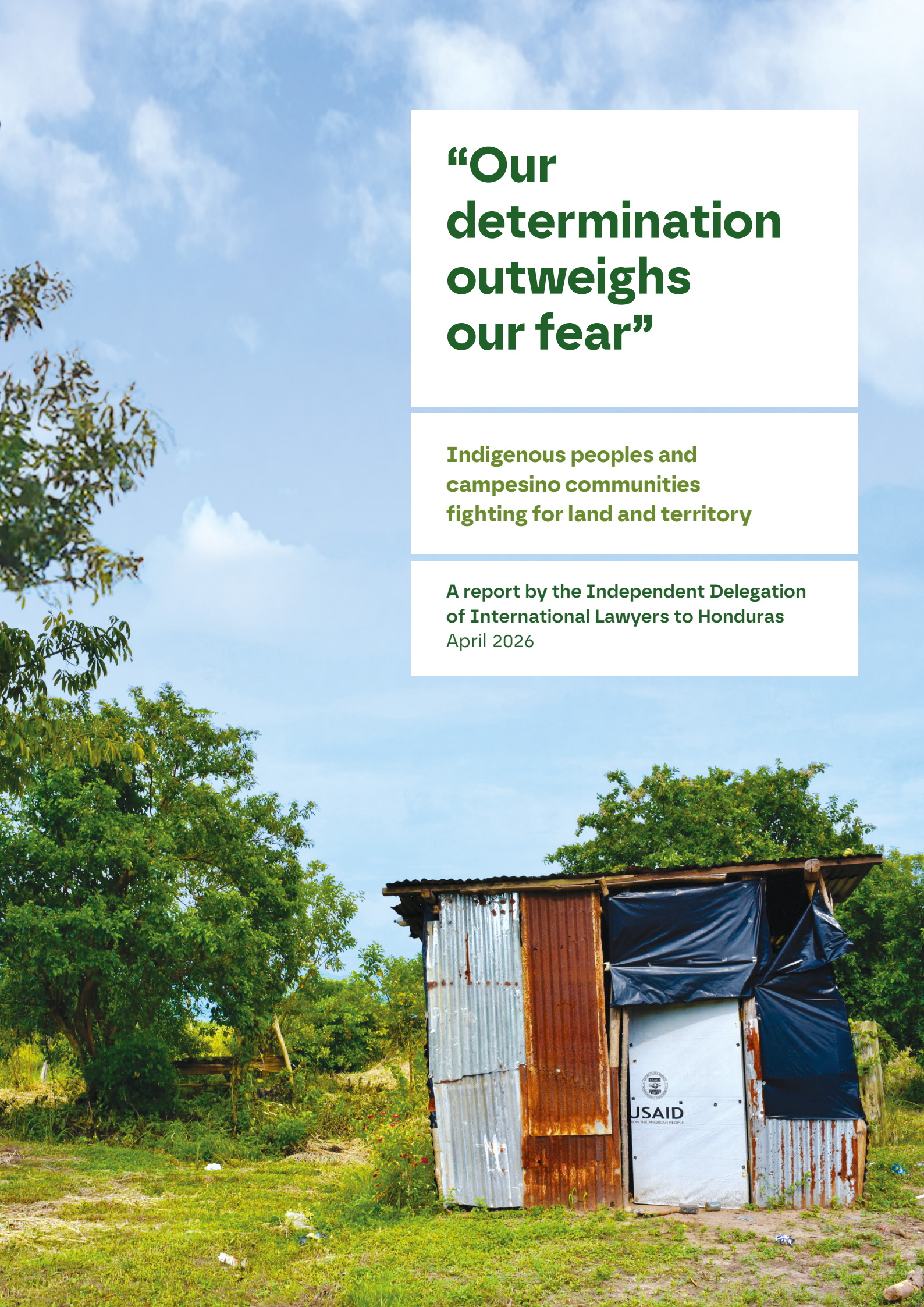
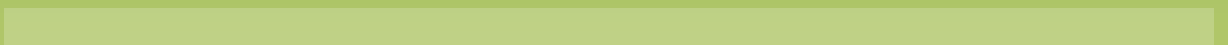


# “Our determination outweighs our fear”

**Indigenous peoples and  
campesino communities  
fighting for land and territory**

**A report by the Independent Delegation  
of International Lawyers to Honduras  
April 2026**





# Contents

<b>I</b>	<b>Executive Summary</b>	<b>4</b>
<b>II</b>	<b>Background</b>	<b>6</b>
<b>III</b>	<b>Introduction</b>	<b>7</b>
<b>IV</b>	<b>Testimonies from Indigenous and Campesino Communities</b>	<b>10</b>
	A. Indigenous Lenca Council of El Cacao	10
	B. Indigenous community of Nueva Esperanza	12
	C. ‘17 de Junio’ Campesino Base	14
	D. The Coordination of Popular Organisations from Aguán and the Agrarian Platform	15
	E. The Guapinol Community and the murder of Juan López	17
	a. A tale of pain and outrage	18
	F. Other communities that met with the delegation	20
<b>V</b>	<b>The Key Factors in the Agrarian Conflict in Honduras</b>	<b>22</b>
	A. Overview	22
	B. Background information on the agrarian conflict in Honduras	24
	C. Omissions in the land registry and cadastre	24
	D. Violence against Indigenous peoples and dispossession from their ancestral territories	25
	a. IACtHR judgments with respect the Garifuna people	27
	E. Violence against campesino communities and dispossession of their lands: the situation in Bajo Aguán	27
	F. Criminalisation of land defenders and eviction of Indigenous and campesino communities: Decree 93-2021	30
	G. Violence during evictions and lack of effective humanitarian support measures for displaced communities	34
	H. Government setbacks contributing to forced evictions: the Commission for Agrarian Security and Access to Land	35
	I. Corruption, violence and impunity in the face of corporate abuses	36
<b>VI.</b>	<b>Conclusions</b>	<b>39</b>
<b>VII.</b>	<b>Recommendations</b>	<b>40</b>

# Executive Summary

- 1 This report documents the findings and conclusions of an independent delegation of international lawyers who visited Honduras in September 2025 to assess the intensification of the agrarian conflict and the criminalisation of Indigenous and *campesino* communities in the country. The visit was made in response to an invitation from Indigenous, *campesino*, and Honduran civil society organisations and received logistical support and accompaniment from the Justice for the Peoples Law Firm (*Bufete Justicia para los Pueblos*) and Peace Brigades International (PBI).
- 2 **Agrarian conflicts in Honduras have historical causes** that have been exacerbated by the consolidation of a criminal architecture in which the interests of agro-industrial and extractive companies, corruption, organised crime, and the complicity or acquiescence of state security structures converge. The testimonies gathered by the delegation show that violence, criminalisation, and forced evictions are not isolated incidents, but rather **components of a strategy that guarantees impunity** for serious human rights violations and consolidates a development model that is contrary to the ways of life of the country's Indigenous and *campesino* communities.
- 3 Based on accounts from several affected communities, meetings with state authorities, and analysis of statements by international organisations and publicly available information, this document identifies **patterns of serious and systematic human rights violations**. Physical and psychological violence is constantly used as a tool to intimidate, displace, and dismantle the defence of the environment, Indigenous territories, and *campesino* lands. The murder of leaders is a recurring method used to crush such resistance. The cases of Berta Cáceres (Intibucá), Juan López, Aly Domínguez, Jairo Bonilla (Guapinol), and Roger Alexis Castillo Fuentes (Bajo Aguán) are just the tip of the iceberg of this violence, that has claimed hundreds of lives.



Vigil for Berta Cáceres at the presentation of the investigation by the Interdisciplinary Group of Independent Experts (GIEI) in January 2025. PBI HONDURAS.

- 4 The perpetrators and masterminds behind these crimes, who are often linked to powerful business interests and organised crime, are neither investigated nor punished. As the Inter-American Commission on Human Rights (IACHR) has pointed out, **the State's acquiescence and tolerance of serious human rights violations** in regions such as Bajo Aguán perpetuate a cycle of violence and impunity.
- 5 The report highlights that **the Honduran justice system is being used to prosecute** people who defend their land and territory. The criminal offence of “trespassing” (*usurpación*) has been systematically used against members of Indigenous and *campesino* communities and their leaders, who are often subjected to arbitrary criminal proceedings and prolonged precautionary measures that restrict their freedom and hinder their work to defend their land. The report highlights examples of flagrant violations of due process, the right to defence and personal liberty by the Public Prosecutor’s Office and the Judiciary in relation to complaints of trespassing brought by private individuals.
- 6 This pattern has been **exacerbated by the issuance of Decree 93-2021**, which eliminates key procedural safeguards, such as the requirement that “violence or intimidation” be used to constitute the crime of trespassing. It also created the concept of “preventive evictions,” allowing the prosecutor’s office and the police to summarily carry out evictions without a court order, based solely on “circumstantial evidence.” It prioritises criminal proceedings to address disputes over land ownership, which are eminently civil and agrarian in nature.
- 7 **Institutional weakness and the absence of effective land ownership policies** are determining factors in agrarian conflict in Honduras. Disorganisation in land registration and cadastral systems, overlapping titles, failure to remove encumbrances, and the ineffectiveness of the National Agrarian Institute (INA) and the Property Institute (PI) favour land grabbing and exacerbate the legal and institutional vulnerability of Indigenous peoples and *campesino* communities to evictions.
- 8 The **lack of protection of the property rights** of Indigenous, Garifuna and Afro-Honduran peoples over their ancestral lands has meant that third parties, often with the acquiescence of the State itself, have usurped them through irregularly obtained land titles, acts of corruption and violence. A notable example of this state omission is the failure to comply with the rulings of the Inter-American Court of Human Rights (IACtHR) in favour of the Garifuna people and the recommendations of the IACHR and the Office of the United Nations High Commissioner for Human Rights (OHCHR) regarding violence, criminalisation and dispossession of Indigenous and *campesino* communities in the country.
- 9 The report includes the following recommendations to the Honduran State:
  - a Immediately repeal Decree 93-2021 and reform the Criminal Code and Code of Criminal Procedure to eliminate the concept of preventive evictions and prevent the arbitrary use of punitive power against Indigenous and *campesino* defenders.
  - b Resolve inconsistencies in the records held by the INA and the PI through a national cadastral survey, in accordance with Honduras’ international commitments.
  - c Establish and effectively implement the Tripartite Truth Commission to investigate human rights violations in Bajo Aguán.
  - d Monitor and regulate business activities to prevent human rights violations and environmental harm.
  - e Implement the Special Jurisdiction for Land and Territory, ensuring that property disputes are resolved through agrarian or civil proceedings rather than criminal proceedings.
  - f Fully and immediately comply with the rulings of the IACtHR.
  - g Restructure the National Protection Mechanism to provide effective responses aimed at preventing violence against those who defend their land and natural resources.
- 10 Finally, the delegation recommends that the international community and multilateral banks: (a) strengthen mechanisms to protect those who defend the rights of Indigenous and *campesino* communities; (b) prioritise the issues raised in this report in political dialogue and cooperation programmes with the Honduran State; and (c) establish mandatory human rights and environmental due diligence mechanisms for all companies with investments, direct operations and supply chains links in Honduras.

# Background

- 11 From 21 to 26 September 2025, an independent delegation of international lawyers carried out a mission in Honduras with the aim of assessing the situation of Indigenous and *campesino* communities with respect to the defence of land, territory, and the environment, in the context of escalating agrarian conflict. The delegation was composed of the following human rights experts, who acted independently and pro bono:

**Isabel Madariaga Cuneo**, independent human rights consultant (Chile);

**Omar Gómez Trejo**, independent human rights and criminal law consultant (Mexico);

**Daniel Cerqueira**, director of the Climate Justice and Human Rights programme at the Due Process of Law Foundation (DPLF) (Brazil);

**Camila Zapata Besso**, human rights barrister at Doughty Street Chambers (UK and Colombia).

- 12 The visit was made in response to an invitation from Indigenous, *campesino*, and civil society organisations in Honduras. The delegation visited the departments (provinces) of Tegucigalpa, Comayagua, Cortés, and Colón, where it met with Indigenous and *campesino* communities, social movements, human rights defenders, state authorities, civil society organisations, the diplomatic corps of European Union countries, and the OHCHR in Honduras.
- 13 During the mission, the delegation received logistical support and accompaniment from the Justice for the Peoples Law Firm, PBI, and Alba Rocío Vargas Cárdenas, an analyst experienced in the protection of human rights defenders in Honduras. The delegation expresses its gratitude to all the individuals, state entities, and organisations that provided information and collaborated with its members.
- 14 On the last day of the mission, the delegation published a press release<sup>1</sup> and met with journalists from various media outlets. This report expands on the findings presented in the press release and includes a series of recommendations to the State, the international community, and the financial sector, with the aim of putting an end to the serious violations committed against Indigenous peoples and *campesino* communities in Honduras.



From left to right: Daniel Cerqueira, Christina Challis (PBI UK), Camila Zapata Besso, Juana Zúñiga (human rights defender from the Guapinol community and member of the CMDBCP), Omar Gómez Trejo and Isabel Madariaga Cuneo.

<sup>1</sup> Press release, International Lawyers Denounce the Criminalisation and Territorial Dispossession of Indigenous and Campesino Communities in Honduras, (26 September 2025).

# Introduction

- 15** This report analyses the situation of territorial dispossession and criminalisation faced by Indigenous peoples and *campesino* communities in light of Honduras's international human rights commitments, the recommendations made by international organisations to the State and companies on this matter, and the testimonies and facts gathered during the delegation's visit to Honduras.
- 16** One of the delegation's key objectives was to meet with communities in their territories to hear first-hand about the situation they are experiencing. To this end, the delegation travelled to different departments of Honduras and met with the following communities and organisations, which were accompanied by their legal representatives: Indigenous Lenca Council of El Cacao, Santa Cruz de Yojoa, Cortés; Indigenous Lenca Community of Nueva Esperanza, El Edén, Comayagua; '17 de Junio' *Campesino* Base, Campo Olivo settlement, Santa Cruz de Yojoa, Cortés; the Coordination of Popular Organisations from Aguán (*Coordinadora de Organizaciones Populares del Aguán*, "COPA") and the Agrarian Platform (*Plataforma Agraria*, "PA"), in Tocoa, Colón and; the Guapinol Community, Tocoa, Colón.
- 17** It also heard testimony in Tegucigalpa from the following communities and organisations: Indigenous Lenca Council of Reitoca; Indigenous Lenca Council of Tierras del Padre; Indigenous Lenca Community of El Achiotal; Indigenous Lenca Council of Potrerillos; *Campesino* Community of the Zacate Grande Peninsula; and the National Union of Rural Workers (*Central Nacional de Trabajadores del Campo*, "CNTC").
- 18** The people with whom the delegation met identified patterns of murders, extrajudicial executions,<sup>2</sup> threats, forced evictions and persecution of Indigenous and *campesino* communities and their leaders. The information the delegation received indicates that these violations are often committed at the behest of landowners, companies and organised criminal groups, with the collusion or acquiescence of the State. While drafting this report, the delegation received the sad news that one of the *campesino* land rights defenders with whom it had met in person, Roger Alexis Castillo Fuentes, from the Camarones Cooperative in Bajo Aguán, was murdered in December 2025.<sup>3</sup>
- 19** The Constitution of Honduras establishes that international human rights treaties ratified by the country<sup>4</sup> are incorporated into domestic law and have constitutional status.<sup>5</sup> Honduras is a party to Convention 169 of the International Labour Organisation (ILO Convention 169); the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights; the Convention on the Rights of the Child; the Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women, and the American Convention on Human Rights, as well as other international human rights law instruments.
- 20** However, there is a notable gap between the international commitments that have been made and the reality in the country. The delegation observed serious human rights violations against Indigenous and *campesino* communities and people, who face widespread violence stemming from the expansion of organised crime, corruption and powerful business interests over their land and natural resources.
- 21** Recently, an investigation by the Interdisciplinary Group of Independent Experts (GIEI), created by the IACHR, determined that the murder of Berta Cáceres in March 2016 was not an isolated incident but rather the result of collaboration between hitmen, military-trained intermediaries, executives from the company *Desarrollos Energéticos S.A.*, and state agents organised in a criminal structure.<sup>6</sup> The information the delegation received during its visit to the country indicates that this type of structure exists at the local, regional and national levels, resulting in corruption and serious human rights violations, almost always under a cloak of impunity.
- 22** Agrarian and socio-environmental conflict has made Honduras the country with the highest rate of murders of land and environmental defenders relative to its population. The conflict in Bajo Aguán is perhaps the most brutal example of agrarian conflict, marked by extreme levels of violence and impunity.<sup>7</sup> The experts

<sup>2</sup> UN News, Honduras must seize historic opportunity to prevent and investigate unlawful deaths: UN expert, (2 June 2023).

<sup>3</sup> Criterio.hn, "A year of impunity for displacement against the Camarones cooperative in Bajo Aguán," (15 de diciembre de 2025).

<sup>4</sup> Constitution of Honduras of 1982 (rev. 2013), article 16.

<sup>5</sup> Ibid, article 18.

<sup>6</sup> GIEI Honduras, Report on the murder of human rights defender Berta Cáceres, related offences and comprehensive reparations measures, page 11, (12 January 2026).

<sup>7</sup> OHCHR Honduras, Report on the human rights situation in Honduras, 2024, para. 8, (2025).



Poster by the Municipal Committee in Defence of Common and Public Goods of Tocoa (Comité Municipal de Defensa de los Bienes Comunes y Públicos de Tocoa, "CMDBCP") in the centre of Tocoa. December 2023. PBI HONDURAS.

observed that land disputes between *campesino* cooperatives and agroindustrial companies have led to hundreds of attacks, murders and threats. The use of criminal structures and paramilitary groups<sup>8</sup> is a key factor in the territorial control exercised by some companies operating in the region.

- 23** The acquisition of land through acts of corruption has served as a mechanism for laundering illicit capital and breaking down community resistance, as demonstrated in the case of the Agua Zarca hydroelectric project, which led to the murder of Lenca environmental leader Berta Cáceres. In that case, evidence was found showing that the company that was awarded the project had purchased land with funds obtained through bank fraud, using low-level employees to move cash and avoid anti-money laundering measures.<sup>9</sup>
- 24** At the same time, the justice system is used to criminalise land and environmental defenders, employing criminal charges such as “trespassing” and “forced displacement” to prosecute them. The delegation verified the regular use of so-called “preventive evictions,”<sup>10</sup> carried out by police or prosecutors without a court order, without due process guarantees, and with the clear intention of using the punitive power of the State to facilitate companies’ and individuals’ land grabbing from Indigenous and *campesino* communities.<sup>11</sup>

<sup>8</sup> IACHR, Situation of Human Rights in Honduras, OAS/Ser.L/V/II/Doc.9/24, §134, (24 March 2024).

<sup>9</sup> GIEI Honduras, Report on the murder of human rights defender Berta Cáceres, related offences and comprehensive reparation measures, page 13, (12 January 2026).

<sup>10</sup> OHCHR Honduras, Report on the human rights situation in Honduras, 2024, para. 47, (2025). GIEI Honduras, Report on the murder of human rights defender Berta Cáceres, related offences and comprehensive reparation measures, page 328, (12 January 2026).

<sup>11</sup> GIEI Honduras, Report on the murder of human rights defender Berta Cáceres, related offences and comprehensive reparation measures, page 44, (12 January 2026).

- 25** The bodies of the Inter-American Human Rights System have expressed their views on the serious situation arising from the agrarian conflict in the country through press releases, precautionary and provisional measures, reports and judgments. Specifically, the IACtHR has condemned Honduras for the murder of Blanca Jeannette Kawas Fernández, a prominent environmental activist who promoted the protection of natural resources and who was murdered on 6 February 1995; Carlos Escaleras Mejía, a mayoral candidate in Tocoa, who was threatened for participating in the environmental movement and murdered on 18 October 1997; and Carlos Antonio Luna López, who denounced illegal logging and municipal corruption and was murdered on 18 May 1998.<sup>12</sup>
- 26** The UN Special Rapporteur on extrajudicial, summary or arbitrary executions noted in his 2024 report on a visit to Honduras that, *“In the 70 cases of killings of human rights defenders documented by OHCHR between 2018 and 2023, 67.1 per cent of the victims were dedicated to the defence of land, territory and/or the environment. The victims were from Indigenous groups in 13 cases and were persons of African descent in 14 cases. In the same period, OHCHR documented at least five cases of enforced disappearance, involving four Garifuna women and one transgender woman.”*<sup>13</sup>
- 27** Due to the lack of protection and the failure to regularise the land tenure rights of the Garifuna communities of Punta Piedra, Triunfo de la Cruz, and San Juan over their ancestral territory, the lack of free, prior and informed consent (FPIC), and threats against community leaders, the IACtHR ruled against the State of Honduras. The respective judgments are pending enforcement.<sup>14</sup> In its 2024 Report on the Situation of Human Rights in Honduras, the IACHR described the situation faced by Indigenous and Garifuna peoples as alarming, given widespread violence in their territories, dispossession, the criminalisation of their leaders, and more, all of which jeopardises their safety and survival.<sup>15</sup>
- 28** The delegation notes that the Constitutional Chamber of the Supreme Court of Justice has issued rulings that apply certain international human rights standards, such as in cases related to the impact of extractive projects.<sup>16</sup> While we welcome such rulings, we note that the jurisprudence of the country’s highest courts often ignores applicable international standards. The state institutions with which the delegation met were aware of the binding nature of these standards but noted that there are serious shortcomings in how they are incorporated into the country’s legal system and public policies. It must be pointed out that, under the established jurisprudence of the IACtHR, judicial bodies *“must exercise ex officio a form of “conventionality control” between domestic legal provisions and the American Convention, obviously within the framework of their respective competences and the corresponding procedural regulations. In this task, the Judiciary must take into account not only the treaty itself, but also the interpretation thereof by the Inter-American Court, which is the ultimate interpreter of the American Convention.”*<sup>17</sup>
- 29** Having set out the above, the delegation presents the first chapter of the report, which gives an account of the meetings with *campesino* and Indigenous communities. At these meetings, the delegation received testimonies, documents, and information regarding different violations of their rights. The second chapter deals with the central factors of the agrarian conflict in Honduras, before concluding with findings and recommendations. The analysis contained in the following sections is based on a review of official information from State entities, statements from international human rights organisations, press reports and articles, interviews with human rights defenders, legal representatives of Indigenous and *campesino* communities, journalists and social organisations. Finally, it also draws on information received directly from public officials interviewed during the delegation’s visit to the country.

<sup>12</sup> IACtHR, *Case of Kawas-Fernández v. Honduras*. Merits, Reparations and Costs. Judgment of 3 April 2009. Series C No. 196; *Case of Escaleras Mejía et. al. v. Honduras*. Judgment of 26 September 2018. Series C No. 361; *Case of Luna López v. Honduras*. Merits, Reparations and Costs. Judgment of 10 October 2013. Series C No. 269.

<sup>13</sup> UN, *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Morris Tidball-Binz*, (24 June 2024).

<sup>14</sup> IACtHR, *Case of the Punta Piedra Garifuna Community and its Members v. Honduras*. Preliminary Objections, Merits, Reparations and Costs. Judgment of 8 October 2015. Series C No. 304; *Case of the Triunfo de la Cruz Garifuna Community and its Members v. Honduras*. Merits, Reparations and Costs. Judgment of 8 October 2015. Series C No. 305; *Case of the San Juan Garifuna Community and its Members v. Honduras*. Preliminary Objections, Merits, Reparations and Costs. Judgment of 29 August 2023. Series C No. 496.

<sup>15</sup> IACHR, *Situation of Human Rights in Honduras*, OEA/Ser.L/V/II Doc.9/24, para. 326, (24 March 2024).

<sup>16</sup> See, for example: *Judiciary, Constitutional case law update “Las Golondrinas”*, (November 2024); *Abya Yala, Supreme Court orders suspension of hydroelectric activities in Pajuiles communities*, (23 March 2024).

<sup>17</sup> IACtHR, *Cabrera García and Montiel Flores v. Mexico*. Merits, Reparations and Costs. Judgment of 26 November 2010, para. 225. See also, *López Mendoza v. Venezuela*. Merits, Reparations and Costs. Judgment of 1 September 2011, para. 226.

# Testimonies from Indigenous and Campesino Communities

- 30** The delegation is grateful for the trust and willingness to share of each of the people they met, who gave their testimonies, shared information and, in several cases, showed them where they defend their rights to land, territory and a healthy environment every day.

## A Indigenous Lenca Council of El Cacao

**“We were born on this land; we care for it and it cares for us. We will continue to defend it.”**

- 31** The Indigenous Lenca Council of El Cacao is made up of 34 Indigenous families living in Santa Cruz de Yojoa, Cortés. For more than 70 years, up until 2023, the council possessed 55 hectares (79 *manzanas*) of land, which they claim as their ancestral territory. This territory was used for subsistence crops, including yucca, taro, limes, tomatoes, onions, green beans, coffee, and different kinds of fruit. On 20 June 2023, the community was evicted following a ruling by the Criminal Court of First Instance of San Pedro Sula, Cortés.



The Lenca Indigenous community of El Cacao was evicted in June 2023.

- 32** In the meeting with the delegation, the community and its legal representatives reported that they had begun administrative land allocation proceedings with INA in 2016. INA declared the request admissible and ordered its Agricultural Cadastre Department to inspect the land, in order to demarcate and differentiate the national land requested by the community from privately held land. In response to this administrative process, the Vanegas Peña family came forward saying that they held title to the land claimed by the community.
- 33** The community's legal representatives shared that the title of full ownership that INA granted and that the Vanegas Peña family is claiming covers an area of 45 hectares (64.54 *manzanas*). However, as proof of ownership, they offered registration records for three properties totalling more than 139 hectares (200 *manzanas*). These properties are not located in the area that the community has claimed.
- 34** Despite the alleged inconsistencies in their claim, the Vanegas Peña family filed a criminal complaint accusing members of the community of trespassing (*usurpación*). Thus, on 7 June 2017, the Public Prosecutor's Office filed a request for prosecution, and on 6 September 2017, the Criminal Court of First Instance of San Pedro Sula issued arrest warrants for 11 community leaders. On 14 November 2017, arrest warrants were executed against Berta Lidia Izaguirre, Edwin Obed López, and Tomás Díaz Cruz. At their preliminary hearing, the judge ordered that the arrest warrant be replaced by a requirement to appear before the Santa Cruz de Yojoa court every 15 days. The judge also ordered Ms. Berta Lidia to undergo a forensic medical examination to assess the injuries she suffered during her arrest. On 23 January 2018, the remaining community leaders appeared voluntarily for their preliminary hearing and received the same measures as the other three leaders. When interviewed by the delegation, community members highlighted how difficult it is to comply with the requirement to report to the authorities every 15 days, because of a lack of resources and the considerable distance they must travel.
- 35** On 23 April 2023, the presiding judge of the Criminal Court of First Instance of San Pedro Sula ordered that the entire community be evicted and, the next day, issued an order to the Justice of the Peace of Santa Cruz de Yojoa to carry out the eviction. This was despite the fact that on 14 March 2022, after hearing an appeal for protection, the Court of Appeals of San Pedro Sula declared that the eviction could only be carried out against those who had been criminally charged and not against the entire community, a decision that was confirmed on 23 August 2022 by the Constitutional Chamber of the Supreme Court of Justice.
- 36** The enforcement judge appointed by the justice of the peace of Santa Cruz de Yojoa carried out the eviction on 20 June 2023, accompanied by two hundred police officers. The eviction was carried out despite the fact that an INA official reported that a judge from the Court of Appeals of San Pedro Sula had ordered that the eviction be stayed.
- 37** During the eviction, community members, including children, were beaten and threatened with death; their homes were demolished and burned, and their belongings, crops, and wooden storage sheds were burned or confiscated.<sup>18</sup> Seven community members, including a child and an elderly person, were hooded and arrested.
- 38** Since the eviction, 16 families have been living on the side of a highway next to the land they are seeking to reclaim, in extremely precarious conditions, in a camp made up of shacks built out of wood planks, cardboard, or nylon, without access to drinking water, sewage systems, or electricity. They bathe in a river and live off the food and water that community members gather. The delegation verified the situation. Furthermore, they live under constant threat from third parties.<sup>19</sup> For example, during the visit, the community members showed the delegation a man who was threatening them with a machete from the other side of the road. Also, in January 2025, two unidentified men in an unmarked vehicle repeatedly came looking for the president of the Lenca Council of El Cacao, Berta Lidia Izaguirre, who faces criminal prosecution for trespassing.<sup>20</sup> In February 2025, an unknown individual, accompanied by an armed guard, took photographs of the settlement and walked around the area outside of where the community currently lives.<sup>21</sup> Because of the eviction and the constant threats they face, several families have been forced to move to nearby cities in search of work and safer living conditions.
- 39** The delegation was informed that the Secretariat of Human Rights, through its Directorate for the Protection of Internally Displaced Persons Due to Violence ("DIPPDI," by its acronym in Spanish), recognised the community members as forcibly displaced persons. This institution provided them with humanitarian support for three months.

<sup>18</sup> RedDefensoras, *The Lenca women of El Cacao*, (23 June 2023).

<sup>19</sup> OHCHR Honduras, *Accompanied an inter-institutional mission to the community of El Cacao, Santa Cruz de Yojoa. Community members were evicted in June 2023 and remain in a situation of extreme vulnerability*, (10 May 2024).

<sup>20</sup> Justice for the Peoples Law Firm, *Alert: Harassment against the Indigenous Lenca Council of El Cacao*, (8 January 2025).

<sup>21</sup> Justice for the Peoples Law Firm, *Further acts of harassment against the Indigenous Lenca Council of El Cacao*, (20 February 2025).

## B Indigenous community of Nueva Esperanza

“Our community has the right to a place to live.”

- 40** The Indigenous Lenca community ‘Nueva Esperanza’ in El Edén, Comayagua, is currently made up of around 15 families, including children, who live in extreme poverty. The community has been displaced for several years, during which time its members have tried to settle on different pieces of land. The lawyers representing the community explained to the delegation that INA treats the community as *campesinos*. They reported that in 2018, at the request of INA, the community was displaced from another piece of land that it had occupied for several years, with promises of resettlement that were never fulfilled. The community then proceeded to settle peacefully in a town called Nueva Esperanza, located a few kilometres away from the National Agricultural University (UNAG).
- 41** They informed the delegation that, in 2021, UNAG filed a criminal complaint for trespassing against eight of the community members and on 2 February 2023, at the behest of the university, the National Police attempted to carry out a pre-emptive eviction under Decree 93-2021, or in other words, without a court order. During this attempt, some of the community’s homes and subsistence crops were destroyed.<sup>22</sup> The following day, the community members returned to the property and were repeatedly threatened by UNAG’s private security guards. The Council of Popular and Indigenous Organisations of Honduras (*Consejo Cívico de Organizaciones Populares e Indígenas de Honduras*, “COPINH”) reported the threats to the Siguatepeque Police but got no response. On 7 March 2023, a member of UNAG’s private security force assaulted a woman from the community, and the incident was reported to the Magistrate’s court in Comayagua.<sup>23</sup>
- 42** On 31 July 2024, the community was evicted pursuant to a court order, and their homes and crops were completely destroyed.<sup>24</sup> Since then, they have been living in a camp located on a small strip of land between a very busy highway and the territory they claim. The delegation observed how precarious their living situation



The Lenca Indigenous community of Nueva Esperanza has been displaced for several years.

<sup>22</sup> IM-Defensoras, “[Women Defenders Alert] HONDURAS / Eviction in the Lenca community of Nueva Esperanza by Directorate of Police Investigations (DPI),” (2 February 2023).

<sup>23</sup> Information provided by PBI Honduras and COPINH.

<sup>24</sup> COPINH, “Six months after the latest forced eviction in Nueva Esperanza, the community remains organised and the state has yet to respond. We demand justice now!” (31 January 2025 eviction).



Members of the community have been accused of trespassing and are still awaiting trial.

is. They lack access to basic services, do not have enough food, bathe in a nearby river, buy drinking water from passing vendors, or collect rainwater for their survival.

- 43** Despite having been evicted, the community continues to receive threats from UNAG and the National Police. Private security and military personnel guard the university and frequently patrol the community. The land the community used to occupy has been fenced off with barbed wire, and the animals and belongings community members kept on the property have been removed by UNAG security personnel. Several families from the community have been forced to leave the camp.
- 44** In September 2025, INA determined that the parcels of land described in the UNAG's deeds do not correspond to the land the community claimed; these parcels are registered as private property, but there is no owner identified. The Ministry of Education also says they have rights to the disputed property, and claims there is a dispute between INA and the municipality over whether the land should be classified as rural or urban, which determines whether INA has jurisdiction.
- 45** The community members accused of trespassing are awaiting trial. At a preliminary hearing held in Comayagua on 13 October 2025, their legal representatives reported that the Public Prosecutor's Office had filed charges without referencing a cadastral survey to prove who owned the property and without fully identifying the property in dispute. They also noted other procedural irregularities, such as the fact that the criminal charges were not signed by the Secretary of the Department of Education, as required by law, but by a regional delegate from the Department of Education. As a result, the community's defence team asked for the case to be dismissed due to lack of standing, as well as the cancellation of the court orders for eviction. The Comayagua court has yet to issue its ruling.<sup>25</sup>
- 46** The lawyers who represent the community said that in a meeting with Dr. Jaime Rodríguez, head of the Department of Education, Rodríguez agreed to drop the criminal complaint for trespassing because the person who signed off on it lacked the authority to do so and because there are a number of inconsistencies in the property records for the disputed plots of land. However, as of this report's publication date, there has been no formal withdrawal of the complaint.

<sup>25</sup> COPINH, "Nueva Esperanza: Stop the persecution of those who defend land and life," (13 October 2025).

## c '17 de Junio' Campesino Base

**“Our collective strength is built every day at dawn, when each one of us starts work on the land that feeds us all. Our determination to create a future for our children, fuelled by our work and solidarity, outweighs our fear.”**

**“Those who are criminalised have to go and report to the authorities, and if they don't report in, they are taken prisoner. We are asking for a piece of land, a decent place to live.”**

- 47** The delegation visited the '17 de Junio' *campesino* base in the Campo Olivo settlement in Santa Cruz de Yojoa, Cortés. The community is made up of around 40 families, organised as an agricultural cooperative and affiliated with the National Union of Rural Workers (*Central Nacional de Trabajadores del Campo*, "CNTC"), a labour union that fights for fair land distribution and has a presence in 12 regions across 14 departments.<sup>26</sup>
- 48** Since 17 June 2022, this *campesino* community has been living on around 80 hectares of land that are part of the 268 hectares they claim as their own. They grow papaya, yucca, plantains, beans, yams, corn, squash, and palm, along with other crops. The community noted that their settlement is located on national land, which had lain idle for more than five years before the families settled in the area. The community also noted that the disputed land was used by the American company United Fruit Company and its subsidiary, the Tela Railroad Company, as banana plantations for several decades. When the multinational corporation ceased operations in the area in the 1970s, the land was returned to the state. Later, the Los Olivos banana packing plant operated in the same area, but in the late 1990s the company declared bankruptcy due to flooding caused by Hurricane Mitch, and the land was abandoned. Before leaving, the owners of Los Olivos reportedly agreed to grant their workers parcels of land as compensation for their labour.



The delegation spoke with members of the '17 de Junio' *campesino* base and Lilian Borjas, human rights defender and the General Secretary of the CNTC in El Progreso. The CNTC is affiliated with the Unified Confederation of Honduran Workers (CUTH), which in turn is affiliated with the International Trade Union Confederation (ITUC), along with more than 150 trade union organisations.

<sup>26</sup> National Union of Rural Workers (CNTC).

- 49 Nonetheless, the community maintains that the agreements have not been respected and that a single representative of the company, Óscar López, had claimed rights over all of the land. He then reached an agreement with the Azunosa company to use the land for sugarcane cultivation. Currently, this sugar company occupies several hectares of land in the areas surrounding the community's settlement.
- 50 The community has been threatened, and its members have been followed by Azunosa company representatives, sometimes with the support of the National Police. In May 2023, the community was threatened that they had just a few days to leave their settlement. In June 2024, 13 community members were accused of theft by a plantation owner named Rosendo Suazo Martínez. Community members suspect that they were charged with theft rather than trespassing because the complainant cannot prove his property ownership. As a result of this complaint, they must report regularly to the police, which is challenging due to their limited resources and the distance they must travel to the nearest police station.
- 51 On 12 March 2025, there was an attempt to forcibly evict the community. At 6 a.m., five National Police patrol cars and several hooded soldiers arrived at the settlement with what was purported to be a court order issued at the request of Los Olivos and its alleged heirs. The CNTC El Progreso identified several omissions in the court order, including that the judge who had issued it was not identified, the letterhead did not match the format of other eviction court orders, and it lacked an official seal. In addition, they were told that the judge was present at the eviction attempt, but he was wearing a mask and refused to identify himself to the community.
- 52 The community indicated that the regularisation of their lands with INA has been delayed because the land is not registered in the cadastre and because third parties have claimed ownership. They added that although INA recognises that the land belongs to the state, there are records suggesting that it could be privately owned, and the Public Prosecutor's Office maintains that the land belongs to plantation owner Rosendo Suazo Martínez.

## D The Coordination of Popular Organisations from Aguán and the Agrarian Platform

- 53 The Coordination of Popular Organisations from Aguán (*Coordinadora de Organizaciones Populares del Aguán*, "COPA") is made up of labour unions, communities, and *campesino* collectives. It supports those facing arrest warrants, legal proceedings, and evictions, helping them access reporting procedures and medical and legal assistance. The Agrarian Platform (*Plataforma Agraria*, "PA") is a network of organisations that focuses on access to land, food sovereignty and comprehensive agrarian reform.
- 54 At their meeting with the delegation, COPA and PA representatives spoke of hundreds of murders, attacks, threats, and extrajudicial evictions against members of *campesino* communities at the hands of armed groups operating with total impunity in the region. They cited more than 200 murders since 2010 and around 2,500 cases of criminalisation for alleged trespassing and other crimes. Representatives from several partner organisations also reported on different acts of aggression they have suffered for defending the land.
- 55 During the meeting, they said that on 22 February 2022, COPA and PA signed what they called a historic agreement with the government, setting out a series of commitments, including: (i) providing protection against evictions for *campesino* communities; (ii) investigating mechanisms of land dispossession under the agrarian reform; and (iii) establishing a tripartite truth commission to investigate serious human rights violations committed in the context of the agrarian conflict in Bajo Aguán and providing reparations and mechanisms to ensure non-repetition.
- 56 The delegation appreciates the value of the agreement but notes that no progress has been made toward its implementation. According to the National Human Rights Commission (*Comisión Nacional de Derechos Humanos*, "CONADEH"), the establishment of the truth commission has advanced very slowly, and incidents of extreme violence continue to be reported in the Bajo Aguán region.<sup>27</sup> The Center for the Study of Democracy (*el Observatorio de la Conflictividad Socioterritorial de Honduras del Centro de Estudio para la Democracia*, "CESPAD") also noted "the lack of significant progress in complying with the 22 February 2022 agreements [...]. The resolution of these conflicts is not only a historical debt owed to the *campesino* communities but is

<sup>27</sup> CONADEH, "From the National Human Rights Commissioner in response to the questionnaire from the Rapporteur of the Working Group on the rights of *campesino* and other people working in rural areas," §13, (October 2024).



Raúl Ramírez, General Secretary of the PA, paid tribute to all COPA and PA members who have been murdered.

also imperative for the strengthening of Honduran democracy.”<sup>28</sup> Likewise, OHCHR Honduras called for more progress on the measures needed to fully implement the agreement, which aims to address the structural causes of the agrarian conflict in Bajo Aguán.<sup>29</sup>

- 57** Several COPA and PA members have been killed since the signing of the agreement with the government. In January 2023, Omar Cruz Tomé, president of the Los Laureles *campesino* Cooperative, and his father-in-law, Andy Martínez, were murdered in their home. In February 2023, Santos Hipólito Rivas, founder of the Gregorio Chávez Campesina Cooperative, who was under a nationwide protection program to prevent violence against human rights defenders, and his son, Javier Rivas, were shot dead.<sup>30</sup> On 2 January 2025, Arnulfo Díaz was killed by armed men who stopped him in his vehicle on the outskirts of the Brisas del Aguán Cooperative’s land. On 2 February 2025, Suyapa Guillén and her husband José Luis Hernández Lobo, active members of the Gregorio Chávez Cooperative, were killed. On 17 July 2025, Ramón Rivas Baquedano, from the La Aurora Campesina Association, and his son Carlos Rivas Canales, from the Gregorio Chávez Cooperative, both family members of murder victims Santos and Javier Rivas, were killed. On 26 July 2025, Héctor Otoniel Hernández Castro, a member of the Gregorio Chávez Campesina Cooperative and brother of the PA’s deputy coordinator, was murdered. On 1 August 2025, Abel Monroy, father-in-law of a member of the El Chile Cooperative, who had previously received threats related to his family’s work in the cooperative, was murdered. In December 2025, Roger Alexis Castillo Fuentes, a member of the Los Camarones Campesina Cooperative, was murdered.<sup>31</sup> All of the perpetrators of those murders remain at large.
- 58** Communities mentioned in the agreement, which are under government protection, have been evicted by non-state actors. In December 2024, for example, members of the Camarones Agricultural Cooperative suffered armed attacks over several days. Despite efforts by the national police to contain the attacks, the assailants succeeded in driving the cooperative members off their land, which was later occupied by criminal gangs that operate in the region. Commenting on the attacks, OHCHR Honduras noted that such incidents “create a climate of terror and insecurity for hundreds of campesino families exercising their right to access land.”<sup>32</sup>
- 59** In January 2025, members of the Tranvío and El Chile cooperatives endured similar attacks, and their lands were also taken over. All of the attacks are believed to have been carried out by the criminal gang ‘Los Cachos,’ which, according to COPA and PA, has links to the Dinant Corporation.<sup>33</sup> On 6 August 2025, a judge issued an eviction order in favour of the Tranvío, El Chile, and Camarones cooperatives, though the order has been repeatedly delayed. After its visit, the delegation was informed that on 8 December 2025, a combined police

<sup>28</sup> CESPAD, “Bajo Aguán and a declaration of emergency that the Castro government ignores,” (4 February 2025).

<sup>29</sup> OHCHR Honduras, *On the first anniversary of the signing of the Agreement between the government and campesino and popular organisations of Bajo Aguán, OHCHR calls for its effective implementation*, (23 February 2023).

<sup>30</sup> Contracorriente, “Agreement to resolve conflict in Aguán marks one-year milestone, overshadowed by murders,” (24 February 2023).

<sup>31</sup> Criterio.hn, “A year of impunity for the displacement of the Camarones Cooperative in Bajo Aguán,” (15 December 2025).

<sup>32</sup> Criterio.hn, “Armed groups attack *campesino* from the Camarones Cooperative in Bajo Aguán: urgent state intervention demanded,” (27 December 2024).

<sup>33</sup> Criterio.hn, “Violence in Bajo Aguán: armed attack on the Tranvío cooperative displaces *campesino* families,” (27 January 2025).

and judicial operation involving more than 1,000 officers failed to evict the illegal occupants and also failed to protect the *campesinos* from attacks by criminal groups operating in the area. Four days later, hitmen linked to these groups murdered Roger Alexis Castillo Fuentes, a member of the Camarones Cooperative.<sup>34</sup>

- 60 Because of the violence that *campesino* collectives, like the Camarones, Tranvío, and El Chile cooperatives, continue to face, on 1 February 2025, 65 Honduran organisations put out a National Emergency Declaration in Bajo Aguán, noting the alleged role of the Dinant Corporation. On 12 February 2025, a number of international NGOs wrote an open letter to multinational companies that buy, sell, market, or process palm oil from the Dinant Corporation, including Cargill, Mondelez, and PepsiCo, discussing the recent violence committed in connection with the expansion of Dinant’s palm oil plantations in the Aguán Valley, and asking them to stop all direct and indirect business relationships with the Honduran company.<sup>35</sup>

## E The Guapinol Community and the murder of Juan López

“The voice of Juan López in defence of land and the environment will not be silenced.”

- 61 The issues facing the Guapinol community are emblematic of the conflict in the Bajo Aguán. The Guapinol community, located in Tocoa, Colón, is made up of around 4,000 people from different parts of the country who peacefully settled in the area. In the early 2010s, the community began to hear the first reports of possible mining exploration within the Montaña de Botaderos National Park, which was renamed Montaña de Botaderos Carlos Escaleras Mejía National Park in 2017, in recognition of the environmental activist murdered in Bajo Aguán in 1997.
- 62 Due to the National Park’s legal status, mining activity was not permitted. However, as a result of a change to its boundaries made by the National Congress in December 2013, 217 hectares were removed from the heart of the park, paving the way for two concessions for non-metallic iron oxide mining exploration, which were



The entrance to the Guapinol community. December 2023. PBI HONDURAS.

34 Criterio.hn, “A year of impunity for the displacement of the Camarones Cooperative in Bajo Aguán,” (15 December 2025).

35 World Organisation Against Torture et al., “Honduras: Stop the violence in Aguán – protect human rights defenders: No more trade with Corporación Dinant!,” (12 February 2025).

requested by Emco Mining (now Inversiones Los Pinares). In 2014, the mining exploration phase began, and from then on, it became clear to the community what was happening. In 2021, the exploitation phase began and an iron oxide processing plant, commonly known as a pelletiser, was installed in the same area. The mine is operated by Inversiones Los Pinares SA and the pelletiser by Inversiones Ecotek, both subsidiaries of the Emco Group Holdings.

- 63** In 2023, the Municipal Council of Tocoa held a public meeting and rejected the proposal. Nonetheless, a license was granted to build a thermal power plant that would run on petroleum coke, a highly polluting fuel used in mining.<sup>36</sup> Town residents challenged the concession through an injunction, alleging a lack of access to information, a transparent participation process, or the right to a healthy environment, along with other issues.<sup>37</sup>
- 64** It should be noted that the Tocoa municipal secretary, the legal representative for Inversiones Ecotek, and a former legal representative of Inversiones Los Pinares are facing criminal charges for alleged falsification of public documents. Namely, they are accused of altering the minutes of a town hall meeting held in 2016 by adding false information concerning community participation in consultations about the megaproject and using these notes to obtain licenses.<sup>38</sup>
- 65** Furthermore, in May 2025, executives from Inversiones Los Pinares were indicted for illegal exploitation of natural resources and aggravated environmental damage related to the mine. The complaint filed by the Public Prosecutor's Office details the following issues: a rock waste dump in an area in the middle of the park, changes in river colour, and a poorly built road that increases the risk of landslides. The indicting judge noted that in this case *"there is a conspiracy between the public sector and the mining company."*<sup>39</sup> On 5 November 2025, the Court of Appeals, which hears national cases involving organised crime, environmental issues, and corruption, upheld the indictment and pretrial detention order against those involved in crimes committed in the protected area of Carlos Escaleras Mejía National Park.<sup>40</sup> In this case, Lenir Pérez, owner of Inversiones Los Pinares, remains at large.
- 66** With respect to the mining megaproject's operations, on 21 February 2024, the National Congress approved Decree 18-2024, repealing Decree 252-2013, which reduced the core area of Carlos Escaleras Mejía National Park by 217.34 hectares. Decree 18-2024 ordered "the Ministry of Natural Resources and Environment, the National Institute for Forest Conservation and Development, Protected Areas and Wildlife, and other relevant environmental entities to restore the areas of the Montaña de Botaderos Carlos Escaleras Mejía National Park that were affected by mining activities, ensuring the active, free, effective, informed, and meaningful participation of the affected communities."<sup>41</sup>
- 67** Decree 18-2024 is considered a victory stemming from the community's struggle to defend common goods.<sup>42</sup> It led to the Honduran Institute of Geology and Mines (INHGEOMIN) refusing to extend the mining concession in the Carlos Escaleras Mejía Botaderos Mountain National Park in July 2025 and, in October 2025, refusing to grant Inversiones Ecotek an extension to continue operating the pelletising plant.<sup>43</sup>
- 68** There is still work to be done in terms of involving the affected communities in the restoration of the National Park<sup>44</sup> and on reparations for the serious damage to the environment and to the lives and integrity of those who opposed the megaproject. This includes the murder of a well-known community leader and environmental activist, as discussed below.

## **a** A tale of pain and outrage

- 69** Women from the community explained to the delegation that when the mine began operating, the Guapinol River became dirty and oily, and the fish, crustaceans, and medicinal plants grown near the river began to die. According to reports, the poorest people who relied on the river to collect water and bathe began to develop skin lesions and severe gastrointestinal problems, with reports of women suffering miscarriages. Furthermore, several community leaders have been defamed, and cooperative banks have demanded that their members refrain from participating in protests against the mining project.

<sup>36</sup> Criterio.hn, "Allegations of manipulation and omissions in the promotion of the Ecotek power generation project," (21 November 2023).

<sup>37</sup> DPLF, Amicus Curiae: Collective appeal for the protection of the rights to citizen participation and a healthy environment in Tocoa, Colón, Honduras, (31 January 2024).

<sup>38</sup> Criterio.hn, "Hearing on alteration of minutes in Tocoa is broadcast with technical difficulties and interruptions," (30 May 2025).

<sup>39</sup> Criterio.hn, "Los Pinares executives prosecuted for environmental destruction; Lenir Pérez remains at large," (13 May 2025).

<sup>40</sup> Public Prosecutor's Office, "Public Prosecutor's Office secures preventive detention for those involved in the case of the 'Carlos Escaleras Mejía' National Park in Montaña de Botaderos," (5 November 2025).

<sup>41</sup> Legislative Branch, Decree 18-2024, passed on 21 February 2024 and published on 6 May 2024 in La Gaceta.

<sup>42</sup> RedDefensoras, Decree 18-2024: A victory for the community struggle to defend common goods, (13 May 2024).

<sup>43</sup> Contracorriente, "Mining concession extension rejected for Emco Group subsidiary that never had an environmental license," (24 October 2025).

<sup>44</sup> OHCHR Honduras, It is time for Decree 18-2024 to be enforced, (8 July 2025).



Juana Zúñiga is the Secretary of the Guapinol Community Board and an active member of the CMDBCP. She has suffered threats, intimidation, surveillance and sexist comments because of her defence of human rights.

- 70** The community noted that the mine’s presence has ripped apart the social fabric and that they have been offered large sums of money to sell their land. When that failed, their livestock was targeted for attack, followed by threats and murders. In 2018, the Guapinol Community Environmental Committee, COPA, and other organisations that make up the Municipal Committee in Defence of Common and Public Goods of Tocoa (*Comité Municipal de Defensa de los Bienes Comunes y Públicos de Tocoa*, “CMDBCP”) set up a protest camp “for water and life” that occupied the road leading to the mine and prevented machinery from entering for 88 days. On 27 October 2018, around 1,200 soldiers evicted the camp by court order. Following the eviction, several CMDBCP members were arrested and criminally charged with trespassing and other crimes. Among them was environmental defender Juan López, who was later murdered. Some of those arrested were released on bail after more than 900 days. The criminal proceedings remain open.<sup>45</sup>
- 71** CMDBCP members have been killed for their work. In January 2023, two river defenders, Aly Domínguez and Jairo Bonilla, were murdered.<sup>46</sup> In June 2023, Óscar Oqueli Domínguez was murdered and his mother was injured in an attack.<sup>47</sup> Aly and Óscar Oqueli were brothers of Reynaldo Domínguez, president of the Guapinol Water Board, whose family was forced to go into hiding after the murders. On 5 October 2023, the IACHR granted precautionary measures in favour of the CMDBCP’s members, including defender and community leader Juan López.<sup>48</sup>
- 72** In September 2024, Juan López was shot and killed. Three alleged perpetrators have been criminally charged, but there has not yet been any complaint brought against the masterminds behind the crime.<sup>49</sup> The Secretariat of Human Rights explained to the delegation that the National Protection Mechanism failed to take sufficient measures to investigate and identify the source of the threat to Juan López. Several of his colleagues, who are also beneficiaries of the IACHR’s precautionary measures, told the delegation that they live in fear and do not trust the protection measures that the State has implemented.
- 73** In a follow-up resolution to the precautionary measures issued on 1 May 2025, the IACHR emphasised that the beneficiaries continued to face threats, surveillance, harassment, intimidation, and acts of violence.<sup>50</sup>

<sup>45</sup> Front Line Defenders, *Legal proceedings reopened against five environmental defenders from Guapinol, including late Juan López*, (25 September 2024).

<sup>46</sup> Criterio.hn, *Two defenders of the Guapinol River and Carlos Escaleras National Park murdered*, (8 January 2023).

<sup>47</sup> Criterio.hn, *Óscar Oqueli Domínguez, brother of human rights defenders Ali and Reynaldo Domínguez, murdered*, (15 June 2023).

<sup>48</sup> IACHR, *Precautionary Measure No. 137-23: Identified members of the Comité Municipal de Defensa de los Bienes Comunes y Públicos de Tocoa et al. regarding Honduras*, IACHR Res. 55/2023, (5 October 2023).

<sup>49</sup> Criterio.hn, *Videos, phone records, and location data link suspects to the murder of environmental activist Juan López*, (11 October 2024).

<sup>50</sup> IACHR, *Resolution 37/2025 to follow up, extend, and lift Precautionary Measure No. 137-23: Identified members of the Comité Municipal de Defensa de los Bienes Comunes y Públicos de Tocoa and Bufete Justicia para los Pueblos regarding Honduras*, IACHR Res. 37/2025, (1 May 2025).

- 74 In June 2025, the CMDBCP filed an injunction before the Constitutional Chamber of the Supreme Court of Justice, citing violations of fundamental rights including due process, public participation, the human right to water, a healthy environment and health. It alleged that these rights have been violated through the actions and serious incidents that the Tocoa Mayor's Office and state officials have perpetrated to benefit the Pinares-Ecotek mining megaproject. At the time of this report's publication, a decision on the appeal was still pending.<sup>51</sup>

## F Other communities that met with the delegation

- 75 The delegation interviewed representatives from several communities in different regions of Honduras at a meeting held in Tegucigalpa on 22 September 2025. The following is a summary of the main findings based on the accounts of the people interviewed and corroborating information.
- 76 The **Indigenous Lenca Council of Reitoca** is in a struggle against the risks of environmental damage posed by the Río Petacón hydroelectric project, located in the department of Francisco Morazán, which they claim was approved without respecting the right to consultation and FPIC of the affected communities. Their members have been beaten, subjected to raids of their homes, detained, and prosecuted for defending the river. Although they have managed to stop the project for the time being, they fear that the company responsible, Promotora de Generación de Energía Limpia S.A. ("Progelsa"), is securing its title to the land in order to continue with the project in the near future. On 7 December 2018, the Special Prosecutor's Office for Ethnic Groups and Cultural Heritage filed criminal charges against Marco Jonathan Láinez Ordóñez, former Deputy Minister of the Secretariat of Natural Resources and Environment (SERNA), for abuse of authority in granting Progelsa an illegal environmental license in violation of ILO Convention 169.<sup>52</sup> The case was subsequently dismissed. Láinez Ordóñez has been accused of similar behaviour related to the following hydroelectric projects: Aurora II, located in Guajiquiro, La Paz; "Hidroluz" on the Wampu river, in Dulce Nombre de Culmí, Olancho;<sup>53</sup> and the Agua Zarca hydroelectric project on the Gualcarque river in Intibucá. Lenca leader and environmental activist Berta Cáceres opposed the Agua Zarca project, which cost her her life in an attack in March 2016.
- 77 The **Indigenous Lenca Council of Tierras del Padre**, based in the department of Francisco Morazán, explained to the delegation that they hold ancestral land titles dating back to 1739, but that their members have been criminalised and subjected to forced eviction attempts by individuals who claim to have private property rights over their lands. Community members have suffered serious acts of violence during eviction attempts, including against women, one of whom suffered a miscarriage as a result of the injuries she sustained. In September 2023, the Constitutional Chamber of the Supreme Court ruled in favour of a lawsuit filed by the community and ordered that the eviction be suspended pending the resolution of the property dispute through civil proceedings.<sup>54</sup>
- 78 In 2007, **the Indigenous Lenca community of El Achiotal**, based in Siguatepeque, Comayagua, began a process to reclaim approximately 100 *manzanas* (about 69.62 hectares) of land that they use for grazing livestock and planting crops. The community explained that the land is registered to the State. However, in 2014, Tiburcio Aguilar Donaire and Eusebio Aguilar Donaire declared themselves to be the private owners of the land, based on a property title registered with the PI. The title was the result of the sale of property by Jane Rittenhouse Cantarero, part of one of the wealthiest families in the area, to Eusebio Aguilar, who, according to cadastral records left his properties to his children upon his death.
- 79 In 2016, the Court of First Instance of Siguatepeque, Comayagua, heard a complaint concerning the crimes of trespass and clearing land intended for forestry. As a result of this lawsuit, the Public Prosecutor's Office and the police went onto the community's land to try to carry out an eviction, threatening its members with firearms, destroying crops with chainsaws, and throwing tear gas. On 9 September 2019, the Public Prosecutor's Office filed charges against 37 community members, including the coordinator, who were detained and later released, on the condition that they report to a police station to report to the authorities for the duration of the proceedings against them.

51 RedDefensoras, "Municipal Committee for the Defence of Common and Public Goods of Tocoa files an injunction against the Tocoa Mayor's Office, Ingeomin and Serna for violation of fundamental rights," (18 June 2025); CESPAD, "Observatory on Conflict highlights territorial resistance in Guapinol and Quimistán," (21 August 2025).

52 Public Prosecutor's Office, Public Prosecutor's Office files new case against former SERNA deputy minister Marco Jonathan Láinez Ordóñez, (7 December 2018).

53 Public Prosecutor's Office, Public Prosecutor's Office requests trial against Marco Jonathan Láinez Ordóñez in Agua Zarca case, (8 September 2016); Ministerio Público, Preliminary hearing of former Deputy Minister Marco Jonathan Láinez in the "Aurora II" case, (14 November 2016).

54 Reportar Sin Miedo, Victory for the Lenca people of Tierras del Padre: they will no longer be evicted, (13 September 2023).

- 80** The **Indigenous Lenca Council of Potrerillos**, in Siguatepeque, Comayagua, also reported that its members have been subjected to forced evictions. Five of them were prosecuted for trespassing under Decree 93-2021 because, according to them, they held land that was national property and for which INA had begun the land titling process in their favour. According to the community, the lands they claim were later classified as private property. The complaint against them was dismissed by a criminal judge who considered that the prosecution had not proven the crime of trespassing.<sup>55</sup>
- 81** Representatives of the **campesino community of the Zacate Grande peninsula**, Amapala, Valle, reported that the Facussé family, through the Dinant Corporation, are involved in the displacement of hundreds of families and communities who live off agriculture, fishing, and hunting. They further noted that, against this backdrop, more than 100 people have been prosecuted for trespassing, damage to private property, and tax evasion for building a community radio station. They claimed that the results of an investigation into the land's ownership history proved that the land occupied by the communities belonged to the state. They pointed out that one of the community members was accused of environmental damage, expropriation, and theft of property for taking wood from state-owned land. He was arrested on suspicion of belonging to a criminal gang and held for 48 hours along with 11 other people in a small bathroom. He had to report to the police for about 10 years, until the criminal charges against him finally expired. His community had lived in Zacate Grande for several decades; his 80-year-old mother was born there, and his father was buried in the community cemetery in 1997. Nonetheless, a third party claimed ownership of the land.
- 82** In the same meeting, **CNTC representatives** stated that several legal proceedings are underway against women in the organisation, including members of the Galileas *campesino* movement. These women have been subjected to violent eviction and criminalisation as part of their struggle to get INA to grant them the land they need to survive and feed their children.<sup>56</sup>



Members of various organisations and communities explained to the delegation the risks faced by communities, including criminalisation, physical assaults, violations of fundamental rights, forced evictions and displacement.

<sup>55</sup> Criterio.hn, “Case against Lenca leaders from Siguatepeque dismissed following unsubstantiated accusations of trespassing” (27 January 2025).  
<sup>56</sup> Criterio.hn, “Campesina women from the Las Galileas movement demand that INA fulfill its promise of land,” (24 April 2024).

# The Key Factors in the Agrarian Conflict in Honduras

- 83** The testimonies of community members with whom the delegation met reveal a series of patterns characteristic of what is known in Honduras as the agrarian conflict. These patterns are reflected in the actions of public officials and non-state actors (companies and/or organised crime) who take advantage of inadequate legislation, an economic model based on the intensive exploitation of natural resources often located on Indigenous or *campesino* communities' land, and impunity for acts of corruption and serious human rights violations.
- 84** CONADEH has characterised the agrarian conflict as follows: “a) the concentration of land ownership that favours large estates (*latifundio*) and smallholdings (*minifundio*); b) the issuance of multiple property titles for the same plot of land; c) attacks, threats and murders of human rights defenders and staff working in the area; d) violent forced evictions of vulnerable people who are not offered resettlement plans; e) criminalisation of land and territory defenders, mainly for the crime of trespassing and forced displacement; f) installation of extractive megaprojects and high-impact projects that are not adequately monitored by the State and whose industrial activity causes damage and negative impacts on the environment and the lives of the people who live around them; g) forced displacement of communities; h) violations of the right to free, prior and informed consultation of communities, as well as irregularities in open town hall meetings; i) presence and control of organised crime, etc.”<sup>57</sup>
- 85** Below, the report outlines some of the factors that contribute to the agrarian conflict in Honduras and the human rights violations that the agrarian conflict entails.

## A Overview

- 86** Honduran society is multi-ethnic and multicultural, with a population of around 11 million. The rural population accounts for 41% of the total population.<sup>58</sup> Accurate data on the percentage of the Indigenous and Afro-Honduran population is not available. The 2013 national census puts it at 10% of the total population,<sup>59</sup> while a subsequent census conducted by Indigenous organisations concludes that it is closer to 20% of the population. According to the United Nations Development Programme (UNDP), more than 17% of the population is considered Indigenous or Afro-descendant.<sup>60</sup>
- 87** The country is one of the most violent in the world and has the highest number of murders of land and environmental defenders per capita.<sup>61</sup> According to research by Global Witness, between 2012 and 2023, 149 land and environmental defenders were murdered in Honduras<sup>62</sup>. Corruption, organised crime, impunity and the lack of effective state prevention and protection mechanisms contribute to this reality and pose a permanent and high risk to those who defend the land and the environment. Approximately 40% of environmental defenders who have been victims of violence in Honduras are Indigenous or Afro-descendant.<sup>63</sup> The murders of Berta Cáceres in 2016 and Bajo Aguán environmental defender Juan López in 2024 are emblematic examples of the risk faced by those who defend the land and the environment in the country.
- 88** In October 2025, the World Bank highlighted some progress in poverty reduction in Honduras, although it remains one of the poorest and most unequal countries in Latin America and the Caribbean.<sup>64</sup> The concentration of land ownership is one of the main causes of both phenomena. According to USAID data, 1%

<sup>57</sup> CONADEH, “2024 Annual Report: Human rights situation in Honduras and institutional management,” para. 344, (March 2025).

<sup>58</sup> World Bank, “Rural population (% of total population) - Honduras,” (2024).

<sup>59</sup> IACHR, Situation of Human Rights in Honduras, OEA/Ser.L/V/II/Doc.9/24, §317, (24 March 2024).

<sup>60</sup> UNDP, “We support efforts to strengthen the initiatives of Indigenous Afro-descendant peoples,” (2023).

<sup>61</sup> Global Witness, “Missing voices: The violent erasure of land and environmental defenders,” (10 September 2024).

<sup>62</sup> Ibid.

<sup>63</sup> OHCHR, “Visit to Honduras - Report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change, Ian Fry,” UN Doc A/HRC/56/46/Add1, §52, (30 July 2024).

<sup>64</sup> World Bank Group, Honduras, (October 2025).

of landowners own a quarter of the available rural land in Honduras, while 70% of rural workers own 10% of the land.<sup>65</sup> Other figures indicate that less than 5% of landowners control 60% of fertile land.<sup>66</sup>

**89** Honduras is also one of the countries that is most vulnerable to the impacts of climate change,<sup>67</sup> the effects of which further exacerbate agrarian conflict. This is reflected, for example, in mass internal displacement and migration,<sup>68</sup> particularly to the United States.

**90** Additional factors that exacerbate agrarian conflict include the weakening of the rule of law and high levels of corruption. Although its score has improved slightly in the latest World Justice Project Rule of Law Index, the country ranks 116th out of 142 countries assessed in 2024, and 27th out of 32 countries in Latin America and the Caribbean.<sup>69</sup> It also ranks 154th out of 180 countries in Transparency International's 2024 Corruption Perceptions Index. Transparency International has highlighted the following problems facing the country: 1) a lack of tangible results in the fight against corruption; 2) persistent structures of impunity at different levels of government and in other state institutions; 3) delays in establishing an International Commission Against Corruption and Impunity, despite the promise made by Xiomara Castro's government;<sup>70</sup> and 4) structural corruption in the private sector. Analysing this last factor, Transparency International emphasised that "violence against environmental defenders has increased alarmingly" and that "in 2023, impunity for environmental offences reached an alarming 96.9%, reflecting the justice system's ineffectiveness in punishing these crimes."<sup>71</sup>



The effects of climate change are exacerbating agrarian conflict in Honduras.

<sup>65</sup> World Bank Group, "Toward a Path of Poverty Reduction and Inclusive Growth," (February 2023).

<sup>66</sup> Reuters, "How a bloody land feud in Honduras is stoking migrant flight to U.S.," (23 December 2021).

<sup>67</sup> OHCHR, "Visit to Honduras – Report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change, Ian Fry," §6.

<sup>68</sup> Human Rights Watch, "World Report 2025: Honduras Events of 2024", (2025).

<sup>69</sup> World Justice Project, "Honduras Ranks 116 out of 142 in the World Justice Project Rule of Law Index," (23 October 2024).

<sup>70</sup> Public Record, "CICIH will not be established under Xiomara Castro's government," (8 January 2025).

<sup>71</sup> CESPAD, "Weekly Analysis | Honduras and the Fall in the 2024 Corruption Perceptions Index," (17 February 2025).

## B Background information on the agrarian conflict in Honduras

- 91 Since colonial times, Honduras's history has been shaped by intensive natural resource exploitation. In the early 20th century, transnational agricultural companies such as the United Fruit Company established themselves on the northern coast, exerting a strong influence on the country's political and social dynamics. The concentration of land ownership and the appalling living conditions of rural workers gave rise to various social conflicts that culminated in a general strike in 1954. Unlike other Central American countries, these conflicts led to a process of agrarian reform in Honduras between the 1960s and 1970s. INA distributed 289,000 hectares to rural communities, most of them in the north of the country, where transnational companies had been progressively abandoning their land since the 1980s.<sup>72</sup>
- 92 The agrarian reform did not recognise the right to ancestral territory for Indigenous peoples or the Garifuna people; instead, they were forced to claim their land rights as *campesinos*,<sup>73</sup> which meant they had to adhere to agrarian or civil law, which was alien to their own forms of community organisation. This exacerbated the historical process of acculturation and assimilation, to the detriment of their Indigenous identity.
- 93 Adopted in 1982, the Constitution of Honduras states that “[a]grarian reform is a comprehensive process and an instrument for the transformation of the agrarian structure of the country, aimed at replacing the *latifundio* and *minifundio* with a system of ownership, tenure, and use of the land that guarantees social justice in rural areas and increases the production and productivity of the agricultural sector. The implementation of agrarian reform is declared to be of public need and interest.”<sup>74</sup> It further states that “[a]grarian reform is an essential part of the overall development strategy of the nation and therefore any other economic and social policies that the government may approve shall be formulated and executed in harmony with it,” and that “[a]grarian reform shall be implemented in such a way as to ensure the effective participation of agricultural workers on an equal footing with other sectors of production, in the process of economic, social and political development of the nation.”<sup>75</sup>
- 94 Starting in the 1990s, the country underwent a so-called “agrarian counter-reform,” accompanied by a second wave of investment by national and transnational companies, particularly in the production of African palm, sugarcane, and other monocultures for export, as well as in infrastructure megaprojects. The 1992 Law for the Modernisation and Development of the Agricultural Sector reversed the agrarian reform's most important achievements, allowing the accumulation of large tracts of land. The process of land concentration in the hands of a few has been accompanied by violence, coercion, and fraudulent acquisition of land originally intended for agrarian reform, leading to heightened agrarian conflict.<sup>76</sup>

## c Omissions in the land registry and cadastre

- 95 Currently, around 80% of land registered as private in Honduras lacks legal title or is insufficiently titled.<sup>77</sup> Property titles frequently overlap, and there are no national or regional cadastral surveys of a socio-historical and intercultural nature that would enable conflicts over land ownership to be resolved, especially in Indigenous territories. The last national agricultural census was published in 1993, and the last national agricultural survey was conducted in 2008. In 2024, the Xiomara Castro government announced the development of a new agricultural census,<sup>78</sup> but as of January 2026, its results had not been published.
- 96 According to a 2020 study by the Economic Commission for Latin America, the territorial claims of Indigenous peoples in Honduras cover 2 million hectares, equivalent to 17.8% of the national surface area. There are no accurate official data on the percentage of land claimed by Indigenous peoples in the country that has been duly titled.<sup>79</sup>

72 Land Portal, “Honduras – Context and Land Governance,” (28 February 2023).

73 IACHR, “The Economic, Social, Cultural, and Environmental Rights of Indigenous Peoples and Tribal People of African Descent in El Salvador, Guatemala, Honduras, and Nicaragua,” OEA/Ser.L/V/II.Doc. 52/53, §289, (21 March 2023).

74 Constitution of Honduras, article 344.

75 Ibid, article 345.

76 IACHR, Situation of Human Rights in Honduras, OAS/Ser.L/V/II/Doc.9/24, §4, §78, §150, §132, (24 March 2024).

77 HRC, “Visit to Honduras: Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises,” UN Doc A/HRC/44/43/Add.2, §42, (15 May 2020).

78 INE, New National Agricultural Census begins, (14 October 2024).

79 CEPAL, “Indigenous peoples of Latin America – Abya Yala and the 2030 Agenda for Sustainable Development: tensions and challenges from a territorial perspective,” (11 June 2020).

- 97** INA is the agency responsible for agricultural policies that promote land access for Indigenous peoples and *campesino* communities. Its mandate includes issuing land titles to these groups in rural areas. Unless Indigenous communities can demonstrate an ancestral link to the territory they inhabit, they, like *campesinos*, are required to pay for the land granted to them. In the words of an INA representative with whom the delegation met, “If *campesino* communities face difficulties in accessing land, the situation of Indigenous, and especially Garifuna, communities is even more dramatic.”
- 98** INA also negotiates the sale of private land to *campesinos* and participates in legal proceedings when there are disputes over land ownership. Meanwhile, the PI is responsible for registering property rights in the land registry. However, both institutions’ effectiveness is hampered by the constant overlap of land titles, the lack of a comprehensive land use plan that would allow registered property rights to be identified and demarcated in accordance with the respective cadastres, and the lack of digitisation of their archives. INA continues to suffer from insufficient funding and significant delays in processing applications from communities without access to land.
- 99** According to information that the delegation received, another factor that weakens the State’s ability to regularise land registration in Honduras is the extremely high levels of corruption. The delegation was informed of irregular payments demanded by INA officials from rural communities seeking access to idle land and, according to information published in media investigations, the director of the INA is allegedly involved in purchasing land meant for agrarian reform at a considerable mark-up.<sup>80</sup>

## **D Violence against Indigenous peoples and dispossession from their ancestral territories**

- 100** Honduras has nine culturally distinct peoples: the Indigenous Maya Ch’orti’, Lenca, Miskitu, Nahuas, Pech, Tawahka, Tolupán, the Afro-Indigenous Garifuna, and the English-speaking Afro-Honduran or Creole peoples. Eighty percent of the Indigenous population lives on their traditional lands and 20 percent live in urban areas.<sup>81</sup> The majority live in rural areas, engage in subsistence agriculture, and 80 percent live below the poverty line.<sup>82</sup>
- 101** Honduras does not have domestic legislation that is designed to ensure the rights of Indigenous peoples. The Constitution merely states that “*It is the duty of the state to adopt measures to protect the rights and interests of the Indigenous communities in the country, especially of the lands and forests in which they are settled,*” and that the State “*preserve and promote the native cultures as well as authentic expressions of national folklore, popular art and handicrafts.*”<sup>83</sup> However, Articles 15 and 63 confer constitutional status on the international human rights obligations assumed by the country. To this end, the Constitutional Chamber of the Supreme Court has ruled that treaties ratified by Honduras, as well as their interpretation by supranational bodies with jurisdiction to enforce them, form part of the Honduran legal order with constitutional status.
- 102** In 1994, Honduras ratified ILO Convention 169, which went into effect a year later, and subsequently signed the United Nations (2007) and the OAS (2016) Declarations on the Rights of Indigenous Peoples.
- 103** The Property Act of 2004, which was not consulted upon with Indigenous peoples, despite the fact that ILO Convention 169 applies under domestic law, recognises the communal regime under which Indigenous lands are held as inalienable, unattachable and imprescriptible, establishes that property rights over Indigenous peoples’ lands shall be held collectively to their benefit and that community members have the right to use and enjoy the land in accordance with traditional forms of communal property tenure.
- 104** The same law establishes that, in the event that the State intends to exploit natural resources in Indigenous territories, it must consult them beforehand. According to the law, this obligation applies only to exploitation activities, contrary to international standards that require consultation and FPIC prior to any State decision that may affect the rights of Indigenous peoples, including prospecting or exploration activities.

<sup>80</sup> Contracorriente, “INA authorities in Xiomara Castro’s government allegedly involved in fraudulent land purchases,” (10 April 2025).

<sup>81</sup> UN, “Report of the Special Rapporteur on the rights of indigenous peoples on her visit to Honduras,” Doc. ONU A/HRC/33/42/Add.2, §54, (21 July 2016).

<sup>82</sup> UN, “Report of the Special Rapporteur on the right to development, Surya Deva,” Doc. ONU A/HRC/60/25/Add.1, §42, (9 July 2025).

<sup>83</sup> Constitution of Honduras of 1982 (rev. 2013), article 346, 172-173.

**105** The Property Act also allows third parties with private titles to continue exploiting the land, even when it is determined that the land in question belongs to Indigenous communities. The exploitation of the land may continue until the third party is compensated and the land is restored to the Indigenous community.<sup>84</sup> The Property Act has been challenged by the Black Fraternal Organisation of Honduras (*Organización Fraternal Negra Hondureña*, 'OFRANEH') in a petition before the IACHR, on the grounds that it violates the rights of the Garifuna peoples to freely determine their own development priorities, as well as their rights to communal property and prior consultation.<sup>85</sup>

**106** With regard to the Honduran State's failure to grant title to Indigenous lands, the United Nations Special Rapporteur on the rights of Indigenous peoples has stated that:

*During the colonial era and at the beginning of the republican era, some Indigenous peoples obtained communal property rights. A number of Tolupán and Pech communities obtained rights over their ancestral lands in the middle of the nineteenth century. During the course of the twentieth century, some communities obtained title or statutory usufruct and occupation under the agrarian system. Following the Indigenous demonstrations of the 1990s, the number of property rights granted to collective Indigenous lands increased. According to the data of the National Agrarian Institute, 505 titles were issued to Indigenous communities between 1993 and 2015, covering an area of 1,322,774.50 hectares.*

*The property rights granted in the 1990s include those to the Lenca lands in the first Indigenous municipality, San Francisco de Opalaca, which was established in 1994, and those to the Tawahka communities in the Tawahka Asangni Biosphere Reserve, set up in 1999 for the protection of the Tawahka people and of biodiversity, which is managed jointly by the Government, the local municipalities and the Tawahka.*

*The process of granting title to the Miskito lands began in 2010 under a registration programme financed by the World Bank and implemented by the National Agrarian Institute and the Property Institute. A legislative decree was issued in 2013 to grant a number of Miskito and Garifuna communities within the Río Plátano Biosphere Reserve title to their lands. In the case of the Miskito, title has been granted to a number of separate territorial councils made up of various communities in accordance with their own form of territorial organisation. The National Agrarian Institute reports that 1,099,701.59 hectares have been made over to 11 of the 12 existing territorial councils.<sup>86</sup>*

**107** The State frequently issues licences and concessions for investment projects without verifying ancestral land ownership. This omission also occurs when private parties file complaints for trespassing, claiming to hold private property titles over lands traditionally occupied by Indigenous communities, leading to criminal charges and arrests by the Public Prosecutor's Office and the National Police. Communities that lack property titles are completely defenceless from a legal standpoint, leaving them vulnerable to criminalisation and eviction.

**108** Despite occupying vast expanses of the national territory, Indigenous peoples live in a critical situation due to the lack of legal and institutional protection of their rights to land, territory and natural resources, and due to the violence that they face when they assert these rights.<sup>87</sup> In its 2024 Report, the IACHR noted "*with concern the widespread violence in Indigenous and Garifuna territories, and the obstacles to the effective enjoyment of their rights; the lack or inadequate implementation of consultations to obtain their free, prior and informed consent, as well as dispossession of their territories and the persecution of their leaders and authorities, all of which constitute an alarming context that threatens the security and survival of these peoples.*"<sup>88</sup>

**109** Between January 2016 and May 2025, CONADEH handled 221 complaints from people from at least six Indigenous peoples who had been displaced or were at risk of displacement. Most of the displacements occurred in connection with threats, violence, and evictions led by the Public Prosecutor's Office.<sup>89</sup>

**110** The lack of protection of the property rights of Indigenous, Garifuna and Afro-Honduran peoples has meant that third parties interested in their lands have usurped them through irregularly obtained titles and acts of violence, in many cases with the acquiescence of the State itself. In this regard, in 2024, the IACHR noted

<sup>84</sup> See COPINH, "Indigenous Peoples in Honduras: Rights, Territories and Laws," (March 2024).

<sup>85</sup> IACHR, Report No. 197/21, Petition 1364-11, Admissibility Report, Pueblo Garifuna, Honduras, (7 September 2021).

<sup>86</sup> UN, "Report of the Special Rapporteur on the rights of indigenous peoples on her visit to Honduras," Doc. UN A/HRC/33/42/Add.2, §§35-37, (21 July 2016).

<sup>87</sup> Ibid, §79.

<sup>88</sup> IACHR, Situation of Human Rights in Honduras, OAS/Ser.L/V/II/Doc.9/24, §326, (24 March 2024).

<sup>89</sup> CONADEH, "CONADEH warns: Indigenous peoples, victims of threats, land dispossession and forced displacement", (8 August 2025).

with extreme concern that four Garifuna leaders from the Triunfo de la Cruz community – Alberth Snider Centeno Tomás, Suami Aparicio Mejía García, Junior Rafael Juárez Mejía, and Milton Joel Martínez Álvarez – who were forcibly disappeared on 18 July 2020<sup>90</sup> were still missing. In April 2025, OHCHR urged Honduras to guarantee the life, personal integrity, and territorial rights of the Garifuna people and referred to the “alleged forced disappearance of Max Gil Castillo on 12 April 2025 in San Pedro Sula and the recent death threats against community members and leaders as extremely serious events that require the adoption of urgent measures.”<sup>91</sup>

## a IACtHR judgments with respect the Garifuna people

- 111 The Garifuna people, represented by OFRANEH, have filed several complaints before the IACHR against the State of Honduras for the failure to protect and regularise land tenure to their ancestral territories, the lack of consultation and FPIC, and the threats to and murders of community leaders. As a result, the IACHR weighed in on the matter in its merits reports, and subsequently the IACtHR issued three judgments regarding the communities of Punta Piedra, Triunfo de la Cruz, and San Juan.<sup>92</sup> In all three cases, The State of Honduras was found internationally responsible for violating the right to collective property, failing to adopt domestic legal measures, violating judicial guarantees and judicial protection, and other rights violations.
- 112 Furthermore, the case of the Garifuna Community of Cayos Cochinos and its members is pending before the IACtHR, concerning violations of the collective property rights of the community and its members, as well as the lack of adequate and effective means to remedy the situation.<sup>93</sup>
- 113 The IACHR has lamented “the lack of progress in complying with the measures of reparation ordered by the Inter-American Court in its judgments, especially the lack of action on the demarcation and titling of the territories and the clearing of titles of the ethnic communities” and emphasised that this “has generated a climate of conflict in the areas where these populations are concentrated.”<sup>94</sup> Meanwhile, the OHCHR noted that violence, dispossession, and discrimination against land and environmental defenders will persist until the State guarantees the effective implementation of the three aforementioned judgments.

## E Violence against campesino communities and dispossession of their lands: the situation in Bajo Aguán

- 114 Located in the departments of Colón and Yoro, the Bajo Aguán valley is one of the most fertile regions in Honduras. It is the site of the most violent agrarian conflict in the country and one of the most dangerous regions in the world for land and environmental defenders. In the delegation’s meetings with local *campesino* organisations they listed hundreds of murders committed against their members, all of which have gone completely unpunished.
- 115 Since 2014, the IACHR has issued several precautionary measures in favour of social leaders and members of *campesino* cooperatives in the region.<sup>95</sup> In 2021, the IACHR adopted a merits report on a complaint alleging that the State of Honduras is responsible for various violations of the rights to life, liberty, and property of members of the *campesino* movement.<sup>96</sup> In 2023, the case was submitted to the jurisdiction of the IACtHR.<sup>97</sup> In its merits report, the IACHR emphasised that “in view of the number of murders and the degree of violence committed over a period of almost ten years, these acts could not have been perpetrated if the State had taken effective action, which not only constitutes a failure to fulfil its duty to guarantee the rights of the victims, but also, given the lack of an effective response over many years, amounts to acquiescence or at least

90 IACHR, Situation of Human Rights in Honduras, OAS/Ser.L/V/II/Doc.9/24, §326, §336, (24 March 2024).

91 OHCHR Honduras, “OHCHR urges the State of Honduras to guarantee the life, personal integrity, and territorial rights of the Garifuna people”, (15 April 2025).

92 IACtHR, Case of the Garifuna Community of Punta Piedra and its members v. Honduras. Preliminary Objections, Merits, Reparations, and Costs. Judgment of 5 October 2015. Series C No. 304; Case of the Garifuna Community of Triunfo de la Cruz and its members v. Honduras. Merits, Reparations, and Costs. Judgment of 8 October 2015. Series C No. 305; Case of the Garifuna Community of San Juan and its members v. Honduras. Preliminary Objections, Merits, Reparations, and Costs. Judgment of 29 August 2023. Series C No. 496.

93 IACtHR, Case of the Garifuna Community of Cayos Cochinos and its members v. Honduras, case pending.

94 IACHR, Situation of Human Rights in Honduras, OAS/Ser.L/V/II/Doc.9/24, §334, (24 March 2024).

95 IACHR, Precautionary Measure No. 50-14: Case of *campesino* leaders in Bajo Aguán regarding Honduras, IACHR Res. 11/2014, (8 May 2014); IACHR, Precautionary Measure No. 137-23: Identified members of the *Comité Municipal de Defensa de los Bienes Comunes y Públicos de Tocoa et al.* regarding Honduras, IACHR Res. 55/2023, (5 October 2023); IACHR, Resolution 37/2025 to follow up, extend, and lift Precautionary Measure No. 137-23: Identified members of the *Comité Municipal de Defensa de los Bienes Comunes y Públicos de Tocoa and Bufete Justicia para los Pueblos* regarding Honduras, IACHR Res. 37/2025, (1 May 2025).

96 IACHR, “Report on Admissibility and Merits No. 143/21,” (28 June 2021). See also IACHR, “Annual Report 2023,” OEA/Ser.L/V/II. Doc. 386 rev. 1, pages 192-194, §§274-288, (31 December 2023).

97 IACHR, Referral note to the Inter-American Court of Human Rights, Case 13.514 – *Campesino Movements of Aguán, Honduras*, (3 July 2023).

tolerance of such acts.”<sup>98</sup> Likewise, the IACHR concluded that, “The acts of violence, murder and harassment committed against people in Bajo Aguán have resulted in reprisals and intimidation aimed at discouraging peaceful activities in defence of the human rights of the campesinos living in that area.”<sup>99</sup>

**116** Following a visit to the Bajo Aguán region in late 2024, an IACHR delegation noted that “the justice system, the public prosecutor’s office and the courts in the region remain completely inadequate.”<sup>100</sup> In a meeting with the delegation, representatives from the Public Prosecutor’s Office acknowledged the difficulties in conducting criminal investigations in the region due to the security risks posed to their staff and the high levels of violence and corruption at the local level. In the words of the representative from the Public Prosecutor’s Office, “the situation in Bajo Aguán is a bloodbath.”

**117** In a report entitled ‘The Agrarian Conflict in Aguán (2023)’<sup>101</sup> CESPAD identified the following structural causes of violence in the region:

- a Agrarian reform:** According to INA, between 1962 and 1990, 37,000 hectares of land were distributed to *campesino* organisations in the region, thanks to legal measures and agrarian reform policies achieved through *campesino*-led struggle. This figure was below the 600,000 hectares of land that the government had planned to expropriate and redistribute to *campesinos*, but it nevertheless led to the region being dubbed the ‘capital of agrarian reform.’ This was reversed by the 1992 Law for the Modernisation and Development of the Agricultural Sector.
- b Agroexport companies:** Since the 1990s, export crops such as African palm have expanded dramatically in the region. The expansion of palm cultivation coincides with the intensification of agrarian conflicts in the region.
- c Drug trafficking:** Criminal groups linked to drug trafficking, human trafficking and contract killings have integrated themselves into the local economy by purchasing land as a means of laundering illicit assets and violently displacing rural communities.
- d Difficulties faced by *campesino* organisations in recovering land:** Following the 2009 coup d’état, a new cycle of mobilisation started to recover land intended for agrarian reform. This was marked by a campaign of occupations of idle lands that landowners and agricultural companies had irregularly occupied or acquired. This led to increased militarisation of the region, forced evictions, criminalisation and violence against *campesino* leaders and their lawyers by paramilitary structures and private security agents.<sup>102</sup>

**118** The delegation was informed that the Dinant Corporation, a business conglomerate involved in industrial palm oil production, among other activities, was linked to the murder of hundreds of farmers in the region;<sup>103</sup> Dinant denies these accusations. In October 2024, a US court approved a settlement agreement in a class action lawsuit brought by several land defenders who faced violence at the hands of security forces allegedly linked to the Dinant Corporation.<sup>104</sup>

**119** International NGO reports have addressed concerns about impunity for serious human rights violations, murders, and other acts of violence in the region. The 2014 Human Rights Watch report entitled ‘There Are No Investigations Here’<sup>105</sup> concluded that the lack of legal clarification surrounding violence related to land conflicts fosters a climate of impunity that encourages continued serious human rights violations. In this regard, the report states, “We found that, regardless of whom the victims or suspected perpetrators were, or whether the crime appeared to be linked to land disputes, prosecutors and police consistently failed to carry out prompt and thorough investigations. Indeed, public prosecutors, police, and military officials acknowledged in meetings with Human Rights Watch that investigations into these cases had been inadequate or non-existent. [...] If the [government] does not take comprehensive steps to address this serious problem, not only will killings and other grave crimes continue to go unpunished, but the climate of impunity in Honduras will deepen and more violence is all but certain to occur.” More than ten years after that report, the delegation notes that its conclusions and warnings remain valid.

<sup>98</sup> Ibid, page 2.

<sup>99</sup> Ibid, page 3.

<sup>100</sup> Criterio.hn, “The IACHR points out the lack of democratic institutions in Bajo Aguán,” (5 November 2024).

<sup>101</sup> CESPAD, “Agrarian conflict in Aguán: structural causes, characteristics of the social dispute, and a new approach for a democratic solution,” (September 2023).

<sup>102</sup> See CESPAD, “Bajo Aguán and an emergency declaration that the Castro government ignores,” (4 February 2025).

<sup>103</sup> See also, Friends of the Earth, “Land grabs, forests & finance: Issue brief #7 – Land grabbing, palm oil & violence in Honduras: The case of Grupo Dinant,” (2017).

<sup>104</sup> The agreement was reached without the World Bank’s IFC admitting any liability, and the Dinant Group denies the allegations made. See also Earth Rights International, “Historic Settlement in case alleging International Finance Corporation abetted murder in Honduras,” (3 October 2024).

<sup>105</sup> Human Rights Watch, “There Are No Investigations Here” Impunity for Killings and Other Abuses in Bajo Aguán, Honduras, (12 February 2014).



Posters with the phrases 'Every river is sacred,' 'We give our lives for the mountains,' and 'Dignity flourishes in the streets and in the countryside.'

- 120** Local organisations informed the delegation that state authorities, including the mayors of Tocoa and others in the Bajo Aguán region, are acting in collusion with organised criminal groups, landowners and agricultural companies involved in acts of violence.<sup>106</sup> They believe that the state has been negligent in preventing violence against the *campesino* movement and they think that the National Protection Mechanism does not provide effective responses to defenders at risk.<sup>107</sup> Instead, they emphasised that state authorities have been quite active in bringing charges against members of *campesino* communities for trespassing, at the behest of agricultural companies and landowners. They noted that state authorities have failed to identify and investigate the organised criminal structures responsible for murders and threats in the area. They stated that these events constitute planned behaviour designed to exterminate their movements and accelerate the seizure of their lands.<sup>108</sup>
- 121** The IACHR has warned that the national protection mechanism for human rights defenders, journalists, social communicators, and justice operators has several shortcomings that undermine the institution and its ability to respond effectively to the risks faced by these groups. Furthermore, it has pointed out that although its creation by the State was intended to protect, it has failed to adequately address the structural factors and causes that give rise to the risks that defenders face.<sup>109</sup>
- 122** Many civil society organisations share the same concerns. “*These are not isolated incidents, but part of a systematic pattern of behaviour and strategy to dismantle the campesino movement in a context of impunity that reaches the highest levels,*” stresses a report by the Ecumenical Office for Peace and Justice.<sup>110</sup>

<sup>106</sup> See also Expediente Público, “Death squads in Bajo Aguán,” (15 December 2023); Contracorriente, “The violent and corrupt mafia in Honduras’ Bajo Aguán,” (26 February 2024); Contracorriente, “The palm oil mafia strikes again,” (5 June 2025).

<sup>107</sup> See also, International Federation for Human Rights, “Honduras: Murder of *campesino* leader Santos Hipólito Rivas and his son,” (21 February 2023).

<sup>108</sup> See also Movimiento Amplio por la Dignidad y la Justicia, “There is a plan to assassinate *campesino* leadership in EL Aguán,” (27 October 2022).

<sup>109</sup> IACHR, Situation of Human Rights in Honduras, OAS/Ser.L/V/II/Doc.9/24, §§9 and 276, (24 March 2024).

<sup>110</sup> Ökumenisches Büro für Frieden und Gerechtigkeit e.V. et al., “Open letter to the President of Honduras on the alarming situation of violence in Bajo Aguán,” (20 August 2025).

## F Criminalisation of land defenders and eviction of Indigenous and *campesino* communities: Decree 93-2021

**123** On 1 November 2021, the Honduran National Congress published Decree 93-2021, which stipulates various reforms to the Criminal Code and the Special Law on Money Laundering. This is one of the most significant legislative interventions in the Honduran State's criminal policy. The most notable reforms are as follows:

- a** Amends Article 378 of the Criminal Code of 2019, removing the requirement of 'violence or serious intimidation' as a central element in the crime of trespassing, and increasing the penalty to between 4 and 6 years in prison;
- b** Adds Article 378-A to the Criminal Code, which classifies the participation of two or more persons in trespassing as aggravated trespassing, with a penalty of 6 to 10 years in prison;
- c** Imposes aggravated trespassing penalties to those who, individually or as leaders of a group, association, or institution, organise, finance, facilitate, instigate, direct, provoke, or promote trespassing;
- d** Amends Article 54 of the new Code of Criminal Procedure, which granted exclusive jurisdiction to civil courts to resolve disputes over property ownership linked to allegations of trespassing, to recognise the jurisdiction of criminal courts in such disputes;
- e** Adds Article 26-B to the Code of Criminal Procedure, granting prosecutors and police the power to carry out "preventive" evictions within 24 to 48 hours, without a court order, based solely on "circumstantial evidence" of trespassing on property.
- f** Repeals Article 153 of the Criminal Code of 2019, which addresses the liability of authorities, military commanders, other high-ranking officials, and civil servants in the context of crimes against humanity, genocide, and war crimes.

**124** According to the decree, the mere presence of members of Indigenous or *campesino* communities on disputed land is considered an aggravated offence. Third parties with registered property titles may file complaints of trespassing without having to exhaust administrative or civil channels to resolve a territorial dispute and may also initiate preventive eviction without oversight or a court order. This occurs even when a particular community possesses colonial property titles or exercises continued tenure over ancestral territory on which private property titles have been issued.

**125** The reforms introduced by the decree are not suitable for achieving the legitimate purpose of protecting private property rights. While such protection is a legitimate purpose, article 103 of the Constitution of Honduras establishes that protection exists in its "*broadest concept of social function*." Furthermore, the reform disregards a series of binding international obligations on Honduras regarding the rights of Indigenous peoples over their ancestral territories.

**126** In this regard, Articles 14 and 18 of ILO Convention 169, ratified by Honduras in 1995, recognise the State's obligation to demarcate and grant title to the territories traditionally occupied by Indigenous peoples and establish that traditional land tenure is equivalent to a collective title of ownership enforceable against third parties. Similarly, the United Nations Declaration on the Rights of Indigenous Peoples enshrines the following obligations for States:

- prevent any dispossession or alienation of their lands, territories, or natural resources of Indigenous peoples and prevention of their forced transfer (art. 8);
- recognise and adjudicate the lands and territories that Indigenous peoples have traditionally used. This recognition must respect the laws, customs, and traditional tenure and transfer systems of Indigenous peoples (art. 27);
- respect the right of Indigenous peoples to participate in the use, management, and conservation of the natural resources present in their territories, and to determine their development priorities and strategies (arts. 29 and 32).

**127** In turn, the jurisprudence of the IACtHR establishes the following safeguards for the collective property rights of Indigenous peoples over their territories:

*[...] 1) traditional possession of their lands by Indigenous peoples has equivalent effects to those of a state-granted full property title; 2) traditional possession grants Indigenous peoples the right to demand official recognition of ownership and registration; 3) Members of Indigenous peoples who, for reasons beyond their control, have left or lost possession of their traditional lands retain ownership rights over them, even in the absence of legal title, except where the lands have been legitimately transferred to third parties acting in good faith; 4) the State must delimit, demarcate, and grant collective land titles to members of Indigenous communities; 5) members of Indigenous peoples who have involuntarily lost possession of their lands, and these have been legitimately transferred to third parties in good faith, have the right to recover them or to obtain other lands of equal size and quality; 6) the State must guarantee the effective ownership of Indigenous peoples and refrain from acts that could lead to State agents, or third parties acting with its acquiescence or tolerance, affecting the use or enjoyment of their territory; 7) the State must guarantee the right of Indigenous peoples to effectively control and own their territory without any external interference from third parties [...]*<sup>111</sup>.

**128** Prior to the adoption of Decree 93-2021, the jurisprudence of the Constitutional Chamber of the Supreme Court favoured resolving agrarian conflicts through civil proceedings, safeguarding due process and asserting that criminal proceedings should be used exceptionally, as a last resort.<sup>112</sup> The impact of the decree is profound: it shifts the conflict over land ownership from the civil to the criminal sphere, which is not the appropriate forum for resolving the clashes between collective rights over a territory and private property titles, often acquired or registered under serious suspicion of fraud, corruption, or other irregularities.

**129** The IACtHR has ruled on situations in which “innocent third parties” are in good faith possession of or hold title to ancestral Indigenous territories. As has been described, the State bears the obligation to restore such territories, providing the necessary compensation measures to the third parties acting in good faith. In exceptional cases where restitution is not possible, the State must reasonably justify those measures that restrict the right to collective Indigenous property, meeting the following requirements: “a) be established by law; b) pursue a legitimate aim in a democratic society, that is, a collective aim [...] which, by its importance, clearly outweighs [...] the need for the full enjoyment of the restricted right; c) be necessary to satisfy a compelling public interest, and be proportionate, in the sense that they are closely tailored to the achievement of the legitimate aim, interfering as little as possible with the effective exercise of the restricted right.”<sup>113</sup>

**130** It should be noted that preventive evictions, which Decree 93-2021 integrated into the Honduran Penal Code, enable the Public Prosecutor’s Office and the National Police to summarily remove an Indigenous or *campesino* community from their lands without the need to prove their guilt, violating fundamental procedural principles such as immediacy, adversarial proceedings, judicial review, the right to defence, and the presumption of innocence. The OHCHR has reported that Honduran authorities have used this method of eviction “without assessing the land tenure situation and the impact on the human rights of the affected communities” and without ensuring “the right to defence and the presumption of innocence of the evicted persons, given that they were not notified prior to the execution of the eviction, nor were they called to the proceedings to present their arguments or relevant evidence.”<sup>114</sup>

**131** This is despite the fact that official property records are often contradictory. INA representatives described several cases to the delegation in which the land claimed by those seeking to evict Indigenous and *campesino* communities was in fact public land, was intended for agrarian reform, or belonged to another owner, with strong evidence of irregular registration of private property rights. Furthermore, when INA representatives carry out cadastral inspections, they often discover that the titles registered by an individual or company do not correspond to the areas they supposedly own. Although Indigenous peoples and *campesinos* lack legal certainty over the land, the delegation found that the possibility of traditional tenure or good faith possession, even in cases where possession dates back several generations, is not taken into account in the Public Prosecutor’s Office’s decisions to bring charges of trespassing or to pursue preventive evictions.

<sup>111</sup> See IACtHR, Sentences: *Case of the Saramaka people v. Surinam*. Interpretation of the Judgment on Preliminary Objections, Merits, Reparations, and Costs. Judgment of 12 August 2008. Series C No. 185; *Case of the Sawhoyamaya Indigenous community v. Paraguay*. Merits, Damages and Costs. Judgment of 29 March 2006. Series C No. 146; *Case of the Kuna Indigenous Peoples of Madungandí and the Emberá Indigenous Peoples of Bayano and their members v. Panama*. Preliminary objections, merits, reparations and costs. Judgment of 14 October 2014. Series C No. 284; *Case of Indigenous Communities Members of the Lhaka Honhat (Our Land) Association v. Argentina*. Merits, Reparations, and Costs. Judgment of 6 February 2020. Series C No. 400.

<sup>112</sup> Sentences AP-0427-2017 and SCO-136-2019.

<sup>113</sup> IACtHR, *Case of Indigenous Communities Members of the Lhaka Honhat Association (Our Land) v. Argentina*, footnote 102. See also DPLF, *Inter-American Court: Half a step forward and three steps back in its jurisprudence on indigenous peoples’ rights*, (15 April 2024).

<sup>114</sup> OHCHR, *Situation of human rights in Honduras*, UN Doc. A/HRC/58/23, §47, (9 July 2025).

- 132** When they are not arrested, those accused of trespassing are usually required to report periodically to a police or judicial authority, a precautionary measure that often lasts for several years before they are acquitted or their case is dismissed. The National Network of Women Human Rights Defenders of Honduras explained that criminalisation for trespassing has a disproportionate effect on women Indigenous and *campesino* defenders. In this regard, the Committee on the Elimination of Discrimination against Women has expressed concern about the “*intimidation, harassment, and threats against rural and Indigenous women*” who face criminalisation for protecting their land in Honduras.<sup>115</sup>
- 133** In a constitutional challenge lodged by the Public Prosecutor’s Office, challenging Articles 318 and 318(a) of Decree 93-2021, which refer to the crime of money laundering, a majority of the Constitutional Chamber of the Supreme Court ruled that the entire decree is unconstitutional due to the way in which it was debated and approved by Congress, namely that Congress failed to seek the Supreme Court’s opinion regarding the proposed legal reform as required by Article 219 of the Constitution.<sup>116</sup> Their decision is currently awaiting ratification by the Plenary Chamber of the Supreme Court. Meanwhile, the State is strictly applying the Constitutional Chamber’s decision to the subject matter of the constitutional complaint. They have only repealed the contested provisions relating to money laundering, but not the other provisions of the law, which have been used to persecute members of Indigenous and *campesino* communities who are asserting their territorial rights.<sup>117</sup>
- 134** In a meeting with the delegation, representatives of CONADEH acknowledged that Decree 93-2021 must be urgently reformed, as it is illegal, unconstitutional, and contrary to international standards to which the State of Honduras is bound. This acknowledgment is consistent with the IACHR’s call in its 2024 report on the human rights situation in Honduras, in which it stated the following:
- “The Commission reiterates its call to repeal the 2019 and 2021 amendments to the Honduran Criminal Code, particularly those relating to the crime of trespassing, as they lack precision and could lead to the arbitrary use of this criminal offense by justice operators, resulting in the criminalisation of human rights defenders. It also urges the State to repeal the reforms to the Code of Criminal Procedure that created the legal construct of preventive evictions. In this regard, the IACHR reminds the State of its obligation to prevent authorities or third parties from manipulating the punitive power of the State and its justice organs for the purpose of harassing human rights defenders.”*<sup>118</sup>
- 135** In 2024, the Supreme Court of Justice announced the creation of a Special Jurisdiction for Land and Territory, with technical assistance from OHCHR, to address land conflicts from a human rights perspective.<sup>119</sup> The delegation welcomes this development but notes that the jurisdiction’s functioning depends on the urgent repeal of Decree 93-2021.
- 136** In December 2022, Honduras was under a state of exception that suspended a series of constitutional guarantees in municipalities and neighbourhoods that, according to the National Police, are under the control of gangs. Suspended constitutional guarantees include personal freedom, freedom of association and movement, and the inviolability of the home. CONADEH explained to the delegation that it opposes the state of exception, as its content and legislative procedure are unconstitutional. The enormous discretion it grants to police and prosecutorial authorities has led to the stigmatisation of low-income people and Indigenous and *campesino* communities accused of links to organised crime without any evidence. CONADEH pointed to arrest records that frequently fail to specify illegal conduct beyond mentioning the state of exception in effect.<sup>120</sup> Although Xiomara Castro’s government ended the state of exception on 26 January 2026, it was in effect for more than three years, leading to a series of human rights violations against Indigenous and *campesino* communities.
- 137** The delegation emphasises that the arbitrary and illegal use of punitive power to evict Indigenous and *campesino* communities from their lands is part of a broader context of criminalisation and defamation of human rights defenders in Honduras by both State agents and private companies, especially those who defend the territory and the environment. In this regard, the IACHR has stated that:

<sup>115</sup> Committee on the Elimination of Discrimination against Women, *Concluding observations on the ninth periodic report of Honduras*, UN Doc. CEDAW/C/HND/CO/9, (1 November 2022).

<sup>116</sup> Public Prosecutor’s Office, “Press release: Public Prosecutor’s Office files constitutional challenge against Legislative Decree No. 93-2021 regarding money laundering,” (6 January 2022).

<sup>117</sup> Other legal actions brought against the decree by groups of *campesina* women are awaiting a ruling from the Constitutional Court.

<sup>118</sup> IACHR, *Situation of Human Rights in Honduras*, OEA/Ser.L/V/II Doc.9/24, para. 291, (24 March 2024).

<sup>119</sup> *Ibid.*, §48.

<sup>120</sup> CONADEH, *CONADEH demands that the Honduran state refrain from extending the state of emergency during and after the electoral process*, (13 November 2025).

*“human rights defenders in Honduras continue to be stigmatised in an attempt to delegitimise their work in defence of rights. In particular, it has been observed that those who defend land, territory, and/or the environment are the most affected by this type of narrative. According to information received on the ground, media and social networks are being used to stigmatise defenders, with the campaigns originating from private companies. For example, in Bajo Aguán, the Commission received 441 testimonies about land defenders who were frequently accused of being part of a “criminal structure.”*<sup>121</sup>

**138** The IACHR and OHCHR have expressed particular concern about the improper and arbitrary use of punitive power against women leaders of Garifuna communities who are committed to defending their ancestral territories. In a July 2021 statement, these organisations noted that:

*“According to the information received, several Garifuna women defenders have been detained and are facing criminal proceedings stemming from two complaints filed by the Public Prosecutor’s Office for the alleged commission of the crimes of damages, threats, theft, and trespassing, which originated in a civil dispute with third parties, due to the lack of demarcation of the ancestral lands of the Garifuna communities of Cristales and Río Negro.”*<sup>122</sup>



<sup>121</sup> IACHR, Situation of Human Rights in Honduras, OEA/Ser.L/V/II Doc.9/24, para. 292, (24 March 2024).

<sup>122</sup> IACHR, IACHR and OHCHR Call on State to Refrain from Criminalizing Garifuna Women Human Rights Defenders in Honduras, (27 July 2021).

## G Violence during evictions and lack of effective humanitarian support measures for displaced communities

- 139** Forced evictions at the behest of landowners and corporate actors are a chronic problem and a source of serious human rights violations in Honduras. In the Aguán Valley, for example, “large agroexport companies have requested evictions to promote African palm and sugarcane monocultures, to the detriment of campesino communities struggling for their land and food sovereignty.” Likewise, “Indigenous peoples’ territories, mainly in the Lenca and Garifuna areas, have also been subject to dispossession. In these cases, national and transnational capital interests seek to establish mega-tourism projects, extractive projects such as mines and hydroelectric dams, and forest management plans, endangering their ways of life, their culture, and their territory.”<sup>123</sup>
- 140** CONADEH exercises some oversight over evictions, but its power to intervene is limited. Its representatives explained to the delegation that, during judicial evictions, they can attempt to negotiate with the authorities when there is a clear error in an eviction order. In preventive evictions, they can attempt to mediate to delay their execution. However, if these efforts are unsuccessful, they are limited to playing an observer role and recording any human rights violations that may occur. They also explained that evictions do not technically require their presence to be carried out, and that the prosecutors and police have no obligation to notify them of the execution of planned evictions.



Member of the ‘17 de Junio’ campesino base, Samuel Cruz. The community has been threatened by a company and there have been attempts to forcibly evict the community.

<sup>123</sup> CESPAD, “Nine thousand *campesino* and Indigenous families have been displaced by forced eviction,” (15 May 2025).

- 141** The delegation heard from different officials, including from the National Prosecutor's Office, INA, and CONADEH, that they avoid entering areas controlled by organised crime for security reasons. CONADEH added that it lacks the funds to guarantee the safety of its staff, some of whom have received threats while conducting investigations against members of the National Police. Furthermore, CONADEH indicated that its staff have been unable to access the protection mechanisms for human rights defenders offered by the Secretariat of Human Rights.
- 142** In a meeting with the delegation, representatives of the Secretariat of Human Rights acknowledged that forced evictions give rise to various violations of human rights, including the right to housing and the territorial rights of Indigenous and *campesino* communities, their livelihoods, and their ways of life. They explained that they are currently working on 92 cases of internal displacement throughout the country, providing emergency humanitarian aid. Since 2022, the Secretariat has had a special fund for internal displacement, but it has not yet been put into operation due to a shortage of human resources. The Secretariat acknowledged that further work is needed to ensure access to housing and psychosocial support for displaced persons.
- 143** In its latest report on the human rights situation in Honduras, the IACHR welcomed 2023 adoption of a Law for the Prevention, Care, and Protection of Internally Displaced Persons, which is in line with international standards on the matter. However, it cautioned that the law has not been implemented and that the State has not published official information on the issue of internal displacement, making it difficult to analyse trends.<sup>124</sup>
- 144** In its 2025 global report on internal displacement, the Internal Displacement Monitoring Center records 101,000 internally displaced persons in Honduras, almost all of whom have been displaced as a result of violence.<sup>125</sup>

## H Government setbacks contributing to forced evictions: the Commission for Agrarian Security and Access to Land

- 145** On 6 June 2023, under Agreement No. CNDS-002/2023,<sup>126</sup> the government created a Commission for Agrarian Security and Access to Land, part of the National Defence and Security Council, with the aim of responding to agrarian conflict in the country.<sup>127</sup> OHCHR expressed concern about the agreement and its associated commission, emphasising that the National Defence and Security Council's approach focuses on public security, with a mandate to urgently enforce all existing eviction orders and pursue charges for the crime of trespassing as a flagrant and ongoing offence.<sup>128</sup> Furthermore, CONADEH stated that "Furthermore, CONADEH stated that *"a) the Commission is known for ordering forced evictions across the country of Indigenous and campesino communities that have settled on disputed land; b) Indigenous peoples, Afro-Honduran communities and campesinos, or, in their absence, the social movements that directly represent these populations, are underrepresented in the Commission's decision-making process; c) the structure of the Commission for Agrarian Security does not include any state entity or international organisation specialising in human rights, such as CONADEH, the Secretariat of Human Rights or the OHCHR in Honduras, which means that the decisions made are not guided by a human rights-based approach."*<sup>129</sup>
- 146** The Observatory of Socio-Territorial Conflict of the CESPAD reported that the aforementioned Commission has been a key player in forced evictions and that, from the time of its creation until May 2025, evictions have affected more than 9,000 Indigenous, Garifuna, *campesino*, and urban families.<sup>130</sup> For their part, COPA and PA reported that the Commission has accelerated the criminalisation and evictions of *campesino* communities.

<sup>124</sup> IACHR, *Situation of Human Rights in Honduras*, OEA/Ser.L/V/II Doc.9/24, para. 488, (24 March 2024).

<sup>125</sup> IDMC, *Global Report on Internal Displacement*, (13 May 2025).

<sup>126</sup> National Defence and Security Council, *'No CNDS-002/2023'*, (13 June 2023).

<sup>127</sup> The Commission is chaired by the director of the INA and made up of individuals appointed by the PI, the Supreme Court of Justice, the Attorney General's Office, the Ministry of Defence, the National Police and the Ministry of Economic Development.

<sup>128</sup> OHCHR Honduras, *Report on the human rights situation in Honduras, 2023*, para. 54, (19 March 2024).

<sup>129</sup> CONADEH, *CONADEH contributions to the questionnaire of the Rapporteur of the Working Group on the rights of peasants and other people working in rural areas*, §22, (October 2024).

<sup>130</sup> CESPAD, *Nine thousand campesino and Indigenous families have been displaced by forced evictions in Honduras during 2023 and 2024*, (15 May 2025).

## i Corruption, violence and impunity in the face of corporate abuses

- 147** Reports from civil society organisations,<sup>131</sup> research centres,<sup>132</sup> and international bodies<sup>133</sup> highlight that corruption is a structural issue that affects a wide range of human rights in Honduras, weakens the rule of law, and creates a cycle of impunity and mistrust among citizens. The testimonies that the delegation gathered during their visit to the country all share the analysis that agrarian conflict is closely linked to the co-optation of the State by networks of corruption.
- 148** This state of affairs has led to a legal and institutional framework that makes it easier to grant concessions for extractive and infrastructure projects. Since the 1990s, the Honduran Congress has passed laws, such as the Law on Structural Organisation of the Economy and the Law for the Modernisation and Development of the Agricultural Sector, which promote such projects without the necessary socio-environmental safeguards, resulting in private land grabbing.<sup>134</sup> With the signing of the free trade agreement with the United States in 2006 and, especially after the 2009 coup d'état, these safeguards were further relaxed and investment projects in Indigenous territories and *campesino* lands multiplied. Just six months after the coup, the interim government had already granted 48 hydroelectric concessions.<sup>135</sup>
- 149** The UN Working Group on the issue of human rights and transnational corporations and other business enterprises has highlighted that there is no robust regulatory and institutional framework to prevent abuses and provide effective remedies for rights violations in the context of economic megaprojects in the country. The working group added that the lack of accountability for damage caused by companies is often exacerbated by attacks and intimidation against those who speak out against corporate abuses.<sup>136</sup>
- 150** In 2021, Oxfam reported that 70% of municipalities in Honduras have mining and energy project concessions and that, in many cases, concession areas overlap with Indigenous territories and protected areas. Oxfam also drew attention to the expansion of hydrocarbon projects developed in a context of weak land management mechanisms and inadequate protections for natural resources and human rights.<sup>137</sup>
- 151** The IACHR and its Special Rapporteurship on Economic, Social, Cultural, and Environmental Rights (REDESCA) have expressed concern about how the spread of megaprojects, in a context of violence and corruption, affects the rights of communities and people who defend their land and the environment. In its 2024 annual report, REDESCA highlighted that:
- "[d]uring the on-site visit of the IACHR to La Esperanza, Tela, San Juan and Tocoa, in 2023 the Commission received information on acts of violence against those who defend the environment, land and territory against the installation of large-scale projects and exploitation of natural resources related to mining, hydroelectric, energy, agriculture, excessive and/or illegal logging and tourism or urban development, or for the struggle to reclaim land as a result of its inequitable distribution."*<sup>138</sup>
- 152** At the same time, REDESCA welcomed the decision of the Supreme Court of Justice which, in September 2024, repealed the legal framework authorising the creation of Employment and Economic Development Zones (ZEDE). They emphasised that this law was adopted without prior consultation or FPIC from the Indigenous and Afro-Honduran communities in whose territory economic exploitation zones were to be granted, with profound social and environmental impacts.<sup>139</sup>

<sup>131</sup> See, for example: Due Process of Law Foundation, Guatemala Human Rights Commission, International Platform against Impunity and RFK Human Rights, "Violence, Corruption & Impunity in the Honduran Energy Industry: A Profile of Roberto David Castillo Mejía," (August 2019); and Human Rights Watch, "Honduras Briefing: Strong Action Needed on Corruption," (9 June 2023).

<sup>132</sup> See Carnegie Endowment for International Peace, "When Corruption Is the Operating System: The Case of Honduras," (30 May 2017).

<sup>133</sup> IACHR, Situation of Human Rights in Honduras, OEA/Ser.L/V/II/Doc.9/24, (24 March 2024).

<sup>134</sup> Sosa Iglesias, E., "Transformations in economic elites, the state, and the process of democratisation and de-democratisation: the case of Honduras, 1990-2017," Journal of Central American Studies, University of Costa Rica, pages 125-148, (27 September 2017).

<sup>135</sup> Center for Justice and International Law, "Human Rights and Extractive Projects in Honduras," (25 July 2023).

<sup>136</sup> UN, Visit to Honduras, Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises, UN Doc A/HRC/44/43/Add.2, (15 May 2020).

<sup>137</sup> UNAH, FOSDEH, Agencia Suiza para el Desarrollo y la Cooperación COSUDE, OXFAM, "Territories at risk III: Mining and electricity generation in Honduras", (May 2021).

<sup>138</sup> IACHR, 2024 Annual Report: Office of the Special Rapporteur on Economic, Social, Cultural and Environmental Rights, OEA/SER.L/V/III Doc. 39, para. 580, (13 March 2025).

<sup>139</sup> Ibid, paras. 581 and 582.

- 153** The delegation met with representatives from the organisation Honduran Alternative for Community and Environmental Vindication (*Alternativa de Reivindicación Comunitaria y Ambientalista de Honduras*, “ARCAH”), which investigates financing for megaprojects that have significant impacts on local communities. The group explained that several projects they monitor are financed by multilateral banks and financial institutions based in the Global North.
- 154** The delegation emphasises that business actors and their countries of origin are bound by human rights and environmental protection and preservation responsibilities. In accordance with international standards, States must take the necessary measures to prevent transnational corporations domiciled or registered in their territory from violating human rights abroad as a result of the activities of their subsidiaries or other companies in their supply chain.<sup>140</sup>
- 155** The IACTHR has indicated that corporate responsibility applies regardless of size or sector, although liability may differ based on the risk of human rights impacts arising from their own operations and those of companies in their supply chain.<sup>141</sup> Furthermore, States have an obligation to prevent human rights violations committed by companies and must adopt the necessary legislative, administrative and judicial measures to regulate and oversee their activities, and to investigate, punish and redress any abuses committed.<sup>142</sup>



Projects often begin operating under operating licences without environmental impact assessments being carried out.

<sup>140</sup> IACTHR, *Case of the Miskito divers (Lernoth Morris et al.) v. Honduras*. Judgment of 31 August 2021. Series C No. 432, para. 52.

<sup>141</sup> *Ibid.*, para 48.

<sup>142</sup> *Ibid.*

- 156** With regard to the shortcomings in the adoption of socio-environmental impact assessments in Honduras, in a recent report on his visit to the country, the United Nations Special Rapporteur on the right to development concluded that *“environmental impact assessments are often conducted in a superficial manner, failing to adequately address the social and cultural impacts on affected communities”* and that *“these assessments frequently serve as a mere tick-box exercise, leaving communities powerless to resist encroachments on their territories and denying their right to self-determination.”*<sup>143</sup>
- 157** The Environmental Law Institute of Honduras (*el Instituto de Derecho Ambiental de Honduras*, “IDAMHO”) oversees environmental impact assessments carried out in Honduras, classifying them into four categories reflected in internal regulations, according to the intensity of the impact of the project being considered for concession. The first three categories do not require the participation of the community located in the project’s area of influence. The fourth, which applies to megaprojects, requires community participation, but their opinions and any objections are not binding. Its analysis indicates that, since 2024, no project has been preceded by socio-environmental impact assessments. IDAMHO explained to the delegation that projects often begin running under operating licences, without any real inspections being carried out.
- 158** Finally, the delegation is particularly concerned about the proposals currently before Congress regarding a “Special Bill for the Promotion of Investments through the Efficiency of Environmental Licensing Processes.” If approved, these proposals would grant the private sector the responsibility of granting its own environmental licences, without prior consultation or citizen participation, violating a series of constitutional and international obligations applicable to the management of environmental matters.<sup>144</sup>

<sup>143</sup> UN, “Report of the Special Rapporteur on the right to development, Surya Deva.” Doc. ONU A/HRC/60/25/Add.1, §69, §76, (9 July 2025).

<sup>144</sup> See CESPAD, “Weekly Analysis | Bill in National Congress puts access to information and citizen consultation on environmental issues at risk,” (12 May 2025).

# Conclusions

**159** After visiting Honduras and analysing the situation in light of international human rights law, the delegation has reached the following conclusions:

- Agrarian and socio-environmental conflicts in Honduras have structural causes stemming from the unequal distribution of land and the consolidation of a criminal architecture involving high-ranking public officials, state security structures, criminal gangs involved in drug trafficking, contract killings and other illegal activities, landowners, businesspeople, and national and international financial institutions.
- By co-opting the state institutions responsible for managing environmental affairs, agrarian policy, and the administration of justice and security, this criminal structure has managed to ensure impunity for corruption and serious human rights violations resulting from its actions.
- The State's failure to implement reforms to regularise land tenure in the land registry and cadastral records is one of the main factors contributing to the dispossession of Indigenous and *campesino* communities, a process that is often carried out through acts of violence and criminalisation by the State at the behest of landowners, companies and other individuals, who frequently operate through networks of corruption.
- The lack property rights protections for Indigenous, Garifuna and Afro-Honduran peoples has meant that third parties with an interest in their lands have usurped them through illegally acquired titles, often with the acquiescence of the State itself, and dispossessed them of their lands through violence and criminal charges.
- Decree 93-2021 is representative of the contradictions and loopholes that undermine the human rights of Indigenous peoples and *campesino* communities and their leaders. The decree toughens criminal prosecution against those who assert their territorial rights and facilitates their summary eviction.
- Honduras is one of the few countries in the region where criminal proceedings, rather than civil or agrarian proceedings, are systematically used to evict Indigenous and *campesino* communities from their lands, without judicial authorities exercising any control over the validity of the property titles used to justify the evictions.
- The arbitrary and illegal use of the State's punitive power to evict Indigenous and *campesino* communities from their lands is part of a broader context of criminalisation and defamation against territorial and environmental defenders in Honduras, both by state agents and private companies.
- Campesino and Indigenous communities have been evicted through acts of extreme violence, including murder and the destruction of their homes, crops and belongings. These acts have serious psychosocial impacts and deprive them of access to food, water, education and housing, among other fundamental economic and social rights.
- The national protection mechanism for human rights defenders, journalists, social communicators and justice operators has not provided effective protection for defenders of land, territory and the environment.
- The State remains in violation of the recommendations of international human rights bodies such as OHCHR and IACHR on this matter and continues to disregard the rulings of the IACtHR in favour of the Garifuna communities of Triunfo de La Cruz, Punta Piedra and San Juan.
- The structural and historical causes of the human rights violations described in this report have worsened in recent years. Legal certainty and the protection of their lands and territories are fundamental conditions for resolving these issues.

# Recommendations

**160** Based on these findings, the delegation urgently calls on the State of Honduras and the international community to adopt specific and decisive measures to address the structural causes of agrarian conflicts and put an end to the cycle of violence and impunity that prevails in Honduras. To this end, the delegation makes the following recommendations:

## To the Executive and Legislative Branches

- Immediately repeal Decree 93-2021 and reform the Criminal Code and Code of Criminal Procedure to eliminate the concept of preventive evictions and prevent the arbitrary use of punitive power against Indigenous and *campesino* peoples and communities engaged in the defence of their lands and natural resources.
- Resolve inconsistencies in the records held by the National Agrarian Institute (INA) and the Property Institute (PI) through a national cadastral survey that identifies and delimits land ownership rights in a clear and objective manner, in accordance with Honduras' international commitments.
- Establish and effectively implement the Tripartite Truth Commission to investigate human rights violations in Bajo Aguán and stop corporate violence and organised crime in the area.
- Monitor and regulate business activities to prevent human rights violations and environmental harm.
- Restructure the National Protection Mechanism so that it provides effective responses aimed at preventing violence against Indigenous and *campesino* communities and their leaders.

## To the Judicial Branch

- Implement the Special Jurisdiction for Land and Territory, ensuring that property disputes are resolved through agrarian or civil proceedings rather than criminal proceedings.
- Justice operators must prioritise civil jurisdiction to settle disputes over property titles and refrain from issuing arrest or eviction orders against communities that have ancestral tenure or historic titles until land ownership is resolved.

## To the three branches of government

- Fully and immediately comply with the rulings of the IACtHR, especially in cases involving the Garifuna people, and the recommendations of the IACHR and OHCHR, guaranteeing the demarcation and titling of ancestral territories. In addition, judges must exercise *ex officio* "conventionality control" to incorporate international human rights standards into domestic law.

## To the international community and multilateral banks

- Strengthen mechanisms for accompaniment and support to civil society organisations dedicated to defending the rights of Indigenous peoples and *campesino* communities.
- Incorporate agrarian conflict, criminalisation and violence against Indigenous and *campesino* communities as priority issues in political dialogue and cooperation programmes with the Honduran State, giving priority to institutional reforms and programmes for the regularisation and titling of Indigenous territories and land earmarked for agrarian reform.
- Establish mandatory human rights and environmental due diligence mechanisms for all companies with investments, direct operations and supply chain links in Honduras, especially in the agroindustrial and extractive sectors.



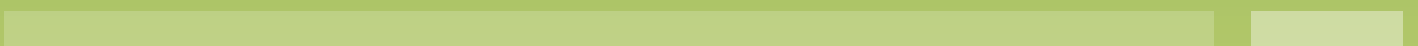
Design by Tom Lynton

Spanish to English translation by Martha Schmitz

Photos by Christina Challis, Omar Gómez Trejo and Peace Brigades International (PBI)

In carrying out their visit to Honduras and the production and promotion of this report, the delegation has received direct and indirect financial and technical support from a range of individuals and institutions including the Bufete Justicia para los Pueblos, Doughty Street Chambers, the Due Process of Law Foundation (DPLF), the Environmental Defenders Collaborative, the Evan Cornish Foundation, The Law Society Charity, the Network for Social Change Charitable Trust (NSCCT) and Peace Brigades International (PBI).





# “Our determination outweighs our fear”

**Indigenous peoples and campesino communities fighting for land and territory**

A report by the Independent Delegation of International Lawyers to Honduras  
April 2026