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TEXTS ADOPTED

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**P8\_TA(2016)0129**

**Honduras: situation of human rights defenders**

**European Parliament resolution of 14 April 2016 on Honduras: situation of human rights defenders (2016/2648(RSP))**

*The European Parliament,*

- having regard to the EU Guidelines on Human Rights Defenders and the EU Guidelines to Promote and Protect the Enjoyment of All Human Rights by Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Persons,
- having regard to its resolution of 11 December 2012 on the draft Council decision on the conclusion of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America, on the other<sup>1</sup>,
- having regard to the final report of the EU Election Observation Mission (EOM) on the 2013 general elections in Honduras, and to its follow-up mission in 2015 with regard to impunity,
- having regard to the EU Action Plan on Human Rights and Democracy (2015-2019),
- having regard to the United Nations Universal Periodic Review (UPR) recommendations to Honduras of 8 May 2015,
- having regard to the UN Special Rapporteur's report on the global threats facing human rights defenders, and on the situation of women human rights defenders,
- having regard to the UN Special Rapporteur's statement on the situation of human rights defenders in Honduras, issued in Geneva on 18 March 2016,
- having regard to Article 25 of the Rules of Procedure of the Inter-American Commission for Human Rights, concerning the mechanism for precautionary measures,
- having regard to the 1989 International Labour Organisation Convention concerning Indigenous and Tribal Peoples in Independent Countries (ILO Convention 169),
- having regard to the statement of 17 February 2016 by the EU Heads of Mission on the difficult situation the LGBTI community faces in Honduras,

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<sup>1</sup> OJ C 434, 23.12.2015, p. 181.

- having regard to statements by EU authorities, including the statement of the EU Delegation in Honduras of 3 March 2016 and the statement of the spokesperson for the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, of 16 March 2016,
  - having regard to the human rights clauses of the EU-Central America Association Agreement and the EU-Central America Partnership and Cooperation Agreement (PCA), in force since 2013,
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas, according to several UN reports on human rights defenders, environmental activists, indigenous rights defenders, journalists, legal practitioners, trade unionists, peasants, women’s rights activists and LGBTI people, among other activists, continue to be subject to abuses, violence, arbitrary detention, threats and killings in Honduras;
  - B. whereas the Honduran Government has made positive commitments and initiated legislation to protect human rights defenders, journalists and legal practitioners, which includes the opening of an office of the UN Commissioner for Human Rights, openness on the part of national authorities to allowing international human rights monitoring missions, and the adoption of the 2015 Law for the Protection of Human Rights Defenders;
  - C. whereas, in spite of the above, Honduras has now become one of the most dangerous countries in the region for human rights defenders; whereas Honduras is one of the world’s most violent countries for environmental activists, at least 109 of whom were murdered between 2010 and 2015;
  - D. whereas, according to the information available, on 3 March 2016 Berta Cáceres, a prominent environmentalist and indigenous rights leader and the founder of the Civic Council of Popular and Indigenous Organisations of Honduras (COPINH), was assassinated in her home by unidentified men; whereas her death sparked international outrage and public concern about indigenous, environmental and land rights defenders in Honduras;
  - E. whereas only two weeks later, on 16 March 2016, Nelson García, also a member of COPINH, was murdered; whereas the rapid intervention of the Honduran authorities led to the detention of his alleged murderer;
  - F. whereas Mexican national Gustavo Castro Soto, who was the only eyewitness to the murder of Ms Cáceres and who suffered gunshot wounds himself, was prevented from leaving the country for nearly a month owing to the needs of the investigation; whereas on 6 April 2016 he was authorised to leave the country;
  - G. whereas the Honduran Government promptly condemned the abominable crime, declared the investigation into the murder of Ms Cáceres a national priority, and informed the public of the progress made; whereas the government has officially requested the cooperation of the Organisation of American States (OAS) in the investigation of this murder;
  - H. whereas Ms Cáceres, who was under continuous threat, was benefiting from precautionary measures issued by the Inter-American Commission on Human Rights (IACHR), which were reportedly not implemented effectively by the Honduran state; whereas Ms Cáceres

is one of 15 human rights defenders who have been killed between 2010 and 2016 in Honduras despite being beneficiaries of these precautionary measures;

- I. whereas these recent murders should be seen in the context of the peaceful, decade-long resistance led by COPINH and other activists against the Agua Zarca hydroelectric dam on the Gualcarque River, a mega-project highly dependent on European investors and technology which is reportedly being constructed without prior free and informed consultation aimed at obtaining the consent of affected indigenous communities, as required by ILO Convention 169; whereas Dutch development bank FMO and Finnfund have suspended disbursements to the Agua Zarca dam project, of which Ms Cáceres was a leading opponent;
  - J. whereas the murder on 24 January 2016 of Paola Barraza, a defender of LGBTI rights, a trans woman and a member of the Arcoíris association, brings into focus the increasing danger faced by the LGBTI community in Honduras; whereas her assassination is the latest in a string of violent deaths of active members of LGBTI human rights organisations in the last 11 months, including the killings of Angy Ferreira, Violeta Rivas, Gloria Carolina Hernández Vásquez (also known as Génesis Hernández), Jorge Alberto Castillo, Estefanía Zúñiga, Henry Matamoros and Josselin Janet Aceituno Suazo; whereas 235 LGBTI people have reportedly been killed in Honduras since 1994, with only 48 cases going to court; whereas the national human rights commissioner has alleged that 92 % of crimes have not been properly investigated and so remain unresolved;
  - K. whereas the UN Special Rapporteur on the situation of human rights defenders, Michel Forst, stated on 18 March 2016 that ‘this cycle of violence will only stop when impunity is addressed and perpetrators of such attacks are put to justice’, and has stressed the need for the Honduran authorities to take immediate concrete steps to ensure safety for all human rights defenders in the country and their families;
  - L. whereas Honduras is currently in the process of reforming its penal code, which should be based on international conventions and be an important tool for securing the rights of vulnerable groups;
  - M. whereas the EU and its Member States support the strengthening of the judicial sector and of human rights through various programmes and cooperation projects, in particular the Programme to Support Human Rights (PADH) and Eurojusticia;
  - N. whereas several Member States have not yet ratified the EU-Central America Association Agreement, meaning that the ‘political dialogue’ pillar has not entered into force; 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 the recent assassination of Berta Cáceres, Nelson García and Paola Barraza, as well as each of the earlier assassinations of other human rights defenders in Honduras; extends its sincere condolences to the families and friends of all of those human rights defenders;
  2. Pays tribute to Ms Cáceres, a Honduran environmental activist and indigenous leader of the Lenca people, and the co-founder and coordinator of COPINH, who dedicated her life to the pursuit of a more democratic society in her country; stresses that her assassination

serves as an emblematic case in a country with an extremely high number of homicides and generalised impunity;

3. Expresses grave concern that, despite precautionary measures issued by the 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 implement effectively the 92 IACHR precautionary measures currently active in the country and to prevent the perpetration of similar acts against other environmental and indigenous activists under threat;
4. Calls, as a matter of urgency, for immediate, independent, objective and thorough investigations into these and previous murders in order to bring their intellectual and material authors to justice and to put an end to impunity; welcomes the fact that, at the request of the Honduran Government, the investigation into the murder of Ms Cáceres includes representatives of the UN High Commissioner for Human Rights and of the OAS; takes the view that instruments available within the framework of the UN and the IACHR, such as an independent international investigation, as requested by the victims, could help to ensure impartial and fair investigation of these murders;
5. Expresses its deep concern at the climate of extreme violence, particularly against LGBTI people and those who defend their rights; stresses the need to carry out immediate, thorough and impartial investigations into the killings of active members of various LGBTI human rights organisations;
6. Emphasises the need to strengthen protection against discrimination and hate crimes on the basis of sexual orientation and gender identity, and to develop good practice guidelines in close cooperation with civil society; calls for the inclusion of appropriate new measures to prevent acts of discrimination and hate crimes, and for the protection of the LGBTI community as part of any revision of the penal code;
7. Welcomes, while being deeply concerned by the overall human rights situation in Honduras, the latest legal reforms and the Honduran Government's efforts to alleviate the current situation of human rights defenders in the country; calls on the Honduran authorities to bring into force and fully develop the existing 2015 law for the protection of human rights defenders, and to ensure that, in appropriate cooperation with civil society, the national protection system for human rights defenders, journalists and legal practitioners is fully operational and adequately funded; calls on the Government of Honduras to implement fully the recommendations received as part of the latest UPR;
8. Appreciates the work done by the Head of the EU Delegation in Honduras, Ketil Karlsen, and his team in support of Honduran human rights defenders; calls on the EU Delegation, and on the Member States' embassies and consulates in the country, to actively accompany and monitor the processes associated with the investigation of murders of human rights defenders, and to further step up efforts to engage with human rights defenders currently in danger;
9. Considers that European investors' activities must be embedded in a strong set of environmental and social safeguard policies; strongly supports the implementation of the UN Guiding Principles on Business and Human Rights, with clear due diligence requirements, risk management safeguards and the provision of effective remedies when needed; welcomes the fact that both FMO and Finnfund have publicly condemned the killing of Berta Cáceres and have called for a thorough investigation, and the fact that on

16 March 2016, following reports of the murder of Nelson García, both suspended all of their activities;

10. Calls on the Commission and the European External Action Service to ensure that European assistance does not promote or permit development projects unless they meet the requirement for prior, free and informed consultation with indigenous communities, ensure meaningful consultation of all affected communities and have strong human rights, labour rights and environmental safeguards in place;
11. Calls on those Member States that have not done so to ratify the EU-Central America Association Agreement; urges the Council to develop a unified policy towards Honduras that commits the 28 Member States and the EU institutions to a strong common message concerning the role of human rights in the EU-Honduras relationship and in the region as a whole;
12. Instructs its President to forward this resolution to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the national parliaments of the 28 Member States, the President, Government and Parliament of Honduras, the Secretariat for Central American Economic Integration, Parlacen, the EuroLat Parliamentary Assembly and the Community of Latin American and Caribbean States.