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STATE REPRESSION OF PEACEFUL PROTEST AT THE PUBLIC PROSECUTOR'S
OFFICE DEMANDING JUSTICE IN THE CASE OF BERTA CÁCERES

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The objective of this Alert is to draw the attention of the international community to the security situation of human rights defenders, including both those who work as international observers and also those individuals and local organizations who engage in peaceful protest to demand justice, self-determination, and the right to consultation with regards to extractivist and hydroelectric projects.

PBI wishes to express its concern regarding the events that took place during the peaceful demonstration of October 20 in Tegucigalpa, in which the violent repression that COPINH and other civil society organizations suffer when exercising their legitimate right to protest was made evident. Minors, elderly persons, journalists, international and national human rights observers, and individuals who benefit from cautionary measures granted by the Inter-American Commission on Human Rights (IACHR) were among the affected parties. Jose Asunción Martínez, member of the coordination of COPINH, was hospitalized after being gravely wounded.

COPINH (The Civic Council of Popular and Indigenous Organizations of Honduras) was founded in 1993 in the southwestern zone of Honduras, with the objective of reviving Lenca culture and defending the environment. Currently, more than 100 communities in the departments of Intibucá, Lempira, and La Paz form part of the organization. These communities defend their political, social, economic, and cultural rights and work to improve living conditions in indigenous towns and communities.

On Thursday, October 20, 2016, local and international human rights organizations and members of the Honduran social movement took to the streets of Tegucigalpa to demand transparency and justice in the case of the murder of Berta Cáceres, former General Coordinator of COPINH. Around 11:00 a.m., the organizations arrived at the entrance of the office of the Public Prosecutor, finding the building encircled by a police cordon. The protesters, including members of the Fraternal Black Organization of Honduras (OFRANEH), peacefully laid out their ancestral symbols in preparation for the performance of a spiritual ceremony in memory of Berta Cáceres.

At approximately 11:50 a.m., threatening to deploy his security forces, the Deputy Police Commissioner in charge of the operation in the area ordered members of the coordination of COPINH to clear at least one lane of traffic in front of the Public Prosecutor's office. According to the event's organizers, a 15 minute time frame for clearing the road was agreed upon. In the meantime, a water cannon and divisions from both the National Police and the "Cobras" (military police), were posted in the middle and on both sides of the street. Without respecting the agreed upon grace period, and while event organizers were actively clearing the road, the Deputy

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Commissioner gave the order to activate the water cannon and fire tear gas at the protesters. Hundreds of people were injured and affected by tear gas fumes as they attempted to flee the scene. Those who found themselves within the reach of the security forces were kicked and beaten with nightsticks.

Volunteers from PBI, who were observing the event, were present during the entirety of the march and subsequently witnessed the disproportionate and violent actions of the authorities.

The events described in this Alert are consistent with the present-day context in Honduras, a context characterized by growing restrictions placed upon human rights defenders in the form of assassinations, threats, harassment, defamation, stigmatization, etc. In this context the work of both local organizations and international accompaniment organizations such as PBI is of great importance and should not be impeded or restrained by events such as those of October 20.

PBI notes that, according to the IACHR¹, the use of police force should be seen as a last resort, and should be governed by principles of proportionality, absolute necessity, and legality. Force should be employed only in an effort to prevent a more serious occurrence than that caused by the state's reaction.

PBI also echoes the IACHR's particular concern, stated in its 2015 report on the human rights situation in Honduras, in which the commission laments "the ever more common trend towards the use of force to contain social protests and public demonstrations that seek to give an outlet to discontent and demands that refer, *inter alia*, to the construction of large infrastructure works, exploitation of natural resources by private companies, and struggles to vindicate fundamental rights."²

In light of these events, PBI recommends that the international community:

-Express publicly, by way of the channels considered appropriate, its support for the work of human rights defenders in Honduras and their right to peaceful protest

-In particular, we recommend that diplomatic missions, Foreign Affairs Ministries, and international cooperation agencies demand clarifications from the competent authorities with regards to the reported incidents, pressing for an immediate, impartial, and exhaustive investigation of the repressive actions described above

-We invite international authorities to pressure the Honduran government, and in particular the National Human Rights Commission (CONADEH), to take a stance on these incidents and to publicly defend the work of human rights defenders, especially those who benefit from cautionary measures granted by the IACHR, reminding the State of its obligation to protect both the individuals themselves and the rights recognized in the Honduran constitution and in various treaties, pacts, and international conventions along with their respective optional protocols

¹Inter-American Commission on Human Rights. Annual Report 2015, Chapter IV. A. Use of Force. <https://www.oas.org/en/iachr/docs/annual/2015/doc-en/InformeAnual2015-cap4A-fuerza-EN.pdf>

²Inter-American Commission on Human Rights. Annual Report 2015, Chapter IV. A. Use of Force, pg. 504. *Promoviendo la no violencia y protegiendo los derechos humanos desde 1981*