



### GUATEMALA

#### **Public Ministry Orders Arrest of Former Semilla Congresswoman and Party Founder**

On August 13, the Public Ministry ordered the arrest of [Ligia Hernández Gómez](#), who heads Guatemala's Institute of the Victim and represented the Semilla party in Congress from 2020 to 2024. As a founding member of Semilla, Hernández is accused, along with other founding Semilla party members, of improperly registering the political party when it was formed. The arrest of Hernández is the latest move in an intensifying battle between the country's attorney general and the forces she represents and the administration of Bernardo Arévalo.

Hernández's arraignment has been postponed until August 17, by order Judge Fredy Orellana. She will remain in prison in the meantime. The Delegation of the European Union in Guatemala [expressed concern](#) about Hernández's arrest and called for due process to be guaranteed. The US State Department also [condemned](#) the arrest, calling it "a blatant example of the Guatemalan Public Ministry's continued weaponization of the judicial system."

The case against Semilla began after the Supreme Electoral Tribunal certified the results of the first round of presidential election last summer, confirming the Semilla party's candidate, Bernardo Arévalo, as the winner. The Public Ministry accuses the party of having falsified signatures in order to incorporate as a political party. Attorney General Consuelo Porras, along with the judge who signed the order for the arrest, Fredy Orellana, are on the US State Department's list of [undemocratic actors](#). Porras has been [sanctioned](#) by more than 40 countries. After bringing the charges against the Semilla party last summer, the attorney general attempted to have Arévalo banned from the presidential race. The Public Ministry, which the attorney general leads, later [confiscated](#) from the Supreme Electoral Tribunal dozens of boxes of ballots after the second round of elections last year, alleging fraud.

Hernández [stated](#) that her arrest represents a perverse desire to silence and repress those attempting to regain their country, which, she said, "continues to be captured by a small group of criminals who refuse to let go of a power that no longer belongs to them. How many more honest people," she continued, "must be persecuted, jailed, and forced into exile..... Either the Public Ministry wins, or Guatemala wins."

**Public Ministry Seizes Electoral Information** The Public Ministry has [gained access](#) to private citizens' voting records by [seizing a computer](#) from the Supreme Electoral Tribunal. The computer was used in the first and second rounds of voting in 2023. The Public Ministry has open cases related to the voting, and, [according to Blanca Alfaro](#), president of the Supreme Electoral Tribunal, the Public Ministry took the computer in order to investigate these cases. The information about the computer seizure first came to light on July 24. Alfaro, whom the Public Ministry is [accusing of leaking](#) the information about the seizure, said in a press conference that

she hopes the information will be properly handled, since the rolls contain the voting information of around 10 million citizens. Santiago Palomo, Arévalo's secretary of communications, said in a press conference that the seizure, or "abduction," of the electoral rolls was "serious and unjustified interference." The rolls contain "sensitive information that could be used illegally for spurious ends," Paloma said.

### **Public Ministry Asks Constitutional Court to Fire Arévalo's Cabinet Ministers**

Following a [visit](#) to Guatemala by the Inter-American Commission on Human Rights (IACHR), in which the Commission recommended that the Guatemalan government carry out an independent investigation of the Public Ministry, tensions have escalated between Attorney General Consuelo Porras and President Bernardo Arévalo. On July 31, Porras [asked](#) the Constitutional Court to carry out a [provisional injunction](#) that the Court granted to the Public Ministry last May, preventing Arévalo from removing her from office or interfering in the autonomy and independence of the Public Ministry. In her communication with the Constitutional Court, Porras said Arévalo in his publications had violated this injunction and said various of his cabinet ministers had also violated the injunction. She asked that Arévalo be investigated and that several of his cabinet ministers be removed from office. Specifically, she asked for the removal of Solicitor General of the Nation Julio Saavedra; Secretary General of the Presidency Juan Guerrero; Secretary of Social Communication Santiago Palomo; and Minister of Finance Jonathan Menkos.

**Porras Publicly Accuses Arévalo of Lying** In a statement on August 1, Porras [accused](#) President Arévalo of making irresponsible and unfounded allegations about the work of the Public Ministry. In a [press conference](#) on the same day, she accused him of "lying to the people." She denied that the Public Ministry had taken the electoral rolls—although a Public Ministry official later [confirmed](#) that the Public Ministry had, in fact, done just that. She suggested that "a small group of people" was "ill-intentioned in making the country believe that there had been an attempt against democracy" and said that this small group of ill-intentioned people only wanted to take control of the Public Ministry to avoid being investigated. She also accused Arévalo of failing to defend the country because he accepted the findings of the IACHR.

**Arévalo Asks Court to Remove Porras' Immunity** On August 2, Arévalo filed a [new request](#) with the Constitutional Court, asking for Consuelo Porras' judicial immunity to be removed. He cited violations of the Constitution and abuse of authority. Arévalo [said](#) Porras was continuing to carry out actions attacking the government, as well as the will of the people, freely expressed at the polls. He added that Porras was complicit with a corrupt minority and was an undemocratic actor, "intent on carrying out illegalities to defend the interests of those threatened by the process of transformation." The Solicitor General of the Nation, who accompanied the President to the Constitutional Court, along with other ministers and Vice President Karin Herrera, asked the Constitutional Court to revoke the provisional injunction it had granted to the Public Ministry in May, saying that there were not and had never been any threat of violations of the Magna Carta that Porras had referred to in her request for the injunction. "We will do what corresponds to us to do, within the confines of the law, so that, in effect, she vacates her

positions, in as far as she has become an obstacle to justice,” Arévalo told reporters, pointing out that she represents a threat to democracy.

Manfredo Marroquin, director of Citizen Action, [said](#) Arévalo should take action against Porras, since her actions violate the law. He said her attitude toward the president indicates a lack of respect, an attack on the president, and an intent to destabilize the government. Renzo Rosal, an independent political analyst, suggested that Porras’ aim was to pressure the Constitutional Court to facilitate President Arévalo’s removal from office.

**Ricardo Méndez Ruiz Files Injunction to Protect Public Ministry** On August 3, Ricardo Méndez Ruiz, director of the Foundation Against Terrorism, filed a request for an [injunction](#) with the Constitutional Court, which the Court has accepted. The request for the injunction was presented, according to the document, because of the “real and imminent threat” that the president would “violate the separation of powers of the branches of government and the independence of the same, as well as the defense of the constitutional order and the judicial independence of the Court of Consitutionality and the functional autonomy of the Public Ministry.” Méndez Ruiz has been [investigated](#) for possible links to metamphetamine trafficking and in 2021 was added to the State Department’s [Engel List](#) of corrupt and antidemocratic actors.

**Ricardo Méndez Ruiz Files New LawsUIT Against Arévalo & Requests Lifting of Immunity**

Ricardo Méndez Ruiz has filed a new lawsuit against President Arévalo, [accusing](#) him of influence trafficking, violations of the Constitution, and abuse of authority. Méndez Ruiz is attempting to build a case against Arévalo by arguing that he personally authorized payments to public works companies that had financed his campaign. Méndez Ruiz has made the claims on social media but has failed to provide any supporting evidence. In an effort to prevent corruption, Arévalo’s administration has implemented [certain rules](#) around payments made to contractors engaged in public works. One of these rules is that the payments can be made no more frequently than every three months and they have to correspond to the amount of work done. On finding that payments to dozens of companies were made monthly, Arévalo in May fired his Minister of Communications, Infrastructure, and Housing, Jazmín de la Vega. Méndez Ruiz argues that Arévalo was not authorized to put such regulations in place and that payments must be made solely according to the terms of the contracts and the availability of funds. He further states that Arévalo fired de la Vega for failing to pay his campaign financiers, but he provides no evidence.

**Inter-American Commission Decries Use of Justice System to Repress Struggle for Rights**

After a week long visit to Guatemala by the IACHR, commissioners who investigated the human rights situation in the country [denounced](#) the instrumentalization of the justice system against human rights defenders, peaceful protesters, and people who have fought against impunity. The IACHR noted that the targets of criminalization include justice workers, students, professors, political party members, public functionaries, and even the president and vice president, as well as Indigenous organizations, campesinos, and union members. The commissioners stated that Attorney General Consuelo Porras told them that the Public Ministry [also known as the Public Prosecutor’s Office] was independent and there was no practice of criminalization, but the IACHR said it was alarmed by the “enormous number” of people who have been investigated

since 2019. In the great majority of the meetings the IACHR held in Guatemala, commissioners received testimony of people who were being investigated by the Public Ministry or who were afraid they would be investigated for exercising their profession or labors, the IACHR said in a [press conference](#). These included many justice workers who formed part of the Special Prosecutor's Office Against Impunity or the International Commission Against Impunity in Guatemala (CICIG), as well as judges and prosecutors involved in cases seeking justice for crimes against humanity committed during the internal armed conflict or in anti-corruption cases. Judges of the Supreme Electoral Tribunal and lawyers representing those who have been criminalized have also been targeted.

The IACHR noted five patterns in these attacks: the imposition of a large number of criminal complaints against the same person, to make the defense more difficult; the presentation of anonymous and unfounded complaints to create a climate of pressure, harassment, and intimidation; the use of ambiguous or clearly inadmissible charges; the abusive use of pretrial detention and the application of huge fines; and dilatory practices and the refusal to promptly release full information about the charges or the reason for the investigation, as well as the abuse of plea deals in order to gain release. Indigenous leaders have been criminalized for defense of land and territory, the IACHR noted. Entire communities have arrest warrants, and in Alta Verapaz some leaders have been arrested as they were leaving negotiations with government officials aimed at resolving land conflicts. The IACHR also expressed concern about ongoing evictions and referred to the lack of mechanisms to recognize ancestral land, which in turn allows the exploitation of and contamination of natural resources. Excessive use of force by police during evictions was another concern cited by the IACHR.

Among other recommendations, the IACHR recommended that the Public Ministry cease its criminalization of human rights defenders, anti-corruption prosecutors, judges, and others. The IACHR also recommended that the government carry out an independent examination of the functioning of Public Ministry and its impact on exercise of human rights. The IACHR recommended limiting the use of pretrial detention, in accordance with international law, and releasing all those in pretrial detention who have been criminalized for the defense of human rights. In addition, the IACHR called for the re-establishment of institutions created in the framework of the Peace Accords, and stressed that the government should generate conditions and a plan for the return of exiles, including a plan of reparations. The IACHR also emphasized the need to ensure transparency in the upcoming elections to the Supreme Court and the Courts of Appeal.

**OAS Concerned about Delays in Nominations of Court Judges** The Observation Mission of the Organization of American States (OAS) that is monitoring the [selection of Supreme Court and Appeals Court judges](#) has expressed concern about the delays in the work of the nominating commissions. The commissions have been debating where to establish their headquarters for their upcoming meetings, whether in the Supreme Court or at Rafael Landivar University, and they have not been focusing on core issues. As the OAS Observation Mission noted in a [communiqué](#), there is little time remaining to conclude the nomination and selection process. The OAS Mission pointed out that all the conditions are adequate at the university.

A number of international organizations also expressed concern about the delays in the

process. “We are concerned that members of the nominating commissions are acting with dilatory practices and actions that threaten to prolong the work of the current magistrates of the CSJ [Supreme Court] and Courts of Appeal,” the groups wrote in a public [statement](#). The organizations urged the Constitutional Court to ensure that the constitutional deadlines are met and requested the Permanent Council of the OAS to request a report on the status of the selection process in Guatemala from the Observation Mission and the IACHR.

**Former Prosecutor Virginia Laparra Flees into Exile** Virginia Laparra, who led the Special Prosecutor’s Office Against Corruption and Impunity in Quetzaltenango and has faced [spurious](#) criminal charges in retaliation for her anti-corruption work, has fled into exile. Following sentencing by a Quetzaltenango court for supposedly revealing confidential information—the second conviction against Laparra in just 18 months—the former prosecutor left Guatemala to protect herself and those close to her. Laparra spent nearly two years in pretrial detention. Amnesty International documented violations of Laparra’s right to a defense and pressure on her legal team in the two criminal processes against her and declared her a [prisoner of conscience](#). The UN Working Group on Arbitrary Detention found her detention to be arbitrary. Laparra is one of dozens of anti-corruption prosecutors and ethical judges who have [fled into exile](#) in recent years in response to spurious prosecution. The European Union [expressed concern](#) about Laparra’s July conviction and ongoing “efforts to undermine the rule of law through persecution or intimidation of public officials, democratically-elected authorities, civil society, media and judicial operators.” The EU also expressed support for President Bernardo Arévalo’s efforts to tackle corruption and strengthen the rule of law through his program of reforms in Guatemala.

### **UN High Commissioner Calls Dispossession of Indigenous Lands a Scourge in Guatemala**

On July 19, upon concluding a visit to Guatemala, the United Nations High Commissioner for Human Rights, Volker Turk, [said](#) democracy in Guatemala "[remains in danger](#)." Guatemala had one of the most tense electoral processes in its recent history, after Attorney General [Consuelo Porras](#), tried to invalidate the election's results and prevent Arevalo from being [sworn in as president](#). During his visit, Turk met with Arévalo, human rights representatives, Indigenous leaders, and businessmen, and he said it was a priority to support the country's efforts to strengthen the democratic system. In addition to concerns about potential risks to democracy, he noted the structural discrimination and the levels of racism and inequality faced by the Indigenous Maya, Xinka, and Garifuna Peoples, as well as by people of African descent, populations which constitute the majority of the country’s population. He characterized this inequality and discrimination as “devastating.”

“I am particularly concerned about the high number of evictions which are currently happening,” Turk said. “The dispossession of their lands is a scourge that has worsened in recent years. The lack of recognition of their collective rights is another pending issue.” He called these issues and the lack of access to justice and health and other services “highly alarming.” Criminalization was another concern cited by Turk. “Dozens have been criminalized and face judicial proceedings based on spurious grounds. More than 50 individuals have been forced to leave the country due to fears for their safety and live in exile as refugees. They are victims of

persecution, and their cases are a matter of international concern and an issue of accountability for human rights violations.” He urged Attorney General Porras to “adopt the necessary measures so that this persecution ends immediately. All those in exile should be able to return immediately and in safe conditions.”

**Evictions Increase Dramatically in First Six Months of 2024** During its 190th Period of Sessions in July, the IACHR heard [testimony](#) on forced internal displacement of Indigenous and campesino communities. Evictions against Indigenous communities have increased, organizations seeking the hearing pointed out, mainly in the departments of Alta Verapaz and Baja Verapaz, where extractive activities and agricultural monocultures have expanded. In the first semester of 2024, the Campesino Unity Committee (CUC) registered 18 evictions. By comparison, 36 evictions were carried out during the entire four-year period of Alejandro Giammattei’s administration. If evictions were to continue at this rate, the number carried out in this presidential term would be four times higher than under the previous administration. In Alta Verapaz, according to data from UVOC, at least 68 indigenous Q’eqchi’ and Poqomchi communities of Alta and Baja Verapaz are currently threatened with eviction. The evictions are being carried out without respect for international norms, which require adequate prior notice and guarantees of resettlement, as well as the use of eviction as a last resort. Furthermore, charges are laid against campesinos for trespassing and evictions are carried out in spite of the lack of any verification regarding the rightful ownership of the land. Communities’ homes, crops, and animals are often destroyed during the eviction, leaving them with nothing.

Representatives of the Guatemalan government at the hearing expressed willingness to develop policies to protect human rights and to create mechanisms to favor people who are displaced and pointed to the need to work to ensure the independence of judges involved in ordering evictions.

IACHR commissioners praised the openness of the Guatemalan government and its recognition of the seriousness of the problem. They stressed the harmful nature of the Special Prosecutor’s Office Against Trespassing, asking how to modify the functioning of the office, which was not acting in accordance with international standards. They said the fact that there is a judicial order for an eviction is not sufficient justification; these orders in themselves have to be just. They also asked about the role of the police and their destructive acts during evictions, such as burning houses and animals. One commissioner, Arif Bulkan, called the evictions “catastrophic” and said the government’s intervention in the situation was urgent. No domestic legislation exists that recognizes the customary rights of Indigenous people to their communal land, so traditional rights are not given the priority they deserve, he pointed out. The crime of “trespass” is used by large landowners against defenseless, poor communities, with the judiciary going along with this. International law recognizes that traditional land is critical to the material, cultural, and spiritual survival of Indigenous peoples, Bulkan pointed out, and there must be a right to redress if conflicts arise. Evictions can only take place in very narrow circumstances and can only take place with the Indigenous peoples’ free and informed consent and following due process, he said. The constitution itself in Guatemala protects Indigenous people, Bulkan said, and it specifies that international law and human rights treaties Guatemala has ratified take precedence over domestic law. He reiterated the urgent need for the Guatemalan state to

recognize in its domestic laws the Indigenous right to land; to create a mechanism to resolve land conflicts; to immediately cease the use of the crime of trespass; to respect free, prior, and informed consent; and to ensure that the corruption in the judiciary that is complicit with these evictions be addressed.

### **Organizations Encourage Security Reforms, Including Land Conflict Resolution**

The Inter-American Dialogue and Cristosal, in a joint [report](#) released in July, have called for the strengthening of the specialized institutions established by the Peace Accords to intervene impartially in land disputes, to prioritize peaceful resolution over criminalization or police interventions, and to guarantee respect for human rights. The organizations make many other recommendations in the report, including regulation of private security forces, reforming the National Civil Police, increasing intelligence capabilities, establishing community policing initiatives, and preventing violence against women, among other initiatives.

**Senators Cardin, Kaine, and Durbin Introduce Resolution Supporting Guatemala** In July, Senators Ben Cardin, Tim Kaine, and Dick Durbin introduced a [resolution](#) (S.Res.767) commemorating 175 years of diplomatic relations with Guatemala. In the [resolution](#), among other recommendations, the senators urge Guatemala “to continue to work to find achievable solutions to bring inclusive economic growth, address ongoing security challenges, and build more accountable and transparent institutions; to follow through on its commitments to address the legitimate grievances of Indigenous communities . . . and to see tangible progress for the Indigenous population in Guatemala; and to ensure fair judicial proceedings for all wrongfully targeted journalists and activists, including Jose Ramon Zamora, Virginia Laparra, and Sofia Tot Ac.” The resolution points out that President Arévalo has “demonstrated a commitment to further deepen Guatemala’s bilateral partnership with the United States” by supporting Israel, Taiwan, and Ukraine; by “demonstrating the political will to address the regional migration challenge by hosting the 2024 Third Ministerial on the Los Angeles Declaration on Migration and Protection; by sustaining a serious dialogue with a wide range of Indigenous communities on resolving historical inequities and grievances of the large and diverse Indigenous communities of Guatemala; and following through on his commitment to address corruption across Guatemala’s institutions by empowering Guatemala’s National Commission Against Corruption.” The resolution calls for strengthened foreign assistance for Guatemala so that the government of Guatemala can ensure democracy and deliver tangible results for all Guatemalans and calls on the US government to use all available tools at its disposal support Guatemala’s efforts to combat widespread corruption.

Representatives Delia Ramirez and Dina Titus [introduced](#) the resolution in the House of Representatives on August 2. Co-sponsors include Congresswoman Jan Schakowsky, Congresswoman Wendy Wasserman-Schultz, Congressman Joaquin Castro, Congresswoman Nydia Velázquez, Congressman Lou Correa, and Congressman Jim McGovern.

### **Injunction Prevents Jennifer Harbury from Testifying in Case of Disappeared Husband**

Jennifer Harbury, a US citizen who for 32 years has attempted to hold the Guatemalan government accountable for the [forced disappearance](#) of her husband, Efraín Bámaca Velázquez

(AKA Comandante Everardo), traveled to Guatemala to give formal testimony before a court on July 16th. The testimony was intended to be used at any point in the future as the case against 14 high-ranking military officers accused of involvement in her husband's forced disappearance, torture, and murder develops. Harbury was not allowed to testify, however; Judge Claudette Dominguez [suspended](#) the proceedings before they began, citing a last-minute injunction in favor of one of the accused, Salvador Eduardo Rubio Parra. As the Association of Relatives of the Detained and Disappeared of Guatemala (FAMDEGUA), which is a co-plaintiff in the case, argued that the injunction was fraudulent because the plaintiffs were not notified, preventing them from exercising their right to appear as interested third parties. The organization also notes that the State of Guatemala has signed international treaties and conventions that obligate it to investigate, prosecute, and punish all those responsible for serious human rights violations, including torture and forced disappearance. In addition, legal remedies that could reverse the injunction were not taken into consideration. "This ruling, delivered unexpectedly, demonstrates that the illegal actions of these war criminals have been maintained in impunity, as a result the manipulation of the justice system and the co-optation of the State," FAMDEGUA said, adding that the ruling follows "illegal rulings which have been issued for years, like the fraudulent dismissal delivered in 1999, through which [the State] seeks to continue promoting impunity in the case of Bámaca Velásquez." See more news [here](#).

### **Special Rapporteur on Torture Receives Urgent Appeal in Case of Imprisoned Journalist**

On July 18th, an international legal team acting for award-winning Guatemalan journalist José Rubén Zamora and his son, José Carlos Zamora, filed an [urgent appeal](#) with the United Nations Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Zamora, who founded and directed the Guatemalan newspaper *El Periodico*, has been wrongfully and arbitrarily imprisoned since July 2022. The urgent UN appeal details how the conditions he has been held in amount to torture or other cruel, inhuman, or degrading treatment and asks the UN Special Rapporteur to take urgent action to protect Zamora.

Zamora has been targeted with multiple spurious criminal charges, resulting in three separate criminal proceedings. In June 2023 he was convicted and sentenced to six years' imprisonment for money laundering but was acquitted of the blackmail and influence-peddling charges. His conviction followed a trial plagued with irregularities and violations of his right to due process. Evidence crucial to his defense was not permitted. In October 2023, an appeals court annulled both his conviction for money laundering and his acquittals for blackmail and influence peddling, sending the case back to the High Court for trial. This means that original orders regarding the admission of evidence, excluding exculpatory evidence, will remain in place. The case has been plagued by delays. Zamora's release on bail was ordered by the Ninth Criminal Court in May but that decision was overturned.

To read more about events and PBI's work in Guatemala, visit PBI Guatemala's [website](#).



## HONDURAS

**Former Honduran Police Chief Sentenced in New York for Drug Trafficking** On August 1, Juan Carlos Bonilla Valladares, former chief of the Honduran National Police, was sentenced by a New York court to 19 years in prison after pleading guilty in a conspiracy to protect shipments of cocaine destined for the United States. Known as "El Tigre" or "The Tiger," Bonilla became police chief in 2012. Indicted in 2020, he was extradited to the United States in 2022 and pleaded guilty to the charge last February. He was expected to be tried alongside Former President Juan Orlando Hernández but took a plea deal to lessen the number of charges he faced.

**Former President Juan Orlando Hernández Sentenced to Prison for Drug Trafficking** On June 26, former Honduran president Juan Orlando Hernández was sentenced to 45 years in prison after being extradited to the United States and facing charges of drug and gun trafficking. A New York court had found him guilty in March of moving more than 400 tons of cocaine through Honduras and into the United States in return for millions of dollars in bribes that he used to fund his political career. Prosecutors had asked for a life sentence, while the defense team had pushed for the minimum of forty years.

**Honduras Completes Ratification of Inter-American Convention Against Torture** On July 24, in a ceremony at the Organization of American States (OAS) in Washington, the Permanent Representative of Honduras to the OAS, Carlos Roberto Quesada, deposited the instrument of ratification by his country of the Inter-American Convention to Prevent and Punish Torture. By declaring torture as a crime, the Convention obliges States Parties to regulate all acts of torture in criminal law, establish severe sanctions to punish these crimes, take effective measures to prevent and punish cruel, inhuman or degrading treatment, and train state agents responsible for the custody of persons deprived of liberty.

**World Organization Against Torture Cites Increase in Torture in Honduras.** On June 26, on the occasion of the International Day in Support of Victims of Torture, the World Organization Against Torture expressed deep concern that in Honduras “the fundamental legal safeguards to guarantee due process are not applied and that, on the contrary, in the framework of the state of emergency declared since December 2022 and in force to date, arbitrary detentions, searches without warrants, forced disappearances, criminalization of human rights defenders, dispossession of ancestral lands and torture and ill-treatment continue to increase in the country.” The organization continued, “In contravention of the State's international human rights obligations, the Military Police of Public Order of the Armed Forces have been granted powers to detain and carry out searches without warrants against the civilian population. Similarly, the military forces maintain control and management of the penitentiary system, with little or no accountability and civilian control mechanisms. The deepening of militarization in Honduras has placed women, children, marginalized adolescents in neighborhoods with high poverty rates, indigenous peoples, Afro-descendants and blacks, persons deprived of liberty in prisons, as well as human rights defenders in situations of extreme vulnerability.”

### **UN Human Rights Committee Recommends Implementation of Forced Displacement Law**

The United Nations Human Rights Committee [considered](#) the third periodic report of Honduras on July 4 and 5. On July 19, the Committee adopted its concluding observations. Among a number of other achievements, including the establishment of the Law on Safe Houses for women survivors of violence in Honduras, in 2024, the Committee welcomed Honduras' passage of a [law on forced displacement](#) in December 2022. As the Committee notes in its [concluding observations](#), “The Committee welcomes the adoption of the Law for the Prevention, Care and Protection of Internally Displaced Persons and appreciates the initiatives taken to respond to the needs of internally displaced persons.” Nonetheless, the Committee noted that the mechanisms associated with the law have not yet been successfully implemented: “The Committee regrets that, according to information received, the Inter-Institutional Commission for the Protection of Persons Displaced by Violence (CIPPDV) does not yet have the necessary technical and budgetary capacity to effectively carry out its mandate; and that the National System for Response to Forced Displacement has not been implemented to date.” During the session, the Human Rights Committee [asked](#) the Honduran government representatives about the forced removal of Indigenous and Garifuna peoples from land, noting that these evictions often occur with excessive use of force.

The Committee also expressed concerns about the state of emergency in place for more than two years. In a [summary](#) released on July 26, the Committee referred to “endemic violence, including extrajudicial executions and enforced disappearances, the high rate of impunity, and the lack of control over the use and possession of firearms.” It urged Honduras to investigate all these violations and accelerate the process of strengthening the National Police in order to facilitate the law enforcement functions currently assumed by the armed forces. The Committee expressed concern about the “large scale of intimidation and violence and the high rates of killings of human rights defenders committed by both State agents and private individuals or groups.” The Committee was also disturbed by the difficulties faced by victims in accessing justice, the lack of effective investigations, and the delays in judicial proceedings. It called on Honduras to adopt effective measures to protect human rights defenders, particularly environmental and land rights defenders, journalists, trade unionists, agrarian and peasant activists, indigenous peoples, Afro-descendants, and LGBTQ people.

**Campesino Affiliated with CNTC in Atlántida Murdered** Olman García Ortiz, a member of the Campesino Movement of Ceibita Way, which is affiliated with the National Center of Rural Workers (CNTC), was murdered on August 4 in the village of Ceibita Way, in the municipality of Esparta and the department of Atlántida. According to a communique from the Agrarian Platform and the Coordination of Popular Organizations of Aguan (COPA), García Ortiz was riding his motorcycle in the afternoon when gunmen who appeared to be hired assassins opened fire, [shooting him repeatedly](#). COPA said its [statement](#), “We hold the Dinant Corporation and the Facusse family responsible for this new crime committed against our brother Olman García Ortiz; we also denounce the collusion of the National Preventive Police and the Cobras Special Forces in a series of acts of violence and serious violations of human rights against peasant families fighting for the right to land and food.” In addition, COPA denounced “the officials of the Protection Mechanism who denied the right to request protection to our

compañero Olman García, whose right to life and to continue with his family was denied by hired assassins,” and COPA demanded that the Public Prosecutor’s Office conduct an immediate and exhaustive investigation to capture those responsible for García’s murder.

In September 2022, García was detained and brutally tortured by police officers and members of the Dinant company’s private security guards, according to the Agrarian Platform. He was kicked and beaten with a club in the police car, a [statement](#) from the Agrarian Platform reports, and was sprayed with tear gas as he was being transported. He was also threatened by the officers, who reportedly said, “We have an order from above to kill you for being the leader of the campesino groups.” According to the Agrarian Platform, the next day, García went to the Public Ministry to file a complaint about the incident but he was turned away. He then went to the Protection Mechanism to ask for protection measures, but they were not granted.

**Defenders in Tocoa Suffer New Threats** The communities of Guapinol, Sector San Pedro, and Tocoa, as well as others affected by questioning the Pinares/Ecotek megaproject of Emco Holdings, continue to face a situation of serious risk, despite having protective measures, which were granted by the Inter-American Commission on Human Rights (IACHR) in October 2023. These protective measures, according to [reports](#), have not been effectively implemented, leaving the beneficiaries completely unprotected. Although the measures were granted since October 2023 to defenders who are members of the Municipal Committee for the Defense of Common and Public Goods, it was not until May 2024 that the Attorney General’s Office transferred the file to the National Protection Mechanism. Defamation and stigmatization campaigns in local media and on social networks have increased in recent months. Death threats have also increased, and while the communities continue to denounce the insecurity in the area. Of particular concern are the public statements made by Mayor Adan Funes suggesting that the people responsible for violent acts, including the burning of the Tocoa mayor’s office on July 4, are defenders of the Municipal Committee in Defense of the Common and Public Goods of Tocoa (CMDBCPT). This accusation could result in future acts of criminalization. This accusation was made in spite of the fact that immediately after the fire, the CMDBCPT issued a public statement calling on the authorities to impartially and effectively investigate the act against the Mayor’s Office, a common good of the inhabitants of Tocoa.

The communities have denounced the actions of the mayor of Tocoa to annul the sovereign decision of the people convened in an open town meeting in December 2023, where the people rejected the installation of the Ecotek thermoelectric project and all other components of Emco Holdings’ extractive megaproject irregularly installed in the Carlos Escaleras Mejía Park and surrounding communities in the protected area. The communities have also denounced the development of a second town hall meeting this past June with carried out illegally and with abuses of power, in order to approve a petroleum coke thermoelectric project, in clear disobedience to the resolution of the Constitutional Chamber of the Supreme Court of Justice that ordered the suspension of the effects of this meeting until the resolution of an appeal filed by communities directly impacted by the project, the CMDBCPT, Plataforma Agraria, and other human rights organizations.

In February, due to the struggle of the communities that defend the Guapinol and San Pedro rivers, the Honduran Congress approved Decree 18-2024 that recovers and protects the core zone

of the Montaña de Botaderos “Carlos Escaleras Mejía” National Park. This decree, though approved in February, only came into effect on May 6. The communities defending the rivers continue to demand the immediate compliance with the law, the imminent restoration and recovery of Carlos Escaleras National Park, and the prompt cancellation of open-pit mining activities that have caused environmental devastation.

### **Garifuna Defending Ancestral Land Continue to Suffer Intimidation and Violence**

On July 27, the Black Fraternal Organization of Honduras (OFRANEH) [reported](#) harassment by [soldiers](#), National Police, and members of the Police Investigations Bureau (DPI) in San Juan, Tela. The land the Garifuna are living on in this community is their ancestral land, as a [ruling](#) by the Inter-American Court has made clear. The harassment occurred scarcely a week after the Garifuna communities marked the fourth anniversary of the forced [disappearance](#) of four of their members. Albert Sneider Centeno Thomas, Milton Joel Martínez Álvarez, Suami Aparicio Mejía García, Gerardo Mizael Rochez, and Junior Rafael Juárez Mejía were abducted and disappeared in Triunfo de la Cruz, Tela, by men who arrived in two SUVs during a COVID-inspired travel ban, when cars were prohibited from being on the road. The men were wearing DPI uniforms. On the anniversary of the abduction, the UN Office of the High Commissioner for Human Rights in Honduras [expressed concern](#) that no progress has been made in the investigation.

On June 24 and 26, the Honduran police and military raided the community of Trujillo, as [Mongabay](#) reports, and tried to evict and imprison Garifuna residents. The police were reportedly sent to protect the interests of Randy Jorgensen, Malik Zoharan and Darren Wade, three Canadian tourism investors charged with money laundering and fraud relating to sales of Garifuna lands earlier this year. On July 2, according to a [communiqué](#), OFRANEH said it was reclaiming the land parcel, known as Campo del Mar, from Canadian citizen Randy Jorgensen. The Administrative Office of Seized and Decommissioned Goods, in response, at the end of July ordered the Fenix security company to guard the Campo del Mar complex, in Mojaguay, Santa Fe, Colon, as well as the Banana Coast complex, in the municipality of Trujillo.

In the last six years, more than [150 Garifuna people](#) have been killed or disappeared. In 2023, four Garifuna leaders were murdered, including [Martín Morales Martínez](#), a member of the commission set up to ensure the state complies with the 2015 Inter-American Court ruling. Morales was also a part of the Committee for the Defense of the Land in Triunfo de la Cruz.

**Resolution Calls for Protection for Garifuna Community** A [resolution](#) introduced by Congresswoman Cori Bush calls for action by the Honduran government, multilateral lending institutions, and the US government to protect Honduras’ Garifuna community and ensure justice. Among other points, the resolution calls for the Garifuna Committee for the Search and Investigation of the Disappeared from Triunfo de La Cruz (SUNLA) to have full participation in the investigation into the whereabouts of Sneider Centeno, Milton Joel Martinez, Suami Aparicio, and Gerardo Trochez, and the prosecution of those responsible for their disappearance. It also calls for the creation of an effective and independent office for a Special Prosecutor for Enforced Disappearances in Honduras. Additionally, the resolution calls for the swift and full implementation of the October 2015 ruling of the Inter-American Court of Human Rights that

obliges the Government of Honduras to restore land rights to the communities of Triunfo de la Cruz and Punta Piedra, and to investigate the murder of five members of both communities.

The resolution calls on the World Bank and Inter-American Development Bank to immediately suspend funding for any project that might contribute to violence against Garífuna communities or violations of their human rights and to consult with the affected communities on possible corrective measures, as well as undertaking an independent review of the projects that any such institution has supported over the past 25 years that have an impact on the land rights of Indigenous communities or have otherwise contributed to human rights violations in Honduras, and publish a report with their findings. The resolution calls on US government agencies to alert United States-based companies and other investors in Honduras to the risks and potential liabilities associated with investing in land where rights Indigenous communities' rights may have been violated. It also calls on US agencies to use the United States' vote and voice within multilateral development banks to oppose any loans or technical assistance projects that may threaten the rights of Garífuna communities, as well as to advocate for reparations for communities affected by multilateral development bank financing that have contributed to human rights violations, in accordance with international standards for reparations.

**US Citizen Defames OFRANEH Leaders** According to the [National Human Rights Defenders Network in Honduras](#), on August 6, on a Honduran radio program, US citizen and resident Ritzy Norman Jones defamed OFRANEH and Garifuna leaders Miriam Miranda and Melissa Martinez, alleging that they were "inciting the invasion of land" in Punta Gorda, Bay Islands. Ritzy Jones claims to be the owner of a 28-acre plot of land with a legal document granted by a notary in 1968. This land is the site of the Garifuna camp "Wageira Le," an ancestral territory recovered in honor of the first Garifuna settlement in Roatán. Legal proceedings have already taken place in respect to the land, and the ruling favored the community of Punta Gorda. According to Jones' statements, "no piece of land in the Bay Islands is registered as ancestral property." However, in 1996, the Honduran National Congress, through Decree No. 68-96, recognized Punta Gorda as the point of arrival of the Garifuna people to Honduras on April 12, 1797; consequently, it was declared as "National Patrimony." The Garifuna community of Punta Gorda has historically occupied this territory, so they are in the process of reoccupying their ancestral lands. Ritzy Jones and her legal representative, Samuel Ortega, accused OFRANEH of promoting alleged invasions to sell land plots to third parties and denounced a false urbanization process. In addition, Jones declared in the interview that "the only enemy we have is Melissa Martínez, Miriam Miranda, and OFRANEH," referring to the defenders as "delinquents."

**UN and Honduran Government Extend MOU on CICH for Another Six Months** In early July, the UN Secretariat and the government of Honduras [extended](#) for an additional six months the Memorandum of Understanding initiating work towards the establishment of an International, Impartial, Independent and Autonomous Mechanism against Corruption and Impunity in Honduras, which was set to expire on 15 June 2024. The UN Secretariat shared with the government comments on the text of the bilateral agreement. The Secretariat and the government must concur, in writing, on the existence of minimum legal guarantees and

requirements for the establishment and operation of the anti-corruption mechanism before concluding the bilateral agreement. A technical working group of the UN Secretariat and Honduran authorities will continue discussing the terms of the proposed bilateral agreement to establish the mechanism.

**Lenca Communities Obtain Land Titles** After a sit-in in mid-July of more than 500 of its members at the office of the facilities of the National Agrarian Institute (INA), the Council of Popular and Indigenous Organizations of Honduras (COPINH) [reached](#) an important agreement with the National Agrarian Institute (INA) for 12 Lenca communities. The management of INA and representatives of Lenca communities organized in COPINH signed agreements that recognize and grant property titles over the ancestral territories of these indigenous communities. The indigenous territories are in the communities of Montaña Verde, El Achiotal, Rio Blanco, El Naranjo and La Jarcia. Hundreds of members of different Lenca communities organized in COPINH raised their voices for ten land claim processes, some of which had been known by the INA for more than 15 years, but the rights of the communities had not been respected.

**Indigenous Community Evicted in Spite of Land Title Agreement with INA** On the morning of July 31, National Police officers evicted the Indigenous community of Nueva Esperanza, El Edén, in the department of Comayagua. The police had a court order for the eviction, issued in conjunction with the Public Prosecutor's Office of the department of Comayagua. As the five families living in the area were evicted, heavy machinery was used to destroy their houses and crops, at the request of the National University of Agriculture. Earlier in July, the Lenca communities organized in COPINH, through a massive mobilization at the INA facilities, had managed to sign a memorandum of understanding for the titling and regulation of 12 Lenca communities, including the community of Nueva Esperanza, Comayagua. When the community members indicated to the judicial authorities that there was a document of the agreement signed with the INA for the titling of their lands, the authorities responded that it was not valid, nor did it have any legal effect without the presence of the INA as evidence of the negotiation. In 2022, at least 20 families occupied this land. The INA had made the communities [leave another property](#) where the community was peacefully settled and had promised them land.

For information on PBI's work in Honduras and special reports, see the PBI Honduras' [website](#).

*[Peace Brigades International](#) is a nongovernmental organization that sends teams of international observers to areas of conflict and repression to provide protective accompaniment to human rights defenders whose lives and work are under threat. Founded in 1981, PBI has worked in fourteen countries and on four continents. With consultative status before the United Nations, PBI's international office in Brussels and its advocacy staff in Geneva and around the world support the efforts of its projects in the field to open space for peace.*