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**Human Rights Council**

**Fifty-sixth session**

18 June–12 July 2024

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

 Visit to Honduras

 Report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change, Ian Fry[[1]](#footnote-2)\*, [[2]](#footnote-3)\*\*

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| *Summary* |
| The Special Rapporteur on the promotion and protection of human rights in the context of climate change carried out a visit to Honduras from 18 to 27 September 2023, at the invitation of the Government. During the 10-day visit, the Special Rapporteur met with various government officials, United Nations entities, civil society organizations, Indigenous Peoples’ and Afro-descendants’ organizations and communities. He visited Tegucigalpa, Lajas Blancas (Nacaome), Cedeño, Reitoca, La Ceiba, Tocoa, Jilamito, El Progreso, La Lima, San Pedro Sula, Travesía and Bajamar. Honduras has suffered many severe impacts from climate change, and this has significant implications on the enjoyment of human rights in the country. The visit focused on the overall impacts of climate change, climate change displacement, loss and damage, environmental human rights defenders, the impacts of new mitigation technologies such as hydroelectric dams, and the environmental implications of mining. The Special Rapporteur, in his conclusions, welcomed the efforts made by the government but noted that not enough is being done to address the impacts of climate change. He further highlighted the lack of strategic investment in building climate change resilience and establishing long term climate change planning. He made numerous recommendations, including in relation to legislation and policies, mitigation measures such as hydroelectric dams, environmental human rights defenders, and climate change displacement.The visit was undertaken by the former mandate holder, Ian Fry. As he resigned on 7 December 2023 with immediate effect, the report is submitted by the current mandate holder, Elisa Morgera. |

Annex

 Report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change on his visit to Honduras

 I. Introduction

1. Pursuant to Human Rights Council resolution 48/14, the Special Rapporteur on the promotion and protection of human rights in the context of climate change undertook an official visit to Honduras from 18 to 27 September 2023, at the invitation of the Government. Resolution 48/14 mandates the Special Rapporteur to “raise awareness on the human rights affected by climate change, especially of persons living in developing countries particularly vulnerable to climate change […] and encourage increased global cooperation in this regard (para 2 (e)).”
2. The Special Rapporteur chose to visit Honduras as the country has suffered many severe impacts from climate change. Significant proportions of the population have been internally displaced or displaced across international borders due to the impacts of climate change. The Special Rapporteur wanted to particularly look at the human rights implications of climate change displacement during his visit.
3. During the 10 day visit, the Special Rapporteur met with the Minister for Human Rights, the Minister for Tourism, the President of the Congress, the head of the Congress Environment Committee and officials from the Ministry of Foreign Affairs and International Cooperation, Vice Minister of Natural Resources and Environment (SERNA), Honduran Institute of Geology and Mines (INHGEOMIN), the General Direction of Environmental Evaluation and Control (DECA), the National Coordination of Original and Afro-Honduran Peoples (CONAPOA), the Secretary of Agriculture and livestock (SAG), the Forest Conservation, Protected Areas and Wildlife National Institute (ICF), the National Public Prosecutor’s Office (Head of the Special Environmental Prosecutor's Office, Head of the Special Prosecutor's Office for the Protection of Ethnic Groups and Cultural Heritage and Head of the Special Prosecutor's Office for Human Rights), and the National Human Rights Commission (CONADEH). He also met with a number of UN entities, both in person and on-line, as well as with representatives from the diplomatic corps. He further met with many civil society organizations who provided invaluable information on the implications that climate change is having on the enjoyment of human rights for people in Honduras.
4. The Special Rapporteur would like to thank the Government of Honduras for their invitation to visit the country and for the cooperation provided to him before and during the visit. He would particularly like to thank the communities he visited for being so accommodating and frank about their circumstances. Many of these brave and resilient people live in constant fear of intimidation and violence. The Special Rapporteur wishes to thank the many civil society organizations who facilitated meetings and who were able provide important information associated with human rights and climate change in Honduras. Lastly, he wishes to express his gratitude to the extraordinary support provided during the visit by the country office of the Office of the United Nations High Commissioner for Human Rights in Honduras, his colleague from the Geneva Office from OHCHR and the interpreters.
5. The current report builds on the Special Rapporteur’s preliminary observations[[3]](#footnote-4) shared at a press conference in Tegucigalpa on 27 September 2023.

 II. Climate change in Honduras

1. Honduras is highly exposed and vulnerable to the impacts of climate change; it is one of the most vulnerable countries in the world. Climate change impacts have generated significant delays in the country’s economic and social development and has serious implications for the enjoyment of human rights by its population. Climate change is increasing global mean temperatures, intensifying weather events such as floods, heatwaves, and droughts, and raising sea levels. Climate change leads to destruction of crops, houses, and deepening of poverty, and there has been poor institutional response to these events. Honduras has suffered significant losses due to excess rain (floods), tropical hurricanes (windstorms, floods and landslides), and droughts.
2. These climate change induced disasters will become more severe as the global temperature increases. Honduras has recently experienced the worst droughts, hurricanes and floods in over 40 years. Honduras suffered enormous damage from Hurricane Mitch in 1998 which killed 8000 people. Hurricane Mitch was rated the most destructive tropical storm in the Caribbean region in 200 years. This was followed by Hurricanes Eta and Iota in 2020. These hurricanes caused an enormous amount of damage from flooding, coastal erosion, landslides and wind damage. They also exacerbated existing economic and social challenges. Fisherfolk who lost their houses following these storms have been moved far away from the coast, and farmers who lost their houses due to landslides have been moved from rural to urban areas, affecting their livelihoods.
3. Droughts also pose a significant threat to the livelihoods of Hondurans, particularly farmers and those in the Dry Corridor. The Special Rapporteur learned that there used to be two annual harvests in the Dry Corridor, but now there is only one. Additionally, when it rains, the rain is so heavy it often destroys the harvest. The privatization of water and its use in industrial agriculture creates further difficulties accessing water.
4. Sea level rise is affecting both the Pacific and Caribbean coast. On the Pacific coast, sea level rise due to changes in trade winds and thermal expansion of the warming ocean has caused considerable damage, destroying entire villages. In the Sula valley, massive flooding caused by Hurricanes Eta and Iota caused enormous damage to houses, infrastructure, livestock and crops. These two hurricanes also caused significant coastal erosion on the Caribbean coast, with many houses being lost to the sea.
5. Beach erosion is affecting tourism, with implications for the economy in Honduras. Additionally, global warming has led to loss of corals. The coral reefs are also important for tourism. Hurricanes also affect tourism, as they lead to the cancellation of trips.
6. An estimated 2.8 million Hondurans have humanitarian needs, including food insecurity and violence, the effects of climate change and disasters.[[4]](#footnote-5) Approximately 70% of those in need are women, the majority live in rural areas, live in poverty and have difficult access to public services.
7. The Honduran government has stated that the right to a healthy environment is a priority area. However, the situation is challenging, not least because parts of the territory are being controlled by private entities who operate mining and deforestation projects. There has been a lack of adaptation efforts in the last decade, including to prepare for storms. The new government has worked with communities to build shelters and has reactivated emergency committees. However, the government has stated that it needs international support to tackle the impacts of climate change. Honduras has a high level of debt, in part caused by climate change, and is stuck in a poverty trap.
8. The Government of Honduras has noted that climate change, together with other factors such as organized crime and drug trafficking, impact on the State’s ability to uphold human rights. [[5]](#footnote-6)

 III. Key thematic issue for the visit

1. Following from the report which the Special Rapporteur presented to the Human Rights Council in June 2023 focusing on climate change induced displacement[[6]](#footnote-7), he was particularly interested in such displacement. The Special Rapporteur therefore wanted to examine the impacts of climate change and the subsequent human rights implications on communities in Honduras, and whether the impacts were driving people to be internally displaced and/or displaced across the national border. He was also interested in considering the overall impacts of climate change and whether an assessment of the loss and damage from climate change was being considered.
2. Many of the impacts of climate change are being felt by communities and the Special Rapporteur was interested in investigating community actions to defend their human rights, including the right to a clean, healthy and sustainable environment, and how these environmental human rights defenders were being treated. Other issues arose during his visit, including the impacts of new mitigation technologies such as hydroelectric dams, whether the carbon market would be an effective mitigation tool, and whether the environmental implications of mining for minerals needed for the renewable energy industry was having human rights implications.

 IV. Community visits to observe climate change impacts

1. During his time in Honduras, the Special Rapporteur was able to visit a number of communities in various parts of the country that have suffered the impacts of climate change.

 A. Lajas Blancas, Nacaome

1. The first community the Special Rapporteur visited was Lajas Blancas, Nacaome, in the Dry Corridor region. This community has suffered a prolonged drought which has made it extremely difficult to grow crops. The growing season is no longer spring as it used to be. The community has lost access to water as their wells have dried out. Access to other sources of water is limited due to industrial agriculture which uses most of the available water. As a result, the community is forced to buy water for consumption from Nacaome. Civil society has proposed to the government the regularization of the available water, as there are three rivers passing by but most of the water is directed to the agriculture industry that is aimed to be exported, not leaving enough water for locals. The lack of water creates conflicts, either with companies or in the communities, as families have to take turn using the well. Members of the community also see themselves forced to buy fertilizer, as the soil no longer has enough nutrients due to desertification. As a consequence of the drought, 80% of the community have migrated out of the country. Internal migration is limited as there few opportunities for farmers in Honduras. Some families manage to survive thanks to remittances that their family members send from abroad. The community was also concerned about mining and the contamination of water supplies.
2. The community members informed the Special Rapporteur that while some families have received grants from the government, not all families received such grants, and the support was not sustainable. They alleged that no grants were given to environmental human rights defenders in the community who were opposing mining projects. They further stated that they are facing threats, prosecution and murders for their activism.

 B. Cedeño

1. The Special Rapporteur visited the Pacific coast village of Cedeño, where the village has been inundated by the sea. Houses have been completely destroyed as the sea has risen and moved inland. The local school has been filled with beach sand and destroyed. The water supply has been contaminated by sea water. As a result, water for consumption has become an important part of the community’s basic expenses. A shrimp processing factory was destroyed by sea level rise and the community expressed concern that chemicals used in the factory have contaminated the waters around Cedeño. As a consequence, fisherfolk have had to fish further out to sea and face disputes over fishing grounds from fisherfolk from neighbouring countries.
2. In Cedeño, the Special Rapporteur heard testimonies from women whose children have migrated as the sea level rise has destroyed their businesses. Most of the community is elderly as the majority of young people have migrated to seek better economic opportunities. These older people struggle to survive and face enormous challenges. For instance, in several cases families had not yet finished paying the loan on their businesses when the sea destroyed them, making these women fall into a debt that they struggle to pay.
3. Community members noted that they are asking for the establishment of a law on forced displacement, a national policy on resettlement, a national loss and damage mechanism, urban and rural planning, adequate health services and active participation of affected communities. They also informed the Special Rapporteur that the government had a fund to build a sea wall, a sewage system and running water, but it was never implemented.

 C. Reitoca

1. The Special Rapporteur visited the town of Reitoca in the Dry Corridor where community members, particularly Lenca Indigenous People, were trying to protect their local river from being developed for hydroelectric dams. They were also concerned about mineral exploitation affecting their rivers. They want their rights under ILO Convention 169 (Indigenous and Tribal Peoples Convention) to be respected. This community has already witnessed the impacts of a long drought and loss of water. They have suffered from droughts and are gravely concerned that they will lose all access to their water if the hydroelectric dam project is completed. Furthermore, the Lenca Indigenous People have strong beliefs that damming rivers contravenes their cosmovision of the world where the natural system is paramount.
2. These environmental human rights defenders have suffered continuous persecution and criminalization from what they believe to be dam company representatives, the police and the military. A number of community members face sentences for alleged crimes which they deny they have committed. The communities stated that there were no free, prior and informed consent provisions being applied to the developments associated with the dam. Members of the Lenca Indigenous People are not recognized as being Indigenous. Other tactics are being used to divide the community. Some community members are given fertilizer while the human rights defenders are not. These methods of divide and conquer are typical tactics employed by companies to promote their projects. Women human rights defenders reported that they live in fear for their lives as they are continuously threatened and they have been removed from the protection of the National Protection System for Human Rights Defenders, Journalists, Social Communicators and Justice operators.

 D. Tocoa

1. The Special Rapporteur met with community members from Tocoa (Department of Colón) who are particularly concerned about mining in the nearby Montaña de Botaderos Carlos Escaleras Mejía National Park, which is causing deforestation and hence contributing to climate change. In addition to deforestation, water sources are affected, since the project is located in the buffer zone of a protected area. The whole ecology of the park is being affected by the mine. The Special Rapporteur was able to observe images of the mining operation and was quite concerned that such a destructive operation is allowed to be undertaken in a national park. It would appear that the mine waste is contaminating the river. This mine waste is being concentrated due to low river flows from an extended drought due to climate change. The community was further concerned about the impact of extreme rainfall from hurricanes, which may cause much greater river contamination from the mine.
2. Community members reported that there are 41 applications for mining exploration. They fear that the park will be destroyed. The Special Rapporteur was further told that the environmental measures implemented have not been sufficient, as the environmental impact assessments (EIAs) have historically favoured the companies.
3. The community members who were opposed to the mine were being persecuted by various municipal officials, company representatives and gangs being hired to harass them. Between January and September 2023, three environmental human rights defenders in the community were killed. Members of their community known as the Guapinol Eight were arbitrarily arrested and placed in pretrial detention in 2019, their release did not occur until February 2022. Additionally, 42 people were displaced from the community, due to violence resulting from their efforts to protect the environment. The community believes that public officials in the region are corrupt and are being manipulated by the mining company. The community lives in a culture of fear and they suffer psychological trauma. The community have approached the Environment Minister for help, but they reported that there had been no efforts to close the mine.
4. In addition to the mining operation, the community is losing access to water due to large agro-industrial developments such as the production of African palm, which uses large quantities of water. This deprives the community of the right to water for their own domestic and small farm use. This means that the region suffers from a lack of staple food production, hence denying the community the right to food.

 E. Jilamito, Arizona

1. The Special Rapporteur visited community members from Jilamito, Arizona who have banded together to protect the Rio Jilamito and to protest against the development of a hydroelectric dam. They have been protesting for over 6 years. Climate change is a reality for them, historically they had a lot of water and fertile land, but now they lack water, and the water reservoirs have diminished drastically. They are also concerned about mining, which they believe is destroying the upper part of the mountain.
2. Five members of the community, including the local mayor, have been criminalized for protesting against the dam and defending their river against the hydroelectric company. They faced court the week after they met with the Special Rapporteur, charged with “misappropriation” (“usurpación”). Following the criminal proceedings, they were acquitted. They consider that the land is not suitable for hydroelectric dams because of the high vulnerability of the region to heavy rain and erosion due hurricanes. This view has been supported by the Ministry of Natural Resources and Environment (SERNA), although it appears that there is intention to build the dam anyway. The Special Rapporteur was informed that the area has already been declared as protected, but still hydroelectric dams have been built. The reserve has been privatized, and there is no surveillance by the authorities. The project is being sold as development for the local community, but community members clearly stated that this is not true, noting that the company will take 99% of the power produced.

 F. El Socorro, El Progreso

1. The community of El Socorro, in El Progreso, which was heavily affected by Hurricanes Eta and Iota, was the next community the Special Rapporteur visited. Much of their land was flooded following the hurricanes, the community lost almost everything and had to rebuild. A major effort was carried out by community members in boats to rescue people from the roofs of their houses. Some relief was provided to the community in the form of temporary housing and water tanks, but these temporary houses are unsuitable for long term habitation. There was considerable sickness from mosquito borne diseases after the floods.
2. Community members regretted that the government has no focus on prevention. They noted the need for a rescue corps and equipment, comprehensive attention to watersheds, maintaining buffer zones and relief outlets. They also noted the need for reforestation. They further expressed concern about mining concessions, noting that there have been no limits to how many concessions are provided, and mines are polluting their river.
3. The Special Rapporteur was told that families have migrated overseas after the floods with only older members of the community remaining. The community wants to see flood shelters built and support given to build houses on stilts so that floodwaters can pass underneath.

 G. La Lima

1. The Special Rapporteur visited the Filadelfia neighbourhood of La Lima which was also seriously affected by floods caused by Hurricanes Eta and Iota. Ninety-six percent of the community was inundated by floodwater. Many houses remained abandoned due to the serious damage and large amounts of mud deposited in their homes. The community hall was still unusable during the Special Rapporteur’s visit because of the thick layer dried out mud that covered the floor. Part of the primary school was still unusable due to flood damage. For ten days following the floods, the La Lima community was isolated from the rest of the country. Thirty percent of the community members have migrated away because they cannot afford to restore their homes.

 H. Travesía and Bajamar

1. The Special Rapporteur visited the communities of Travesía and Bajamar on the Caribbean coast, which are predominantly made up of the Garifuna people. Their coastline has been heavily eroded from the storm surges caused by Hurricanes Eta and Iota. Many houses in the Bajamar region have been washed into the sea. Flooding caused by the hurricanes caused considerable damage to the land and created new river courses which had never previously existed. These water courses have become breeding grounds for mosquitoes and insect borne diseases. The community has been fighting for land security and opposing major developments on their land.
2. The Garifuna community are seeking support to build a purpose-built hurricane shelter on a nearby hillside and a new bridge at Barrio Titabla as they fear the current bridge will be washed away. They are also concerned about upstream mining and hydroelectric dams as this affects the water flow, which is critical for maintaining deep channels in the rivers and avoiding flooding of their land. In addition to the impacts of climate change, the coastline between Travesía and Bajamar is covered in plastic waste which has washed down from neighbouring countries.
3. The Garifuna work to defend the environment, and as a result they face threats. Some choose to leave, while others are prosecuted for their activism. The Special Rapporteur was informed about several attacks against Garifuna people. On 18 July 2020, four members of the nearby community of Triunfo de La Cruz, Tela, were forcibly disappeared and their whereabouts remain unknown. The local community believes that the military was involved. The Garifuna want to prevent the construction of hydroelectric dams, and have been attacked for defending their ancestral territories and the environment. It was reported that 150 Garifuna people have been killed since 2018. During the Special Rapporteur’s visit to Honduras, one Garifuna leader was attacked in her home.

 I. San Pedro Sula Returned Migrant Center

1. The Special Rapporteur visited the San Pedro Sula Returned Migrant Center, which is operated by the Ministry of Foreign Affairs with support from the International Organization for Migration (IOM). He was informed that flights with migrants who are deported from abroad arrive at San Pedro Sula airport every day. All adults come to this centre, while families are taken to another centre (Belen), where the National Directorate for children and families and Red Cross provide support.
2. The Special Rapporteur met with and heard the stories of people who have migrated due to climate change. Some of the people who tried to migrate abroad and who have been returned to Honduras are poor farmers who left their farms because of food insecurity due to droughts or floods. These people are not recognised as refugees and were sent back to Honduras. They told the Special Rapporteur stories of degrading treatment in the country of destination. The Special Rapporteur was able to interview some of the returnees who had just landed from a plane. They had many tragic stories to tell about why they migrated. Many migrated due to climate change, others due to poverty, lack of jobs or to escape gang violence.

 V. The impact of climate change on human rights in Honduras

 A. Development Projects

1. Honduras is one of the poorest countries in the Western Hemisphere. Climate-induced weather events have a significant negative impact on its economic and social development. At the same time, the Honduran economy depends largely on agricultural exports which contribute to climate change. For instance, coffee is an important product for exportation, but it is also a driver of deforestation. Mining and dams also have negative environmental impacts.
2. The Honduran government has had to deal with a legacy of many years of mismanagement and corruption by the previous administration. This has led to the granting of mining leases, hydroelectric dams and large-scale industrial agriculture, particularly African palm concessions, without giving due consideration to the sustainability of these enterprises and their effects on the rights of local communities. In the north of the country, African palm oil is now the main crop. It has replaced the production of staple foods such as corn and beans, thus exacerbating food insecurity. Agroindustry, forest logging and mining are generating more vulnerabilities, including landslides. Extractivism has been presented as an alternative to poverty, but members of affected communities who disagree and who oppose these projects due to their negative impacts are often subject to criminalization.
3. The Special Rapporteur was informed that no new mining concessions have been granted, but the companies that already have permits can continue mining. He also heard reports that some companies continue mining even though their concessions have expired. The Special Rapporteur further heard that there is no transparency relating to mining concessions, and while the government promised to review all existing concessions, this review has not yet taken place.
4. The Special Rapporteur heard many concerns relating to the building of hydroelectric dams. While it is important to develop alternative sources of energy, this should not be done at the expense of the affected communities. Community concerns about hydroelectric dams must be carefully considered. There are alternative less harmful ways of generating hydroelectricity without the need to construct large scale hydroelectric dams. Alternatives include run of river power generation and off river pumped hydro. Other, more sound sources of renewable energy and energy efficiency are also possible.
5. The effects of climate change do not seem to have been taken into account in prior development strategies over the last decade or more. As a consequence, many communities have suffered water loss, water contamination, flooding and drought and in some places, coastal erosion, landslides and sea level rise. These combined effects, due to a laissez-faire approach to development, particularly in favour of private enterprises by the previous government, has meant that a large percentage of the population has suffered. Nevertheless, not all blame can be placed on the previous government. The Special Rapporteur heard many claims that the current government is yet to deliver on its promises and that certain private enterprise interests still hold a strong sway within the government.
6. The Special Rapporteur heard many concerns about the role and impact of transnational corporations. He was informed that corruption and fraud are important factors in so-called development projects, and that environmental licenses have been very flexible, with no adequate supervision. He also heard that some people migrate because they have been evicted from their lands by these corporations. The Special Rapporteur noted with concern plans to reduce national parks to give transnational corporations rights to exploit the land.
7. The Special Rapporteur shares the concern expressed by the Working Group on the issue of human rights and transnational corporations and other business enterprises at the lack of a robust legal and policy framework to protect against business-related human rights abuses, in a context in which development projects and investments appear to have outpaced protection of people and the environment. [[7]](#footnote-8) He urges the Government to implement the relevant recommendations made by the Working Group following its visit to Honduras.

 B. Climate change displacement

1. Migration and displacement results from climate change events such as tropical storms and droughts. However, there are various reasons why people are displaced. Displaced people are also impacted by poverty, crime, gangs and food insecurity. In all the communities the Special Rapporteur visited, he heard testimonies of how people have migrated away and crossed the national border to seek better opportunities. He saw abandoned houses where families have moved away.
2. A large number of people left Honduras after hurricanes Eta and Iota. The Special Rapporteur heard that the migrant caravan of people leaving Honduras and heading north in the aftermath of these hurricanes was brutally repressed. Eta and Iota are still causing migration related to the lack of rights in emergency contexts, problems related to recovering livelihoods, and uncertainty and psychological trauma related to future storms. There is also a risk of displacement related to territorial conflicts for both Garifuna, the Lenca Indigenous Peoples and farmer communities who are opposing hydroelectric dams or mining concessions.
3. Young people appear to represent the greatest majority of migrants who leave due to the impacts of climate change. Climate change has left them with little choice but to migrate. This leaves older people to fend for themselves under considerable hardship. The resilience of these people is extraordinary. Some families receive remittances but others do not, as the migration journey is treacherous and there is no guarantee that they will find work when they get to their destination.

 C. Climate change legislation and policies

1. The Special Rapporteur was told that while there are many laws and policies relevant to climate change, they are not effectively implemented. Additionally, the fragmented approach exacerbates vulnerability. Both the legislative and institutional approaches to climate change are fragmented, with various pieces of legislation and government bodies involved. The Special Rapporteur was also made aware of the lack of institutional capacity, human and financial resources for implementation of existing policies. There is also a lack of data, which makes it difficult to effectively address climate change. The Special Rapporteur also heard concerns that public policies are not coordinated or comprehensive.
2. Another concern shared with the Special Rapporteur was that there is a lack of environmental awareness of the judiciary. While there are specialized prosecutors, environmental crimes are tried before general courts rather than special courts.
3. According to testimonies the Special Rapporteur heard, it is evident that the Decree no. 297-2013 (Law on Climate Change) is outdated and needs to be revised to properly reflect the climate change emergency that is facing Honduras. While the law establishes necessary regulations to respond appropriately to climate change impacts, it does not establish any sanctions or any way to cancel projects. The government needs to establish a clear plan to address the impacts of climate change.

 D. Environmental Human Rights Defenders

1. Honduras is one of the countries in the world most affected by attacks against environmental human rights defenders. At the time of his visit, the Special Rapporteur learned that there had been over 200 attacks so far in 2023, more than the total number of attacks in 2022. Approximately 40% of the environmental human rights defenders victims are indigenous or afro descendants. Many live in the coastal areas in the north where there are many land conflicts. The perpetrators are often unknown, and frequently linked to organized crime.
2. The Special Rapporteur was deeply concerned that environmental human rights defenders have suffered serious intimidation and abuses, including homicides and physical and phycological attacks on their well-being. Many communities live in a culture of fear and psychological trauma due to constant intimidation. Some have been persecuted by the government and corrupt officials and have been subjected to criminal proceedings for defending their rights to a sustainable livelihood. They are often accused of opposing development. The Special Rapporteur heard that laws are being misused to imprison them, such as the misuse of the provision of “forced displacement” or “misappropriation” (usurpación). He learned that the forced displacement crime was initially applied to gangs who force people to move or threaten them. However, as the definition is not clear, in the last few years this criminal provision has been used to prosecute environmental human rights defenders, as they “force” the companies to be displaced. This practice continues today. People still live in fear from corrupt officials and companies that allegedly use criminal gangs to intimidate and attack people who are trying to defend their human rights, including the right to a clean, healthy and sustainable environment. Much more needs to be done to protect these people.
3. The Special Rapporteur strongly encourages Honduras to become party to the Escazu agreement, as this could help the country become a safer place for environmental human rights defenders. The Escazu agreement provides the right to access to environmental information, public participation in environmental issues, access to justice in environmental issues, and the protection of environmental human rights defenders.

 VI. Conclusions and recommendations

1. **Climate change is negatively impacting human rights in Honduras, including the rights to water and sanitation, food, culture, education, healthy environment, health, work and adequate housing. The costs of climate related events and the lack of capacity to address climate change seem to be the main problems. Many communities face the combined impacts of climate change, mining, hydro-electric dams, deforestation and large scale agro-industries, such as African palm plantations.**
2. **Indigenous Peoples, as well as Afro descendants who mainly live in the Atlantic Coast region, are highly vulnerable to the impacts of climate change, as their way of life is closely linked to the ecosystem. Other groups are also disproportionately affected by the impacts of climate change, including persons with disabilities, children and women, in particular rural women. Concerning indigenous women in particular, the Special Rapporteur shares the concern expressed by the Committee on the Elimination of Discrimination against Women at the lack of consultations with Indigenous women on large-scale projects, including agro-industrial and hydroelectric projects undertaken by foreign investors and private enterprises on Indigenous lands and using their natural resources, as well as the adverse impact of climate change on rural and Indigenous women.[[8]](#footnote-9)**
3. **People in the communities believe that the government is not doing enough to provide support for the poorest people in the country, many of whom are farmers. There are extremely high rates of malnutrition in Honduras. Rivers dry up and are contaminated from mine waste and overuse by agro-industries, meaning that a large percentage of the population does not enjoy the human right of access to safe drinking water.**
4. **Intimidation and attacks against environmental human rights defenders is an issue of great concern to the Special Rapporteur. During his short visit, three environmental human rights defenders were attacked, one of them killed. Honduras is one of the most dangerous countries in the world for environmental human rights defenders.**
5. **The Special Rapporteur welcomes the efforts made by President Castro and her government to make significant social changes after many years of neglect and corruption by the previous government. While welcoming these efforts, it is very evident that not enough is being done to address the impacts of climate change. While the government gives priority to climate change and human rights, concrete results are lacking. There does not appear to be strategic investment in building climate change resilience and establishing long term climate change planning.**
6. **Much of the responsibility for addressing the human rights impacts of climate change should fall on the world’s major greenhouse gas polluters. They have three clear responsibilities: a) urgently and dramatically reduce their emissions, b) provide adequate support for adaptation strategies in vulnerable countries, and c) provide comprehensive finance for an effective loss and damage to support those who have been impacted by climate change.**
7. **Honduras is one of the poorest countries in the Western Hemisphere, making it difficult to deal with the impacts of climate change. The country needs access to loss and damage funding. The international community, particularly the major greenhouse gas polluters must take full responsibility for the harm they have created and not sidestep their obligation to support loss and damage.**
8. **Domestically, the Special Rapporteur’s observations suggest that there are some key steps that the Honduras government should take to address the human rights implications of climate change more effectively. These include:**
9. **Revise and update the environment act (Ley general del ambiente), the forest law (ley forestal), the Law on Climate Change and the national climate change plan in order to properly and comprehensively address the impacts of climate change and to build far greater resilience measures.**
10. **Be active in discussions around the implementation of the loss and damage fund and seek sources of finance to address the loss and damages suffered by the country.**
11. **Consider establishing a climate change relief trust fund to provide targeted finance for the most affected and poorest communities. An independent advisory group should be established to provide guidance on where the trust fund money should be spent.**
12. **Negotiate for debt forgiveness for climate change action as a means of providing finance for the climate change relief trust fund.**
13. **Carefully consider whether hydroelectric dams are suitable for a mountainous country which is highly exposed to the impacts of hurricanes, and consider alternative renewable energy technologies that would not affect people’s right to safe, affordable and reliable drinking water.**
14. **Ensure that any considerations of developments such as mines or hydroelectric dams are done in full consultation with affected communities (including Indigenous Peoples and Afro-Honduran communities) and with the free, prior and informed consent of Indigenous Peoples, including indigenous women.**
15. **As recommended by the Working Group on the issue of human rights and transnational corporations and other business enterprises, remove all legislative and administrative obstacles to the exercise of right of access to information at all stages of environmental licences and the issuing of concessions, adopt a regulatory and institutional framework to ensure the equal and meaningful participation in decisions regarding business projects from an early stage, and ensure protection of the right of people living in rural areas, including indigenous peoples, to possess, use, develop and control their lands, and resources with full security of their land rights.[[9]](#footnote-10)**
16. **Dramatically accelerate its land reform programme to ensure that small landowners affected by climate change are able to properly build a resilient and sustainable lifestyle without the threat of being moved from their land.**
17. **Ensure that all the territories of Indigenous Peoples and the Afro-Honduran community are properly enshrined in law, enforce the law and protect the access and uninterrupted use of the land and territory by these groups.**
18. **Take urgent steps to protect environmental human rights defenders from attacks by business interests, government officials, corrupt police and gang members. The Government must investigate all attacks against these defenders and bring the perpetrators to justice. Laws that are being misused to imprison defenders, such as the misuse of the provision of “forced displacement” or “misappropriation” (usurpación), should be rescinded.**
19. **Undertake major reforms to local administrations and the police force to eliminate corruption and the intimidation of environmental human rights defenders.**
20. **Develop a full understanding of the implications of the carbon market and ensure that it is not undermining its own targets set within its own nationally determined contribution. Trading carbon credits overseas only sells the easy emission reduction targets and allows the major international polluters to continue to pollute.**
21. **Ratify the Escazu agreement to ensure that it provides an inclusive society that is given access to information, justice and the protection of environmental human rights defenders.**
22. **Work with other countries in the region to develop protection measures for people displaced across international borders due to climate change. Expanding the definition of the Cartagena Declaration to include people displaced across international borders due to climate change could be a first step.**
23. **Engage with other countries in the region to create a dialogue with the destination countries to ensure that migrants detained abroad are treated humanely and with dignity.**
24. **Provide shelters and adequate facilities for people returned to Honduras from abroad, until they have a safe situation to return back to the community.**
25. **Consider advocating for an optional protocol under the Refugee Convention to give proper protection to people displaced across international borders due to climate change.**
26. **Implement the UN Declaration on the Rights of Indigenous Peoples and support the efforts of Indigenous Peoples to protect their land from invasive cattle grazing, mining and coca growers and crime gangs, hired militia and corrupt police.**
27. **Strengthen both the budget and the independence of the mandate of the National Human Rights Commission (CONADEH), in order to allow them to continue and expand their important work in the area of human rights and climate change.**

1. \* The summary of the report is being circulated in all official languages. The report itself, which is annexed to the summary, is being circulated in the language of submission and Spanish only. [↑](#footnote-ref-2)
2. \*\* The present report was submitted to the conference services for processing after the deadline due to the start date of the mandate holder/ owing to circumstances beyond the submitter’s control. [↑](#footnote-ref-3)
3. <https://www.ohchr.org/sites/default/files/documents/issues/climatechange/statements/eom-statement-honduras-sr-climate-2023-09-27-en.pdf>. [↑](#footnote-ref-4)
4. https://www.unocha.org/publications/report/honduras/honduras-humanitarian-needs-and-response-plan-summary-2024-december-2023. [↑](#footnote-ref-5)
5. See A/HRC/WG.6/36/HND/1. [↑](#footnote-ref-6)
6. <https://www.ohchr.org/en/documents/thematic-reports/ahrc5334-providing-legal-options-protect-human-rights-persons-displaced>. [↑](#footnote-ref-7)
7. Visit to Honduras - Report of the Working Group on the issue of human rights and transnational corporations and other business enterprisesA/HRC/44/43/Add.2, para 103. [↑](#footnote-ref-8)
8. Concluding observations on the ninth periodic report of Honduras CEDAW/C/HND/CO/9 para 42. [↑](#footnote-ref-9)
9. Visit to Honduras - Report of the Working Group on the issue of human rights and transnational corporations and other business enterprisesA/HRC/44/43/Add.2, paras 39 and 109. [↑](#footnote-ref-10)