

[IACHR | Settlement in case of murder of Honduran Environmental Defender Carlos Escaleras](#)

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In a victory for human rights defenders, the Inter-American Court on Human Rights approved a settlement between the Honduran government and the family of the killed environmental rights defender Carlos Escaleras. The settlement includes progressive measures not only to bring justice to the Escaleras family, but also to challenge the stigmatisation of human rights defenders.



On 20 November 2018, the Inter-American Court on Human Rights ('the Court') [approved the settlement in the case *Escaleras Mejía et al. v. Honduras*](#). The case concerned the 1997 killing of Carlos Escaleras, a mayoral candidate who was a proponent of the movement fighting for the environment. Escaleras had also led protests against government decisions that would have impacted the environment negatively. Before his death, Escaleras was threatened, pressured and offered bribes to withdraw his candidacy.

The Court found the State responsible for Escaleras' death as well as for ongoing impunity in regard to the crime (despite the conviction of two people in relation to the case). The Court found that the State had not exhausted all methods of investigation and that the investigation itself was unreasonably delayed. In addition, the Court places the death of Escaleras in a context of violence experienced by environmental defenders in the country, which [continues to this day](#).

'The Escaleras settlement and ruling are a positive step forward for human rights defenders everywhere,' said Michel Forst, UN Special Rapporteur on the situation on Human Rights Defenders. 'The Court took the context in which defenders work into account and issued a ruling addressing many of the pressing issues for defenders, including physical attacks and stigmatisation.'

Forst had filed [an amicus brief](#) to the Court. His amicus brief reiterated the standards contained in the [UN Declaration on Human Rights Defenders](#). In addition, the amicus brief cited his reports related to the situation of human rights defenders.

The Honduran government recognised its role in Escaleras' death and related human rights violations and agreed to take the following steps, amongst others:

1. To disseminate a documentary about the life and work of Carlos Escaleras as a human rights defender

2. To continue providing a course on environmental issues to secondary school teachers;
3. To guarantee the secondary and university education of Escaleras' children
4. To pursue investigations to define responsibilities, clarify the facts completely and, where appropriate, judge and punish the material and intellectual responsible. Honduras must remove the obstacles that maintain impunity, allow the participation of the victims and provide them with a report on the progress of the investigations
5. To approve and implement a protocol of due diligence for the investigation of crimes committed against human rights defenders and provide update on steps taken for the implementation of the protocol and its compliance status

'This settlement is welcome in requiring the State to take steps in regard to challenging impunity in this particular case and more generally, as well as taking measures to promote the work of defenders,' said ISHR's Helen Nolan.

'Disappointingly, however, in the settlement the Court still characterises the right to defend human rights as a set of rights the State must uphold, rather than a stand-alone right. We'd like to see the Court to acknowledge the right to defend human rights as a stand-alone right, as a means to deepen the guarantees for defenders,' she noted.

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