“Mother Nature – militarized, fenced-in, poisoned – demands that we take action.”

Berta Câceres 1971-2016

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Sandwiched between Guatemala and Nicaragua on the Caribbean coast, Honduras is blanketed in forest and rich in valuable minerals. But the proceeds of this natural wealth are enjoyed by a very small section of society. Honduras has the highest levels of inequality in the whole of Latin America, with around six out of ten households in rural areas living in extreme poverty, on less than US$2.50 per day.

This report documents shocking levels of violence and intimidation suffered by rural communities for taking a stand against the imposition of dams, mines, logging or agriculture on their land – projects that are controlled by rich and powerful elites, among them members of the political class. The root causes of these abuses are widespread corruption and the failure to properly consult those affected by these projects.

THE MOST DANGEROUS PLACE TO BE AN ENVIRONMENTAL ACTIVIST

Nowhere on earth are you more likely to be killed for protesting the theft of land and destruction of the natural world than in Honduras. According to Global Witness research, 123 land and environmental activists have been murdered in Honduras since the 2009 coup, with countless others threatened, attacked or imprisoned.

Berta Cáceres was one of dozens of people Global Witness interviewed during a two-year investigation into the political and economic forces behind this killing spree. Among the interviewees it was rare that someone hadn’t lost loved ones, friends, colleagues, or hadn’t themselves been intimidated or attacked.

The case studies in this report bring to light new evidence of the corrupt and criminal acts that are driving this violence, allowing well-connected Hondurans to push through their business deals at huge cost to whole communities and the environment. They include the stories of:

- Ana Miriam and her sister-in-law Rosaura, both pregnant, who were beaten after reporting threats for opposing the Los Encinos hydroelectric project controlled by the husband of the president of the ruling National Party of Honduras. Rosaura lost her baby as a result of the attack.
- Concepción Gutiérrez, who reported being threatened for refusing to sell her land to a mining company owned by businessman Lenir Pérez. The international observers assigned to her protection were abducted.

On 2 March 2016, armed men broke into environmental activist Berta Cáceres’ home in the middle of the night and shot her dead. Cáceres had dedicated several years to trying to halt the construction of a hydroelectric dam on her community’s land in Intibucá, western Honduras, which threatened a vital and sacred water source for the indigenous Lenca people. Less than a year before her death she had delivered a moving address to a packed auditorium as she was presented with the 2015 Goldman Environmental Prize for exceptional bravery in environmental activism. Dedicating her award to: “the martyrs who gave their lives in the struggle to defend our natural resources.” Berta said, “Mother Nature – militarised, fenced-in, poisoned – demands that we take action.” Tragically, not even the international limelight could save her.

The Afro-Honduran community of Barra Vieja, who resisted attempts by police and government officials to forcibly evict them from their land, in favour of a five-star hotel complex.

In the majority of these cases, the attackers were not held to account, and the victims and their families were denied the protection and justice they deserved. Our investigations show how state institutions such as the judiciary, military or police force are often co-opted to support the interests of companies and the people who have stakes in them. Although the government theoretically has the power and resources to protect activists, in practice a lack of political will, endemic corruption and undue influence from elites means it fails to do so. According to rights groups, more than 90 per cent of killings and abuses against Honduran human rights defenders remain unsolved.

OPEN FOR BUSINESS

The examples of the murders of activists covered in this report are part of an epidemic sweeping the country, which has its roots in corporate greed, corruption, and impunity for business-backed aggressors. They constitute a systematic campaign to terrorise local communities into accepting the theft and industrialisation of their land, and a profound failure to realise people’s rights to be consulted on the use of their natural resources.

Since the 2009 coup that ousted former president Manuel Zelaya, a succession of right-wing governments have made mining, agribusiness and energy projects a cornerstone of the country’s economic growth strategy. In 2011, a government-hosted conference proclaimed the country ‘Open for Business’. Foreign investors are once again able to snap up mining concessions; water resources have been privatised, environmental checks and balances have been diluted, and policies governing how companies should engage with local communities are being ignored. The clear hope is that lax enforcement and a weakening of existing laws will encourage investment.
While the main beneficiaries of this corruption are Honduran companies and individuals, the international community is complicit in this race to the bottom on rights and standards. The current economic development model – and some of the most abusive projects – are backed by international financial institutions, whilst the Honduran government continues to receive extensive foreign aid, particularly from the US. From the capital Tegucigalpa, the US embassy has been promoting ramped-up investment in Honduras’ extractive industries, with mining giant Electrum already planning a US$1 billion investment. The country’s hydro and agribusiness sectors are also seeing cash injections from US-backed development banks, such as the International Finance Corporation (IFC) and Inter-American Development Bank (IDB), and the US Congress has agreed a huge US$750 million aid package for Central America, with Honduras taking a large chunk.

A LONG WAY TO GO

After significant international pressure, the Honduran government launched an investigation into the murder of Berta Cáceres and arrested seven suspects, but the process has been blighted by false accusations, suspected cover-ups and the robbery of the case file on two separate occasions. Meanwhile the deaths of many less-famous activists go unsolved and the violence continues. Three of the people interviewed during the research phase of this report have since been murdered. In October 2016, Tomas Gómez survived an attempt on his life. He was Berta’s right-hand man and successor as leader of the Civic Council of Popular and Indigenous Organizations of Honduras (COPINH). Shortly after the attack he told us:

“It’s difficult to reconcile yourself to the fact it may be your last day, your last moment, you know? But my spirits are up again…. We keep on going. Despite everything, we keep on going.”

NEW EVIDENCE

Global Witness’ two-year investigation revealed numerous illegalities and alleged corruption related to business projects causing violence against activists. Key findings include:

- National Party president Gladis Aurora López appears to have a clear conflict of interest given that her husband controls La Aurora and Los Encinos, two dams granted licenses when López was in Congress, in violation of the Honduran Constitution. Local activists claim López staged a phoney consultation to try to push through the Los Encinos dam.
- Well-known businessman and National Party activist Lenir Pérez allegedly attempted to bribe activists opposing his mining project with US$1 million. Pérez is suspected of involvement in death threats as well as the kidnapping of two international human rights activists.
- The company secretary of Desarrollos Energeticos SA (DESA) allegedly attempted to bribe Berta Cáceres to stop her opposing its dam project. This report details the company’s powerful links to the military and government.
- Ex-army general Filander Uclés allegedly threatened the indigenous community of San Francisco de Locomapa to try to force them off their land. Five indigenous activists have been killed in the community for protesting against illegal logging and mining.
- The luxury tourism company Desarrollo Turistico Bahia de Tela, backed by a roll call of Honduran elites, repeatedly attempted to illegally evict the Barra Vieja community. The company has laundered corrupt funds as part of Honduras’ biggest-ever corruption scandal involving the Social Security Institute.

We approached for comment all individuals and companies who are the subject of our allegations. We include a summary of their responses in the case studies below.

MAIN RECOMMENDATIONS

Honduran and foreign state and business actors currently contribute to attacks against land and environmental activists. Concerted action is needed by all actors and the following recommendations must be prioritised:

- The Honduran government must prioritise the protection of land and environmental defenders, properly resource the new protection system and implement emergency measures.
- The Honduran government, police and judiciary must bring the perpetrators of crimes against these activists to justice, and end the corruption behind abusive business projects.
- The Honduran government must work with civil society to strengthen and implement laws that guarantee the consent of indigenous communities before projects are given the green light.
- The US must review its aid and investment policy to Honduras in order to ensure activists are better protected, crimes against them are prosecuted and communities are consulted before business projects go ahead.
- Foreign investors and International Financial Institutions should stop any planned investments in the industries causing the violence – mining, dams, logging, tourism and large-scale agricultural projects.

Indigenous leader Martín Vásquez has faced threats and physical attacks for opposing a dam project on his community’s land. © Giles Clarke/Global Witness
The Central American Republic of Honduras is the most dangerous place in the world to defend land rights and the environment. This country of 8 million inhabitants has more murders of activists per capita than anywhere else. Since the 2009 coup, 123 land and environmental defenders have been killed. Murder is not the only tool used to silence those who take a stand, with many more activists and their families facing threats and constant intimidation, physical attacks and trumped-up legal charges, as well as damage to their land and property.

New findings from on the ground investigations by Global Witness demonstrate how industries backed by political and business elites have flouted laws, bribed officials and ignored local demands by people to be consulted on projects that affect their land. These industries are suspected of ordering attacks by private security guards, police, army and hit men with the aim of silencing those who speak out. The revelations shed light on a country whose natural resource sector is riven with corruption and crime, and where people’s human rights – particularly those of its 1.27 million-strong indigenous population – have been sacrificed in the name of “development”.

A GOVERNMENT FAILURE
Widespread corruption, a favouring of trade and business interests over human rights, impunity for attackers, and stigmatisation and criminalisation of activists combine to create a lethal cocktail for anyone seeking to defend their land or the environment in Honduras. Honduran government has repeatedly made international commitments to guarantee security for human rights activists, including land and environmental defenders, and has passed a law for their protection. Nonetheless, in terms of concrete measures, the Honduran state has been woefully ineffective, if not deliberately negligent.

Incumbent President Juan Orlando Hernández recently announced that he would run for re-election for a second term in 2017. Over the last three years, his office has failed to protect land defenders, and at times has taken part in their victimisation. In April 2015, the president’s secretary accused defenders who had recently participated in both an Inter-American and a UN human rights review of Honduras of launching a ‘campaign to discredit’ the administration and ‘affect the image’ of the nation, with the foreign minister accusing them of lying to ‘defame the country’. The president has failed to counter these accusations, or make any positive public statements legitimising the role of human rights defenders. Instead, he has claimed that they receive money from organised crime gangs, without providing any proof to support his allegations. What’s more, his government has totally failed to protect even the most at-risk activists, in spite of requirements made by the Inter-American Commission on Human Rights (IACHR).

LACK OF CONSULTATION AND IMPUNITY FOR ATTACKERS
Attacks against Honduran activists are perpetuated by a web of corruption and impunity, and facilitated by a lack of protection by the state. But the roots of conflict lie in the consistent failure to consult properly with local communities about the use of their land for business ventures. Under international law indigenous communities have the right to decide how the land and natural resources that they have traditionally owned are used. But these rights are being ignored with violent consequences.

Violence against protestors takes many forms, but what unites most cases is a lack of accountability for the attackers. Some people are gunned down by companies’ private security or hired assassins, whilst others die when police open fire on crowds of demonstrators. On rare occasions the gunman is arrested, but those who order the killings are almost never punished – impunity is the norm. Honduran state institutions have an obligation to consult communities, protect activists and investigate crimes against them, and on a handful of occasions have done so, but in the majority of cases the state turns a blind eye to murders and human rights abuses. In the worst cases, it actively aids and abets them.

BUSINESS FIRST
In 2011, the Honduran government hosted a conference, “Honduras is Open for Business” with the stated aim of attracting increased domestic and foreign investment. The result has been that commercial interests have taken precedence over the rights and needs of local people, with brutal consequences. The government, in league with business interests, criminalises community leaders for speaking out against projects imposed on their land. And the international community is complicit, with the Honduran government receiving huge influxes of US aid and some of the most controversial projects being backed by international financial institutions.

The following chapters detail some of the experiences of activists and their families who are standing up to planned developments, or seeking to assert their rights to be consulted on how their ancestral land is used. Only the effective protection of defenders, the meaningful consultation of communities and high-level prosecutions will break this cycle of criminal violence and loosen the grip of the military, political and business elites behind it. In the meantime, nobody should be investing in Honduras without absolute certainty that these conditions are in place.
Ana Miriam was targeted after opposing the construction of the Los Encinos hydroelectric dam on her community’s land. She had feared that she might be in danger, following the murder of three other indigenous activists who had taken a stand. One man was found dismembered on the bank of the Chinacla River, and the body of another indigenous leader, Juan Francisco Martínez, was found with burns across his body and his hands bound with laces from military boots. He had suffered death threats since the murder of his son in 2014. Since reporting the attack against her, Ana Miriam has again been threatened by gunmen, and in January 2016 she lost almost all of her family’s belongings in an arson attack on her home.

According to documents leaked to Global Witness, the sole director of both the Los Encinos hydroelectric project as well as another controversial dam called La Aurora, is the National Party, vice-president of Congress, and one of the most powerful figures in Honduran politics. Under Honduran law it is illegal for members of Congress or their spouses to obtain contracts or concessions granted by the state. This is just the first in a series of illegalities that the community organised a series of peaceful protests calling for the dam company to formally consult with those who would be affected.

The first that Ana Miriam and the villagers of Santa Elena heard about the Los Encinos dam was when heavy machinery arrived late at night to begin work on it. The community organised a series of peaceful protests calling for the dam company to formally consult with those who would be affected. Soon afterwards, they started to receive death threats, and in September 2014 armed police tried to violently evict them from their land – an incident which the community alleged had the backing of Gladis López. The consultation which finally took place a month later was a sham. Eyewitnesses told Global Witness that Gladis López arranged for almost 600 El Salvadorian nationals to be brought in by truck, and sign agreements as if they were affected communities in favour of the dam. The list of signatories is missing from the official minutes of the consultation seen by Global Witness, and the Mayor’s office has never disclosed it, despite repeated requests from indigenous rights group Movimiento Indígena Lenca de La Paz Honduras (MILPAH). The name of the Los Encinos company representative present at the consultation has also been erased in the minutes. Three years after filing a complaint with the anti-corruption prosecutor, MILPAH was informed that its file had been lost. This suggests a deliberate effort by the authorities to cover-up the fake consultation on the dam.

CASE STUDY 1: THE NATIONAL PARTY PRESIDENT AND HER LINKS TO ILLEGAL DAMS

In the early hours of 22 October 2015, a group of 30 heavily-armed soldiers, police and civilians forced their way into Ana Miriam’s home. Some drew their guns on her children, while others grabbed her by the neck and savagely beat her. Ana Miriam was heavily pregnant at the time and spent 11 days in hospital recovering. Thankfully her baby survived, but her sister-in-law was not so fortunate. Also pregnant, Rosaura was badly beaten in the same attack and lost her baby. Her teenage son Rodolfo was briefly held by police and told he would ‘have his balls cut off and fed to the dogs’.

Ana Miriam was beaten by Honduran soldiers whilst heavily pregnant, almost losing her baby. © Front Line Defenders

Circumstances surrounding the construction of the La Aurora dam were similarly suspicious. Local indigenous communities say they were never given an opportunity to raise their concerns about the potential negative impacts on their water supply and livelihoods. Since the project commenced, eight indigenous communities have been left without water according to local activists. A municipal Councillor has also said they were offered a bribe to stop opposing the project, and a high-ranking government official has been charged with of granting the dam an illegal environmental license.

… AND NO ACCOUNTABILITY

Despite the murders, attacks, illegalities and irregularities linked to the dam projects, neither one has been cancelled. Ana Miriam has identified the armed civilians who attacked her but no arrests have been made. Similarly, the men alleged to have killed Juan Francisco Martínez are still seen in the community; MILPAH say the police have asked to be paid if MILPAH want them arrested.

In December 2015, two months after Global Witness met with them, the nephew of MILPAH’s president was found murdered, in spite of the fact that the Honduran state would be affected.
government had been ordered to guarantee the security of the group’s leadership by the Inter-American Commission on Human Rights (IACHR).46

WHAT NEEDS TO BE DONE

Global Witness is calling for the cancellation of the La Aurora and Los Encinos dams and an investigation into congresswoman Gladis Aurora López because of conflicts of interest, alleged bribery and violations of the right to free, prior and informed consent. The Honduran government must properly investigate the human rights abuses against those opposing the Los Encinos dam – including the murders of three indigenous activists. Protection must also be guaranteed for the MILPAH organisation, whose communities have suffered threats and attacks for opposing Los Encinos and whose members are supposed to receive emergency protection by the government as required by the IACHR.

Over the past decade, both the International Finance Corporation (IFC) and the Inter-American Development Bank (IDB) have consistently backed an expansion of renewable energy projects in Honduras, in spite of reports of abuses around the sector.47 The abuses linked to the La Aurora and Los Encinos dams demonstrate why IFIs should not be backing these sectors in the current climate of corruption and injustice.

Main Findings

Specifically, Global Witness is calling for an investigation into:

- National Party president Gladis Aurora López because of:
  - A clear conflict of interest given that her husband controls La Aurora and Los Encinos, two dams granted licences when López was in congress, appearing to violate Honduras’ state contracting law and the Honduran constitution.48
  - Allegations López arranged for El Salvadorian nationals from the town of La Nahuaterique to approve Los Encinos dam, claiming falsely to represent communities potentially impacted by the project.
  - Allegations López ordered a violent police incursion in September 2014 where the community of Santa Elena, who opposed the Los Encinos dam, claiming falsely to represent communities potentially impacted by the project.
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- Inversiones Encinos S.A. and Inversiones Aurora S.A., companies run by López’s husband, Arnold Gustavo Castro, for illegally gaining dam contracts when López was in congress.

- National Party Mayor of San José La Paz, José Abel García because of allegations he tried to bribe San José councilors to approve the La Aurora dam.

- Ex-National Party mayor of Santa Elena, Alexis Ventura Vásquez for approving a feasibility study for the Los Encinos dam in October 2013 without consulting local communities, violating Honduran and international law.49

- The office of Santa Elena’s Mayor, Víctor Ventura for refusing to disclose the list of people who allegedly signed in favor of the Los Encinos dam and erasing the name of the Los Encinos representative from the minutes of the meeting.

When asked to comment by Global Witness on these allegations, Gladis López denied any involvement in the consultation meeting for the Los Encinos project or in the violent police incursion of September 2014. Her husband Arnold Castro denied any responsibility for attacks against indigenous activists opposing his projects or having left communities without water through the construction of the La Aurora project. Both denied any conflict of interest or illegality in the approval by Congress of contracts for the projects.

In a letter to Global Witness, Víctor Ventura admitted to refusing to disclose the signatures of those who supposedly signed in favor of the Los Encinos, stating that he feared if he did, there would be reprisals against those who did sign. This contradicts an earlier statement by his office that there was no time to register the names of the participants. Ventura denied erasing the name of the representative of the Los Encinos from the minutes of the meeting. Neither José Abel García nor Alexis Ventura Vásquez responded to our requests for comment.

Case Study 2: Berta Cáceres, COPINH and the Shady Interests Behind the Agua Zarca Dam

Berta Cáceres, mother of four, and one of Honduras’ most prominent environmental and indigenous rights activists was murdered in her home in March 2016. Cáceres had been campaigning for years against the construction of a hydroelectric dam on her community’s land and the sacred Gualcarque River by a Honduran company, Desarrollos Energéticos SA (DESA). This was not the first attempt on her life. Cáceres had filed dozens of reports of death threats with the police, and had reported other violent incidents and intimidation. None of these was ever investigated. And in spite – or perhaps because of – her growing international reputation, someone was determined to silence her.

Cáceres’ murder generated international headlines because of her prominence as an activist and head of the Civic Council of Popular and Indigenous Organisations of Honduras (COPINH) but hers was just one in a series of killings associated with the Agua Zarca dam, stretching back years. On 15 July 2013, COPINH member Tomas García and his 17-year-old son were shot at close range by the Honduran military during a peaceful demonstration at the dam site in Río Blanco.50 Tomas García died instantly of his wounds but his son Alan survived, despite being shot several times in the chest, back and arm.51

A year later, William Jacobo Rodríguez, a COPINH member and activist opposing the dam, was also murdered.52 After this, the police guarding the hydroelectric project were accused of torture and death threats against other COPINH members.53 In October 2014, Rodríguez’s 15-year-old brother disappeared – he grew corn on ancestral Lenca land wanted by the dam company. His body was later found in a river showing signs of torture.54 On 5 June 2014, eight people ambushed COPINH member Maria Santos Dominguez, threatening to kill her because of her opposition to the dam and hacked off her finger with a machete.55

In the days after Cáceres’ killing one of her colleagues, Nelson García, was shot dead in the face by unidentified gunmen as he returned home following an eviction by Honduran security forces of a Lenca community.56 The killing took place in Río Lindo, about 100 miles north of where Cáceres was killed.57 A few months later, in July 2016, the body of yet another COPINH activist, Lesbia

The former security head for the DESA dam company is one of seven people arrested for the killing of Berta Cáceres. © Giles Clarke/Global Witness
Janeth Urquía, was found on a rubbish dump with machete wounds to the head.61

**MILITARY INVOLVEMENT**

Seven men have been charged with the murder of Berta Cáceres, two of whom have links to DESA, the company that owns the Agua Zarca dam, and four of whom have ties to the Honduran army.62 Sergio Ramón Rodríguez was an environmental engineer employed by DESA, and Douglas Geovanny Bustillo was the firm’s former head of security, as well as an ex-army lieutenant and military intelligence specialist. Edison Duarte and Henry Javier Hernández Rodríguez were retired military officers and Major Mariano Díaz was a special forces veteran and trainer of the Military Police.63 Bustillo stands accused of hiring Edison and his brother Emerson as hit men.64

However, the links between the Honduran army and Cáceres’ killing do not stop there. A former member of an elite US-trained unit of the Honduran military, interviewed by the Guardian, claims that Cáceres’ name appeared on a military hit list in the months before her death.65 He told the newspaper that a list featuring the names and photographs of dozens of social and environmental activists was given to two elite units, with orders to eliminate each target.66 COPINH leader Tomás Gómez told Global Witness of a similar hit list being touted to hit men, offering US$1,000 to kill Berta.67 In September 2016, COPINH discovered a military spy had infiltrated the organisation and, for a year, had been passing information on their activities directly to the president’s office.68

DESA’s links with the Honduran military run to the highest levels. According to company records seen by Global Witness, DESA’s president is Roberto David Castillo Mejía, a former military intelligence official and employee of the Honduran state-owned energy company Empresa Nacional de Energía Eléctrica.69 In 2009, a public auditor’s office found evidence of corrupt acts by Castillo – he was still receiving a salary from the army having left the institution – and a company he owned was selling products to the military at inflated prices.70 A few months before her death Cáceres told Global Witness that Castillo called to try and bribe her to stop opposing Agua Zarca.71

**THE ATALA FAMILY AND DESA’S WEB OF POLITICAL CONNECTIONS**

DESA’s company records show that some of Honduras’ most well-connected business and political elites are on the board. Company Secretary, Roberto Pacheco Reyes is a former minister for governance and justice within the Honduran government.72 DESA’s vice president, Jacobo Nicolás Atala Zablah, is the President of the BAC Honduras bank and member of one of Honduras’ wealthiest business families, the Atalas.73 Jacobo’s cousin is the billionaire Camilo Atala, a former cabinet minister and owner of Ficohsa Bank, which is currently being investigated for money laundering in Panama.74 Camilo Atala is also one of the main investors in the controversial Indura Beach and Golf resort, covered in Case study 5. Camilo’s brother, José Eduardo Atala Zablah, is also on DESA’s board75 and is President of the US–Honduras Chamber of Commerce and the ex-Honduran Director of the regional bank Banco Centroamericano de Integración Económica (BCIE).76 The BCIE is one of the main investors in DESA’s Agua Zarca dam project.77 Another member of the Atala family, Daniel Atala Midence, is DESA’s finance head.78

**INTERNATIONAL INVESTORS**

The Agua Zarca project is a good example of how international investors and development banks are implicated in the corruption and human rights abuses that take place in Honduras. The Dutch development bank FMO, together with Finnish government-owned Finnfund, and the Central American Bank for Economic Integration (CABEI) are financing DESA’s construction of the Agua Zarca dam.79 FMO is the lead international investor with US$15 million committed80 of the US$64

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The Honduran government has so far refused to accept it.

WHAT NEEDS TO BE DONE

Global Witness is calling for the cancellation of the Agua Zarca dam and an independent, international investigation into the killing of Berta Cáceres under the remit of the IACHR. The investigation should focus on the ties between the Honduran military and the dam’s owners, DESA. The targeted murders of members of Cáceres’ organisation COPINH must be properly investigated and the safety of their activists guaranteed, many of whom are supposed to have emergency protection by the government as required by the IACHR. International investors should immediately divest from the project and the Honduran government should cancel the project’s concession given the grave human rights violations related to the dam and the failure to consult all affected indigenous communities before the approval of the project.

A FAMILY AFFAIR

The owner of the Buena Vista I is Lenir Pérez, son-in-law of the now deceased Miguel Facussé, one of the country’s richest businessmen, whose company Dinant was associated with the controversial Bajo Aguan project (see Box: ‘Father-in-law Facussé’). Pérez is an active supporter of Honduras’ ruling party and has made public appearances with the country’s first lady. His business activities are currently in the spotlight after he won a contract to build the country’s new international airport, with media commentators alleging that he has no experience in airport construction. Some claim that the US$140 million contract would have been enough to build four airports of that size.

Pérez has been accused of seeking to bribe local communities into allowing the Buena Vista I mine to go ahead. He allegedly boasted that he had given US$360,000 to the local National Party mayor, now under investigation for embezzlement of public funds, in the hope of garnering the community’s support. César Alvarenga, a well-respected community leader in Nueva Esperanza, claims that Pérez offered him “whatever he wanted” in exchange for supporting the mine. César refused to cooperate. Two weeks later he received an anonymous hand-written note: “threatening me and [fellow community activist] Roberto, saying they knew where we lived and that we should stop protesting. If we didn’t, they said they’d finish us off”, he told Global Witness.

In a similar case, a member of the Broad Movement for Dignity and Justice (MADJ) – the group who organised opposition to the mine – told Global Witness that Lenir Pérez, owner of the controversial Buena Vista I mine, alongside Honduras’ first lady. (Image from Pérez’ twitter)
Pérez offered them US$1 million to change their minds. Members of MADJ have been singled out for emergency protection because of their human rights work. The Inter-American Commission on Human Rights (IACHR) also demanded emergency protection for César and Roberto following the threats.

“He told us ‘You’re all shits, I’m giving you electricity [...] there’ll be lots more commerce, you’ll even get more whores!’” – César Alvarenga, describing how Lenir Pérez reacted when César’s community refused to give their consent to his iron oxide mine on their land.

**AN ENVIRONMENTAL DISASTER WAITING TO HAPPEN**

One of the reasons that local communities were so doggedly opposed to Pérez’s mine was because they feared the environmental damage it would cause might be irreversible. These fears have proven to be well-founded. According to a report by the Honduran ministry of natural resources and environment (SERNARE), community water supplies have been polluted, fish have disappeared from rivers, and trees have been flattened. The report found that mining waste was not being properly disposed of, and that landslides, flooding and soil erosion had been caused by the mine.

That this was allowed to happen is partly explained by the fact that Pérez conducted a bogus environmental impact assessment, which was never shared with local communities who could have questioned its veracity.

The document even contained fake photos of a supposed impact assessment, which was never shared with local people. Gaining the consent of communities who may be affected by the mine is a requirement by law, but was never carried out by the company.

The mine’s licence has since been suspended, but Pérez’s company is challenging the decision. It has so far failed to clean up any of the damage inflicted on the surrounding land, despite being legally obliged to do so.

**WHAT NEEDS TO BE DONE**

Global Witness is calling on the Honduran government to immediately cancel the licence for the Buena Vista I mine and investigate the mine’s owner Lenir Pérez for suspected bribery, threats and attacks against those opposing his plans. The Honduran government must guarantee protection for local activists from Nueva Esperanza and for the social movement MADJ who oppose the mine. Many of these activists are supposed to have emergency protection as the government required by the IACHR.

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**FATHER-IN-LAW FACUSSÉ: THE AGRI-BARON ACCUSED OF DRUG TRAFFICKING**

Lenir Pérez’s father-in-law was Miguel Facussé, one of Honduras’ wealthiest businessmen and the uncle of former Honduran president Carlos Flores Facussé. Before his death aged 90 in June 2015, Facussé owned Dinant, an agribusiness and biofuels giant accused of serious human rights violations, including the murder of scores of small-scale farmers opposed to palm oil plantations in Bajo Aguán, northern Honduras.

Dinant strongly denies any direct or indirect involvement in such activities.

The land rights battle at Bajo Aguán between campesino farmers and corporate landholders engendered Honduras’ most severe human rights crisis of recent years. Global Witness verified at least 82 killings of land defenders in Bajo Aguán between 2010 and 2013. The activists were killed in a struggle to reclaim land they allege was stolen from them in opaque deals with palm oil companies. They claim the Honduran military, police and private security working for these companies are behind a campaign of terror in the region. The Honduran military deny the allegations.

The US is funding a task force of Honduran police and prosecutors to investigate the Bajo Aguán killings. In an interview with Global Witness, the head of the task force revealed that many more people had been killed than previously documented. His team is investigating 173 murder cases between 2010 and 2013, of which 18 or 19 are of private security guards and six are not land-related. The rest — at least 148 deaths — are believed to be of campesinos killed in the struggle to defend their land.

Even before the Bajo Aguán crisis, Miguel Facussé was accused of ordering the murder of an environmentalist, Carlos Escaleras. In an interview with the LA Times in 2012 he said, I probably had reasons to kill him, but I’m not a killer. In 2003, a court dismissed accusations that Facussé was involved in the killing. Facussé was also served with an arrest warrant for allowing his operations to dump toxins into drinking water over two decades. The warrant was eventually revoked after the judge who ordered it left her position.

Dinant strongly denies wrongdoing in these legal cases.

It seems Facussé may also have been involved with drug trafficking. A WikiLeaks cable from the US embassy in Honduras described the landing of a plane carrying 1,000 kilos of cocaine from Colombia on Facussé’s property in 2004. Sources suggested that Facussé was present on the property at the time of the incident. More recently, a former contractor with Dinant, José Angel Bonilla Barregas, was arrested for using his transport company as a front for trafficking drugs to Guatemala.
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CASE STUDY 4: THE MASSACRE OF TOLUPAN COMMUNITIES

In early 2014, the house of indigenous Tolupan leader Santos Córdoba was broken into, his crops burnt down, and his children threatened at gunpoint by ex-army general Filándor Uclés and his bodyguards, who threatened to return the next day to destroy the home and the family’s belongings. Uclés, who had US military training at the notorious School of Americas, has continually threatened Tolupan community members to leave their lands and is currently facing charges for these threats.

The ex-general’s nephew, Kenton Uclés, has also been embroiled in conflict with the Tolupan community of San Francisco de Locomapa. His logging company Velomato was reportedly granted an illegal concession on their indigenous lands without any prior consultation. Indigenous leader Santos Matute and others began protests against the loggers, which led to criminal cases being filed against them for ‘obstructing the implementation of forestry management plans’. In March 2013, the case was dismissed, with the court arguing the community’s right to be consulted under international law had been violated. In spite of this ruling, Kenton Uclés and Velomato continued to illegally log Tolupan land according to local activists.

For nearly a decade, Tolupan indigenous peoples from northern Honduras have been threatened, criminalised and killed for taking a stand against illegal logging and mining operations which have pillaged their resources without consulting communities. Santos Matute told Global Witness that illegal mining permits were given out by a former local mayor for the ruling National Party, Arnaldo Ubina Soto, who is currently in jail accused of leading a gang of hit men involved in drug trafficking, murder and money laundering.

PEACEFUL PROTESTS MET WITH EXTREME VIOLENCE

In August 2013, Matute and other members of the community, along with the civil society organisation MADJ, held a peaceful sit-in to stop the passage of mining and logging trucks through their territory. Local indigenous leaders reported receiving text messages warning them to ‘desist from their efforts to protect the environment’ or they would be killed. A week later, gunmen approached the protestors at the sit-in and opened fire, killing indigenous leaders Armando Fúnez Medina and Ricardo Soto ...

MAIN FINDINGS

Specifically, Global Witness is calling for an investigation into:

- Businessman and National Party of Honduras activist Lenir Pérez because of:
  - His suspected involvement in the kidnapping of two international human rights activists. Eyewitnesses claim Pérez called his head of private security, Wilfredo Fúnez, when Fúnez kidnapped the activists from the home of activist Concepción Gutiérrez. Gutiérrez had received death threats for refusing to sell her land to Pérez’s mining company, Empresa Minera La Victoria.
  - Allegations Pérez threatened the lives of local activists Roberto García and César Alvarenga unless they convinced their community to stop opposing the Buena Vista I mine, owned by his company Empresa Minera La Victoria.
  - Allegations Pérez attempted to bribe César Alvarenga and a member of the MADJ social movement to stop its opposition to his mine. Pérez allegedly offered US$1 million to MADJ.
  - Allegations Pérez bribed ex-mayor of Tela, David Zaccaro, with US$360,000 to build electricity lines for the Nueva Esperanza community, which he believed would buy their support for his mine.

- Empresa Minera La Victoria, owned by Pérez, and operator of the Buena Vista I mine for:
  - Failing to clean up environmental damage – including deforestation and the non-disposal of mine waste – in the Nueva Esperanza community. It was legally obliged to do so after having its licence suspended.
  - Allegedly faking photographs of a supposed consultation meeting with local communities on the mine project.

- National Party ex-mayor of Tela, David Zaccaro, for:
  - Allegedly threatening local activist Roberto García for opposing the Buena Vista I mine.
  - Allegedly accepting a US$360,000 bribe from Lenir Pérez to win the support of the Nueva Esperanza community for his mine, by building them electricity lines.

Global Witness approached Lenir Pérez and David Zaccaro for comment on these allegations but received no responses.

“I’m not going to keep quiet because I’m defending the rights of a people – people that too often have been silenced.”
– Consuelo Soto, wife of murdered activist Luis de Reyes Marcia

Consuelo Soto now lives in hiding after her husband was murdered for opposing illegal logging and mining. © Global Witness
Fúnez. Another leader, María Enriqueta Matute, fled to her nearby home, where she was tracked down and fatally shot.149

Matute told Global Witness that the hitmen worked for a nearby mining operation in La Lagonita.150 He says that despite being clearly identified and warrants being issued for their arrest, they continue to be seen in the community as the police stand idle.151 In June 2015 they struck again, killing another Tolupán leader, Erasio Vieda Ponce.152 In an interview with Global Witness, the indigenous rights prosecutor’s office said it twice attempted to arrest the hitmen, but failed because someone tipped them off before they arrived.153

PROTECTION ORDERED BUT NOT PROVIDED

Many community members went into hiding after the 2013 murders and only returned six months later once they were granted emergency protection by the Inter-American Commission on Human Rights (IACHR).146 One of these returning members, Luis de Reyes Marcía, was found murdered on 5 April 2015, after filing a police complaint for receiving death threats.147 He was the husband of Consuelo Soto, one of the beneficiaries of the IACHR’s emergency protection. A month after her husband’s killing, Consuelo Soto’s house was peppered with bullets by unknown gunmen.148 She is now living in hiding.

Soto told Global Witness: “My family say I shouldn’t leave the house because it’s too dangerous. But I’m not going to keep quiet because I’m defending the rights of a people – people that too often have been silenced.”149 Soto also stated that when the community warned the police of the presence of the hitmen in the community, the authorities, rather than making the arrests, would ensure the gunmen got safe passage out of the area.150

“I’m one of those that has been given emergency protection. But the authorities aren’t fulfilling their roles—I returned to my home more than a month ago and have never been paid a visit by them. The government has failed to ensure emergency protection for me.” – Consuelo Soto, wife of murdered activist Luis de Reyes Marcía151

Another activist who has had to flee the community, despite being granted IACHR emergency protection, is José María Pineda. Pineda, one of the MADJ coordinators, fears for his life after gunmen posted a death threat to the door of his house stating: ‘Today get ready, as the fire’s been lit, because you haven’t curbed your tongue. We know where you are, but we’re going to get you where it hurts most.’152 Santos Matute was also granted emergency protection in December 2013 by the IACHR, but this didn’t stop him from being attacked last year: he is now living in hiding.153

MADJ has repeatedly denounced the lack of implementation of the IACHR protection measures by the Honduran state.154 Although the IACHR’s rulings are binding, it is the responsibility of the Honduran government to implement them. Since 2013, MADJ has continually attempted to meet the state security ministry, which is responsible for the measures, and has either been ignored or had its concerns dismissed.155 Meanwhile, the killers of Tolupán activists Armando Fúnez Medina, Ricardo Soto Fúnez, María Enriqueta Matute and Erasio Vieda Ponce roam free, living side by side with their victim’s families.

WHAT NEEDS TO BE DONE

Global Witness is calling for the cessation of illegal mining and logging in and around the indigenous community of San Francisco de Locomapa. Honduras’ state security ministry must guarantee protection for community members, many of whom are supposed to have emergency protection from the government as required by the IACHR. Selvin Fúnez and Carlos Matute, suspected killers of four community leaders, should be immediately arrested. Similarly the perpetrators of the killing of Luis de Reyes Marcía and the ongoing attacks against indigenous leaders must be held to account.

CASE STUDY 5: THE GARIFUNA PEOPLE AND THE POWERS BEHIND HONDURAS’S FLAGSHIP TOURISM DEVELOPMENT

On Honduras’s northern Caribbean coast, about an hour and a half’s drive from the second city, San Pedro Sula, a luxury development of hotels and golf courses has sprung up. With its infinity pools, luxury apartments, and wellness center, the five-star Indura Beach and Golf Resort is a honeymooners’ dream location, and Honduras’ flagship tourism project. But beneath the perfect travel brochure surface, is a story of threats, harassment and human rights abuse. The Indura hotel, now part of Hilton’s ‘Curio collection’156 has deprived an indigenous Garifuna community of access to their ancestral burial grounds and agricultural lands.157 Descendants of black slaves brought to the Caribbean, the Garifuna have lived in Honduras since the 18th Century. One hundred and fifty-seven Garifuna families live in wooden shacks on the beach at Barra Vieja, right next door to the current hotel site.158 According to the community, the boundaries of the Jeanette Kawas National Park, named after an environmental defender killed for her activism, were redrawn to allow for its construction.159

MAIN FINDINGS

Specifically, Global Witness is calling for an investigation into:

- Ex-National Party mayor of Yoro, Arnaldo Ubina Soto, because of allegations he granted permits illegally to mining operations in San Francisco de Locomapa.
- Ex-general Filánder Uclés because of allegations he threatened members of the indigenous community of San Francisco de Locomapa to try and force them off their land.
- Filánder Uclés’ nephew, Kenton Uclés, because of allegations his logging company Velomato continues to log illegally on indigenous land in the community.

Global Witness approached Filánder and Kenton Uclés for comment on these allegations but received no responses.

ORGANISED INTIMIDATION

At the start of the Indura project in December 2008, the Minister for Tourism, Ricardo Martínez Castañeda, wrote a letter to the then president Manuel Zelaya pleading with him to take action to remove the community, who he described as ‘illegal squatters […] affecting the development of the project, and the investment’.160 In the letter, leaked to Global Witness, the minister outlined several high-level meetings with other government officials where he tried to persuade them to evict Barra Vieja’s inhabitants. The ministry he headed indirectly owns 49 per cent of the Indura project via the Honduran Tourism Institute and has a clear vested interest in getting the community removed from its land.161 In March 2009, he wrote further letters to the attorney general’s office and the minister for security seeking their support in evicting those living in Barra Vieja.162

Officially, the eviction orders were requested by the National Port Authority, a state body that claims to own the land where Barra Vieja is situated.163 However, a document from the prosecutor’s office seen by Global
rooms, culminating in a 600-building tourism complex.164 In April 2014, the investors announced their intention to use land to make way for these expansion plans.165 The leader José Armando Guzmán told Global Witness that a machinery in another effort to remove them from their homes.168

The Atala family is also connected to the controversial Agua Zarca dam against which Berta Cáceres was protesting before she was murdered (see case study 2). Billionaire Camilo Atala, a former cabinet minister and owner of Ficohsa Bank, is the public face of the Indura resort.179

In a dramatic development, which links the Indura hotel to Honduras’s biggest corruption scandal in recent years, Global Witness has obtained evidence of corrupt funds being laundered through the project. The hotel’s business name appears in a report by the special prosecutor’s office against organised crime, leaked to Global Witness, as having received corrupt funds from the Social Security Institute.180 In this massive corruption scandal, top officials from the Social Security Institute stand accused of stealing US$350 million through a network of phantom companies which left ailing patients without access to life-saving medicines.181 Some of this money was funneled to current President Hernández’s election campaign,182 and now it seems that some of the funds were also used to support the development of Indura.

According to the internal report, on 11 March 2013 just over 100,000 Lempiras (US$5,000) was transferred to the Indura resort.179

Documents leaked to Global Witness show Desarrollo Bahía de Tela laundering money from the Social Security Institute.

The Honduran government refuses to recognize the rights of the Garifuna people. © Global Witness
WHAT'S DRIVING THE ATTACKS?
CORRUPTION, A LACK OF CONSULTATION, AND A FAILURE TO PROTECT ACTIVISTS

Threats and attacks against land and environmental defenders in Honduras do not occur in a vacuum. Without the widespread corruption currently characterising government and the natural resource sector, abusive projects could not go ahead so easily, and impunity for those responsible would not flourish. The fact that communities are rarely properly informed about projects or consulted on the use of their land breeds conflict which puts activists, and ultimately investments too, at risk. The Honduran government has completely failed to put in place adequate protection policies and prosecute the perpetrators of violence, some of whom are state actors.

But Honduras is not a failed state and has, on numerous occasions, demonstrated that it can tackle the issues outlined in this report, when high-level officials have the political will to do so. For example, and as documented in some of the case studies above:

- On 10 June 2016, Norman Gilberto Ochoa, a high-ranking official at the Ministry for Natural Resources and the Environment was found guilty of having approved an environmental license for La Aurora dam without consulting indigenous groups, thus breaching international law.197
- On 6 May 2016, five men were charged for the killing of Berta Cáceres, one of Honduras’s most prominent environmental and indigenous rights activists,198 and in September 2016 and January 2017 a sixth and seventh person were also charged with her murder.199
- The ex-mayor who granted the Agua Zarca dam’s licence is currently facing charges for failing to consult with COPINH and Lenca indigenous communities.200
- In December 2015, a Honduran soldier was sentenced for COPINH member Tomas García’s murder.201
- In November 2014, Wilfredo Fúnez, Lenín Pérez’s security chief, was sentenced to three years in prison for kidnapping the international observers assigned to protect Concepción Gutiérrez.202
- National Party mayor David Zaccaro, associated with Pérez’s Buena Vista I mine, is currently being investigated for embezzlement of public funds during his time in office.203

And yet, sadly these examples stand out because they are so unusual. The norm is that corruption means projects that wouldn’t otherwise get approval, get the green light. Authorities turn a blind eye to illegal acts, particularly the failure to get consent for projects that impact indigenous peoples. Finally, the government neglects to protect activists from threats, legal cases and in the worst cases, murder. Through their inaction, and sometimes their active involvement, the Honduran authorities are complicit in the attacks against land and environmental defenders. It is high time that President Juan Hernández urgently addresses these root causes and guarantees a way of doing business which respects the voice of defenders and protects the rights of his citizens.

THE FACILITATORS: CORRUPTION AND IMPURITY

Honduras is beset by entrenched corruption, and by the unscrupulous self-interest of many of those with a purchase on the reins of power or with financial or political influence. Five principal methods of corruption reoccur throughout the cases investigated by Global Witness, which are used to acquire official access to land, to buy or silence opposition, and ultimately to get away with murdering those who get in the way.

Firstly, political influence is used by the elites to lend lucrative contracts, gain official licenses and get projects underway. This is clear from many of the cases in this report, including the Los Encinos and La Aurora dams, which are controlled by the husband of the president of the National Party, Gladis López (see case study 1). Secondly, legally-established processes are routinely ignored without consequence. A series of processes and permissions are required for most megaprojects to go ahead, yet – as shown by the case of the Agua Zarca dam – even where international financing is in place, businesses are allowed to bypass these in the pursuit of quick profit (see case study 2).

When communities question these shady deals a third tactic comes into play: large bribes are offered to activists to keep quiet. César Álvarez, a well-respected community leader in Nueva Esperanza, said that businessman Lenir Pérez offered him whatever he wanted to stop opposition to the construction of the Buena Vista I iron oxide mine (see case study 3). Accusations of bribery are rarely investigated, in spite of President Hernández’s promise to combat corruption. When payoffs don’t work, project backers resort to force and often enlist military support to halt defenders. The involvement of the military in the killing of Berta Cáceres and her compatriots is a grim example of this (see case study 2).

Finally, impunity is the oxygen provided to perpetrators by the justice system. Those inflicting violence are not held to account, and reports of threats or attacks are rarely investigated. The failure of authorities to prosecute those responsible for attacks on the Tolupán community in San Francisco de Locomapa, as identified by the Inter-American Commission on Human Rights (IACHR), exemplifies this starkly (see case study 4).

In spite of its international commitments to the contrary, Honduras has neither a special prosecutor nor a specific investigation protocol for crimes against human rights defenders, and the national human rights protection programme lacks sufficient staff and resources.204 The special prosecutor’s office for indigenous rights has the potential to act as a mechanism for obtaining access to justice but according to UN experts, it lacks the financial and human resources to do so. Meanwhile, the newly-established Organisation of American States (OAS) Mission to Support the Fight against Corruption and Impunity in Honduras could represent a crucial catalyst in tackling corruption, but the Honduran state has so far failed to allow it to fulfil its mandate without interference (see ‘The MACCIH’ box on page 30).

ATTACKS AGAINST WOMEN
HUMAN RIGHTS DEFENDERS

Women human rights defenders working on land and environmental issues face additional risks due to gender discrimination. They suffer from specific harassment, repression and smear campaigns, facilitated by the context of discrimination already facing women in Honduras. Verbal and sexual assault are also used to silence their opposition to business projects affecting their land and source of livelihood. Environmental damage caused by these projects impacts women’s capacity to provide food and water for their families and communities. With the theft of their land, the work that women are already expected to do to support their family, increases. As a result, many women have become leaders in defending their communities, bucking stereotypes, challenging gender discrimination, raising their profile and exposing them to greater risk. Discrimination and violence within their organisations, communities and families can make their role less visible and increase their vulnerability.

In Honduras, women defenders challenge deep-seated social and cultural norms that expect women to play a passive role in an overwhelmingly patriarchal society. Honduran women activists have reported harassment, stigmatisation, physical and verbal abuse, threats of sexual violence or death, criminalisation and murder. Our case studies show how women defenders have faced numerous attacks linked to their struggle against natural resource projects.

- Indigenous activist Ana Miriam and her sister-in-law Rosaaura were hospitalised and suffered exponentially from the brutal police raid on their home; they were pregnant at the time.
- Concepción Gutiérrez received death threats for refusing to sell her land. An international human rights observer assigned to her protection was sexually harassed by armed men.
- Consuelo Soto’s life was threatened for opposing illegal logging in her community. She is now living in hiding after her house was peppered by bullets.
- Berta Cáceres was killed by gunmen linked to a dam project she opposed. Before her murder, she was threatened with sexual violence.

Women human rights defenders working on land and environmental issues face additional risks due to gender discrimination. © Giles Clarke/Global Witness
HONDURAS: THE DEADLIEST PLACE TO DEFEND THE PLANET  JANUARY 2017

with affected communities and local activists. However, these rights are not being protected, communities the right to be consulted on the use of their land. This in turn is what places so many environmental defenders at risk, because they are forced belatedly to challenge projects that are already underway, rather than realising their rights to participation and to free, prior and informed consent.

Approval of the Los Encinos dam was riddled with irregularities, whilst the La Aurora hydroelectric project went ahead without any consultation whatsoever. The mayor who granted the Agua Zarca dam project’s licence is currently facing charges for failing to consult with Lenca indigenous communities, and mining and logging operations continue in Tolupan territory without community approval.

“If communities and environmental defenders were active partners in the design of projects from the very beginning, it would make them less vulnerable to attacks later.”

A recent UN report called upon states, businesses and investors to prevent attacks against defenders by guaranteeing their participation in all aspects of decision-making around development projects. In Honduras, both international and local municipal laws guarantee communities the right to be consulted on the use of their land. However, these rights are not being protected. Exclusion is the norm, and companies, the government and foreign investors are failing to engage meaningfully with affected communities and local activists.

For example, the UN recently highlighted mass violations of international law on free, prior and informed consent with the authorisation in 2010 of 21 hydroelectric projects affecting indigenous communities.

The demands of Honduras’ indigenous peoples are routinely ignored. © Giles Clarke/GlobEYE

THE ROOT CAUSE: A LACK OF COMMUNITY CONSULTATION AND CONSENT

As we have seen throughout this report, a major failing of the Honduran authorities, and the businesses with whom they work, is their routine lack of consultation with indigenous or local communities at the outset on decisions regarding their land. In this is in turn is what places so many environmental defenders at risk, because they are forced belatedly to challenge projects that are already underway, rather than realising their rights to participation and to free, prior and informed consent.

In January 2016, the Honduran government signed an agreement with the Organisation of American States (OAS) allowing an independent and autonomous body to work towards combating corruption and impunity in the country. Whilst the mandate of the Mission to Support the Fight against Corruption and Impunity in Honduras fell short of the Guatemalan model favoured by protesters, it could nonetheless combat the roots of abuse, so long as the government allows it to.

The mission, known by its Spanish acronym MACCIH, is headed by five international experts and employs a team of prosecutors, judges and forensic specialists to investigate cases of corruption. It can also propose legal and institutional reforms, monitor their implementation and encourage compliance with other OAS recommendations. The MACCIH’s jurisprudence must follow the evidence to the highest levels if this historic opportunity for systemic change is not to be squandered.

In order to strengthen the fight against corruption and impunity in Honduras:

- The MACCIH should investigate at least one high profile case of corruption in the natural resource sector, including the identification of intellectual authors and chairs of command in attacks against land and environmental defenders.

- The MACCIH should build on its existing efforts and increase the involvement of civil society in its work, including through broad, iterative and country-wide consultations ahead of policies and activities.

- The Honduran government must cooperate fully with the MACCIH, allowing the body complete and prompt access to the information it requires, and implementing its recommendations.

- Foreign states and international institutions should do everything possible to provide the MACCIH with ample resources to operate and to encourage the Honduran government to cooperate.

The MACCIH: A Mission to Support the Fight against Corruption and Impunity in Honduras

INTERNATIONAL AND HONDURAN LAW ON FREE, PRIOR AND INFORMED CONSENT

Outlined in the International Labour Organization (ILO) convention 169 on indigenous and tribal peoples - which Honduras has ratified - free, prior and informed consent (FPIC) is the right of indigenous peoples to make free and informed choices about whether and how their land and natural resources should be used and developed. According to the UN, indigenous peoples should not be coerced or intimidated, their consent should be sought and all business projects be stopped immediately until a free, prior and informed consent is given.

The UN declaration on the rights of indigenous peoples establishes that ‘indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.’ Meanwhile article 26 of the UN’s international covenant on civil and political rights, which has been ratified by Honduras, guarantees the right of all citizens to participate in public affairs.

The Honduran Congress is currently drafting a law regarding the FPIC of indigenous and Afro-Honduran peoples. It is of vital importance that this law reflects the proposals which these communities have put forward as well as incorporating international standards and experiences. To be effective, the law should establish that ‘prior’ means before bidding for licences and land takes place; that a consultation ought to occur before any significant change or phase in a project and that the right to reject a project outright is guaranteed.

However, a number of other measures are also required if Honduran communities are to have a greater say in the use of their natural resources:

- Where doubts exist regarding the quality or authenticity of community consultation or indigenous consent, business projects should be stopped immediately until a free, prior and informed consultation provides the local consent necessary.

- The Honduran state and businesses must guarantee the participation of local communities and human rights defenders in impact assessments and policies pertaining to energy, sustainability human rights and the environment.

- Policies on transparency and access to information must be strengthened across the board: from the details of US aid and investment, through the nature of IFIs investment in renewable energy, down to the organisation of local environmental impact assessments.

- Honduras must strengthen land titling policies. Increasing budget for the National Agrarian Institute’s land-titling programme and an independent body to work towards combating corruption and impunity.

- Under the Inter-American Commission on Human Rights’ decision on Triunfo de la Cruz guaranteeing the land rights of Garifuna peoples.

THE RESPONSE: A FAILURE TO PROTECT

Almost all of the activists whose murders are described in this report had reported that they were in danger and had already asked for protection. Of particular note are the defenders who have been granted emergency protection by The Inter-American Commission on Human Rights (IACHR). Since 2006, Honduras has been ordered by the IACHR to implement emergency protection in 49 cases. Shockingly, 13 of the beneficiaries have been assassinated and 99 per cent do not believe their security is guaranteed. A recent civil society report argues that the biggest obstacle is the government’s ‘lack of political will to comply.’

In May 2015, in response to concerted advocacy by local and international civil society, Honduras passed the Law for the Protection of Human Rights Defenders, Social Communicators and Legal Practitioners (See ‘Honduras’ human rights defender law’ box below). The law foresees the establishment of a protection mechanism to assess requests from at-risk defenders, assigning them protection according to the dangers they face. The various protection measures included in the law’s regulations have the potential to help overcome the historically narrow and ineffective response by the state. However, there were numerous deficiencies in the rushed legislation and although recently approved regulations address some of these a clear lack of political will means that the necessary staff, resources and political backing are absent, rendering implementation effectively impossible.

If the Honduran government is serious about ending the abuse of environmental activists and indigenous populations at the expense of unscrupulous developers and corrupt politicians, it must do more than propose laws and pay lip service to regional or international regulation. It must ensure protection is guaranteed, laws are enforced and those responsible for attacks are publicly held to account. Failure to do so will ultimately undermine the country’s reputation and its drive to attract investment, by making the context too lawless and risky for respectable companies.
Julia Francisco Martínez's husband was killed for defending the ancestral lands of the Lenca people. © Giles Clarke/Global Witness
HONDURAS’ HUMAN RIGHTS DEFENDER LAW
Passed in 2015, the Law for the Protection of Human Rights Defenders, Journalists, Social Communicators and Legal Practitioners seeks to give effect to the UN Declaration on Human Rights Defenders and protect all at-risk activists.

The law created a ‘protection mechanism’ which ought to provide concrete measures with which to protect activists according to the type of risks they face. The broad range of potential protection measures included in the law could help overcome the historically narrow and ineffective response by the state. Civil society is represented alongside state officials on the advisory council tasked with monitoring and supporting the law’s implementation. If its application were properly resourced and politically backed, this law could help keep activists alive.

INTERNATIONAL AID AND INVESTMENT IN HONDURAS
It is not just failures by the Honduran state and national businesses that fuel the suffering and abuses against activists seeking to protect their land. Money funneled into Honduras from the US and other countries, through aid packages or via International Financial Institutions (IFIs) is used to fund illegally imposed projects, to develop the policy and infrastructure they need, and to train and equip police and military institutions that are attacking land and environmental defenders.

While international donors talk of stimulating growth and prosperity, the corruption and abuses surrounding these projects are fueling destruction, displacement and the death of precisely those community leaders who could contribute to a more sustainable and prosperous future. The Honduran government is encouraging foreign investment in industries that are causing unprecedented levels of violence against activists. To invest in the current context is to invest in the roots of inequality and insecurity which drive thousands of Hondurans to migrate to the US in 2016.124

US AIDING AND ABETTING
The US is the biggest aid donor to Honduras, and also funds key IFIs, including the International Finance Corporation (IFC) and the Inter-American Development Bank (IDB), which are both financing hydroelectric dams and their infrastructure in Honduras.125 In 2016, the US provided US$98.3 million in bilateral aid to Honduras, plus US$750 million of regional funds to Central America to support the ‘Alliance for Prosperity Plan’, as well as additional money from the Department of Defense.126 A lack of transparency makes it unclear how this aid is spent and how much is channeled through IFIs. What is clear is that US contributions to the Alliance for Prosperity vastly increase security aid to Honduras.

US aid also drives the current development model by demanding Honduras establish ‘governance policies that attract foreign investment, increase modernisation and privatisation, and encourage the adoption of regional energy solutions’.127 Fifty per cent of US direct funding to the Honduran government is in theory conditional on its meeting human rights obligations, including allowing activists ‘to operate without interference’.128 Incredibly, after a year in which 14 land and environmental activists were killed and numerous others threatened, the US State Department still approved the disbursement of funds in October 2016.

In 2016, the Honduran military and police received US$18 million in US aid, in spite of their abuses against activists.129 An ex-member of a US-trained Honduran army unit claims that the military hold a hit list of human rights activists, while two soldiers are currently being prosecuted for the murder of Berta Cáceres.130 Her organisation COPINH has denounced the infiltration by a military spy, and the police guarding the Agua Zarca dam has been accused of threatening local community members. In response to military and police abuses, the Berta Cáceres Human Rights Act in Honduras has been tabled in the US Congress, calling for the suspension of US security aid to Honduras until abuses by security forces cease and perpetrators are brought to justice. The law, if passed, could represent a milestone in US aid that could force countries to clean up their act.

INTERNATIONAL FINANCIAL INSTITUTIONS
A recent damning UN report on the situation in Honduras asserted that International Finance Institutions (IFIs) share a responsibility for human rights abuses associated with the projects they invest in.131 IFIs contribute by financing business projects such as hydroelectric dams and agribusiness whilst pressuring recipient states to alter their regulatory frameworks.132 The World Bank’s International Finance Corporation (IFC) is particularly active, and has been associated with a number of controversial investments:

- Between 2007 and 2011, the IFC provided US$86.5 million to Picohsa Bank, coinciding with the bank’s investment in the Indura Hotel, which has led to clashes with local Garifuna communities.133 In October 2015, OFRANEH, an organisation representing the Barra Vieja community, filed a complaint with the IFC because of its financial support for Ficohsba Bank.134 In the complaint it is alleged that IFC’s investments have led to ‘land grabbing, community displacement, lack of economic benefits and environmental degradation’.135
- In 2009, the IFC invested US$30 million in the Dinant Corporation, an agribusiness giant accused of involvement in the killings of small-scale farmers opposing palm oil plantations in the Bajo Aguán region. Dinant strongly denies any direct or indirect involvement in death squad or human rights violations. The IFC has since admitted failing to implement its own social and environmental policies when approving the loan.136
- More recently, the IFC invested US$30 million in the La Vegona hydroelectric project – which in July 2016 provoked community demands for a fairer share of the profit.137

The US is the largest single IFC shareholder, followed by Japan, Germany and the UK.138 The Overseas Private Investment Corporation (OPIC), the US Government’s development finance institution, also has a US$22.5 million investment in FICOHSA Bank, which backs two of the businesses featured in this report that have been accused of human rights abuses: the Indura Beach resort and agribusiness giant Dinant.139

The Inter-American Development Bank (IDB) also has a big stake in Honduras’s development. Almost 90 per cent of IDB loans to Honduras are to finance energy, trade and ‘modernisation’.140 Between 2008 and 2015, it granted at least US$562 million to the Honduran state for investment in electricity production and renewables, particularly through the expansion of hydroelectric projects.141 The bank also finances numerous agribusiness projects.142 The US, Argentina, Brazil, Mexico and Canada are the most influential shareholders in the IDB.

The Central American Bank for Economic Integration (CABEI), the Dutch development Bank FMO, and the Finnish Development Bank, Finnfund are all investors in the controversial Agua Zarca dam. As detailed in case study 2, numerous members of COPINH, including its head Berta Cáceres, were attacked, harassed, criminalised or killed for opposing this project. Since a current employee of the company that owns Agua Zarca was arrested for the murder of Cáceres, FMO and Finnfund have committed to withdraw from the project. And yet, they had turned a blind eye to the many public threats received by Cáceres over the years. A recent UN report found that investors repeatedly failed to reassess their support even when activists had suffered grave attacks.143

Access to information remains an obstacle to civil society organisations working to understand the role of IFIs in development projects, with very little documentation of investments available online.

RISKY BUSINESS: FOREIGN COMPANIES IN HONDURAS
Businesses and investors too have failed in their responsibility to protect activists, with associated risks to their own reputations and the fundamental viability of their projects. Under the UN guiding principles...
on business and human rights, companies have an obligation to respect international human rights law – regardless of the state’s capacity or willingness to do likewise.244 The business case for acting to protect activists is also increasingly clear.245 Defenders’ local expertise is essential in helping investors to identify, prevent and mitigate human rights abuses and therefore also minimise related adverse business impacts and avoid financial and non-financial risks, such as legal, reputational, operational, and regulatory risks.246 Many features of a safe and enabling environment for defenders are strongly associated with a stable operating environment for business, with companies and defenders alike thriving in contexts of transparency, rule of law, non-discrimination, and freedom of association.

Markets and consumers often reward businesses which are proactive in managing environmental, social and governance risks, and which have a good reputation in regards to rights and ethics. Nonetheless in Honduras, businesses are more likely to undermine the security of defenders, either by attacking activists themselves or criminalising and delegitimising their activities. Whilst international capital lies behind many of the projects, the majority of the businesses around which defenders are being threatened are Honduran. However, both the Honduran government and foreign embassies are preparing the ground for an increase in activity by overseas businesses in the country. Foreign direct investment (FDI) is on the rise237 and Honduran exports to countries of transparency, rule of law, non-discrimination, and freedom of association.

The US remains the principal trading partner for Honduras, with bilateral trade totaling US$9.8 billion in 2013.238 The US embassy in Honduras is promoting US investment in extractive industries in the country. One US mining firm, Electrum, is planning a US$1 billion investment in Honduras according to the Embassy.241 while another US mining company, Inception, operates the Clavo Rico gold mine in southern Honduras that extracts up to 1,000 tons a day.242

Honduras is the most unequal country in Latin America. © Giles Clarke/Global Witness

CONCLUSION

The murder of so many innocent activists, and the losses and intimidation of their families, friends and colleagues is a tragedy that cannot be undone. But an opportunity does exist to prevent further violence. Ultimately it is in the interests of the Honduran government to do all it can to stop the abuse of environmental and land defenders, and to enforce greater transparency and legality in the development of mining, logging, tourism, agriculture and hydroelectric projects. Failure to do so will prevent the state from developing sustainable industries, and will expose it to international condemnation and possible legal action.

For international observers and those with a stake in the country – especially major donors like the US and IFIs such as the IFC and the Inter-American Development Bank - there is a clear and urgent need to refrain from funding or supporting any projects or activities that are putting defenders at risk. Global Witness also calls for governments and institutions to use their significant influence to support the Honduran government and enlightened businesses to promote the rule of law and sustainable, legal development which respects the rights of indigenous and local communities.

ACTION NEEDED AT HIGHEST LEVELS

The response to Honduras’ epidemic of violence against land rights activists must start at the top. The president must guarantee the speedy resolution of the open cases mentioned in this report, with independence, transparency and punishment commensurate to the crimes. He must ensure some ‘big wins’ on these emblematic cases, and enlist the full support of international institutions such as the MACCH and the IACHR where the victims demand it.

President Hernández must also make strong statements regarding the legitimacy and importance of land and environmental defenders and encourage his peers to do likewise. He must strengthen the judiciary, giving it the mandate and resources necessary to prosecute both the material and the intellectual authors of threats and attacks against defenders. He must publicly announce his support for the defenders protection programme, guaranteeing resources and adequate staffing.

International governments, investors and companies must also face up to their complicity in perpetuating attacks against land and environmental defenders in Honduras. To continue aid, trade and investment without concerted actions to contribute to the consultation, recognition and protection of activists, is implicitly condone the threats against them and empower those who wish to do them harm.

Whilst President Hernández describes Honduras as ‘open for business’, until local activists are safe enough to participate in decisions about their natural resources and perpetrators of violence are held to account, then investors should steer clear of these industries. Honduras will only be truly open for business when communities and activists can participate safely in decisions regarding their land and environment. It is up to the international community to help make this happen.
RECOMMENDATIONS

TO THE HONDURAN AUTHORITIES

- President Juan Orlando Hernández and other public officials should make strong public statements recognising the legitimate role of land and environmental defenders and committing to guarantee their protection.
- The state must implement its international obligation to protect land and environmental defenders, their families, colleagues and communities against threats and reprisals. This includes ensuring that adequate protection measures are implemented which respond to the specific risks, context, identity and requests of each individual.
- The government must provide the staff, resources, leadership and political backing necessary to ensure the effective implementation of the human rights defender protection law and its operational regulations.
- IACHR precautionary measures must be implemented in line with the specific protection needs of each beneficiary.
- The Honduran government must cooperate fully with the MACCIH and other international bodies, guaranteeing complete and prompt access to the information they require, and ensuring implementation of their recommendations.
- Where there exists reasonable doubt of a lack of proper free, prior and informed consent (in the case of indigenous and Afro-Honduran communities) or consultation (in the case of other communities), projects should be suspended immediately until genuine consent or meaningful consultation is obtained.
- The government must fully recognise Garífuna land rights, as stipulated by the Inter-American Court of Human Rights’ decision in the case of Triunfo de la Cruz.
- Budget should be increased for the National Agrarian Institute’s land-titling programme, ensuring sufficient resources to properly verify the legality of land sales related to development projects.
- The government should outline how it intends to implement all recent UN recommendations pertaining to the protection of human rights defenders, land rights, indigenous rights, community consultation and consent, and business and human rights.
- Accusations of corruption around natural resource exploitation should be thoroughly investigated, conflict of interest laws properly applied, and public officials found to be complicit in such abuses of authority banned from office.
- The Honduran judiciary should be given the resources and political backing required to prosecute the intellectual and material authors of attacks against land and environmental defenders.
- The Honduran government should implement its commitment, made to the IACHR, to establish a special investigatory protocol for crimes against human rights defenders.
- The state must strengthen access to justice for indigenous and rural communities, taking into account geographical, linguistic and cultural barriers. This should include providing more resources for the Special Prosecutor’s office for indigenous rights (Fiscalía de Etnias).
- Congress must pass a law on the free prior and informed consent of indigenous and Afro-Honduran peoples, which reflects proposals by local communities and defenders, incorporates international best practice, and guarantees the right to reject a project outright.
- Congress must strengthen environmental legislation, according to best practice, in order to guarantee the meaningful participation of affected communities in the development of environmental impact assessments and other environmental processes.
- Congress should legislate requiring any company that enters into a contract with the state to reveal its true owner.

TO THE US AUTHORITIES

- Given that Honduras has clearly not taken effective steps to meet aid conditions pertaining to the right of human rights defenders and civil society activists to operate without interference, 50 per cent of funds appropriated for the central government of Honduras should be withheld.
- The State Department must establish effective criteria through which to measure compliance with aid conditions pertaining to civil society space in Honduras. Criteria should be developed and assessed together with local human rights defenders and should include: an increase in prosecutions of the intellectual authors of attacks against defenders, effective implementation of IACHR precautionary measures, and a marked decrease in the killings of local activists.
- Congress should use the Consolidated Appropriations Act 2017 to add an additional condition on aid, requiring that Honduras take effective steps to guarantee the free and informed consultation of all communities – and consent of indigenous and Afro-Honduran communities – prior to the granting of concessions for development projects.
- Congress should pass the Berta Cáceres Act, calling for the suspension of all US military and police aid to Honduras until human rights violations committed by security forces cease and the perpetrators are brought to justice.
- Policies and practices must be put in place to improve transparency and access to information regarding all US aid.
- The US government must work together with its Honduran counterpart to broaden participation of civil society in the oversight and implementation of the Alliance for Prosperity plan.
- The US should use its leverage over IFIs to ensure that they are not complicit in funding industries causing attacks against defenders.
- The US embassy in Honduras should desist from promoting US investment in those industries associated with human rights abuses, until the rights of local communities are protected.
- The US should increase funding for, and take increased action regarding, the protection of human rights defenders and civil society space in Honduras.

TO ALL FOREIGN GOVERNMENTS

- Through diplomatic missions, create spaces for dialogue between companies, investors, public officials, land and environmental defenders and affected communities.
- Provide technical and financial support for implementation of the human rights defender protection law; encouraging its effective application, and safeguarding civil society participation.
- Support the mandate of the MACCIH and encourage the Honduran government to cooperate with this body.
- Focus aid efforts on strengthening local civil society, human rights defender protection and the justice system.
- Put in place policies and practices to improve access to information regarding foreign aid and investment.

TO INTERNATIONAL BODIES

- The MACCIH should build upon its existing efforts and increase the involvement of civil society in its work, including through broad, iterative and country-wide consultations.
- The Extractive Industries Transparency Initiative in Honduras must be better funded, should require beneficial ownership information for all projects, must produce data on payments from non-metallic mining projects to state officials, and should be adapted to include hydroelectric projects.
- All companies and investors should refrain from doing business in the mining, hydroelectric, logging, agribusiness and tourism industries until the rights of local communities are protected, activists are safe to participate in decisions regarding their natural resources, and perpetrators of abuses are held to account.
- All companies and investors should abide by the UN guiding principles on business and human rights, refrain from interfering in the work of land and environmental defenders, and contribute to creating a safe and enabling environment for their work.
- All companies and investors should guarantee the informed participation of local communities and human rights defenders in decision-making, including on environmental and human rights impact assessments.
- No phase of any development project should be implemented without the free, prior and informed consent (FPIC) of any potentially affected indigenous or Afro-Honduran community. Where claims of lack of FPIC are alleged, projects should be suspended immediately until FPIC is obtained.
- Wherever a human rights defender is threatened or attacked, having raised concerns regarding a business project, all companies and investors associated with the project should condemn the threat and the project should be suspended until the activist’s safety has been guaranteed.
In January 2017, 3 members of COPINH were killed last year in the struggle for indigenous rights in Honduras. © Giles Clarke/Global Witness

Three members of COPINH were killed last year in the struggle for indigenous rights in Honduras. © Giles Clarke/Global Witness

ENDNOTES


5 The new Mining Law of 2013 allows foreign mining companies to receive mining concessions, ending an eight-year closure of the sector due to the repeal, by the Supreme Court, of several articles of the 1999 General Mining Law. Analysts estimate that the 1999 law led to the earmarking of 30% of Honduran territory for foreign mining concessions. See, for example: Paul Epstein and Dan Ferber (University of California Press, 2011), ‘Changing Planet, Changing Health’, p. 255, and USAID, ‘COUNTRY PROFILE PROPERTY RIGHTS AND RESOURCE GOVERNANCE HONDURAS’. Available from: http://www.landlinks.org/wp-content/uploads/2016/09/USAID_Land_Tenure_Honduras_Profile_0.pdf (Accessed 20 December 2016). However, it is not clear how much land has been granted for concessions since the passing of the new 2013 law.

6 An example of the weakened environmental framework is the new Environmental Licensing System, established in October 2015, which will allow development projects to obtain an environmental license in just one week, drastically reducing the opportunity for community participation and public scrutiny oversight. See: Honduras Government press release (October 22 2015), ‘Nueva Sistema de Licencias Ambientales Simplificado ayuda a Mejorar la Competitividad de Honduras’. Available from: https://www.gobminalidad.gob.hn/index.php/2014-03-13-12-51-17/15-11-2015-nuevo-sistema-de-licencias-ambientales-simplificado-auda-ru-a-mejorar-la-competitividad-de-honduras (accessed 20 December 2016).

7 A series of laws and policies have contributed to the increased privatization of water provision in Honduras, including, for example: ‘Plan Estratégico de Modernización del Sector Agua Potable y Saneamiento’ (PEMPS) (January 2006). Available from: https://www.mnap.hn/documentos/internos/PEMPS.pdf (accessed 20 December 2016).

8 This report contains ample evidence of how international law and national policies on community consultation by business are being routinely ignored.


10 The husband of Gladys López is Arnold Gustavo Castro, the sole director of Inversiones Aurora and Inversiones Encinos, the companies that own the Los Encinos and La Aurora hydroelectric dams. The two dams are run-of-the-river hydroelectric projects that are built on the construction of small dams but no large reservoirs. In 2010, at the time when Gladys López was Secretary of Congress, contracts were approved for both dams. At that time Inversiones Encinos was called Hidroeléctrica de la Sierra S.A. (Hidrosierra). For more information see Chapter 3: The National Party’s president and her links to illegal dams.

11 Berta Cáceres’ killing was described as an act of ‘empowerment’ by some of the leaders of the National Front for Popular Resistance – FMLN. The influential opposition party fighting the war – was also taken during the incident. See: CEHPRODEC, (2015) ‘Resumen de los últimos acontecimientos ocurridos en la defensoría de derechos humanos Ana Miriam Romero’. Available from: https://www.frontlinedefenders.org/en/profile/ana-miriam-romero (accessed 20 December 2016).

12 According to Ana Miriam Romero’s lawyers, she identified the armed civilians in the attack as members of a family who were pressuring for the installation of the Los Encinos project. After a meeting in which members of the local leaders of the FMLN – the indigenous opposition fighting the war – was also taken during the incident. See: CEHPRODEC, (2015) ‘Resumen de los últimos acontecimientos ocurridos en la defensoría de derechos humanos Ana Miriam Romero’. Available from: https://www.frontlinedefenders.org/en/profile/ana-miriam-romero (accessed 20 December 2016).

13 In order to provide emergency measures, according to orders of the Inter-American Commission on Human Rights, have been murdered in spite of his additional obligation upon the state to protect them. See: Asociación para una Ciudadanía Participativa AC PARTICIPA (April 2016). ‘MEDIDAS CAUTELARES EN HONDURAS: SUEÑO Y REALIDAD – Informe sobre la implementación de las Medidas Cautelares de la CIDH en Honduras, 2009-2016’. Available from: https://www.asdicar.org/boletin/docs/boletin_medidas_cautelares_01-03-2016.pdf (accessed December 8 2016)

14 Complaint to public ministry by Ana Miriam Romero (27 October 2015)

15 Complaint to public ministry by Ana Miriam Romero (27 October 2015)

16 CEHPRODEC, (2015) ‘Resumen de los últimos acontecimientos ocurridos en la zona indígena lenca del municipio de Santa Elena la paz, Honduras’

17 CEHPRODEC, (2015) ‘Resumen de los últimos acontecimientos ocurridos en la zona indígena lenca del municipio de Santa Elena la paz, Honduras’

18 CEHPRODEC, (2015) ‘Resumen de los últimos acontecimientos ocurridos en la zona indígena lenca del municipio de Santa Elena la paz, Honduras’

19 CEHPRODEC, (2015) ‘Resumen de los últimos acontecimientos ocurridos en la zona indígena lenca del municipio de Santa Elena la paz, Honduras’


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30 CEHPRODEC, (2015) ‘Resumen de los últimos acontecimientos ocurridos en la zona indígena lenca del municipio de Santa Elena la paz, Honduras’
Honduras: The Deadliest Place to Defend the Planet  January 2017

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The bank is also financing a number of other projects in Honduras. Notable since 2008 are project HO-L1019 with a total cost of US$40,000,000, project HO-L1112 with a total cost of US$93,000,000, project HO-J1221 with a total cost of US$11,118,000, project HO-J1102 with a total cost of US$40,000,000. The bank is also financing agribusiness projects through the IFC, with projects such as HO-J1223 with a total cost of US$11,118,000

The IFC's support to the bank (in 2017 and 2018) and the agribusiness group has been crucial, since projects such as HO-J1223 with a total cost of US$11,118,000

The IFC is currently involved in 22 projects in Honduras.

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159 Global Witness interview with Barra Vieja community leader José Armando Guzmán (20 October 2016)

160 Tourism ministry 5 December 2008, Letter to President Zelaya Ochoa No. 211-98-08

161 El Heraldo (7 April 2014), ‘Lista primera etapa de Indura Beach and Golf Resort’ from: http://www.elheraldo.hn/archivos/2015/04/07/la-prime-
ra-etapa-de-indura-beach-and-golf-resort (accessed 10 October 2016)

162 El Heraldo (4 July 2014), ‘Lista primera etapa de Indura Beach and Golf Resort.’ Available from: http://www.elheraldo.hn/archivos/2015/07/05/la-prime-
ra-etapa-de-indura-beach-and-golf-resort (accessed 10 October 2016)


164 El Heraldo (7 April 2014), ‘Lista primera etapa de Indura Beach and Golf Resort’ Available from: http://www.elheraldo.hn/archivos/2015/04/07/la-prime-
ra-etapa-de-indura-beach-and-golf-resort (accessed 10 October 2016)

165 El Heraldo (5 May 2016), ‘Induá se une a la familia de hotelería Hilton.’ Available from: http://www.laprensa.hn/archivos/2016/05/06/indu%C3%A1-se-un%C3%A9-a-la-
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167 Email to Global Witness (2016)

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170 Rights Prosecutor’s Office (2 November 2015)

171 NA-TOLUPAN EN LOCOMAPA/ (accessed 22 September 2016)


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oma (accessed 20 December 2016)


180 Caso 12.492. CARLOS ESCALERAS MEJIA Y FAMILIA’

181 The following guidance is amongst that which ought to be consulted:

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The draft law developed by the Observatorio de los Pueblos Indígenas y Ne on 203rd session (14 July 2005), ‘Legal com-
nessHR_EN.pdf (accessed 29 November 2016); and Wilson Centre Latin America Program publication (10
14 November 2015), ‘Strengthening the MACCIH: next steps
29 November 2016).)

The PIC has invested USD 30 million in a hydropower project through 2013, and has also invested USD 10 million through project 208 in Danilo Antúnez, which has backed hydropower projects. See the International Finance Corporation Project Database. Available at: http://www.ifc.org/en/news/com/bcorner_corp_ext/content/IFC_internal_corporate_web/databases/project_database/projects/ (accessed December 21 2016).


214 The Guardian (21 June 2016), ‘Berta Cáceres’s name was on Honduran military hit-list, says former soldier’. Available at: http://www.theguardian.com/global-development/2016/jun/21/berta-caceres-name-honduran-military-hit-list-claims


211 Brazil and Palomas (accessed 30 November 2016). In paragraphs 58 and 61, Rappor-}

210 The report also emphasised budget limitations, the absence of proper inves-
tigations into the origins, causes and perpetration of threats and attacks, plus inade-


207 As well as the guideline listed in Endnote 204, Congress should take into account the paragraph regarding Article 6 of the Vienna Convention on the Law of Treaties of 1969 (as adopted andeye

206 The draft law developed by the Observatorio de los Pueblos Indígenas y Ne-gro, at the 23rd session of the OAS Congress (June 2005), which is based on the Antzera Ra-jaclara, represents the best proposal seen by Global Witness, and ought to guide Congress in their deliberations.

205 For background information on the MACCIH, see the Wilson Centre Latin America Program publication (5 October 2016), ‘Ties and observations about new anti-corruption and judicial reform in Honduras’

204 Although the OAS Congress has never/vier seen reason to cuestion the support that they always provided to the project, pese


They also include more general UN guidance including, among others:


250 The commitment was made in the implementation agreement for the recommendations of the Inter-American Human Rights Commission in case 12.492: Carlos Escaleras Mejía y Familia: Acuerdo de Cumplimiento a las Recomendaciones Realizadas por la Comisión Interamericana de Derechos Humanos en el Informe de Fondo N° 45/14 Aprobado el 17 de Julio de 2014 Dentro del Caso 12.492: Carlos Escaleras Mejía y Familia.

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