

Press Release

Inter-American Court of Human Rights

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INTER-AMERICAN COURT APPROVES FRIENDLY SETTLEMENT IN THE CASE *ESCALERAS MEJÍA ET AL. V. HONDURAS* CONCERNING THE KILLING OF AN ENVIRONMENTAL ACTIVIST

San José, Costa Rica, 20 November 2018.- In the judgment published today in the Case *Escaleras Mejía et al. v. Honduras* the Inter-American Court of Human Rights (hereinafter, “the Court”) approved and gave full legal effects to the friendly agreement that was reached by Honduras and the legal representatives of the family members of Mr. Escaleras Mejía. The official summary of the judgment can be found [here](#) and the entire text of the judgment [here](#) (in Spanish).

The Court found the Honduran State responsible for the death of the environment defender Carlos Escaleras Mejía, as well as for the situation of partial impunity concerning his death. Additionally, the Court declared that Honduras was responsible for the violation of Mr. Escaleras’ political rights and freedom of association, as well as for his relatives’ right to integrity.

The Court made special reference to the context of violence against environmental defenders during the period when the events took place, stressing that several situations of illegal exploitation of the great environmental heritage and biological diversity of Honduras were reported. In this regard, the Court put special emphasis on the situation of insecurity of environmental defenders which at present remains the same. The Court also stressed the importance of the work of human rights defenders, which is fundamental to the strengthening of democracy and rule of law and which justifies a duty of the States to guarantee them special protection. In this regard, the Court reiterated that the respect for human rights in a democratic State depends mainly on the effective and appropriate guarantees that human rights defenders can benefit from, so that they can freely act, and that it is appropriate to pay special attention to acts that may limit or curtail the work of human rights defenders. The Court noted that, due to their relevant role in the society, human rights defenders substantially contribute to the respect for human rights and they are actors that complement the role of the States and the Inter-American System as a whole. The Court recalled that human rights defenders should benefit from special protection by the States, since the defense of human rights can only be freely exercised when these persons are not victims of threats or any other physical, psychological or moral aggression or any other kind of attack.

The facts of the case took place in the city of Tocoa on 18 October 1997. Mr. Escaleras was deprived of his life when two persons shot at him from the back. Mr. Escaleras was candidate for mayor at the Tocoa municipality, where elections were going to take place in November 1997. Before his death he had been subject to pressures, threats and offered money in exchange of withdrawing from the electoral campaign and from the movement fighting for the environment. Furthermore, several months before his death he had lead the protests against the decision to build military facilities where a watershed was located.

The authorities initiated an investigation on Mr. Escaleras' death. Despite the fact that two persons had been convicted for the events of the present case, the State acknowledged that during domestic proceedings there were several shortfalls, irregularities and omissions that contributed to the delay of the convictions and the lack of clarification of the motives of the crime and to the fact that the situation of partial impunity still continued.

By virtue of the reached agreement between the parties, the Court approved the agreed reparations. Among these reparations the State must broadcast a documentary on the life and work of Mr. Escaleras as a human rights activist; continue implementing training programs on environmental issues to secondary school teachers; comply with the terms set in the trust that was provisioned in favor of Mr. Escaleras' sons with the aim of guaranteeing their secondary and university education; carry out and continue in a diligent manner with all the investigations and necessary steps to determine responsibilities as well as to completely clarify the facts surrounding Mr. Escaleras' death and, in that case, prosecute and punish the direct as well as the intellectual perpetrators.

The Court's composition for the sentence included the following: Judge Eduardo Ferrer MacGregor Poisot, President (Mexico); Judge Eduardo Vio Grossi, Vice-President (Chile); Judge Humberto Antonio Sierra Porto (Colombia); Judge Eugenio Raúl Zaffaroni (Argentina); and Judge Patricio Pazmiño Freire (Ecuador). Due to *force majeure* reasons accepted by the Plenary of the Court, Judge Elizabeth Odio Benito (Costa Rica) did not participate in the deliberation and adoption of this judgment.

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