, Social communicators and Justice Officials, and the government has subsequently created a new Directorate of Protection of Human Rights Defenders; whereas this is not yet fully implemented due to lack of additional regulations and resources; whereas the EU has contributed to this initiative through the PADH human right support programme;

- D. whereas, in spite of the above, Honduras has now become one of the most dangerous countries for human rights defenders; whereas conflict for land disputes have resulted in land occupations as well as assassination of community leaders; whereas attacks against indigenous leaders, journalist, members of LGTBI communities and justice officials are unfortunately very common;
- E. whereas Honduras was at the top of Global Witness' 'Global killings of land and environmental defenders 2002-2014' index; whereas at least 111 environmental activists were murdered in Honduras;
- F. whereas on 3 March 2016 Berta Cáceres, a founder of the Civic Council of Popular and Indigenous Organizations Honduras (COPINH) and leader of the Lenca community of Río Blanco was assassinated; whereas Ms Cáceres was benefitting from precautionary measures provided by the Inter-American Court of Human Rights.; whereas on 16 March 2016, Mr Nelson García, who was as well a member of COPINH was also murdered;
- G. whereas Mexican national Gustavo Castro Soto, who witnessed the murder of Berta Cáceres and suffered gunshot wounds himself was prevented from leaving the country for the needs of the investigation; whereas Mr Castro was finally authorised to return to Mexico; whereas Mr Castro had to take residence in the Mexican embassy in Tegucigalpa for his safety during this period;
- H. whereas 92 precautionary measures are currently active in Honduras but it is unclear how many of them are actually implemented;
- I. whereas lawyers and judges defending human rights and seeking to fight impunity are harassed, threatened and assassinated in Honduras; whereas between 2010 and December 2014, 86 legal professionals were killed;
- J. whereas indigenous residents have increasingly faced various abuses by property developers and their allies in recent years, including corrupt titling processes and acts of violence;
- K. whereas local *campesinos* organisations in the Bajo Aguán region claim that 90 *campesinos* were killed between 2008 and 2013 and many more have faced violent attacks and threats by private security guards or soldiers during evictions related to long running land disputes; whereas despite the establishment in April 2014 of a special unit in the Attorney General's Office to investigate these killings little progress has been made;
- L. whereas in April 2015 three student activists protesting for the right to education, were murdered; whereas the President of the labour union Sindicato de Trabajadores de la Universidad Nacional Autónoma de Honduras (SITRAUNAH) was murdered in

June 2015; whereas at least 31 trade unionists were murdered between June 2009 and February 2014;

- M. whereas Carlos Mejía Orellana's, a journalist from Radio Progreso who denounced several corruption cases and human rights violations was murdered in April 2014 despite the Inter-American Commission for Human Rights ordering Honduras to protect him;
  - N. whereas Honduras ranks 132 out of 180 in the Reports Without Borders freedom of press index; whereas since 2009, at least 34 journalists have been killed, with community radio stations being subjected to arson or raids and journalists at risk of being threatened; where self-censorship is now common; whereas media outlets which have exposed high- level corruption around the health system, such as Radio Globo and Globo TV, have seen five of their journalists killed since 2011; whereas in July 2015 Honduras recorded 3 more killings of journalists in a period of 10 days;
  - O. whereas since 2003 only 2 of 51 cases of murdered journalists have seen justice representing a more than 90% impunity record; whereas neither the granting of precautionary measures by the Inter-American Commission for Human Rights, nor UN expert recommendations, have resulted in the Honduran State implementing effective measures to protect HRDs and journalists;
  - P. whereas women's rights defender Gladys Lanza was charged with defamation and imprisoned for reporting sexual harassment; whereas abortion remains illegal under all circumstances in Honduras; whereas in 2009 the government banned entirely the use and distribution of emergency contraceptive pills;
  - Q. whereas growing incidents against lesbian, gay, bisexual and transgender individuals LGTBI since the beginning of 2016; whereas Paola Barraza a member of Arcoiris' group of trans women was murdered on 24 January 2016; whereas during the period between July 2015 and January 2016, the Arcoiris association reported 21 attacks and five murders, the most recent of which was the murder of Paola Barraza; whereas 235 LGBTI have reportedly been killed since 1994 in Honduras, with only 48 cases going to court; whereas the national human rights commissioner has alleged that 92 percent of crimes have not been properly investigated and so remain unresolved;
  - R. whereas the UN Special Rapporteur on the situation of Human Rights defenders has urged the Government of Honduras "to take immediate and concrete actions, or risk turning the country into a lawless killing zone for human rights defenders"<sup>1</sup>
  - S. whereas respect for democracy, the rule of law and the human, civil and political rights of the people of both regions are fundamental elements of the EU-Central America Association Agreement;
1. Condemns in the strongest terms all the murders of human rights defenders and

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<sup>1</sup> <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=18481&LangID=E#sthash.mt8PDKwl.dpuf>

18 March 2016

specifically the recent cases of Berta Cáceres, Nelson García and Paola Barraza;

2. Calls on the Honduran Government to guarantee that all human rights defenders in Honduras, particularly those working in the fields of environment protection, indigenous rights and LGBTI rights, are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions;
3. Expresses grave concern that despite precautionary measures issued by the Inter-American Commission on Human Rights (IACHR), the Honduran authorities failed to provide Ms Cáceres with adequate protection; calls on the Honduran government to mobilise all the means at its disposal in order to effectively implement the 92 IACHR precautionary measures currently active in the country;
4. Urges the Honduran authorities to ensure a prompt, effective and transparent investigation of the murders in order to bring to justice the intellectual and material authors and put an end to the impunity around these crimes;
5. Calls on the EU Delegation in Honduras, as well as Embassies and Consulates of EU member states in the country, to actively accompany and monitor the processes around the investigation of the murders of human rights defenders, such as Berta Cáceres and Nelson García and Paola Barraza;
6. Welcomes the recent legal reforms and efforts of the Honduran Government towards the protection of human rights defenders; urges the Honduran authorities to fully develop the existing law on the protection of human rights defenders and to ensure that the National Protection System for Human Rights Defenders, journalists, media workers and justice operators is fully operational and sufficiently funded; calls on the government to facilitate the work of the National Human Rights Commission and to provide State security forces with training regarding the role and contribution of human rights defenders;
7. Urges the Honduran government to meet its obligation of carrying out the prior, free, and informed consultation of indigenous people regarding the nearly 50 hydropower projects underway on their land and territories and that affect their natural resources; calls on the European Commission and the EEAS to ensure that no European assistance and support for multilateral bank projects promote or permit development projects without meeting the obligation for prior, free and informed consultation with indigenous communities, nor without ensuring meaningful consultation of all affected communities and that strong human rights, labour rights and environmental safeguards are in place;
8. Emphasises the need to strengthen protection against discrimination and hate crimes on the basis of sexual orientation and gender identity, most notably by enforcing Article 321 of the penal code and developing good practice guidelines, in close cooperation with civil society; urges the government of Honduras to promptly implement the 152 recommendations received in the UPR, in particular the seven relating to the situation of LGTBI community; requests that the new penal code include appropriate measures to prevent and punish acts of discrimination and hate crimes against LGTB community based on gender and sexual identity;
9. Calls upon Honduras to sign and ratify the Optional Protocol to the International

Covenant on Economic, Social and Cultural Rights;

10. Instructs its President to forward this resolution to the Council, the Commission, the European External Action Service, the Member States, the Government of Honduras, the Head of the EU Delegation in Honduras, and the United Nations High Commissioner of Human Rights.