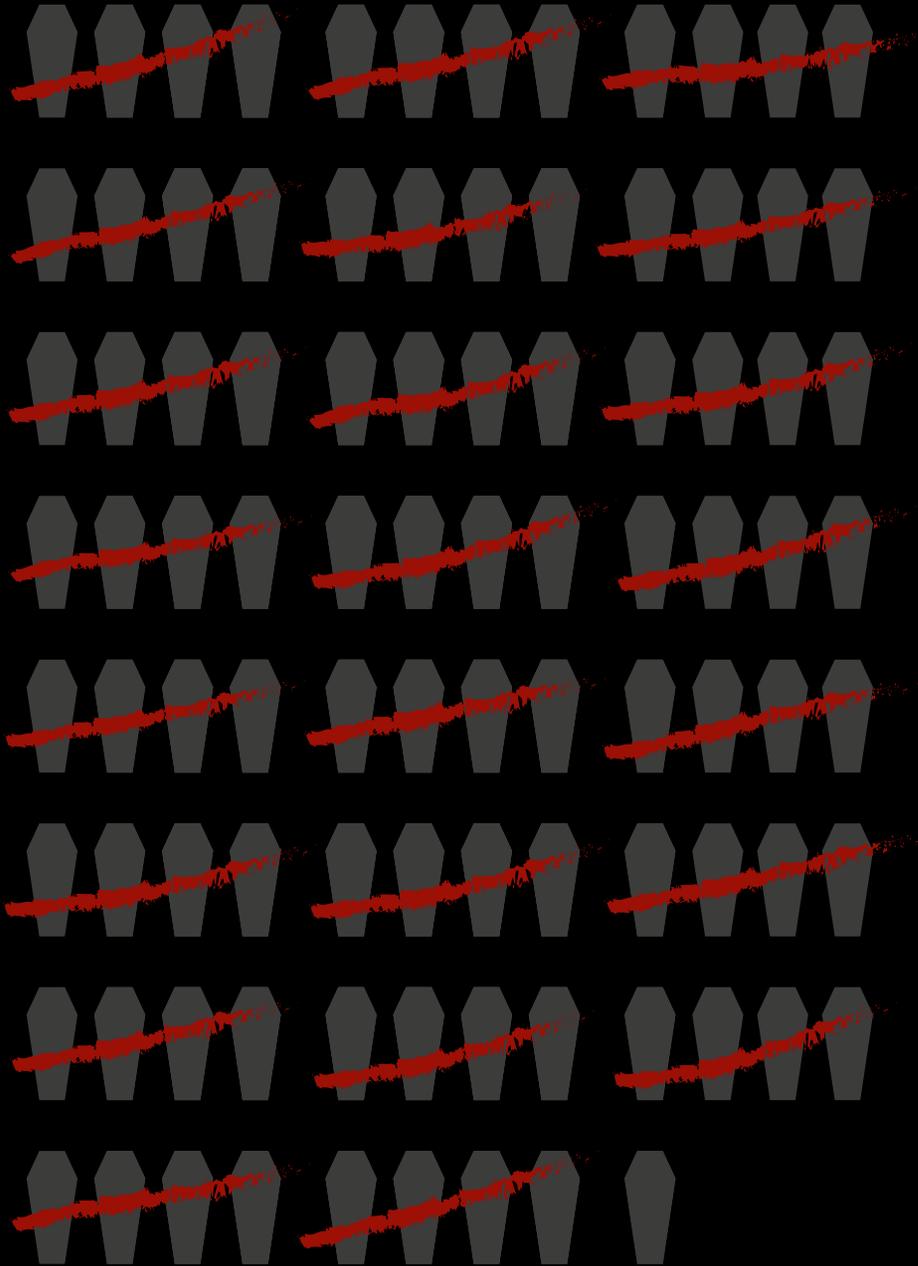




global witness



HOW MANY MORE?

2014's deadly environment: the killing and intimidation of environmental and land activists, with a spotlight on Honduras

STOP PRESS

As this report went to press three environmental and land activists were killed in Latin America in the space of three days. On 5 April Guatemalan anti-mining activist Telesforo Pivaral was killed by unknown gunmen near his village of El Volcancito.¹ The same day, Luis de Reyes Marcía, an indigenous leader fighting illegal logging in his community, was found murdered in Northern Honduras.² On Tuesday 7 April, Fernando Salazar was gunned down outside his home in Cañamomo Lomapieta in Colombia.³ Salazar had fought for recognition of his indigenous community's rights in the face of widespread illegal mining in their territory.

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EXECUTIVE SUMMARY

Right: Indigenous peoples were the hardest-hit group in the battle over land and the environment with 47 killings in 2014, 40% of the global toll.
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Activists around the world are being killed in record numbers trying to defend their land and protect the environment in the face of increased competition over natural resources. A year ago, Global Witness' report *Deadly Environment* revealed that the death toll has risen dramatically in recent years. This report looks at the killings in 2014 and shows the trend continuing unabated. Indigenous groups have been particularly hard-hit. We also examine other types of threats these activists face, and shine a spotlight on Honduras, the country with the highest number of killings per capita for each of the past five years.

In 2014, we found 116 cases of killings of land and environmental defenders in 17 countries – on average more than two victims per week and almost double the number of journalists killed in the same year.⁴ Around three-quarters of these deaths took place in Central and South America, with South East Asia the second-most affected region. Brazil is again the worst-hit country, followed by Colombia, the Philippines and Honduras.

Last year saw an increase in murders relating to hydropower projects, with mining, agribusiness and logging also among the key drivers. Disputes over the ownership, control and use of land formed a backdrop to nearly all of the fatalities. Indigenous groups are increasingly finding themselves on the frontline of the scramble for land and natural resources, accounting for 40% of killings in 2014.

Publicly available information about the perpetrators of killings is limited, but among the well-documented cases from 2014, we found 10 related to paramilitary groups, 8 to the police, 5 to private security guards, and 3 to the military. The true orchestrators of these crimes mostly escape investigation, but available information suggests that large landowners, business interests, political actors and agents of organized crime are often behind the violence.

Killings represent the extreme end of a spectrum of risks faced by environmental and land defenders, including death threats and physical violence, criminalization and restrictions on freedoms. Many defenders live in remote, poor communities with limited access to communications, the media and avenues to pursue justice, putting them at greater risk. They may be further isolated by being branded as 'anti-development' and working against governments' economic plans. In a disturbing trend, some states have used counter-terrorism legislation to target activists protesting large-scale projects, portraying them as an 'internal enemy' to justify abuses.

Honduras, as the country with the most killings of environmental and land defenders per capita, is the focus of a case study in this report. 111 of these activists have been killed since 2002. Recent regressive laws, collusion between powerful political and business interests, and a climate of near total impunity have increased violence related to a surge in destructive agriculture, mining and dam projects in recent years. We profile two emblematic examples of the severe risks Hondurans face for standing up to projects threatening their communities' livelihoods. Activist Berta Cáceres has been subjected to regular death threats, criminalized by her government, and seen colleagues murdered for opposing a dam project on indigenous land. Leaders from the Tolupán

indigenous peoples are also being threatened, criminalized and killed for protesting against mining and logging encroaching on their traditional lands.

Governments and the international community must do far more to stop the rising wave of killings and threats against environmental and land defenders (see recommendations). Governments must monitor, investigate, and punish crimes and adhere to international human rights commitments. Honduras, especially, must identify and take steps to end the chronic violence against its activists, including through the upcoming review of its human rights record at the UN Human Rights Council. Environmental and land activists need specific protection because of the heightened risk posed by their work. Failures to recognise land rights and obtain free, prior and informed consent from indigenous communities have to be addressed. Similarly, the secrecy and lack of consultation around how natural resource deals are made fuels violence and must end.

The world will turn its attention later this year to the most significant international meeting on climate change in years - the UN climate conference in Paris – where governments will try to reach a binding global agreement to cut greenhouse gas emissions. Environmental and land defenders are often on the frontlines of efforts to address the climate crisis and are critical to success. Unless governments do more to protect these activists, any words agreed in Paris will ultimately ring hollow.



RECOMMENDATIONS

National governments, whose environmental and land defenders are under threat, must take immediate steps to:

- Ensure that law enforcement bodies and the judiciary enforce relevant laws to protect communities' rights to land, and protect environmental defenders from violence.
- Ensure prompt and impartial investigations into allegations of threats and violence against defenders; carry out prosecutions where evidence exists of wrongdoing and ensure appropriate redress and reparation for victims.
- Publicly reaffirm and recognise the important work that environmental and land defenders do, and take steps to respect, protect and promote their rights, as stipulated by the UN Special Rapporteur on Human Rights Defenders in 2011.⁵
- Implement and respect all provisions set out in the UN Declaration on Human Rights Defenders.⁶
- Ratify ILO Convention 169 on Indigenous and Tribal Peoples⁷ and recognise and implement the right of communities potentially affected by investment and extractive projects to genuinely free, prior and informed consent.

All governments must:

- Call for a UN Human Rights Council resolution to address the heightened threat posed to environmental and land defenders.
- Ensure any future bilateral and multilateral trade or aid agreements involving governments whose environmental and land defenders are under threat should include measures to address these violations and be conditioned on robust investigations of cases.
- Introduce binding regulations to ensure that large-scale land acquisitions and investments do not violate legitimate customary, traditional or collective land rights, and are in-line with the Voluntary Guidelines on the Governance of Tenure of Land, Forests and Fisheries, in the context of National Food Security.⁸

International bodies:

- The Human Rights Council's Special Procedures, specifically those mandated to Human Rights Defenders, Indigenous Peoples, Business and Human Rights, Environment and Human Rights and Extrajudicial Killings should address the increase in risk posed to environmental and land defenders in their reporting procedures.
- The ASEAN (Association of South East Asian Nations) Human Rights Commission and African Commission on Human and Peoples' Rights should establish a mechanism based on the Inter-American Human Rights Commission's framework to provide emergency protection ("precautionary measures") for human rights defenders.⁹
- The UN Working Group to Develop a Treaty to Prevent and Address Corporate Human Rights Violations¹⁰ should address the heightened risk posed by business activities to environmental and land defenders in any text of a future treaty.

Companies operating in areas where environmental and land defenders are under threat must take immediate steps to:

- Refuse to make any investment decision or project plan unless genuinely free, prior and informed consent is given by potentially affected communities.
- Implement due diligence checks on supply chains to ensure that their purchasing policies are not linked to operations that are associated with human rights or environmental abuses, including acts of intimidation, repression or violence against environmental and land defenders.

- Adopt and implement the Voluntary Principles on Human Rights and Security,¹¹ the UN's Guiding Principles for Business and Human Rights¹² and other relevant international human rights standards.

The Honduran government must:

Concerning its international commitments:

- Effectively implement its legally-binding obligations concerning indigenous rights, having ratified the International Labour Organisation's Convention 169,¹³ with particular regards to free, prior and informed consent on extractive and development projects.
- Implement the recommendations¹⁴ of the UN Working Group on the use of mercenaries to ensure adequate resources for the Control Unit of Private Security Services to ensure private security companies abide by the law and their crimes are properly investigated and prosecuted.
- Implement recommendations to improve protection measures, with particular reference to environmental and land defenders, as outlined in the civil society submissions¹⁵ to Honduras' 2015 Universal Periodic Review (UPR) and ensure implementation of the UN Human Rights Council's subsequent recommendations.
- Immediately implement precautionary measures granted by the Inter-American Commission on Human Rights (IACHR) to environmental and land defenders, ensuring clear procedures exist regarding the range of protection measures available, that systems are in place for monitoring and that funding is made available to ensure effective implementation.

Concerning national laws:

- Address the heightened risk posed to environmental and land defenders when discussing and adopting the draft 'Law on Protection for Human Rights Defenders, Journalists, and Justice Workers'¹⁶ and any secondary legislation and operational protocols, ensuring their specific protection and that sufficient resources are allocated and independence assured for the national protection mechanism.
- Reject proposals for a plebiscite¹⁷ on elevating the new Military Public Order Police to constitutional status as per the recommendations¹⁸ of the Inter-American Commission on Human Rights (IACHR) that outline this security force's lack of legal specification and true judicial and institutional oversight of the legality of its actions.
- Revoke the 2013 General Mining Law¹⁹ that allows open pit mining and fails to guarantee free, prior and informed consent for affected peoples, community rights over water sources and access to technical and financial information on mining projects.
- Immediately publish all project information, including on environmental and social impact assessments, consultation and bidding processes, related to 47 hydropower concessions granted in 2010, all subsequent hydropower concessions and mining concessions given to 31 companies in 2015.²⁰
- Immediately cancel plans for temporary environmental permits to be granted to companies on the same day of application,²¹ ignoring best international practice.²²
- Investigate claims included in a recent submission to the UN Human Rights Council by civil society that the Honduran state is violating its own laws by granting environmental licenses for hydropower projects in protected areas, affecting community's access to water sources.²³

2014 GLOBAL FINDINGS AND ANALYSIS

“We made the mistake of not killing you before; this time we will kill you. We will cut the veins in your wrists and legs, tie your hands and legs together and throw you in the river”

– Threat received by Shahed Kayes, anti-sand grabbing activist, Bangladesh

WHO ARE ENVIRONMENTAL AND LAND DEFENDERS?

We define environmental and land defenders as people who take peaceful action to protect environmental or land rights, whether in their own personal capacity or professionally. Environmental and land defenders are human rights defenders and as such are afforded all the protections specified in the UN Declaration on Human Rights Defenders.²⁴ What distinguishes them from other human rights defenders is that they may work on traditional human rights like freedom of expression and freedom of association in addition to rights that have more recently begun to receive formal recognition such as the right to a healthy environment and the right to self-determination for indigenous peoples. Their work also contributes to broader environmental and societal objectives like combating climate change and sustaining biodiversity and other natural resources for future generations.

A further characteristic that defines environmental and land defenders is that they come from varied backgrounds. Often they are ordinary people from rural communities who've found themselves on the frontline of the struggle over natural resources. But similarly they might have a professional profile such as an environmental lawyer or investigative journalist. Some are strongly committed to social activism and participate in civil society organisations. And others are indigenous leaders defending their right to their traditional lands. We consider all these people as 'activists' and 'defenders' and use the term interchangeably throughout the report. Due to the heightened risks²⁵ faced by environmental and land defenders, we believe they need specific attention and protection.

Below are some examples of the different types of victims who died defending environmental and land rights in 2014:

- Atilano Román Tirado, a Mexican journalist, was shot dead on air whilst presenting his weekly radio programme. Tirado had led a campaign for compensation on behalf of 800 farming families whose lands were flooded by dam construction.²⁶
- In September 2014, in Peru's remote Amazon region of Ucayali, four Ashéninka leaders - Edwin Chota Valera, Leoncio Quincima Meléndez, Jorge Ríos Pérez and Francisco Pinedo - were killed by suspected illegal loggers who had invaded their territory.²⁷
- Daniel Humberto Sanchez Avendaño, a 19 year old member of an organisation of young environmental activists in Colombia, was found murdered on 7 October 2014. He had recently been harassed by the police and his organisation was subjected to constant threats due to their campaign against a local mine.²⁸



Above: On 24 October 2014 Henry Alameda, an indigenous leader from the Southern Philippines, was shot dead by a paramilitary group. Alameda had been actively campaigning against mining operations in his community. ©Philippine Daily Inquirer

- A young Cambodian villager, Try Chamroeun, was shot and killed by a soldier after being ordered to leave his farmland. A week previously soldiers instructed Chamroeun's village to leave the area, claiming the land belonged to 'their superior'.²⁹
- On 24 October 2014, Henry Alameda, an indigenous Lumad leader from the Southern Philippines, was dragged from his house, taken to a forested area and shot dead by a paramilitary group. Alameda was an active council member of MAPASU, an organization strongly protesting against mining operations and plantations in Caraga region.³⁰

2014 DATA – INDIGENOUS COMMUNITIES ON THE FRONTLINE

Global Witness has documented the killings of 116 environmental and land defenders worldwide in 2014 based on publically available information using the methodology described in the Annex to this report. The worst-affected countries continue to be in Latin America and South East Asia with Brazil, Colombia, Philippines and Honduras hardest-hit. Beyond the killings, activists face increasing risks including physical violence, criminalization and restrictions on their freedoms. Further in the report we discuss recent emblematic cases highlighting these risks.

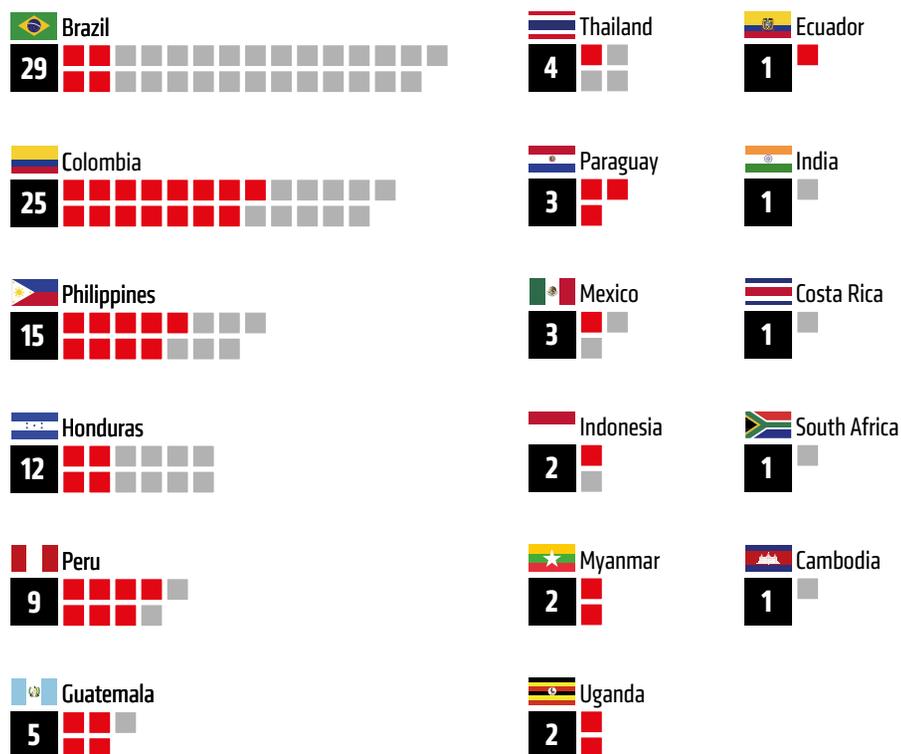
Disputes over the ownership, control and use of land was an underlying factor in killings of environmental and land defenders in nearly all documented cases in 2014. There was a rise in killings related to hydropower projects, a particular issue in Honduras (see Honduras case study), while mining and other extractives, agribusiness and logging were also key drivers. Other environmental issues linked to killings included pollution, wildlife conservation and illegal fishing.

The data shows the dramatic toll of the struggle to defend environmental and land rights on indigenous communities. In 2014, 47 indigenous people were killed defending their natural resources, 40 percent of the total deaths of environmental and land defenders. The actual proportion may be even higher as a victim's indigenous identity is likely to be under-reported and cases related to indigenous people often occur in remote areas.

The deaths of activists are mostly assassinations of specific individuals or extrajudicial killings in the context of protests. There is little publicly available information to confirm the suspected perpetrators of these killings. However, in the cases that are well documented from 2014, we found 10 deaths were related to paramilitary groups (in Colombia and the Philippines), 8 to the police, 5 to private security guards and 3 to the military. Suspected intellectual authors include landowners and business interests, political actors and organized crime.

KILLINGS IN 2014 BY COUNTRY

Countries where civil society monitoring is comparatively weak – in much of Africa for example – had few deaths on record but this is not to say that attacks or intimidation are not happening. Similarly, in areas like China, Central Asia and the Middle East, scant data on killings may be linked to the suppression of media and other information outlets.



GEOGRAPHICAL AREA

Global Witness found cases of killings of environmental and land defenders in 17 countries in 2014. Central and South America account for more than three quarters of all deaths with 88 out of the global total of 116 killed. The rest are mostly from South East Asia whilst three deaths were recorded in Africa and one in India.

Brazil is again the worst-affected country with 29 killings occurring in 2014. Most of these relate to the conflict over the ownership, control and use of land. Colombia is the second most dangerous country with 25 killings – more than half whose victims are indigenous people, struggling to defend their ancestral lands. The Philippines accounts for 15 deaths in 2014 - predominantly at the hands of paramilitary groups defending mining interests - whilst Honduras continues to be the hardest-hit country per capita with 12 deaths. Many of the killings in Honduras and other Central America countries are a result of the struggle against hydropower dams and their impacts on local communities.

There are relatively few known cases of killings from African and South Asian countries even though reports indicate the climate for human rights defenders is dangerous in these regions. This may be due to a limited presence of civil society organisation and other local groups monitoring the situation of environmental and land activists. Defenders in these regions do suffer other risks such as death threats and physical violence, as evidenced by our examples in this report from Democratic Republic of Congo, Mozambique and Bangladesh.

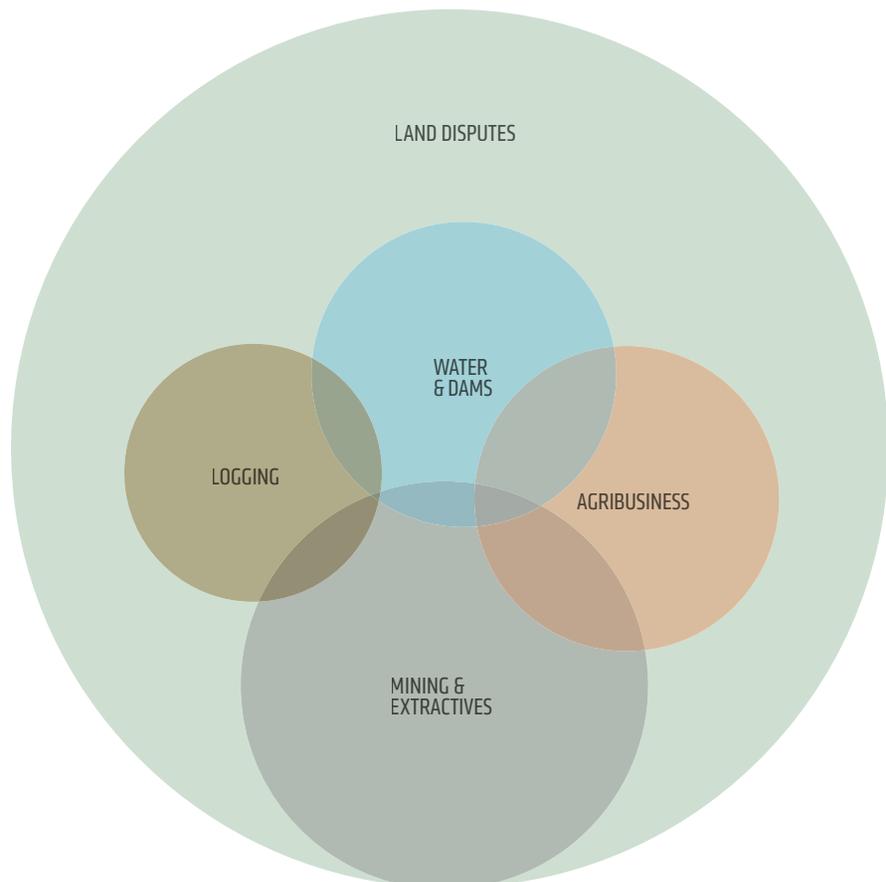
In areas like China, Central Asia and the Middle East again there is scant data available on killings. This may be because of suppression of the media and other information outlets. Also, political violence and wider conflicts makes it difficult to identify specific cases of targeted killings of environmental and land activists.

KILLINGS IN 2014 BY SECTOR

These are the drivers of killings in 2014. All of them were linked to land disputes.

NUMBER OF KILLINGS

116	LAND DISPUTES
25	MINING & EXTRACTIVES
14	WATER & DAMS
14	AGRIBUSINESS
10	LOGGING



MAIN DRIVERS

DISPUTES OVER LAND: AN OVERARCHING THEME

On 21 February 2014 community leader Raimundo Rodrigues da Silva was shot in Maranhao state in North-Eastern Brazil.³¹ While in hospital dying from the gunshot wounds, two men tried unsuccessfully to enter his ward to kill him, before he eventually succumbed to his injuries. Da Silva's campaign was to try to secure land title for his local community of Campestre.³² He received numerous death threats over the years and survived an assassination attempt in 2013.³³

The murder of Raimundo Rodrigues da Silva was one of numerous killings of Brazilian activists allegedly orchestrated by private landowners last year. Globally, disputes over the ownership, control and use of land were an underlying factor in almost all killings of environmental and land defenders documented in this report. Lack of formal land title for indigenous peoples and local communities was also a complicating factor. Land rights often play a role in combination with conflicts over agribusiness, mining, hydropower dams and industrial logging.

In many cases from 2014, the killings were linked to large landowners - like in the case of Brazil - army or paramilitary groups, and other powerful interests restricting communities' rights to land and resources. In some parts of countries like Colombia and the Philippines, the legacy of wider armed conflicts continued to endanger the lives of land defenders and limit their protection by the state.

The vulnerable legal status of indigenous land, mostly held under customary laws in resource-rich areas, means these communities are particularly exposed to land conflict. 2014 saw an increase in the killings of environmental and land defenders from indigenous communities - many over access to land. For example, in September 2014, in Peru's remote Amazon region of Ucayali, four Ashéninka leaders - Edwin Chota Valera, Leoncio Quincima Meléndez, Jorge Ríos Pérez and Francisco Pinedo - were killed by suspected illegal loggers who had invaded their territory.³⁴ The loggers were able to take advantage of the Peruvian government's failure to fulfil their pledge to officially recognise the indigenous land.³⁵ In total, worldwide, logging was a factor in 10 deaths of environmental and land defenders last year.

Agribusiness grabbing land for large-scale plantations was also a factor in 14 deaths in 2014. Global Witness' work has demonstrated how companies and governments routinely enter into deals for large areas of land and forest to grow cash crops such as rubber and oil palm. Often local communities are forced from off of their land as victims of these land grabs.³⁶ For example, in Myanmar, a recent Global Witness investigation found that large swathes of land were taken by the army, in the mid-2000s, from farming villages and handed to companies and political associates to develop rubber plantations.³⁷

The agribusiness industry is not regulated like other commodity trades. There have been efforts to reform the industry by introducing voluntary commitments³⁸ to end land grabbing but binding regulations are now needed to ensure large-scale land acquisitions do not violate communities' legitimate land rights.

Right: 2014 saw an increase in killings of environmental and land defenders related to hydropower dams. ©Panos

Below: Palm oil companies often come into conflict with activists by clearing land belonging to local communities. ©Panos



MINING AND EXTRACTIVE INDUSTRIES

On 10 August 2014, the Bagani Force, a paramilitary group operating in the Philippines mining region of Mindanao, allegedly shot dead local indigenous leader Datu Roger Alaki.³⁹ According to a regional church organisation, two days previously the paramilitary group had threatened Alaki's community of Sitio Mintakei with dire consequences if they refused to sign a Memorandum of Agreement with the Malampay mining company.⁴⁰ Hours after Alaki was killed, his entire community fled their homes in fear.⁴¹

This case was one of 9 activist killings in the Philippines related to mining projects in 2014, accounting for almost a third of the 25 deaths worldwide linked to extractive industries. This continues a pattern of Philippines defenders being targeted for their opposition to the country's mining industry - a sector that operates with very little transparency and regularly fails to consult local communities.⁴² Aside from the Philippines, in 2014, killings linked to mining occurred in 8 other countries from Africa, South-East Asia, Central and South America.

Extractive companies are encroaching more and more on indigenous people's land as the demand for resources pushes their operations into remote, frontier areas. This is causing clashes as legitimate customary rights to land are being ignored. In 2014 three members of indigenous communities in Colombia were killed defending their territory against mining interests. Communities are also being targeted by the state for protesting the actions of mining companies. In December 2014, a woman was shot dead by the police in Myanmar during demonstrations against a copper mine that protestors claim was expropriating local farmers' land.⁴³

These killings will continue until governments and companies recognise and implement the right of communities to genuinely free, prior and informed consent on extractive projects. To this end states which



Above: Guatemalan indigenous communities mourn the killings of three of their leaders by police following protests against the Santa Rita Hydropower dam. ©CODECA

haven't yet done so, should ratify ILO Convention 169 on Indigenous and Tribal Peoples.⁴⁴ Governments must also ensure better protection for environmental and land defenders under threat from mining and hold to account those responsible for their killings.

HYDROELECTRIC DAMS

On 15 August 2014, in the Alta Verapaz department of Guatemala, police killed three indigenous leaders from the Mayan Q'eqchi community: Sebastian Rax Caal, Luciano Can Cujub and Oscar Chen Quej.⁴⁵ They were killed during protests against a police operation to evict them off their land to make way for the construction of the Santa Rita hydropower dam.⁴⁶ The protests followed the detention by the police of local community leaders who campaigned against the dam.⁴⁷

2014 has seen a spike in deaths of environmental and land activists opposing hydropower dams. 14 people were killed defending their land and rivers against dam projects over the last year. These took place predominantly in Central and South America with one case recorded in India. Many of the conflicts occur because hydropower projects are approved without consulting local people. Indigenous communities are again hardest-hit as they rely on water sources in remote areas targeted for hydropower investment. Hydropower dams affect communities' livelihoods by flooding land and diverting vital water sources used for drinking water, fishing or irrigation. Often communities are forcibly displaced from their homes to make way for their construction. Dams also have serious environmental impacts as they affect water quality and release methane, a potent greenhouse gas.⁴⁸

With a growth in energy demand, many developing countries are increasing investments in hydropower construction.⁴⁹ This is despite the conclusions of a recent study that large-scale dams are economically unviable and that costs overrun on average 96%.⁵⁰ These projects are often extremely corrupt which may undermine the decision-making process that leads to their approval. For example, the controversial Belo Monte project in Brazil, that threatens to displace 20,000 people as the world's third largest dam,⁵¹ is at the centre of recent bribery allegations.⁵² Dalton Avancini, President of the Camargo Correa construction giant, has confirmed to Brazil's Federal and Public Prosecutor's office that his company paid US\$30 million in bribes to two political parties in exchange for contracts to build the dam.⁵³ Social and environmental impacts are being ignored in the pursuit of ill-gotten gains.

Given the rise in killings of activists defending their land and environment against dams, it is essential that governments ensure any project guarantees the right of local communities to genuinely free, prior and informed consent. Governments must ensure the protection of these defenders and prosecute the perpetrators of the killings.

TYPES OF VIOLATION

1. Threats and physical violence

*You are fighting against us and we've lost lots of money because of your movement. We made the mistake of not killing you before; this time we will kill you. We will cut the veins in your wrists and legs, tie your hands and legs together and throw you in the river*⁵⁷ – threat received by Shahed Kayes, anti-sand grabbing activist, Bangladesh

On 2 July 2013 Shahed Kayes was threatened and severely beaten in Mayadip-Nunertek, Bangladesh, by around 40 people believed to be involved in sand grabbing.⁵⁸ Kayes had been denouncing illegal sand extraction and its impact on his community's land and fishing

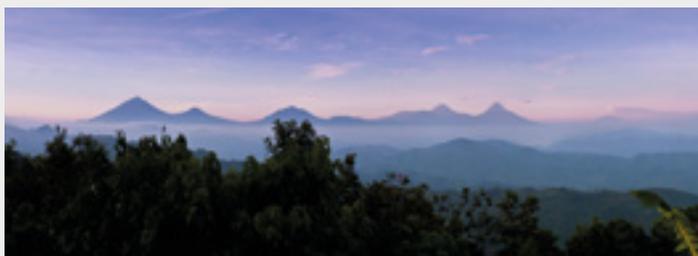
waters. As Chief Advisor of the Illegal Sand Extraction Prevention Committee in the area he had been receiving phone death threats since September 2012.⁵⁹

The threat of physical violence forms the backdrop to the daily lives of many environmental and land defenders. Activists receive threats in person, on the phone, by email or in letters. These tactics are designed to install fear and intimidate the activists into halting their work. Defenders may be told they or a family member will end up dead, and in some cases are beaten up to ensure the threats are taken seriously.

The case of Virunga National Park

Threats and physical attacks around commercial extractive projects are particularly common. Local opposition to their operations is deterred, and some times public security forces are employed to protect their operations and intimidate those opposing their work. For example, in Virunga National Park in the Democratic Republic of Congo (DRC), activists and park rangers critical of the operations of British oil company Soco International have been threatened and in some cases beaten and arrested by Congolese soldiers.⁶⁰ Soldiers told the BBC a sub-contractor for Soco was paying the army unit responsible.⁶¹ For years Soco has been seeking access to Africa's oldest national park, a UNESCO World Heritage site, for oil exploration.⁶² At least six Congolese activists opposing the company's activities in Virunga have received death threats by text message from unknown senders. One activist, from a Goma-based environmental group, was sent a text in 2011 saying he would have problems as long as *you continue talking about Soco*.⁶³ Another time he was told *if you continue to speak about oil, you will see [what will happen]. You should be careful*.⁶⁴ More recently, in 2013, a former head of the local fishermen's union, who had requested Soco and the government disclose more information about the oil deal, told the BBC:

*I was arrested by soldiers, their boss was Major Feruzi - he is in charge of securing Soco's activities. They told me: 'You are against oil, we must hurt you.' It was very dangerous.*⁶⁵



Above: Activists from DRC have been threatened for their opposition to oil exploration in Virunga National Park, a UNESCO World Heritage Site

On 15 April 2014 the Chief Warden of Virunga National Park, Emmanuel de Merode, survived an assassination attempt.⁶⁶ De Merode's car was sprayed with bullets by unknown gunmen on his way back to the park's base in Rumangabo - two bullets hit him, in the stomach and chest. Earlier that day he submitted a report on Soco's activities to the public prosecutor in Goma.

Whether any of these activities is carried out with the blessing and awareness of the company, or by over-zealous local contractors is unknown. Soco has condemned the use of violence in its name and denies any involvement in the threats referred to.

2. Criminalization

In September 2014, Mario Luna Romero and Fernando Jiménez Gutiérrez, both leaders of the indigenous Yaqui community in Sonora state, Mexico, were arrested, accused of 'illegal deprivation of liberty' and 'theft of a motor vehicle'.⁶⁷ Both lead a campaign to stop the construction of the Independence Aqueduct which was approved without their community's consent and directly threatens their water source, traditional culture and livelihoods linked to the Yaqui river.⁶⁸ On 4 September Mario Luna Romero had travelled to the Inter-American Commission of Human Rights to highlight the case.⁶⁹ Amnesty International has claimed their prosecution is based on a biased investigation to criminalize sections of the Yaqui community.⁷⁰

Criminalization is one of the most severe risks environmental and land defenders currently face. Increasingly, governments are launching criminal proceedings against defenders – subjecting them to police raids, wrongful arrests, fines and imprisonment.⁷¹ From January 2011 to August 2014, the Observatory for the Protection of Human Rights documented spurious legal cases against 123 land activists globally.⁷² This judicial harassment is particularly prevalent in the Americas⁷³ and is used to intimidate defenders, obstruct their work, tarnish their reputations and lock them into costly and exhausting legal battles. Once criminal charges are filed, environmental and land activists are often publicly stigmatized and branded in the media as conducting illegal activities.



Above: Mario Luna Romero is facing criminal charges for opposing a construction project that threatens the Yaqui indigenous community's traditional water source in Northern Mexico

Below: Mining-affected communities in Mozambique have demanded access to better land following resettlement. On 10 January 2012 protestors were arbitrarily detained, beaten and tortured by police. ©HRW



Environmental and land defenders are particularly at risk of criminalization due to their actions opposing the joint interests of government and business, for instance in promoting large-scale infrastructure projects. Private entities have launched cases against defenders for slander, defamation, propagation of false information and reputational damage – sometimes with the state’s backing.⁷⁴ Activists are often charged with common crimes such as property damage or disruption of public works, which still carry hefty penalties, linked to their campaigning against companies.⁷⁵

In a worrying trend, some governments have also used counter-terrorism legislation to target activists. They have portrayed environmental and land defenders as an ‘internal enemy’, to justify abuses.⁷⁶ For example, on 30 July 2014 the Inter-American Court of Human Rights (IACHR) condemned the Chilean state for using a Counter-Terrorism law to target the Mapuche indigenous community in its defense of ancestral lands against commercial exploitation.⁷⁷ In an emblematic ruling, the IACHR found that sentences against eight Mapuche activists for charges of ‘terrorist threat’ and ‘terrorist arson’, used under a law enacted by General Pinochet’s military dictatorship, should be scrapped.⁷⁸ They had each received jail terms of between 5 and 10 years in 2002.⁷⁹ The Chilean state violated principles of legality, equality and non-discrimination, according to the IACHR decision, and was ordered to pay reparations.

3. Restrictions on their freedoms

*I was there. The police came on the day of the protest and the day after they came looking for people and then they took them and beat them. Everybody who they found outside their home, they beat. We ran away.*⁸⁰
– Demonstrator against mining operations in Mozambique

On 10 January 2012, police in Mozambique arbitrarily detained 14 people, beating five of them and torturing nine in custody after a peaceful protest of around 500 residents from Cateme community.⁸¹ The demonstrators were demanding a response to their concerns about land, shelter and water following their resettlement in 2010 to make way for a coal mine operated by the Brazilian company Vale.

Environmental and land defenders face increasing restrictions on their freedoms to protest, to travel and move about freely, and to organize and carry out their work. These freedoms are undermined because the protection of environmental and land rights often pits communities, struggling to defend their natural resources, against predatory companies backed by the state. Failures to implement proper consultation and lack of access to justice lead many environmental and land defenders to protest in order to make their grievances heard. Public security forces, sometimes backed by hired gunmen, repress activists in order to silence their opposition and deter future demonstrations.

Below: The Myanmar government has used repressive protest laws to imprison activists against the Letpadaung copper mine. ©AFP



Laws have been put into place that limit public protests and regulate NGOs and civil society organisations, in some cases under the pretext that they receive foreign sources of funding. These laws are used as a tool to specifically restrict defenders' freedom of assembly and association. For example in Myanmar, activists have been charged under article 18 of the Peaceful Gathering and Demonstration Law for failing to be granted prior authorization to demonstrate. In April 2013, the Myanmar authorities detained Thaw Zin, a member of the Yangon People's Support Network, for organizing protests against the controversial Letpadaung copper mine.⁸² Despite these charges being later dropped, on 11 February 2014 Zin was re-arrested under Article 505 of the Criminal Code for disturbing public tranquillity for his role helping local villagers demonstrate against land seizures related to the mine. He was sentenced in March 2014 to 15 months in prison.⁸³

As well as legal restrictions on protest, environmental and land defenders also face arbitrary arrest and detention by state forces. This tactic is designed to restrict their freedom of movement. Sometimes, when charges are brought following arrest, defenders are unable to travel outside the country, for instance to attend meetings or conferences related to their work. High profile activists in particular are targeted for arbitrary arrest – a strategy used by governments to sideline or silence people they fear may organize protests or provoke social unrest. For example, in September 2014, two members of the Guatemalan indigenous organization New Day Cho'rti' Campesino Central were arrested and detained following peaceful anti-mining protests.⁸⁴ Protestors were demanding the repeal of laws passed by the Guatemalan

Congress violating the right to prior consultation and criminalizing the opposition of indigenous communities to mining activities.⁸⁵

On 17 September 2014 the two activists, Norma Sancir and Carlos Juárez, participated in demonstrations in the department of Chiquimula and the following morning they were arbitrarily detained on their way to re-joining the protests. Two passers-by attempting to intervene and assist Norma Sancir were also arrested. Soon after the detentions, 150 police agents arrived to disperse the protestors using tear gas. After initially being refused a phone call, Norma Sancir and Carlos Juárez were released three days later when a judge ruled that the charges were unfounded.⁸⁶

HONDURAS CASE STUDY

GENERAL OVERVIEW

People defending their rights to land and the environment in Honduras are subject to systematic targeting⁸⁷ and face severe risks to their lives.⁸⁸ Between 2002 and 2014, 111 activists were killed, including 12 in 2014.⁸⁹ This was the highest rate per capita of any country surveyed, making Honduras the deadliest country in the world to be a land and environmental defender.

Honduras' many socio-political problems impact on the ability of activists and communities to safely defend their land and environment. The country suffers from one of the highest levels of corruption⁹⁰ in the Americas and has one of the world's highest homicide rates.⁹¹ Nearly two-thirds of the population live below the poverty line.⁹² The police are ineffective and responsible for serious human rights abuses, including unlawful killings, whilst the judiciary is compromised by political interference.⁹³ In environmental terms, Honduras is plagued by illegal logging and has one of the highest deforestation rates in the world.⁹⁴

Following the 2009 military coup the security forces shut down opposition media, arbitrarily detained thousands and killed several demonstrators.⁹⁵ These abuses, as well as human rights violations in general, have largely gone unpunished. According to the Honduran NGO ACI-PARTICIPA (Association for Citizen Participation), more than 90% of killings and abuses against human rights defenders in Honduras remain unresolved.⁹⁶

The current right-wing government, led by President Juan Orlando Hernández, has made investments in mining, forestry, agribusiness and hydroelectric dams a top priority.⁹⁷ Conflict over land, extractives and dam projects are the main drivers of violence against activists. Many attacks occur against indigenous leaders defending their land and natural resources, often in the context of the development of mega-projects without prior and informed consent.⁹⁸

Below: Following the 2009 military coup the Honduran security forces cracked down heavily on civil society. ©AP



3,064 cases of criminalization have been recorded against human rights defenders in Honduras since 2010¹⁰⁵

Killings only reflect the most extreme manifestation of attacks on environmental and land defenders. In 2014 Honduran activists were subject to violent acts, stigmatization, intimidation and threats to their life.⁹⁹ Powerful economic interests, often through the use of private security companies, are suspected as the main perpetrators of abuse.¹⁰⁰ There are reportedly 5 times as many private security guards as police officers in Honduras and most security companies are owned by former high-ranking police or military officers.¹⁰¹ The Honduran police and army themselves have also committed human rights violations against activists.¹⁰²

Criminalization of human rights defenders by the state is especially acute. The NGO COFADEH (The Committee of Relatives of the Detained-Disappeared in Honduras) has recorded 3,064 cases of the improper use of criminal law against defenders since 2010.¹⁰³ This situation is particularly severe for environmental and land activists as the ex-UN Special Rapporteur on the situation of Human Rights Defenders Margaret Sekaggya remarks: [Honduran] *defenders who denounce environmental issues and educate citizens about their rights to land and food have been branded as members of the resistance, guerrillas, terrorists, political opponents or criminals.*¹⁰⁴

There are increasingly worrying signs that Honduras is failing to take the concerns of environmental and land defenders seriously. Honduras recently announced plans to grant temporary environmental permits to companies on the same day of application¹⁰⁶ in a sign of 'good faith' to investors. This ignores best international practice¹⁰⁷ which states 6 months is necessary to process a permit and only serves to fuel further conflict over environmental and land rights. The lack of transparency in the approval of mining and hydropower concessions needs to be addressed, as well as serious concerns related to the failure of the 2013 mining law to protect community water resources.¹⁰⁸ Recent complaints of hydropower concessions being granted in protected areas should also be investigated.¹⁰⁹

Furthermore, if violence against environmental and land activists is to be reduced, the increasing militarization of the state security apparatus, which has been involved in abuses, must be rolled back. Of particular concern are efforts by the current government to elevate the new Military Public Order Police to constitutional status.¹¹⁰ Private security companies need to be effectively monitored, with adequate resources given to the Control Unit of Private Security Services and allegations of violations linked to all security forces investigated and followed up on.

On 8 May 2015, Honduras will have to answer questions on its human rights record through the UN's Universal Periodic Review (UPR) process. Both international and Honduran NGOs have noted the heightened risk posed to environmental and land defenders in their submissions to the UN Human Rights Council.¹¹¹ There has been little progress by Honduras on implementing recommendations from their last UPR in 2010 to improve protection for human rights defenders and hold perpetrators to account.¹¹² Whilst a draft 'Law on Protection for Human Rights Defenders, Journalists, and Justice Workers'¹¹³ is

currently being discussed in parliament, to date there is no recognition that environmental and land defenders need specific protection. This must be addressed in any secondary legislation and operational protocols to the law. Sufficient resources should also be allocated and independence assured for the national protection mechanism. The Honduran government must provide effective protection for activists including proper implementation of the Inter-American Human Rights Commission's 'precautionary measures' in urgent cases. It must also meet its obligations under international law including indigenous communities' right to free, prior and informed consent under ILO Convention 169.¹¹⁴

MAIN DRIVERS – LAND, DAMS AND MINING THE STRUGGLE FOR LAND RIGHTS

*Here the police, the military, prosecutors, judges, all of them are ready to defend the owners of the big farms, while we are the ones who are dying*¹¹⁵ – a member of the Panamá community from the Bajo Aguán valley, Honduras

Honduras is the most unequal country¹¹⁶ in the Americas with a small concentration of elites owning most of the land and industry.¹¹⁷ Despite customary rights being recognized by law, many indigenous groups lack clear titles to their land and suffer land grabs by powerful business interests.¹¹⁸ Conflict over land is the main driver of violence against Honduran activists.

The Bajo Aguán valley continues to be a hotspot with 82 campesinos (small-scale farmers) killed between 2010 and 2013 in a struggle with agribusiness companies and their private security forces.¹¹⁹ A December 2014 visit by the Inter-American Commission on Human Rights (IACHR) to Honduras heard testimony from communities in the region about ongoing killings, threats, disappearances, kidnappings, cases of torture during detentions and violent evictions.¹²⁰ The IACHR concluded that *there exists a complete absence of the most basic measures to address reports of grave human rights violations in the region [...] despite patterns of violence [...] identified regarding the possible participation of State authorities in the alleged incidents.*¹²¹

International actors have also fuelled the conflict. The World Bank's private lending arm, the International Finance Corporation (IFC), loaned US\$30 million to Dinant, a palm oil company tainted by assassinations and forced evictions of farmers in Bajo Aguan¹²² and owned by one of Honduras's richest and most powerful businessmen, Miguel Facussé.¹²³ The IFC has since admitted failing to implement its own social and environmental policies when approving the loan.¹²⁴

Right: Honduran police have been involved in intimidation, threats and suspected killings of environmental and land defenders. ©Panos

HYDROELECTRIC DAMS

Opposition to hydroelectric dams developed without consulting affected communities have provoked extensive threats and violence against environmental and land defenders in Honduras.¹²⁵ Many of the projects have links to the country's most powerful political and economic players.¹²⁶ In the political uncertainty following the 2009 military coup, a controversial law¹²⁷ was passed that allowed the government to sell off the country's rivers and other water sources to the highest

bidders.¹²⁸ A year later the right-wing Nationalist party government approved 47 hydropower concessions, allegedly granting highly favourable terms through a closed tendering process and without consulting local communities.¹²⁹ A recent NGO submission to the UN Human Rights Council claims the Honduran state is violating its own laws by handing out environmental licenses for hydropower projects in protected areas, affecting community's access to water sources.¹³⁰

The case of MILPAH (the Lenca Indigenous Movement of La Paz)

Indigenous leaders face fabricated criminal charges and have been the target of reprisals for opposing dam projects.¹³¹ For example in the municipality of Santa Elena, La Paz department, indigenous Lenca communities have been fighting plans for the Los Encinos S.A hydroelectric plant which they fear will harm their water supply and livelihoods.¹³² Members of MILPAH (the Lenca Indigenous Movement of La Paz) have received anonymous death threats for opposing the dam, and in September 2014 police attempted a violent eviction without any legal authorization, destroying communities' crops and setting fire to their belongings.¹³³ On 5th January 2015, Juan Francisco Martínez, an indigenous leader and MILPAH member from the Tapuyman community of Santa Elena, was found murdered with his hands bound and burn marks on his body.¹³⁴ He had previously received threats against his life after his son was murdered last year.¹³⁵ It is unclear who is behind these various criminal acts.

The Los Encinos S.A dam company is owned by Mr. Arnold Castro,¹³⁶ husband of Gladys Aurora López, current Vice President of the Honduran Congress for the ruling Nationalist party.¹³⁷ Minutes from a 2013 meeting show the granting by the Santa Elena municipality of a permit to carry out feasibility studies on the Los Encinos S.A. dam.¹³⁸ The spouses of public officials who have influence over the relevant tendering process are prohibited under Honduran law to enter into contracts.¹³⁹ As hydropower concessions are ultimately approved by Congress,¹⁴⁰ Castro's wife would have influence over this process. It is also illegal under the Honduran Constitution for members of Congress to obtain a contract or concession either directly or indirectly from the state.¹⁴¹ Global Witness invited the dam company to comment on the apparent breach of Honduran law on politicians' personal interests conflicting with public office but received no reply.

MINING CONFLICTS

The mining sector is another prominent cause of attacks against Honduran environmental and land defenders. A moratorium on new mining projects was recently lifted with the approval of the General Mining Law in January 2013.¹⁴² Since then 4 activists have died due to their opposition to mining projects. Honduran NGOs have filed constitutional challenges against the mining law for its failures to guarantee free, prior and informed consent, rule out open pit mining, and oblige disclosure of key financial and technical information about mining

projects.¹⁴³ The law only ensures the protection of 'registered' water sources, leaving the door open for community water supplies to be expropriated by mining projects.¹⁴⁴ Despite these concerns, the government hopes to attract US\$4 billion of mining investments in the coming years.¹⁴⁵ It recently announced the freeing up of 250,000 ha of land for new mining projects and granted concessions to 31 companies, but has given scant information on project type, location or the companies involved.¹⁴⁶



Photo: Mining is one of the main drivers of violence against Honduran environmental and land defenders. ©iStock



PERPETRATORS

PRIVATE SECURITY DEFENDING ECONOMIC INTERESTS

*Outsourcing the use of force to hundreds of private security companies seriously hampers the rule of law*¹⁴⁷ – United Nations Working Group on the use of mercenaries in Honduras.

Although information on the perpetrators of violence against defenders is hard to verify, in many cases private security companies used by mining, hydropower and agribusiness have been suspected of involvement. Private security guards were implicated in 13 of 29 killings of campesinos in Bajo Aguán investigated by Human Rights Watch between 2009 and 2013, for example.¹⁴⁸ Similarly, the 2013 visit to Honduras by the UN Working Group on the use of mercenaries voiced concern about the alleged involvement of private security companies hired by landowners in serious human rights violations, including killings, disappearances, forced evictions and sexual violence.¹⁴⁹

STATE SECURITY FORCES

On 15 July 2013, the Lenca indigenous leader Tomas García was shot dead by the Honduran Army during a peaceful protest in Río Blanco, in the department of Intibucá.¹⁵⁰ García, was demonstrating against the construction of the Agua Zarca hydroelectric dam in his community.¹⁵¹

The unlawful use of force by the public security apparatus is a chronic problem in Honduras.¹⁵² Increasing militarization of the police and the use of the army to quell land conflicts and defend infrastructure and extractive projects has led to abuses.¹⁵³ Members of the police and army have been involved in numerous cases of intimidation, threats and suspected killings of environmental and land activists.¹⁵⁴

Attempts by the ruling Nationalist party government to enshrine a new Military Public Order Police into the country's constitution are of grave concern. After losing a parliamentary vote on the issue, President Hernández is now pushing for a plebiscite to enact the reform.¹⁵⁵ This military security body is not trained for civilian tasks, despite its deployment as a police force, and currently lacks legal specification and true judicial and institutional oversight.



Above: On 17 July 2014 Miriam Miranda was abducted by suspected drug traffickers and threatened with death. Miranda campaigns for the rights of the Garífuna community in North eastern Honduras whose land is wanted by drug gangs. ©rel-UITA

ORGANIZED CRIME

Honduras has one of the highest presences of organized crime in the region.¹⁵⁶ Powerful drug-trafficking gangs use mining and agribusiness projects to launder the proceeds of crime.¹⁵⁷ Land and environmental defenders have been subjects of threats, attacks, and killings for resisting these criminal groups. The need to ensure trafficking routes has led to violent incursions onto indigenous land. Drug gangs have forcibly taken over indigenous territory to make clandestine runways, for example.¹⁵⁸ The Afro-descendant Garífuna community has been particularly targeted as their territory lies in a remote coastal region of North eastern Honduras where traffickers can pass unnoticed. On 17 July 2014, environmental defender Miriam Miranda and several members of a Garífuna community in Vallecito municipality were abducted by four heavily armed men.¹⁵⁹ After first being told they would be killed, the group were eventually released. In a previous visit to the area, the community had discovered an illegal landing strip used by drug traffickers.¹⁶⁰

Below: Berta Cáceres has faced fabricated criminal charges and death threats because of her work defending indigenous Lenca territory from hydropower dams in Honduras.
©Goldman Prize



The case of Berta Cáceres

*They have guards which have made death threats against us. They've been on the point of shooting us. I've received threats and had my vehicle followed. Not just me but others from COPINH too. They even have a gang of men putting up road blocks and checking cars to see if I'm traveling in them.*¹⁶¹ – Berta Cáceres

Berta Cáceres, an indigenous Lenca woman, has received frequent death threats for her work as the General Coordinator of COPINH (Civic Council of Popular Indigenous Organisations of Honduras), a non-profit organization fighting for more than 20 years for indigenous rights in Honduras.¹⁶² Since 2011, COPINH has been campaigning for the right to consultation related to the Agua Zarca dam that would force the Lenca community of Río Blanco off their ancestral land. The dam is partly financed by the Dutch development bank FMO which, despite COPINH's request to cancel its US\$15 million loan,¹⁶³ continues to finance the project.¹⁶⁴ In April 2015, Berta Cáceres was awarded the Goldman Environmental Prize - a prestigious award recognizing grassroots environmental activists from around the world.¹⁶⁵

Cáceres has been forced to live a fugitive existence because of her opposition to the dam. Threats of sexual violence, kidnapping and death have been directed at herself as well as her elderly mother and four children – two of whom have been forced to leave Honduras out of concerns for their security.¹⁶⁶ Cáceres accuses the private security guards from the dam company as well as the police and army protecting the project of being behind the threats.¹⁶⁷ In July 2013, Río Blanco community leader Tomas García, was shot dead by the Honduran Army during a peaceful protest against the Agua Zarca dam.¹⁶⁸ The following year, William Jacobo Rodríguez, a COPINH member and activist opposing the dam, was murdered.¹⁶⁹ Following his killing, the police guarding the hydropower project were accused of torture and death threats against other COPINH members.¹⁷⁰ In October 2014, Rodríguez's 15-year old brother, Maycol Rodríguez, who cultivated corn on ancestral Lenca land wanted by the dam company, disappeared and his body later found in a river showing signs of torture.¹⁷¹

As with many environmental and land defenders in Honduras, Berta Cáceres has been criminalized by the Honduran government because of her work. The misuse of the justice system to restrict her legitimate actions is all too apparent. In May 2013, a criminal case was filed against her for illegal possession of a firearm endangering the security of the Honduran state.¹⁷² Cáceres claimed a gun was planted by military officers in her car at an army checkpoint.¹⁷³ Her ability to travel was restricted as a result of the charges until the case against her was dismissed in February 2014.¹⁷⁴ However, while this case was still active, the Honduran government and the dam company filed a second case against Cáceres, accusing her of inciting others to commit crimes, occupation of public and private property, and damages against the hydroelectric company.¹⁷⁵ A judge ordered her to jail. According to Amnesty International, the judge did not consider any of the evidence for the defence which includes the community's legal rights to be consulted on the dam project.¹⁷⁶ Two other COPINH leaders, Tomás Gómez and Aureliano Molina, were also charged and prohibited from going to Río Blanco.¹⁷⁷ After months of living underground and amidst an international outcry, the charges were provisionally dismissed.¹⁷⁸ The company has appealed the dismissal to the Supreme Court.¹⁷⁹

Although Berta Cáceres has 'precautionary measures' granted to her from the Inter-American Human Rights Commission that should provide her with emergency protection,¹⁸⁰ the Honduran government has failed to effectively implement them.¹⁸¹ In January 2015, she received credible information of plans to kidnap her related to a further hydropower project, the Canjel river dam, planned in the area.¹⁸² This project is managed by Capital III, a US investment firm, although it is not suggested that the investor was behind the kidnap plotting.¹⁸³ Berta Cáceres continues to live in fear and receives regular threats against her life because of her continued work defending the people of Río Blanco's land and rivers.¹⁸⁴

“We have been here respecting the earth that gives us our food and we intend to stay here fighting for our right to feed ourselves” – Wife of threatened MADJ coordinator Jose Maria ‘Chepito’ Pineda



The case of Tolupán groups in Locomapa

*We aren't going to give up the struggle to keep our natural resources clean and in the hands of the community. There are those who want easy money by tearing up the land, contaminating the water. We have been here respecting the earth that gives us our food and we intend to stay here fighting for our right to feed ourselves.*¹⁸⁵ – wife of threatened MADJ coordinator Jose Maria ‘Chepito’ Pineda

Tolupán indigenous peoples from the municipality of Locomapa, Yoro department, in northern Honduras, have been threatened, criminalized and killed for protesting against mining and illegal logging in their communities. Local indigenous leaders, as part of the local civil society organisation MADJ (Broad Movement for Dignity and Justice), have been campaigning since 2009 against an antimining project which initiated operations in Locomapa without proper consultation.¹⁸⁶

The communities have also denounced loggers illegally pillaging their forests.¹⁸⁷ In July 2012, they sent an open letter to the Minister for Justice and the Secretary for Indigenous Affairs about death threats from a local timber magnate in the area.¹⁸⁸ A year later, in August 2013, Tolupán indigenous peoples and members of MADJ held a peaceful sit-in to block the passage of mining and logging trucks through their land.¹⁸⁹ On 18 August, local indigenous leaders publicly denounced death threats received by text message warning them to *desist from their efforts to protect the environment*.¹⁹⁰ A week later, alleged hitmen hired by a local mining company¹⁹¹ approached the protestors at the sit-in and opened fire, killing indigenous leaders Armando Fúnez Medina and Ricardo Soto Fúnez. Another leader, María Enriqueta Matute, fled to her nearby home, where she was tracked down and fatally shot.¹⁹² According to MADJ, the hitmen responsible for these murders continue to terrorize the community and, although they were clearly identified, local authorities have done nothing to bring them to justice.¹⁹³

Above: Three indigenous Tolupán leaders were killed by gunmen attacking an anti-mining protest in Northern Honduras. They had received death threats warning them to desist from their efforts to protect the environment. ©MADJ

Many community members went into hiding after the 2013 murders and only returned 6 months after the killings¹⁹⁴ once they were granted ‘precautionary measures’ by the Inter-American Human Rights Commission (IACHR).¹⁹⁵ One of these returning members, Luis de Reyes Marcía, was found murdered a year later, on 5 April 2015, having recently filed a police complaint after receiving death threats.¹⁹⁶ He was the husband of Vilma Consuelo Soto, one of the beneficiaries of ‘precautionary measures’ from the IACHR.

Locomapa leaders and their families continue to receive threats whilst an ex-army General has also been accused of forcing community members off their land.¹⁹⁷ Moreover, a recent indigenous assembly was broken up by gunfire from thugs allegedly hired by local mining and logging operators.¹⁹⁸

One of the MADJ coordinators, Jose Maria ‘Chepito’ Pineda, has not returned to Locomapa and is currently in hiding, in fear of his life, after gunmen posted a death threat to the door of his house stating: *Today get ready, as the fire's been lit, because you haven't curbed your tongue. We know where you are but we're going to get you where it hurts most.*¹⁹⁹

Community members have also been criminalized for their opposition to logging operations in Locomapa. On 27 November 2012, criminal cases were filed by the local government against eight Tolupán leaders for protesting against forestry projects approved by the National Institute for Forest Development and Conservation, Protected Areas and Wildlife (ICF).²⁰⁰ On 2 March 2015 the Court of Appeal in San Pedro Sula threw out the case, arguing that it was the community's right to be consulted before the forestry operations could go ahead.²⁰¹

CONCLUSION

At the UN's annual climate meeting in Paris later this year governments will discuss the complexities of curbing greenhouse gas emissions. Meanwhile, far from the corridors of power, many people who are already taking action to protect the environment are paying with their lives. Killings of environmental and land defenders continue at record levels, while other forms of threats and repression are all too common. Indigenous peoples especially are bearing the brunt for government inaction, with 47 killed last year alone.

These deaths occur because ordinary citizens and local communities are increasingly finding themselves at the forefront of the battle over the planet's natural resources. Environmental and land defenders are being threatened, physically attacked and criminalized because of their work. At the same time, national governments are failing to protect their rights from rising threats from agribusiness, mining, logging and hydropower projects.

Documented killings are highest in Central and South America. Honduras is currently suffering from the world's worst violence against environmental and land activists. The violence is exacerbated by the rolling back of environmental laws, increased militarization of the police and the failure to control armed private security guards. Landowners, mining companies and hydro dam developers routinely ignore local communities' calls to protect their land and environment. The Honduran state must address the plight of activists like Berta Cáceres who live every day in fear of attack.

This report asks how many more people will die before the world takes notice? The need to protect environmental and land defenders must be pushed high up on the agendas of national governments and international bodies. States should call for a UN Human Rights Council resolution to address the increase in these threats. But also, importantly, structural problems at the root of the violence need to be challenged. Laws that guarantee free, prior and informed consent for indigenous peoples must be properly implemented. Government must end secret resource deals that benefit business and political elites to the detriment of local communities. Companies behind these projects should also be held accountable for any violence or intimidation carried out on their behalf.

The international community needs a wake-up call. Governments will only feel compelled to act on their responsibility to protect defenders through external pressure as well as from domestic civil society. By exposing what's driving violence and intimidation against environmental defenders Global Witness hopes to help usher in the kind of reforms needed to prevent further attacks. The world is standing idle whilst people on the frontline of the struggle to protect the environment are getting killed. The time for action on these killings is now.

ANNEX: METHODOLOGY AND SCOPE

We define environmental and land defenders in the 'Who are environmental and land defenders?' section. The scope of violations against them covered in this research include extrajudicial killings, murders without state involvement, and enforced disappearances. Extrajudicial killings are those committed outside any judicial proceeding or legal process, but more specifically we have defined them as killings by government authorities, including official state security forces such as

the military and police, or killings committed by organised non-state groups such as paramilitary or vigilante groups with the support, consent or acquiescence of the government. However, in many cases the perpetrators are unknown or they are agents of organised crime or commercial interests such as corporations or landowners, and we have defined them as murders (deliberate killings that should be considered common crimes). Enforced disappearances are cases where the person is arrested, detained or abducted against their will by government authorities or by organised groups with the direct or indirect support, consent or acquiescence of the government, followed by refusal to disclose their fate or whereabouts, which places them outside the protection of the law.

Whether extrajudicial killings, murders or enforced disappearances, in the majority of cases the perpetrators are unknown, and even when a particular group is suspected there is often a lack of information to verify their involvement. Besides these violations, environmental and land defenders also face a wide range of other risks, such as threats and physical violence, criminalization and restrictions on freedoms, but it is beyond the scope of this research to attempt to quantify them or document the full chain of events that often precedes a killing.

The period of time covered by this report is from 1 January 2014 to 31 December 2014. Our previous report, *Deadly Environment*, covered 2002 to 2013. The research for this report was undertaken between December 2014 and March 2015. As for *Deadly Environment*, our process for identifying and investigating cases using reliable sources of public information was:

- *Opportunistic*: We identified datasets from international and national sources with details of named human rights defenders killed in 2014, such as the *Frontline Defenders 2015 annual report*²⁰² and the *Programa Somos Defensores annual report on Colombia*,²⁰³ and then researched each case.
- *Systematic*: We searched for details on relevant cases across the world, with a particular focus on countries in the following regions as defined by the UN: Latin America and the Caribbean (Central America, South America, Caribbean), Africa (Northern, Eastern, Middle, Southern, Western) and Asia (Central, Eastern, Southern, South-Eastern, Western). From Oceania, we also included Papua New Guinea. Searches were carried out using public information on the following international online sources:
 - UN websites, notably the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Special Procedures of the UN Human Rights Council²⁰⁴ to the governments in question and documentation provided by stakeholders in the UN Human Rights Council's Universal Periodic Review of Human Rights (UPR) sessions
 - Specialised resources such as human rights search engine *Huri-Search*,²⁰⁵ which indexes around 5,000 human rights websites
 - International human rights organisations, for example Amnesty International, Human Rights Watch and the International Federation for Human Rights (FIDH)

- International environment and land news forums, for example farmlandgrab.org and mongabay.com
- National human rights, environmental and indigenous peoples organisations in the specific countries or regions, and national news media in these countries using key terms
- *Verified by in country partners:* Where possible, we submitted our initial findings to in-country or regional partners to gather further information on the cases and verify that they were applicable to our definition of environmental and land defenders.

In cases that met the broad scope outlined above, inclusion in this report's analysis depended on meeting or exceeding the following criteria:

- There was a credible, published and current online source of information.
- That the victim was named, that the type of act and method of violence was specified, and that the exact date and location of the killing was documented.
- That in each case, there was further biographical information about the victim, such as their occupation, organisational and political affiliations, and where relevant, their ethnic or indigenous identity.
- That there was a clear, proximate and documented connection to an environmental or land issue.

We have recorded data about the cases using the HURIDOCs Event Standard Formats and Micro-Thesauri,²⁰⁶ an approach which is widely used to manage and analyse material of this nature. All cases included in this report's analysis meet the scope and standards we have set.

While we have made every effort to identify and investigate cases in line with the methodology and criteria, it is important to add that our research relies on public information and that we have not been able to conduct detailed national-level searches in all countries. Language is another limitation, besides English the main languages that we have searched in are Spanish and Portuguese. Due to the large number of countries and potential sources, we have concentrated our national-level searches on those countries where we initially identified from international sources that there were potentially relevant cases to investigate. Our contacts with national organisations have also been limited somewhat by our experience; in some countries Global Witness has well established links with local organisations, whereas in others we do not.

In summary, the figures presented in this report should be considered a conservative lower estimate of the extent of killings of environmental and land defenders across the world in 2014. With regard to the geographical spread of cases identified in this report, it is noticeable that there are relatively few from African, Central Asian and South Asian countries, even though human rights reports indicate that the general situation in many of them would mean that there are serious threats to environmental and land defenders. We also recognise that in some countries there are on-going conflicts linked to land and natural resources that are resulting in considerable number of deaths, but it

is not possible to document the specific cases with sufficient detail to meet our criteria. Reasons why we have not been able to document cases in line with our methodology and criteria include;

- Limited presence of civil society organisations, NGOs and other groups monitoring the situation in the field
- Suppression of the media and other information outlets
- Wider conflicts and/or political violence, including between communities, that make it difficult to identify specific cases

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- Centro Hondureño de Promoción al Desarrollo Comunitario (CEHPRODEC), Honduras
- Comissão Pastoral de Terra (CPT), Brazil
- Consejo de Organizaciones Populares e Indígenas de Honduras (COPINH), Honduras
- Coordinadora Nacional de Derechos Humanos (CNDDHH), Peru
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- Network for Human Rights Documentation – Burma (ND-Burma)
- Programa Somos Defensores, Colombia
- Proyecto de Acompañamiento Internacional en Honduras (PROAH), Honduras
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- Unidad de Protección a Defensoras y Defensores de Derechos Humanos Guatemala (UDEFEGUA), Guatemala

ENDNOTES

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