

**Statement at the conclusion of the country visit to Honduras
by the Special Rapporteur on the promotion and protection of human rights in the context
of climate change, Mr. Ian Fry**

Tegucigalpa, 27 September 2023

As the United Nations Special Rapporteur for the promotion and protection of human rights in the context of climate change, I address you today at the conclusion of my country visit to Honduras, which I undertook at the invitation of the Government of Honduras from 18 to 27 September 2023. I would like to express my deep appreciation to the Government of Honduras for its invitation to my mandate to conduct this visit. I chose Honduras as the country has suffered many 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. I wanted to particularly look at the human rights implications of climate change displacement.

I am tasked by the Human Rights Council (through its resolution 48/14) to study and identify how the adverse effects of climate change affect the full and effective enjoyment of human rights.

During the visit, I 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 Ministry of Foreign Affairs and International Cooperation, Ministry of Human Rights (SEDH), 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). I also met with a number of UN agencies both in person and on-line. I also met with representatives from the diplomatic corps. I 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.

Expression of gratitude

I would like to thank the Government of Honduras for their invitation to visit the country and for the cooperation provided to me during the visit. I would particularly like to thank the communities I 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. I wish 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, wish to express my extreme 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, my colleague from the Geneva Office from OHCHR and the interpreters.

General situation of the country

Honduras is highly exposed and vulnerable to the impacts of climate change. It is one of the most vulnerable countries to the impacts of climate change. Climate change impacts have generated significant delays in the country's economic and social development and has significant 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. Honduras has suffered significant losses due to excess rain (floods), tropical hurricanes (windstorms, floods and landslides), and droughts. 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. In particular, 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 Iota and Eta in 2020. These hurricanes caused an enormous amount of damage from flooding, coastal erosion, landslides and wind damage. Droughts pose a significant threat to the livelihoods of Hondurans, particularly farmers and those in the Dry Corridor. 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 Iota and Eta caused enormous damage to houses, infrastructure, livestock and crops. These two hurricanes caused significant coast erosion with many houses being lost to the sea.

Key thematic issue for the visit

Following from my report to the Human Rights Council earlier this year which focused on climate change induced displacement, I was particularly interested in 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 displaced across the national border. I 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. Many of the impacts of climate change are being felt by communities and I was interested in investigating community actions to defend their human rights, including the right to a safe, healthy and sustainable environment, and how these environmental defenders were being treated. Other issues arose during my visit, including the impacts of new mitigation technologies such as 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

Community visits to observe climate change impacts

During my time in Honduras, I was able to visit a number of communities who have suffered the impacts of climate change. The first community I 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 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 consequence of the drought, 80% of the community have migrated out of the country. Internal migration is limited as there are few opportunities for farmers. The community is also concerned about mining and the contamination of water supplies.

The community says that while some families have received grants from the government, not all families received these grants and the support is not sustainable. They allege that no grants were given to environmental human rights defenders who were opposing mining projects.

I visited the Pacific coast village of Cedeño where the village has been inundated by the sea. Houses were completely destroyed as the sea has risen and moved inland. The local school has been filled with beach sand and destroyed. Their water supply has been contaminated by sea water. A shrimp processing factory was destroyed by sea level rise and the community is concerned 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.

I 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 young people have migrated to seek better economic opportunities. These older people struggle to survive and face enormous challenges.

I visited the town of Reitoca in the Dry Corridor where community members, particularly Lenca Indigenous People are trying to protect their local river from being developed for hydro-electric dams. This community has already witnessed the impacts of a long drought and loss of water. They are gravely concerned that they will lose all access to their water if a dam is built. Furthermore, the Lenca People have strong beliefs that damming rivers contravenes their cosmovision of the world where the natural system is paramount. These 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. There are no free, prior and informed consent provisions being applied to the developments associated with the dam. Other tactics are being used to divide the community. Some community members are given fertilizer while the human rights defenders are not. Members of the Lenca People are not recognized as being Indigenous. These methods of divide and conquer are typical tactics employed by companies to promote their projects. Women rights defenders live in fear for their lives as they are continuously threatened.

I visited community members from Tocoa 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. The whole ecology of the park is being affected by the mine. I 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 waste is being

concentrated due to low river flows from an extended drought due to climate change. The community is further concerned about the impact of extreme rainfall from hurricanes which may cause much greater river contamination from the mine. The community members who are opposed to the mine are being persecuted by various municipal officials, company representatives and gangs being hired to harass the community. Three members of the community have been killed trying to defend their rights to a healthy environment. Members of their community known as the Guapinol Eight were arbitrarily arrested and placed in pretrial detention. They have all been released.. 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 to date there has been no efforts to close the mine.

In addition to the mining operation, the community is losing access to water due to large agro-industrial developments such as 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. As a consequence, forty-two members of the community have migrated.

I visited community members from Jilamito, Arizona who have banded together to protect the Rio Jilamito and to protest against the development of a hydro-electric dam. They have been protesting for over 6 years. Five members of the community, including the local mayor, have been criminalised for protesting against the dam and face court this week. They consider that the land is not suitable for hydro-electric dams because of the high vulnerability of the region to heavy rain and erosion due the hurricanes. This view has been supported by SERNA although it appears that there is intention to build the dam anyway.

The community of El Socorro, in El Progreso, were heavily affected by Hurricanes Eta and Iota and was the next community I visited. Much of their land was flooded and 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 houses are unsuitable for long term habitation. There was considerable sickness from mosquito borne diseases after floods. I 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. They believe that greater efforts must be given to protecting watersheds by planting trees and stopping upstream mining and hydro-electric dams.

I visited the community of La Lima which was also seriously affected by floods caused by Hurricanes Iota and Eta. Ninety-six percent of the community was inundated by floodwater. Many houses remain abandoned due to the serious damage and large amounts of mud deposited in their homes. The community hall is still unusable because of the thick layer dried out mud that covers the floor. Part of the primary school is still unusable due to flood damage. For ten days the La Lima community were isolated from the rest of the country. Thirty percent of the community have migrated away because they cannot afford to restore their homes.

I visited the communities of Travesía and Bajamar which are predominantly made up of the Garifuna people. Their coastline has been heavily eroded from the storm surges caused by Hurricanes Iota and Eta. 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 now become breeding grounds for mosquitoes and insect borne diseases. The community has been fighting for land security and opposing major developments on their land. In 2020, five members of the community of Triunfo de La Cruz, Tela were forcibly disappeared and likely murdered. It was reported that 150 Garifuna people have been killed since 2018. Last week, one of the community leaders was attacked in her home. 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 hydro-electric 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 are covered in plastic waste which has washed down from Guatemala.

I visited the San Pedro Sula Returned Migrant Center and heard the stories of people who have migrated due to climate change. Some of the people who tried to migrate abroad and who are returned are poor people who left their farms because of starvation due to droughts or floods. These people are not recognised as refugees and are sent back to Honduras. They told stories of degrading treatment in the country of destination. I was able to interview some of the returnees who had just landed from a plane. They had many tragic stories to tell. The interviewees all had stories to tell about why they migrated. Some due to climate change, others to escape gang violence.

Preliminary findings

Climate change is negatively impacting human rights in Honduras, including the rights to water and sanitation, food, culture, education, healthy environment, health, work and housing.

It is very evident that the current government has 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, hydro-electric dams and large-scale industrial agriculture, particularly African palm concessions, without giving due consideration to the sustainability of these enterprises and the effects of these enterprises on local communities. It is very evident that the effects of climate change were not taken into account in the development strategies by the previous government. 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 and its administration, has meant that a large percentage of the population has suffered. Nevertheless, not all blame can be placed on the previous government. I heard many claims that the current government has failed to deliver on its promises and that certain private enterprise interests still hold a strong sway within the government.

In all the communities I visited, I heard testimonies of how people have migrated away and crossed the national border to seek better opportunities. I saw abandoned houses where families have moved away. Young people appear to represent the greatest majority of migrants due to the impacts of climate change. Climate change has left them with little choices 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. People in the communities believe that the government is not doing enough provide support for the poorest people in the country. There are extremely high rates of malnutrition, and contamination of water sources from faecal matter, mine waste and overuse by agro-industries mean that a large percentage of the population does not enjoy the human right of access to safe drinking water. According to testimonies I 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. The government needs to establish a clear plan to address the impacts of climate change.

I am deeply concerned that environmental human rights defenders have suffered serious abuses and intimidation including homicides and physical and psychological attacks on their well-being. 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. This continues today. People still live in fear from corrupt officials and companies that allegedly use crime gangs to intimidate and attack people who are trying to defend their human rights to a healthy and sustainable environment. Much more needs to be done to protect these people.

Conclusions and recommendations

I welcome 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. There does not appear to be strategic investment in building climate change resilience and establishing long term climate change planning.

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 c) provide comprehensive finance for an effective loss and damage to support those who have been impacted by climate change.

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. Current negotiations under the Transitional Committee for the loss and damage fund do not suggest that the major polluters are willing to take responsibility for the loss and damage they have created.

Domestically, my 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:

- Update the climate change plan and the Law on Climate Change to properly address the impacts of climate change and to build far greater resilience measures.
- Be active in negotiations around the loss and damage fund and to seek a guarantee that such a fund will provide sufficient sources of finance to address the loss and damages suffered by the country.
- Consider establishing a climate change relief trust fund to support the most affected and poorest communities. A non-political advisory group should be established to provide guidance on where the trust fund money should be spent.
- Negotiate for debt forgiveness for climate change action as a means of providing finance for the climate change relief trust fund.
- Carefully consider whether hydro-electricity dams are suitable for a mountainous country which is highly exposed to the impacts of hurricanes. Community concerns about hydro-electric dams must be carefully considered. There are other renewable energy technologies that are less harmful to local communities.
- Ensure that any considerations of developments such as mines or hydro-electric dams are done with full consultation with affected communities (including Indigenous Peoples and Afro-Honduran communities) and with their free, prior and informed consent.
- Dramatically accelerate its land reform program 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.
- Ensure that the territories of Indigenous Peoples and the Afro-Honduran community are properly enshrined in law.
- Take urgent steps to protect environmental human rights defenders and rescind laws that are being misused to imprison them, such as the misuse of the provision of “forced displacement” or “misappropriation” (usurpación).
- Undertake major reforms to local administrations and the police force to eliminate corruption and the intimidation of environmental human rights defenders
- 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.
- 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.
- 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.

- Engage with other governments in the region to create a dialogue with the destination countries to ensure that migrants detained abroad are treated humanely and with dignity.
- Provide shelters and adequate facilities for people returned to Honduras until they have a safe situation to return back to the community.
- Consider advocating for an optional protocol under the Refugee Convention to give proper protection to people displaced across international borders due to climate change.
- 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.