

Press Release

Inter-American Court of Human Rights

I/A Court H.R._PR-68/2022 English

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I/A Court H.R.

Protecting Rights

HONDURAS IS RESPONSIBLE FOR THE EXTRAJUDICIAL EXECUTION OF HERMINIO DERAS GARCÍA, A POLITICAL AND TRADE UNION LEADER, AND FOR THE PERSECUTION, ARBITRARY DETENTION, TORTURE, AND FORCED EXILE OF HIS FAMILY MEMBERS

San José, Costa Rica, October 3, 2022. In the Judgment notified today in the Case of *Deras García et al. v. Honduras*, the Inter-American Court of Human Rights found the State of Honduras internationally responsible for the extrajudicial execution of the political leader and trade unionist Herminio Deras García and consequently, for the violation of his rights to life, personal integrity, freedom of thought and expression, freedom of association and his political rights.

The Court also concluded that several of Mr. Deras García's relatives were, for over 30 years, the object of a deliberate attack through persecution, illegal detentions, ill-treatment and torture, raids on their homes, and destruction of their property. These events caused the disintegration of the family and even led to a brother and sister having to go into exile. Consequently, the Court determined that Honduras is internationally responsible for violations of the rights to personal integrity, personal liberty, protection of privacy and private life, protection of the family, the rights of the child, and private property. Additionally, regarding those who suffered forced exile, the Court concluded that the State violated their right to movement and residence.

In this case, the State of Honduras made a full acknowledgment of international responsibility, acknowledging all the alleged facts and violations and committing itself to a series of reparation measures.

Read the official summary of the Judgment [here](#) and the full text of the Judgment [here](#).

The Court indicated that the facts of the case occurred within a context of serious human rights violations in the 1980s in Honduras, under the application of the national security doctrine, in which "there was a pattern of forced disappearances and extrajudicial executions committed by the military forces".

Herminio Deras García was a teacher by profession, a political leader of the Communist Party of Honduras, and an adviser to various unions on the north coast of the country. The Court concluded that Herminio Deras García was the victim of an extrajudicial execution by members of Battalion 3-16 as a result of his political and union activities. His execution was a deliberate act to silence his voice of opposition and stop his political and trade union activism. In this regard, the Court indicated that when human rights violations are linked to the exercise of freedom of association or political rights, as in the case of Mr. Deras, they can have a chilling effect on organizations, affecting their ability to come together to defend their interests.

The Court established that, despite the criminal conviction in existence against a member of Battalion 3-16, there was an excessive delay in processing the criminal proceedings and the investigation was never extended to investigate other defendants. Similarly, there was no investigation of the various acts perpetrated against Mr. Deras García's family members. Given this, the Court considered the State responsible for the violation of the rights to the judicial guarantee of a fair trial and judicial protection.

Due to these violations, the Court ordered various measures of reparation, among others: (i) investigate, identify, prosecute and, if applicable, punish all those responsible for the extrajudicial execution of Mr. Herminio Deras García and all those responsible for the other human rights violations declared in the judgment; (ii) definitively close the open police files against Mr. Deras García's family members; (iii) carry out a public act of acknowledgment of international responsibility in relation to the facts of this case; (iv) build a mausoleum on Mr. Herminio Deras García's grave; (v) design and execute a national policy on historical memory; (vi) create and implement a policy for the preservation of archives and sites of human rights violations committed between the 1980s and the present, and (vii) pay the amounts established in the judgment for pecuniary and non-pecuniary damage, costs and expenses.

The composition of the Court for the delivery of this Judgment was as follows: Judge Ricardo C. Pérez Manrique, President (Uruguay), Judge Humberto Antonio Sierra Porto, Vice President (Colombia), Judge Eduardo Ferrer Mac-Gregor Poisot (Mexico), Judge Nancy López (Costa Rica), Judge Verónica Gomez (Argentina), Judge Patricia Pérez Goldberg (Chile), and Judge Rodrigo Mudrovitsch (Brazil).

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