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RESOLUTION

pursuant to Rule 135 of the Rules of Procedure

on Honduras, the situation of human rights defenders.

- having regard to the 'EU Guidelines on Human Rights Defenders' as well as the 'EU Guidelines to Promote and Protect the Enjoyment of All Human Rights by LGBTI Persons'

- having regard to its resolution of 11 December 2012 on the EU-Central America Association agreement;
- having regards to the European Union Election Observation Mission's Final Report on the General Elections in Honduras, 2013, and the Follow-Up-Mission of the EOM in 2015 in regard to impunity;
- having regard to the EU Action Plan on Human Rights and Democracy (2015-2019);
- having regard to the 2015 United Nations' Universal Periodic Review Recommendations to Honduras of 8 May 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;
- 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 a EU Heads of Missions' statement on the difficult situation the LGBTI community faces in Honduras, 17 February 2016;
- having regard to Statements from European Union authorities, such as the Statement of the EU Delegation in Tegucigalpa, on March 3, 2016; and of the Spokesperson of the High Representative/Vice President Federica Mogherini of March 16, 2016;
- having regard to the Human Rights Clause in the Association Agreement EU-Central America and the Partnership and Cooperation Agreement (PCA) EU- Central America, in force since 2013;
- having regard to Rule 135 of its Rules of Procedure,

A. whereas according to several United Nations reports on human rights defenders, environmental activists, indigenous rights defenders, journalists, legal practitioners, trade unionists, peasants, women's rights activists and LGBTI peoples among other activists

continue to be subject to abuses, violence, arbitrary detentions, threats, and killings in Honduras;

- B. whereas the Honduran government has taken positive commitments and initiated legislation that would protect human rights defenders, journalists and legal practitioners 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, and the approval 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 for human rights defenders in the region; whereas Honduras is one of the world's most violent countries for environmental activists, with at least 109 environmental activists 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 founder of the Civic Council of Popular and Indigenous Organizations Honduras (COPINH) was assassinated by unidentified men inside her home; whereas her death raised an international outrage and public concerns on the issue of indigenous, environmental and land rights defenders in Honduras;
- E. whereas only two weeks later, on 16 March 2016, Mr Nelson García, who was as well a member of COPINH, was also murdered; whereas the fast intervention of Honduran authorities has led to the detention of the alleged culprit of his murder;
- F. whereas Mexican national Gustavo Castro Soto, the only eye witness of the murder of Berta Cáceres who suffered gunshot wounds himself, was prevented from leaving the country for the needs of the investigation for nearly a month; whereas on April 6 he was authorised to leave the country
- G. whereas the Honduran Government promptly condemned the abominable crime, declared the investigation into Ms Cáceres's murder a national priority and informed public opinion about its progress; whereas the Government has officially requested the cooperation of the Organization of American States (OAS) to investigate on this murder;
- H. whereas Berta Cáceres, under continuous threat, was benefitting from precautionary measures by the Inter-American Court of Human Rights, which were reportedly not effectively implemented by the Honduran state; whereas Berta 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 with the objective on consent of affected indigenous communities, as required by the ILO Convention 169; whereas the Dutch development bank FMO and Finnfund have suspended disbursements to the Agua Zarca dam project, of which Berta Cáceres was a leading opponent

- J. whereas the murder of Paola Barraza on 24 January 2016, a defender of LGBTI rights and a trans woman, member of the Arcoiris association, puts 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 Zúniga, Henry Matamoros, Josselin Janet Aceituno Suazo; 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;
 - K. whereas the UN Special Rapporteur on the situation of human rights defenders, Michel Frost, 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 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 to secure rights for vulnerable groups;
 - M. whereas the EU and its Member States support the strengthening of the judicial sector and human rights with various programs and cooperation projects, especially with the Support Program for Human Rights (PADH) and Eurojusticia;
 - N. whereas several EU Member States have not yet ratified the EU-Central America association agreement, meaning the "Political Dialogue" branch has not been put 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 Garcia, 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 Berta Cáceres, a Honduran environmental activist and indigenous leader of the Lenca people, 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 at the same time a generalised impunity.
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 and prevent the perpetration of similar actions against other environmental and indigenous activists under threat;
4. Urges for an 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, upon request by the Honduran Government, the investigation on the murder of Ms Cáceres includes representatives of the UN High Commissioner of Human Rights as well as the OAS; takes the view that instruments available within the framework of the United Nations and the Inter-American Commission on Human Rights, such as an international independent investigation, as requested by the victims, could help to ensure an impartial and fair clarification on 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 in to the killings of active members of different 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, developing good practice guidelines, in close cooperation with civil society; calls on the inclusion of new appropriate measures to prevent acts of discrimination and hate crimes and for the protection of the LGTB community in the framework of any revision of the penal code
7. While deeply concerned by the overall human rights situation in Honduras, welcomes the latest legal reforms and efforts of the Honduran Government in order to alleviate the current situation of human rights defenders in the country; calls on the Honduran authorities to put into force and fully develop the existing 2015 law for the protection of human rights defenders and 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 fully implement the recommendations received in the latest UPR.

8. Appreciates the work done by the EU Head of Delegation Ketil Karlsen and his team in the support of Honduran human rights defenders; 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; and to further step up efforts to engage with currently endangered HRDs
9. Considers that European investors' activities must be embedded in a strong set of environmental and social safeguard policies, strongly supports the implementation of 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 that both FMO and Finnfund have publicly condemned Berta Cáceres ' killing and have called for a thorough investigation and that on 16 March following reports of Mr Garcias' murder, FMO suspended all of its activities.
10. Calls on the European Commission and the EEAS to ensure that European assistance does not 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 safeguards on human rights, labour rights and environmental are in place
11. Calls on the EU Member States that haven't done so to ratify the EU-Central America association agreement; urges the Council to develop a unified policy towards Honduras that commits the 28 EU Member States and the EU institutions to a strong common message concerning the role of human rights in the EU-Honduras relationship
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, the Government and Parliament of Honduras, SIECA, Parlacen, Eurolat Parliamentary Assembly and the CELAC