

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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25th September 2015

### **Honduran government must ensure implementation of new law protecting human rights defenders, journalists, social communicators and justice officials**

#### ***Human Rights Council adopts Universal Periodic Review outcome on Honduras***

In recent years, scores of human rights defenders in Honduras, including Indigenous, peasant and Garifuna (afro-descendant) leaders, lesbian, gay, bisexual, transgender and intersex (LGBTI) activists, justice officials and journalists, have been victims of human rights violations and abuses, including physical violence, kidnapping and threats, in reprisal for their work.

In July this year, Amnesty International documented a series of abuses against Indigenous Tolupan leaders and the refusal by the government to implement protection measures ordered by the Inter-American Commission on Human Rights or to investigate these crimes.<sup>1</sup> Local peasant organizations in the Bajo Aguán region face high levels of violence in the context of land disputes with powerful landowners. Female human rights defenders working on women's issues have also been targeted with harassment and threats. Both state and non-state actors appear to be complicit in these attacks and impunity is widespread.<sup>2</sup> The government must ensure that the new *Protection Law for Human Rights Defenders, Journalists, Social Communicators and Justice Officials* is enforced and implemented with sufficient resources and political will in order to seriously address these problems.

Amnesty International welcomes that Honduras has accepted a number of recommendations to protect individuals at-risk, including by implementing the new law.<sup>3</sup> At the same time, it is concerning that several related recommendations calling for prompt investigations into and accountability for attacks and threats against these sectors, are considered "already implemented".<sup>4</sup> However, according to Amnesty International's analysis, the new law is vague and its implementation would still need to be set out in subsequent regulations. It is essential that the regulations and procedures to

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<sup>1</sup> See Amnesty International public statement, "*El Estado hondureño deber garantizar la vida e integridad personal de líderes Indígenas Tolupanes*", 30 July 2015, (Index: AMR 37/2193/2015).

<sup>2</sup> See Amnesty International Submission to the UN Universal Periodic Review, May 2015.

<sup>3</sup> A/HRC/30/11, recommendations 124.42 (Poland), 124.43 (Belgium), 124.49 (Italy), 124.50 (Australia), 124.51 (Chile), 124.52 (Switzerland), 124.53 (Switzerland), 124.54 (Belgium), 124.55 (Czech Republic), 124.56 (Czech Republic).

<sup>4</sup> A/HRC/30/11, recommendations 125.27 (Argentina), 125.48 (Austria), 125.51 (Ireland), 125.52 (Italy), 125.54 (Sierra Leone), 125.55 (Slovenia), 125.59 (Brazil).

implement the law are consistent with international human rights standards and best practices in this field, and especially that they be developed in close consultation with civil society.

Honduras also classified as “already implemented or in the process of being implemented” a recommendation on measures to combat discrimination and violence based on sexual orientation and gender identity.<sup>5</sup> Amnesty International is concerned, however, that reports by local civil society groups<sup>6</sup> indicate that proposed changes to Criminal Code<sup>7</sup> currently before Congress could end up eliminating language in Article 321 that prohibits discrimination on the basis of sexual orientation and gender identity. Amnesty International urges Honduras to ensure that there is no backslide on progress made since the country’s UPR in 2010.

### **Background**

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Honduras on 25<sup>th</sup> September 2015 during its 30<sup>th</sup> session. Prior to the adoption of the review outcome, Amnesty International delivered the oral statement above.

Amnesty International had earlier submitted information on the situation of human rights in Honduras: <https://www.amnesty.org/en/documents/amr37/0012/2014/en/>

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<sup>5</sup> A/HRC/30/11, recommendation 125.11 (Colombia).

<sup>6</sup> See *Corresponsales claves*, “Honduras en alerta por modificación de ley que pena discriminación,” 7 September 2015, <http://www.corresponsalesclave.org/2015/09/honduras-en-alerta-por-discriminacion.html> and Statement from Cattrachas, 25 August 2015, file://mxmx0-vs-dc1ro/users\$/sara.rafsky/Downloads/230-PeticionAltoalacontrareformadeldelitedediscriminacionenHonduras%20(1).pdf

<sup>7</sup> See *El Heraldo*, “Congreso inicia proceso para un nuevo código penal”, 25 August 2015: <http://www.elheraldo.hn/pais/872592-214/congreso-inicia-proceso-para-un-nuevo-c%C3%B3digo-penal>