

THIRD REPORT

Situation of Human Rights Defenders in the Americas



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Third report **Situation of Human Rights Defenders in the Americas**

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Inter-American Commission on Human Rights

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EXECUTIVE OVERVIEW

EXECUTIVE OVERVIEW

1. More than thirteen years after publishing the second report about human rights defenders in the Americas, the Inter-American Commission on Human Rights (IACHR) warns with concern that those who defend human rights in the region continue to do so in a hostile environment where their lives and safety are at constant risk. Drawbacks and violence persist largely because they work in contexts where discrimination, historical inequality, and patriarchal structures prevail, jeopardizing those who challenge the *status quo*.
2. High levels of violence manifest as aggressions ranging from smear and stigmatization campaigns to threats, attacks, murders and enforced disappearances. The Commission notes that these aggressions have been perpetrated by both state and non-state actors. The presence of illegal armed groups and organized crime has exacerbated this violence as they see human rights defenders as an obstacle to their illegal activities. In addition, corporations, particularly those related to extractive industries, are also linked to the risks that defenders face when they oppose their activities.
3. The lack of an adequate response by the State to prevent and protect human rights defenders, and--in some cases--its complicity or acquiescence, has led to ongoing violence. Moreover, this all occurs in a context in which the threats and aggressions against, and murders and enforced disappearances of human rights defenders are not properly investigated. The lack of effective investigations and sanctions for those responsible, at all levels, has fostered impunity and permissibility that encourage the repetition of these events.
4. In addition, several States in the region use the punitive system recurrently to obstruct and halt defense cases. Both State agents and private individuals have actively fostered these behaviors. Meanwhile, law enforcement authorities have contributed to and collaborated in the criminalization of human rights defenders.
5. This report warns that there are certain defender groups that find themselves in a particularly vulnerable situation in the face of the challenges described above. Land, territory and environmental defenders are at the top of the list of victims of murders and

aggressions in the region. They are also those who most frequently face unjustified judicial processes as a form of obstruction or intimidation to their work.

6. Women human rights defenders face a compounded risk due to the intersection of their gender and their activism. In many cases, they face not only violence directed at them as defenders, but also gender-based violence, such as sexual intimidation and physical attacks aimed at undermining their role and presence in the public sphere. Lesbian, gay, bisexual, trans, and intersex (hereafter LGBTI) defenders also face specific risks, not only because of the cause of their advocacies, but also because of their sexual orientation or gender identity. For their part, defenders in human mobility situations and those engaged in the search for missing persons carry inherent risks, as they operate in extremely dangerous contexts and, in many cases, without the support or protection of the State.
7. Furthermore, the defense of human rights is carried out in an increasingly reduced civic space. In several countries in the region, human rights defenders face restrictions on their right to freedom of association and expression, including intervening the media and disproportionate restrictions on the right to association. This not only hinders the work of organizations, but also brings about fear and self-censorship among defenders, impeding them from carrying out their work effectively. In addition, civil society organizations face the impending threat of bills of law that aim at limiting or obstructing their work through stricter registration processes that seek to control the scope of their advocacy or disproportionately control their sources of funding.
8. Human rights defenders find themselves exposed due to the lack of recognition of their work and inexistent public policy aimed at their comprehensive protection. We warn about the prevalent stigmatizing discourse and smear campaigns aimed at discrediting their defense activities. Even more worrisome is the fact that these accusations are being made by high-level State officials.
9. The report analyzes the States' obligations and provides an update of the inter-American standards on human rights defenders. It also analyzes the measures that have been adopted by the States to

comply with them and the persisting challenges on the matter. The Commission notes some efforts to protect human rights defenders, such as the creation of national protection mechanisms that, despite being flawed, still represent a key tool to safeguard the life and safety of those whose lives are jeopardized because of their activities. The Commission also appreciates the willingness of some States to comply with the precautionary measures issued by the IACHR in favor of the beneficiaries. Similarly, some States have established specialized prosecutors' offices to investigate crimes against human rights defenders. If effective, this measure represents an important step towards preventing the repetition of these violence. Nevertheless, given the high rates of violence, the Commission urges the States to double their capacity to prevent, protect against, and investigate these acts.

10. Defending human rights is fundamental to strengthen and guarantee democracy and the rule of law. Their recognition and protection ultimately depend on the political will of States to ensure that defenders can carry out their activities in environments free from any type of threats or intimidation.
11. Along these lines, the Commission has issued recommendations to the States aimed at promoting the adoption of effective measures to mitigate or eliminate the risks faced by these groups. These actions seek to strengthen the protection of human rights defenders and guarantee the full exercise of their right to defend their fundamental rights.

INTRODUCTION

INTRODUCTION

A. Background and purpose of the report

12. The purpose of this report is to analyze the current context in which human rights defenders carry out their defense activities from a regional and intersectional perspective. To this end, the report identifies the progress made and the challenges faced by the States of the region in guaranteeing the protection of the defenders' rights, as well as the risks and threats they face due to their activities.
13. The Inter-American Commission on Human Rights (IACHR) published the *"Report on the Situation of Human Rights Defenders in the Americas"* in 2006. In it, the IACHR analyzed for the first time the violence faced by human rights defenders in the hemisphere as a consequence of their work, as well as the obstacles that hinder the free exercise of their activities. In this report, the IACHR referred to the situation of the following groups of defenders at particular risk: union leaders; peasant and community leaders; indigenous and Afro-descendant leaders; justice operators; and women. It also addressed the system of precautionary measures issued by the IACHR, as one of the inter-American system's protection mechanisms for defenders.
14. Subsequently, to follow up on the recommendations issued in the first report, the *"Second Report on the Situation of Human Rights Defenders in the Americas"* was published in 2011. The Commission also analyzed the situation of environmental defenders, LGBTI defenders, and migrant workers and their families. In addition, the report referred to the national protection mechanisms for defenders in the region as of that date, as well as to compliance with the precautionary measures issued by the IACHR.
15. In an increasingly polarized and convulsive region, the Commission finds it relevant to update the challenges faced by human rights defenders. This report seeks to address the dynamics of violence and the contexts that affect the effective performance of the defenders' work, the most affected areas, and the most vulnerable groups from an intersectional approach.

16. It has been observed that despite the passage of time since the publication of the second regional report, the aggressions previously identified have persisted and even exacerbated. The perpetrators, as well as the ways in which these aggressions and obstacles occur, have changed, and even intensified in some cases. The report also analyzes how the risk modalities and sources have changed over time. It also reflects the setbacks that have impeded the free defense of human rights in recent years, such as the adoption of new restrictive laws or the intensification of stigmatizing discourse even from the highest authorities of the States.
17. In addition, this third report addresses some previously unidentified defender groups whose risk has worsened in recent years, such as those dedicated to searching for victims on enforced disappearance and defenders of memory, truth, and justice, as well as women defenders of sexual and reproductive rights.
18. The report also details the main obligations to protect and guarantee the rights of human rights defenders. The relevant Inter-American standards have been updated to identify the actions implemented by the States to comply with them, as well as the persisting challenges.

B. Methodology and structure

19. With this report, the Commission seeks to provide comprehensive information that reflects the context in which human rights defenders carry out their activities in the Americas. To this end, it relies on primary and secondary sources. The IACHR carried out several activities as part of the information gathering process for its primary sources.
20. During the 189 Period of Sessions, the IACHR held the regional public hearing on the "Situation of Human Rights Defenders" to gather information with a differential and intersectional approach, regarding the current situation in which human rights defenders do their work. Another purpose was to identify the main risks and threats they face because of their defense activities, as well as the challenges to providing effective protection to them. Information was also provided

regarding the positive actions implemented by the States to guarantee the defenders' rights.¹

21. Similarly, on November 19, 2023, a survey was published in the four official languages of the Organization of American States (hereinafter "the OAS"), addressed to the 35 member States, civil society organizations, and academic institutions. The deadline to answer was extended to January 15 and then to March 15, 2024. A total of 60 responses were received. Of these, six were from States² and 54 from civil society organizations and individuals. The Commission is grateful for the valuable information provided by all parties as it was an important input for this report.
22. Additionally, following the Commission's standards and consistent practice, the report was prepared with the information collected during its visits to the various countries in the region contained in each of the available country reports, plus information on the compliance with the recommendations issued by the IACHR contained in Chapter V of its annual reports. The Commission has also systemized and analyzed the information received particularly during public hearings, press releases, requests for information under Article 41 of the American Convention or article 18 of the Regulation, and the precautionary measures granted during the period covered by this report.
23. Regarding secondary sources, the report took into account: i) official public information obtained from government sources; ii) reports, resolutions and statements from intergovernmental and international organizations; iii) studies by national and international non-governmental organizations; iv) academic research; and v) press articles.
24. This report is divided into six chapters: an introductory chapter, then Chapter II establishes key concepts and definitions to analyze the situation of human rights defenders. Chapter III identifies the main groups or types of defenders who are at particular risk due to their

¹ IACHR, Public Hearing "[Regional: Situation of human rights defenders](#)" held during the 189 period of sessions, February 29, 2024.

² The Commission is grateful for the responses received from the States of Chile, Costa Rica, Ecuador, El Salvador, Honduras, and Mexico.

activities. Chapter IV analyzes the forms of violence and obstacles faced by human rights defenders in the region. Chapter V analyzes States' obligations to guarantee the rights of human rights defenders, the actions taken by the States, and ongoing challenges. The chapter includes an analysis of compliance with the precautionary measures granted by the IACHR to these groups. Finally, in Chapter VI, the Commission presents its conclusions and a series of recommendations for the States of the region.

25. The timeframe to prepare this report was determined to be from January 1, 2019 to its date of approval. In some cases, for illustrative or contextual purposes, reference is made to historical events and trends prior to the established timeframe.
26. This document also refers to some specific situations aimed at reflecting the general trends observed by the IACHR but are not intended to be thorough or limiting of the events and situations faced by human rights defenders in the region. In this regard, reference to some specific cases does not constitute a prejudgment about a future filing of a petition before the Inter-American system claiming violations of the rights protected in the American Convention and other applicable instruments.
27. The Commission adopted the draft report on April 15, 2025.

**THE CONCEPT OF HUMAN
RIGHTS DEFENDERS, THE
IMPORTANCE OF THEIR
WORK, AND THE RIGHT TO
DEFEND HUMAN RIGHTS**

THE CONCEPT OF HUMAN RIGHTS DEFENDERS, THE IMPORTANCE OF THEIR WORK, AND THE RIGHT TO DEFEND HUMAN RIGHTS

28. Since its first report, the Commission adopted a broad and flexible concept of who is a human rights defender, based on Article 1 of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Human Rights and Fundamental Freedoms (hereinafter "the UN Declaration on Human Rights Defenders").
29. Thus, a defender is a person who, individually or collectively, acts or wishes to act to promote, protect or strive for the protection and realization of human rights and fundamental freedoms at the local, national, regional, or international level³. It is whoever, individually or collectively, in a personal or professional capacity, and in a peaceful manner, seeks to protect and promote human rights⁴. Under this definition, defenders can be of any gender, age, or background. They may be seeking justice for their own cause or for a professional purpose, regardless of whether it is temporary or permanent.⁵ Furthermore, the Commission has identified that these groups promote respect for and protection of civil and political rights, as well

³ Article 1 of the Defenders Declaration states that "[e]veryone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels. Therefore, any person who in any way promotes or seeks the realization of human rights and fundamental freedoms recognized at the national or international level should be considered a human rights defender". United Nations (UN), Report of the Special Rapporteur on the situation of human rights defenders, [A/73/215](#), July 23, 2018, para. 15.

⁴ UN, Report of the Special Rapporteur on the situation of human rights defenders. Refusing to turn away: human rights defenders working on the rights of refugees, migrants and asylum-seekers, [A/77/178](#), 18 July 2022, para. 30.

⁵ IACHR, [Towards a comprehensive policy for the protection of human rights defenders](#), OEA/Ser.L/V/II. Doc. 207/17 29 December 2017, para. 21.

as of economic, social, and cultural rights, pursuant to the principles of universality, indivisibility, and interdependence.⁶

30. Persons who are part of a State institution can also be defenders when their functions are related to the promotion and protection of human rights. For example, in their role, justice operators contribute to realize access to justice, either through victim representation, investigation, punishment and/or reparation of a violation, or by imparting justice independently and impartially.⁷ In 2024, the Commission recognized election observers, both national and international, as human rights defenders for their important role in defending democratic systems and in consolidating the rule of law through their activities.⁸
31. The concept of a human rights defender must be evaluated in terms of the defense activities they carry out. Thus, the main criterion for determining that a person is engaged in human rights defense activities is not based on how they describe themselves, but on the activity that they carry out.⁹ The promotion and protection of rights can be carried out intermittently or occasionally, so a human rights defender is not necessarily always so.¹⁰ Therefore, any definition of this concept in norms, directives or public policy documents should be

⁶ IACHR, [Guía Práctica sobre lineamientos y recomendaciones para la elaboración de planes de mitigación de riesgos de personas defensoras de derechos humanos](#), 29 April 2021, p. 5; IACHR, [Hacia una política integral de protección a personas defensoras de derechos humanos](#), OEA/Ser.L/V/II. Doc. 207/17 29 December 2017, para. 21.

⁷ For the purposes of this report, the IACHR will not analyze the particular situation of justice operators. IACHR, [Report on the Situation of Human Rights Defenders in the Americas](#), para. 13; IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser. L/V/II. Doc. 66, December 31, 2011, para. 349.

⁸ IACHR, Resolution No. 1/24, [Election Observers as Human Rights Defenders](#), Doc. 23, April 30, 2024. For the purposes of this report, the IACHR will not analyze the situation of election observers.

⁹ IACHR, [Report on the Situation of Human Rights Defenders and Social Leaders in Colombia](#), OEA/Ser.L/V/II. Doc. 262, December 6, 2019, para. 30. IA Court H.R., [Case of Acosta et al. v. Nicaragua](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of March 25, 2017, Series C No. 334, para. 139.

¹⁰ IA Court H.R., [Case of Baraona Bray v. Chile](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of November 24, 2022, Series C No. 481, para. 70.

interpreted without limitations and rather analyzed case-by-case, openly and pursuant to the standards outlined herein.¹¹

32. Through their surveillance, denunciation, dissemination and education activities, human rights defenders make an essential contribution to the observance of human rights, while contributing to combat impunity.¹² Their work is fundamental to the universal implementation of human rights, to full and lasting democracies, and to the consolidation of the rule of law. They are a pillar to strengthen and consolidate democracies through citizen control over public officials and democratic institutions.¹³
33. Given the importance of their work for society, both the universal and the Inter-American systems recognize the right to defend human rights.¹⁴ Thus, since its first thematic report, the IACHR recognized the right and duty of society to seek advocacy for and realization of its rights through different means both nationally and internationally. The inter-American norms do not provide for one only right to guarantee advocacy for and protection of human rights; however, it provides for multiple guaranteed rights that enable this work.¹⁵
34. The Inter-American Court of Human Rights (hereinafter IACHR Court) recognizes the right to defend human rights by establishing certain obligations that must be fulfilled by the States to allow the free defense of human rights, such as guaranteeing the factual conditions for

¹¹ I/A Court H.R., [Case of Defensor de Derechos Humanos et al. v. Guatemala](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of August 28, 2014, Series C No. 283, para. 142.

¹² I/A Court H.R., [Case of Valle Jaramillo et al. v. Colombia](#), Merits, Reparations and Costs, Judgment of November 27, 2008, Series C No. 192, para. 88.

¹³ IACHR, [Towards a comprehensive policy for the protection of human rights defenders](#), OEA/Ser.L/V/II. Doc. 207/17 29 December 2017, para. 30.

¹⁴ In the universal system, the United Nations Declaration on Human Rights Defenders states in Article 1 that "[e]veryone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels.

¹⁵ IACHR, [Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser.L/V/II.124 Doc. 5 rev.1, March 7, 2006, para. 35; IACHR Court, [Case of Escaleras Mejía et al. v. Honduras](#), Judgment of September 26, 2018, Series C No. 361, para. 60.

human rights defenders to freely exercise their function.¹⁶ Thus, it has been established that this autonomous right can be effectively violated independently from other rights violations, such as the right to life, safety, freedom of expression, freedom of assembly, freedom of association, judicial guarantees, and judicial protection (including the right of freedom of movement and residence), and without necessarily declaring that any or all of these rights have been violated in a specific case.¹⁷

35. Considering the above, the Commission has identified that when a State conducts actions that could obstruct the defense of human rights, such defense is affected in three dimensions: (i) individually: the right of the defender to defend rights is affected; (ii) collectively: the public interest in defending rights is affected; and (iii) socially: the right to seek positive changes in rights for society is affected.¹⁸
36. Likewise, the Commission has consistently recommended to the States to develop a broad and thorough "comprehensive protection policy" to protect these groups based on the general obligations to respect and guarantee their rights to ensure their continued defense work safely and freely. Thus, a comprehensive policy should include measures aimed at preventing human rights violations, adopting measures to remove the obstacles faced by human rights defenders, protecting them when they are at risk, and investigating crimes against them in order to eradicate impunity.¹⁹

¹⁶ I/A Court H.R., [Case of Defensor de Derechos Humanos et al. v. Guatemala](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of August 28, 2014, Series C No. 283, para. 142.

¹⁷ I/A Court H.R., [Case of Members of the Corporación Colectivo de Abogados "José Alvear Restrepo" v. Colombia](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of October 18, 2023, Series C No. 506, para. 977.

¹⁸ IACHR, [Guía Práctica sobre lineamientos y recomendaciones para la elaboración de planes de mitigación de riesgos de personas defensoras de derechos humanos](#), April 29, 2021, p. 5; IACHR, Informe sobre la situación de las defensoras y defensores de los derechos humanos en las Américas, OEA/Ser. L/V/II.124 Doc. 5 rev.1, March 7, 2006, paras. 32-34.

¹⁹ IACHR, [Towards a comprehensive policy for the protection of human rights defenders](#), OEA/Ser.L/V/II. Doc. 207/17 29 December 2017, para. 30.

GROUPS AT SPECIAL RISK

GROUPS AT SPECIAL RISK

37. In its 2011 report, the Inter-American Commission identified the following groups of defenders as being at greater risk due to their defense activities: union leaders; women defenders; peasant and community leaders; indigenous and Afro-descendant leaders; environmental defenders; LGBTI defenders; and defenders of migrant workers.
38. Currently, many of these defense groups continue to work exposed to vulnerability and risk. In many cases, the situation is compounded by the large number of attacks. Additionally, two other human rights defense groups have been identified as being at risk: women defenders of sexual and reproductive rights; and those searching for disappeared persons, as well as those seeking memory, truth and justice. With respect to union leaders, given the limited information received during the period of this report, the IACHR has addressed the specific cases reported in a different chapter.

A. Environment, land and/or territory defenders

39. The defense of the environment is closely linked to the defense of territory and access to land. Therefore, this section is subdivided into i) indigenous and/or Afro-descendant leaders who denounce environmental damage and the absence of free, prior, and informed consent to projects imposed in their territory, or who fight for their recognition; and ii) peasant leaders who advocate for access to land.
40. The Commission has stated that an environmental defender is a person who, in a personal or professional capacity, individually or collectively, and in a peaceful manner, strives to protect the environment. They seek to protect the life and safety of those who may be affected by the adverse effects of pollution, environmental degradation, excessive and/or illegal extraction of natural resources. Sometimes, environmental defenders are members of the communities affected by the impact of extractive or development

projects--often unconsulted--, or illegal activities, and who do not necessarily identify themselves as defenders.²⁰

41. For its part, the IACHR Court has underscored the importance of their work, emphasizing the need to create the legal and factual conditions that allow the free development of environmental defense functions, particularly in view of the difficulties associated with this type of defense in the Americas.²¹
42. The Regional Agreement on Access to Information, Public Participation, and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) recognizes the relevance of the work of environmental defenders in strengthening democracy, and provides for the obligation of the States Parties to guarantee a safe and enabling environment; to adopt measures for their recognition, protection and promotion; and to adopt measures for the investigation and punishment of threats and attacks against them.²² As of the date of approval of this report, 17 countries in the region have ratified this treaty.²³
43. Environmental, land and/or territory defenders organize to denounce inconsistencies and corruption in granting licenses for the exploration for and exploitation of natural resources or illegal logging, the absence of free, prior, and informed consent, as well as unequal access to basic rights such as water, health, including

²⁰ IACHR, [North Central America: Environmental Defenders](#), OEA/Ser.LV/II. Doc. 400/22 December 16, 2022, para. 32.

²¹ I/A Court H.R., [Case of the Inhabitants of La Oroya v. Peru. Preliminary Objections, Merits, Reparations and Costs](#), Judgment of November 27, 2023, Series C No. 511, para. 306; I/A Court H.R., [Case of Baraona Bray v. Chile. Preliminary Objections, Merits, Reparations and Costs](#), Judgment of November 24, 2022, Series C No. 481, para. 79.

²² Economic Commission for Latin America and the Caribbean (ECLAC), [Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\)](#), March 4, 2018, Article 9.

²³ The countries are: Antigua and Barbuda, Argentina, Belize, Bolivia, Colombia, Chile, Dominica, Ecuador, Grenada, Guyana, Mexico, Nicaragua, Panama, St. Vincent and the Grenadines, St. Kitts and Nevis, St. Lucia and Uruguay. To learn more about the status of ratification and accession to this treaty see: <https://observatoriop10.cepal.org/es/tratado/acuerdo-regional-acceso-la-informacion-la-participacion-publica-acceso-la-justicia-asuntos>.

the right to a healthy environment, and the right to food²⁴. This type of defense is conducted through different means such as the filing of judicial or administrative actions against corporations²⁵, peaceful protests²⁶, or the installation of permanent camps.²⁷ Other defense activities include using the media—whether through letters to the press, interviews, podcasts, or videos on social media—which raises the defender's visibility and, in turn, can increase their exposure to retaliation.

44. The current context in the Americas poses great challenges and difficulties for environmental defenders, who operate in settings marked by stigmatizing discourses that label defenders as "enemies of development", "pseudo-environmentalists", "those who seek to sabotage progress" or "break public peace"²⁸, "mercenaries of radical organizations or groups".²⁹ In addition, there have been reports of

²⁴ IACHR, [Northern Central America: Environmental Defenders](#), OEA/Ser.LV/II. Doc. 40022, December 16, 2022, para. 47.

²⁵ Center for Information on Business and Human Rights (CIEDH), [People Power Under Pressure: Human Rights Defenders and Business in 2023](#), May 7, 2024; Global Rights Advocacy, Asesoría y Defensa Legal del Sureste, Tsikini, Global Exchange and the Seattle University School of Law International Human Rights Clinic, Response to the IACHR consultation survey, received on January 30, 2024, filed with the IACHR; Centro Prodh, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

²⁶ Amnesty International, [Without their struggle there is no future: human rights defenders in the Americas facing the climate crisis](#), November 23, 2023, p. 18; Amnesty International, [Mexico: land and freedom? criminalization of defenders of land, territory and the environment](#), September 2023, p. 7.

²⁷ IACHR, [Precautionary Measures Resolution 83/2023](#), Precautionary Measures No. 416-13, Tolupan Indigenous Members of the Broad Movement for Justice and Dignity regarding Honduras (Follow-up, Extension and Partial Lifting), December 27, 2023, para. 21; Amnesty International, Response to the IACHR consultation survey, received on January 31, 2024, filed with the IACHR.

²⁸ Espacio OSC Mexico, Response to the IACHR consultation survey, received on January 11, 2024, filed with the IACHR; Amnesty International, Response to the IACHR consultation survey, received on January 31, 2024, filed with the IACHR; Centro Prodh, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

²⁹ UN, Report of the Special Rapporteur on the situation of human rights defenders, Michel Forst, Visit to Peru, [A/HRC/46/35/Add.2](#), 22 December 2020, para. 23.

excessive use of force against peaceful protests³⁰ and criminalization of environmental defenders.³¹

45. In addition, the risks faced by environmental defenders are closely linked to economic marginalization and discrimination. The lack of access to resources makes them vulnerable vis-à-vis actors with economic and institutional power. In addition, criminalization of their work and stigmatization facilitate their exclusion, limiting their ability to exercise their rights and defend their communities.
46. According to Global Witness, in 2023 the Americas registered 85% of the murders of environmental defenders worldwide, with Brazil, Colombia, Honduras and Mexico leading the statistics³². Various civil society organizations agree that violence against these groups is closely related to the expansion of extractive economic models in the region³³. Many of these attacks are related to the mining and extractive industries, agribusiness, logging, and hydropower power.³⁴ Corporations would be involved in this type of violence perpetrated

³⁰ Amnesty International, [Mexico: land and freedom? criminalization of defenders of land, territory and environment](#), September 2023, pp. 44-46; IACHR, Press Release No. 293/21, [The IACHR condemns the excessive use of force and repression against Mayan Q'eqchi' indigenous peoples, journalists and media in El Estor, Guatemala](#), November 4, 2021.

³¹ Earth Rights, [Criminalization of Land Defenders, Elements for Legal Defense from Case Analysis](#), July 2020; IACHR, Request for Information to the State of Mexico Based on Article 41, Criminalization of Indigenous Defender Kenia Hernández in Mexico, Communication 175-22/IACHR/SEMPCT-Art.41, May 2, 2022, filed with the IACHR; Front Line Defenders, [Kenia Inés Hernández Montalván is Sentenced to Ten Years and Six Months in Prison](#), February 21, 2022.

³² Global Witness, [Silenced voices: violence against land and environmental defenders](#), September 10, 2024, p. 15.

³³ Center for Justice and International Law (CEJIL), Response to the IACHR consultation survey, received on January 15, 2024, filed with the IACHR; Amnesty International, Response to the IACHR consultation survey, received on January 31, 2024, filed with the IACHR; Global Witness, Response to the IACHR consultation survey, received on January 16, 2024, filed with the IACHR; See also: IACHR, [Situación de los derechos humanos de los pueblos indígenas y tribales de la Panamazonía](#), OAS/Ser.L/V/II. Doc. 176, September 29, 2019, para. 71.

³⁴ Global Witness, [In numbers: Lethal attacks against defenders since 2012](#) | Global Witness, accessed August 2024; ICHRP, Response to IACHR questionnaire, received on December 11, 2023, on file with IACHR; [Transition Minerals Monitor, update 2021- 2022](#), p. 19.

against them.³⁵ In other cases, state agents would be the perpetrators, followed by organized crime organizations.³⁶

47. In Brazil, there has been a significant increase in threats, assaults, and killings of land and, particularly, environmental rights defenders.³⁷ The Commission received information about an increase in threats against environmental defenders after they filed challenges that led to the suspension of a license for the installation of a hydropower plant in the state of Pará.³⁸ In 2022, the IACHR condemned the murder of José Gomes, his wife Marcia, and their minor daughter Joene in the region of São Félix do Xingu, state of Pará, and of José Francisco Lopes Rodrigues in the state of Maranhão, who were defending the environment.³⁹
48. In Bolivia, the Commission has received information about attacks against environmental defenders, shaped as harassment, stalking, or intimidation, as well as stigmatizing rhetoric seeking to discredit them.

³⁵ UN, Business, Planetary Boundaries and the Right to a Clean, Healthy and Sustainable Environment, Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, David R. Boyd, [AHRC/55/43](#), 2 January 2024, para. 29. Global Witness, [Standing Firm: The Land and Environmental Defenders on the Frontlines of the Climate Crisis](#), 13 September 2023.

³⁶ IACHR, [Resolution No. 47/23](#), MC 404-23, Members of the organization Alternativa de Reivindicación Comunitaria y Ambientalista de Honduras (ARCAH), Honduras, August 20, 2023; MC 395-18, Authorities and members of the Gonzaya (Buenavista) and Po Piyuya (Santa Cruz de Piñuña Blanco) Reservations of the Siona Indigenous People (ZioBain), Colombia, August 21, 2024; IACHR, [Resolution No. 43/22](#), MC 433-22 - M.A.C., Haiti, August 30, 2022; [Resolution No. 74/21](#), MC 1175-20, Camille Occius and family, Haiti, September 4, 2021; IACHR, [Resolution No. 2232/23](#), MC 876-22, MC 876-22, Haiti, September 4, 2021. , MC 876-22, Eleven members of the Jesuit community of Cerocahui, Tarahumara, municipality of Urique, Chihuahua, Mexico, January 22, 2023; Centro Mexicano de Derecho Ambiental (CEMDA), [Report on the situation of persons and communities defending environmental human rights in Mexico](#), March 2024, p. 40.

³⁷ IACHR, [Situation of Human Rights in Brazil](#), OEASer.LV/II. Doc. 9, February 12, 2021, para. 6.

³⁸ AIDA, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

³⁹ IACHR, Press Release No. 17/22, [IACHR and UN Human Rights Condemn Killings of Environmental and Quilombola Activists in Brazil](#), January 24, 2022.

The expansion of the extractive industry is believed to be related to these incidents.⁴⁰

49. In Colombia, UN Human Rights figures indicate that 248 environmental defenders were killed between 2016 and September 2024. During 2023 alone, they recorded 44 murders of people engaged in the defense of the environment, land and/or territory.⁴¹ For its part, Global Witness recorded that by 2023, Colombia was the country with the highest number of murders of environmental defender, with 79 cases.⁴² In December 2023, Phanor Guasaquillo Peña, a leader and indigenous authority of the Nasa people, was murdered. Prior to his death he had reported receiving threats and his only protection was a bulletproof vest provided by the National Protection Unit.⁴³ One of the main risk factors for environmental defenders is the presence of non-state armed groups, and the defiance defenders represent for such groups' activities⁴⁴. In this regard, the Ombudsman's Office issued an early warning on the risks affecting defenders and social leaders who work on environmental issues due to the dynamics of the armed conflict and organized crime, who consider their denunciations as contrary to their interests.⁴⁵
50. In Ecuador, the State indicated that environmental defenders in extractive contexts face threats, intimidation, and harassment by private corporations. This is because they represent an interest

⁴⁰ IACHR, Public Hearing "[Bolivia: Criminalization of Environmental Defenders](#)," held during its 192 period of sessions, March 7, 2025; Public Hearing "[Regional: Attacks and Criminalization of Environmental Defenders](#)," held during its 190 period of sessions, July 9, 2024.

⁴¹ UN Human Rights, [UN Human Rights Fact Sheet on the situation of environmental defenders in Colombia for COP16](#), October 17, 2024.

⁴² Global Witness, [Always Stand Up. People defending the earth and the environment in the face of the climate crisis](#), September 18, 2023, p. 9.

⁴³ Radio Caracol, [Reclamo al gobierno por asesinato de líder social Phanor Guazaquillo: "Le rogué que lo cuidáramos"](#), December 5, 2023; El Colombiano, ["Le rogué al gobierno que lo cuidara y lo mataron": la historia tras el asesinato de líder Phanor Guazaquillo](#), December 6, 2013.

⁴⁴ UN Human Rights, [UN Human Rights Fact Sheet on the situation of environmental defenders in Colombia for COP16](#), October 17, 2024.

⁴⁵ Ombudsman's Office of Colombia, [Early Alert No. 007-24](#), March 18, 2024.

contrary to the approach of indiscriminate exploitation of natural resources.⁴⁶ In February 2023, the indigenous leader Eduardo Mendúa, leader of the Confederation of Indigenous Nationalities of Ecuador (CONAIE), who opposed an oil project in the Amazon, was murdered⁴⁷. In October 2022, indigenous defender Alba Bermeo Puin was murdered by people allegedly related to illegal mining. The defender was five months pregnant at the time of her murder.⁴⁸ In 2021, the Commission condemned the murder of environmental defender Andrés Durazno in the province of Azuay.⁴⁹

51. In Guatemala, figures from Global Witness indicate that between 2023 and 2012, at least 86 environmental, land and/or territory defenders have been murdered.⁵⁰ For its part, Unidad de Protección a Defensoras y Defensores de Derechos Humanos (UDEFEHUA), registered that at least 77 people linked to the defense of the environment, land and natural resources were killed between 2012 and 2020, with 2018 being the most lethal year for environmental

⁴⁶ State of Ecuador, Office of the Attorney General of Ecuador, Response to the IACHR consultation survey, Note No. 945-23/CIDH/SE/MPCT-CT, received on January 18, 2024, filed with the IACHR.

⁴⁷ Human Rights Watch, [Murder of indigenous leader in Ecuador requires thorough investigation](#), March 3, 2023; Mongabay, [Ecuador: Murder of indigenous leader Eduardo Mendúa amid oil conflict in Cofán Dureno community](#), March 3, 2023; Business and Human Rights Resource Centre, [Ecuador: Amazon indigenous leader Eduardo Mendúa, killed in conflict over opposition to Petroecuador operations; with company comments](#), March 1, 2023.

⁴⁸ CIEDH, [Ecuador: ONG denuncia asesinato de defensora indígena embarazada, presuntamente por oponerse a minería "ilegal" en Río Blanco](#), 24 de octubre de 2022; Alianza por los Derechos Humanos Ecuador, [Urgent public statement: murder of pregnant nature defender in Molleturo](#), 23 de octubre de 2022.

⁴⁹ IACHR X account[@IACHR], The @IACHR and the @DESCA_CIDH condemn the murder of environmental defender Andrés Durazno, occurred according to public information, on #17March, in the province of Azuay. #PersonasDefensoras #DDDHH, March 19, 2021. Disponible en: <https://twitter.com/IACHR/status/1372444444444444444>

⁵⁰ Global Witness, [Voices silenced: violence against land and environmental defenders](#), September 10, 2024, p. 16.

defenders, with 16 of them killed.⁵¹ The environmental impact of the implementation of extractive and development projects, the dispossession of common goods and dispossession of indigenous, peasant, community or family lands has derived in social tension and division among communities due to territorial conflicts. The greatest threats to the defense of territory and a healthy environment have been posed by large extractive industry corporations, hydropower plants, and monoculture plantations, and also by the excessive extraction of natural resources.⁵²

52. In Honduras, information from the UN Human Rights Office indicates that, during 2023, 54% of the attacks directed against defenders were against those dedicated to the defense of land, territory, and the environment.⁵³ Of the 70 cases of killings of defenders documented by UN HR, between 2018 and 2023, 67.1% were land, territory and/or environmental defenders, 13 cases were about indigenous groups and 14 were about Afro-descendants.⁵⁴ The Commission condemned the murder of Juan López, an environmental defender, who was also a beneficiary of precautionary measures from the IACHR, on September 14, 2024 in the municipality of Tocoa, department of Colón.⁵⁵ The Honduran State recognizes that mining exploitation has generated conflict and disruption of the social fabric, pollution, displacement of communities, as well as criminalization of environmentalists and

⁵¹ IACHR, [Preliminary Observations on the On-Site Visit to Guatemala](#), OEA/Ser.LV/II.doc.124/24, August 15, 2024, para. 25; Unidad de Protección a Defensoras y Defensores de Derechos Humanos (UDEFEQUA), [Situación de personas, organizaciones y comunidades defensoras de derechos humanos en Guatemala](#) 2021, June 2022, p. 19; IACHR, Audiencia Pública "Situación de los derechos humanos de las defensoras del medio ambiente en Guatemala" celebrada en el marco del 182 periodo de sesiones, December 15, 2021; Global Witness, [Enemigos del Estado? How governments and corporations silence land and environmental defenders](#), July 2019, p. 8.

⁵² IACHR, [Northern Central America: Environmental Defenders](#), OEA/Ser.LV/II. Doc. 400/22, December 16, 2022, para. 41.

⁵³ UN Human Rights, Situation of human rights in Honduras, [AHRC/55/22](#), 1 March 2024, paras. 61 and 62.

⁵⁴ UN, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Morris Tidball-Binz, Visit to Honduras, [AHRC/56/56/Add.1](#), 24 June 2024, para. 17.

⁵⁵ IACHR, Press Release No. 219/24, [Honduras: IACHR condemns the murder of environmental defender Juan López](#), September 18, 2024.

defenders of the territory, limitation of rights and reprisals for advocacy work, among other problems, resulting in greater poverty and social inequality.⁵⁶

53. In Mexico, figures from Global Witness indicate that as of 2023, 18 environmental, land and/or territory defenders were murdered.⁵⁷ For its part, the Mexican Center for Environmental Law (CEMDA) indicated that between 2019 and 2023, there had been at least 102 lethal aggressions against environmental defenders.⁵⁸ Between 2006 and 2023, 93 environmental defenders were reportedly victims of enforced disappearance, of which 39 remain unaccounted for, 36 were found dead, and only 18 were found alive.⁵⁹ In 2023, the Commission learned of the enforced disappearance of community leader and environmental defender Antonio Díaz Valencia, a member of the community of Aguila in Michoacán, and the lawyer and human rights defender Ricardo Lagunes.⁶⁰ The Commission was informed about the increased threats and aggressions against territory and environment defenders in areas where megaprojects with public and foreign investment are prevalent and in which free, prior and informed consent consultation processes with the communities have not been carried out. There are also allegations that there are mining concessions under which private national and foreign corporations have made agreements with organized crime and the relevant

⁵⁶ IACHR, [Northern Central America: Environmental Defenders](#), OEA/Ser.LV/II. Doc. 400/22, December 16, 2022, para. 44.

⁵⁷ Global Witness, [Voices silenced: violence against land and environmental defenders](#), September 10, 2024, p. 15.

⁵⁸ CEMDA, [Informe sobre la situación de las personas y comunidades defensoras de los derechos humanos ambientales en México](#), March 2024, p. 17.

⁵⁹ Mongabay, [These people were disappeared for defending the environment and territory in Mexico](#), October 2, 2023.

⁶⁰ El País, [Desaparecidos un defensor de derechos humanos y un líder indígena en la frontera de Colima y Michoacán](#), January 18, 2023; Mongabay, [Ricardo Lagunes y Antonio Díaz: defender un territorio en donde los cerros son de metal](#), October 23, 2023.

authorities.⁶¹ Global Witness agrees that mining operations are linked to more than 40% of the murders of activists who opposed this activity.⁶²

54. In Peru, Global Witness figures indicate that between 2023 and 2012, at least 58 environmental, land and/or territorial defenders have been killed.⁶³ Extractive activities are said to be one of the main sources of social and environmental conflicts in Peru.⁶⁴ Environmental defenders who have denounced the contaminating effects of mining activities have been subject to harassment and reprisals aimed at discouraging them from denouncing and challenging the activities carried out by the corporations.⁶⁵ The former UN Special Rapporteur on human rights defenders noted that a large number of human rights defenders in the country, particularly environmental, land rights, and indigenous peoples' rights defenders, are unable to operate in a safe and enabling environment.⁶⁶ In turn, the Special Rapporteur on the human rights to safe drinking water and sanitation identified illegal mining as being linked to killings, threats, and aggressions against these groups.⁶⁷ On April 19, 2024, the indigenous and environmental defender Victorio Dariquebe Gerewa was murdered while returning to the community of

⁶¹ IACHR, Public Hearing "[Mexico: Protection of Human Rights Defenders and Journalists](#)," held during the 189 period of sessions, February 28, 2024.

⁶² Global Witness, [Voices silenced: violence against land and environmental defenders](#), September 10, 2024, p. 16.

⁶³ Global Witness, [Voices silenced: violence against land and environmental defenders](#), September 10, 2024, p. 15.

⁶⁴ Red Muqui, [Mining and Human and Environmental Rights Defenders in Peru](#), August 2022, p. 11.

⁶⁵ I/A Court H.R., [Case of the Inhabitants of La Oroya v. Peru, Preliminary Objections, Merits, Reparations and Costs](#), Judgment of November 27, 2023, Series C No. 511, paras. 307 and 309.

⁶⁶ UN, Report of the Special Rapporteur on the situation of human rights defenders, Michel Forst, Visit to Peru, [AHRC/46/35/Add.2](#), 22 December 2020, para. 16.

⁶⁷ UN, Report of the Special Rapporteur on the human rights to safe drinking water and sanitation, Pedro Arrojo Agudo, Visit to Peru, [AHRC/54/32/Add.2](#), 26 July 2023, para. 82.

Queros in the district of Kosñipata, province of Paucartambo, Cusco region.⁶⁸

55. In addition to this context of violence, there has been an increase in the misuse of criminal law as a means of obstructing the defense of environmental, land and/or territory defenders. Corporations use legal actions to intimidate civil society organizations, communities, and environmental rights defenders.⁶⁹ This pattern is favored through the claim of broad or ambiguous criminal offenses, as will be developed later in the report. In Guyana the United Nations Human Rights Committee expressed its concern about reports of defamation lawsuits against environmental defenders to dissuade them from freely expressing their opinions.⁷⁰
56. The Commission highlights the fundamental role that women play in the defense of the environment, as they are often the leaders of these initiatives. They are especially vulnerable to gender-based violence, which is used as a strategy to silence them and discourage their work. This violence can take the form of harassment, death threats, and physical aggression, aggravated by the lack of effective protection by the authorities and the impunity that prevails in many of these cases.⁷¹ In Bolivia information was received about aggressions against women environmental defenders through direct actions against their bodies and sexuality that would come from both state authorities and

⁶⁸ CIVICUS, [Harakbut de guardaparques de muertos en medio de la creciente amenaza de mineros ilegales en Madre de Dios](#), July 16, 2024; [Andina, Ministerios condenan asesinato de guardaparque en Madre de Dios](#), April 20, 2024.

⁶⁹ UN, Business, Planetary Boundaries and the Right to a Clean, Healthy and Sustainable Environment, Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, David R. Boyd, [A/HRC/55/43](#), January 2, 2024, para. 30; IACHR, Public Hearing "Ecuador: Human Rights of Human Rights Defenders in the Context of the State of Emergency" held during the 190th session, July 12, 2024; Red Muqui, [Mining and Human and Environmental Rights Defenders in Peru](#), August 2022, p. 11.

⁷⁰ UN Human Rights Committee, Concluding observations on the third periodic report of Guyana, [CCPR/C/GUY/CO/3](#), 3 May 2024, para. 42.

⁷¹ International Land Coalition, [The Situation of Women Human Rights Defenders, Mother Earth and the Environment in Latin America](#), June 9, 2023, p. 23; International Union for Conservation of Nature (IUCN), [Women Environmental Human Rights Defenders: Confronting Gender-based Violence in the Defense of Land, Natural Resources and Human Rights](#), 2020.

members of their own communities.⁷² In addition, they face structural disadvantages when defending their rights, as they often lack security of land tenure, live in poverty, and are excluded from decision making processes, which reinforces their vulnerability.⁷³ This issue will be addressed later in the report.

i. Indigenous and Afro-Descendant leadership

57. The Commission notes with concern the high level of violence against indigenous and Afro-descendant leaders. More than 95% of attacks against indigenous defenders in Latin America are reportedly related to the protection of their lands and territories and the right to a clean, healthy, and sustainable environment.⁷⁴ In addition to the risks inherent to this type of defense, indigenous and Afro-descendant leaders are particularly vulnerable to structural patterns of discrimination, racism, social exclusion, and violence. It was observed that many indigenous environmental defenders suffer harassment and aggressions and are treated as criminals when they defend their territories from corporate activities.⁷⁵ The delay or lack of definition and description of property boundaries their lands and legal certainty over their territories contributes to this violence, as does the social conflict between landowners and communities that is framed in a dispute over land ownership.⁷⁶ Likewise, the lack of recognition and guarantee of

⁷² IACHR, Public Hearing "[Regional: Attacks and criminalization of environmental defenders](#)", held during the 190 period of sessions, July 9, 2024.

⁷³ UN, Women and Girls and the Right to a Clean, Healthy and Sustainable Environment Report of the Special Rapporteur on the issue of human rights obligations related to the enjoyment of a safe, clean, healthy and sustainable environment, David R. Boyd, [AHRC/52/33](#), 5 January 2023, para. 55.

⁷⁴ IACHR, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

⁷⁵ UN, Business, Planetary Boundaries and the Right to a Clean, Healthy and Sustainable Environment, Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, David R. Boyd, [AHRC/55/43](#), 2 January 2024, para. 20.

⁷⁶ IACHR, [Resolution 47/2019](#), Precautionary Measure No. 458-19, Members of the Guyaroká community of the Guaraní Kaiowá Indigenous People regarding Brazil, September 29, 2019, para. 23.

the rights of indigenous and Afro-descendant peoples to obtain their free, prior and informed consent has contributed to this conflict.⁷⁷

58. In Brazil, the Commission learned about the murder of 32 indigenous leaders between 2013 and 2023.⁷⁸ On its part, the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association highlighted the high levels of violence against defenders who are members of traditional communities, including *quilombolas*, indigenous peoples, and community leaders in *favelas*.⁷⁹ Factors such as deforestation are often linked to the invasion of indigenous territories, and so are acts of aggression, harassment, and killings against members of indigenous peoples defending their lands.⁸⁰ According to information from civil society, private actors play an alarming role in the increasing intimidation against these communities.⁸¹ For example, the Commission has documented violence, threats and intimidation against the Pataxó Hã-Hã-Hãe Indigenous People, connected with the alleged delay in the demarcation of their ancestral territories. Such violence and threats directly involve members of the security forces allied with landowners and hired killers.⁸²

59. In Colombia, civil society organizations have identified a systematic pattern of murders of leaders who were involved in Afro community councils and were carrying out processes to defend the rights of their

⁷⁷ IACHR, [Report on the Situation of Human Rights in Honduras](#), OEA/Ser.LV/II Doc.9/24, March 24, 2024, para. 326; Amnesty International, Response to the IACHR consultation survey, received on January 31, 2024, filed with the IACHR.

⁷⁸ IACHR, [Resolution 38/2024](#), Precautionary Measures 61-23, Members of the Pataxó Hã-Hã-Hãe Indigenous People with respect to Brazil (Expansion), June 3, 2024, para. 6.

⁷⁹ IACHR, Annual Report 2022, Chapter V, [First Follow-up Report on the recommendations made by the IACHR in the Report on the Situation of Human Rights in Brazil](#), para. 345.

⁸⁰ IACHR, Annual Report 2022, Chapter V, [First Follow-up Report on the recommendations made by the IACHR in the Report on the Situation of Human Rights in Brazil](#), para. 55.

⁸¹ Article 19, Response to the IACHR consultation survey, received on March 15, 2024, filed with the IACHR.

⁸² IACHR, [Resolution 38/2024](#), Precautionary Measures 61-23, Members of the Pataxó Hã-Hã-Hãe Indigenous People vis-à-vis Brazil (Expansion) June 3, 2024, para. 34.

communities against threats in the territory, as well as those who had been building processes to strengthen ethnic processes and preserve ancestral knowledge.⁸³ Both the IACHR and various actors agree that indigenous and Afro-descendant leaders, in addition suffering a high number of murders⁸⁴, are especially affected by forced displacement and exile due to the risks they face in their territories.⁸⁵ In this regard, there is an increasing pattern of attacks against leaders involved in land restitution, indigenous and Afro-Colombian traditional authorities who are often forced to leave their lands.⁸⁶ UN Human Rights identified that in Bajo Baudó, Chocó at least 35 people from the indigenous community were displaced after the murder of an indigenous guard; while in the municipality of Roberto Payán, Nariño, the murder of the legal representative of the Afro-descendant community council of the municipality caused the displacement of ethnic leaders and authorities.⁸⁷

60. In Costa Rica, the United Nations Special Rapporteur on Indigenous Peoples warned that indigenous leaders have been victims of various aggressions, including intimidation and death threats, even with firearms, arson, and setting crops on fire as a

⁸³ Fundación Pares, [Silenciando la esperanza: situación de violencia letal contra líderes y lideresas sociales en Colombia 2022-2023](#), May 19, 2023, p. 14.

⁸⁴ Figures from the Somos Defensores Program indicate that by 2023, 33 indigenous defenders were murdered, while between 2016 and 2021 they verified 61 murders. See: Somos Defensores Program, [Puntos Suspensivos, Informe Anual 2023](#), Sistema de Información sobre Agresiones contra Personas Defensoras de Derechos Humanos en Colombia - SIADDHH-, May 16, 2024, p.102; UN Human Rights, [Violencia Territorial en Colombia: Recomendaciones para el Nuevo Gobierno](#), July 26, 2022, p. 13. In relation to Afro-descendant leaders in Colombia, UN Human Rights figures indicate that between 2016 and 2021, 21 Afro-descendant defenders were murdered. See: UN Human Rights, [Territorial Violence in Colombia: Recommendations for the New Government](#), July 26, 2022, p. 14.

⁸⁵ IACHR, [Preliminary Observations *in loco* visit to Colombia April 15-19, 2024](#), June 19, 2024, p. 4; Somos Defensores Program, [Puntos Suspensivos, Informe Anual 2023](#), Sistema de Información sobre Agresiones contra Personas Defensoras de Derechos Humanos en Colombia - SIADDHH-, May 16, 2024, p.69; IACHR, Meeting with Afro-descendant, indigenous and gypsy people held in Bogotá during the *in loco* visit of the IACHR to Colombia, April 15, 2024.

⁸⁶ UN, United Nations Verification Mission in Colombia, Report of the Secretary-General, [S/2023/1033](#), December 26, 2023, para. 65.

⁸⁷ UN Human Rights, Situation of human rights in Colombia, [A/HRC/49/19](#), 17 May 2022, para. 44.

response to their acts to defend their lands, territories and natural resources.⁸⁸ The State of Costa Rica has identified that, in most cases, the cause of this insecurity and violence is the lack of certainty in the land tenure of indigenous peoples.⁸⁹ In 2019, the Commission condemned the murder of Sergio Rojas, a Bri Bri indigenous leader, who was a beneficiary of precautionary measures. Mr. Rojas was a member of the National Coordination of the National Front of Indigenous Peoples (FRENAPI) and of the Council of Authorities Defenders of Mother Earth of the People of Salitre, and had been victim of several attacks and threats prior to his death.⁹⁰ Following the acquittal of the alleged perpetrators in January 2024, his death remains in impunity.⁹¹

61. Attacks against defenders of land and territory have particularly affected members of indigenous peoples and Garífuna communities in Honduras. The Commission condemned the murder of defender Berta Cáceres, Lenca indigenous leader and coordinator of the Civic Council of Popular and Indigenous Organizations of Honduras (COPINH), which occurred on March 3, 2016⁹², and has followed up on the situation of violence occurring in the Bajo Aguán region⁹³. In addition, it has learned about the violence faced by Tolupan indigenous leaders who have registered the murder of at least 20 members of the Broad Movement for

⁸⁸ UN, Report of the Special Rapporteur on the rights of indigenous peoples, José Francisco Calí Tzay, Visit to Costa Rica, [A/HRC/51/28/Add.1](#), July 13, 2022, para. 47.

⁸⁹ Government of Costa Rica, Response to the IACHR consultation survey, received on January 31, 2024, Electronic note DGPE-DDHH-0039-2024, filed with the IACHR.

⁹⁰ IACHR, Press Release No. 78/19, [IACHR repudiates murder of Bribri indigenous leader, beneficiary of precautionary measures in Costa Rica](#), March 22, 2019.

⁹¹ UN, United Nations [System: "Costa Rica does not deserve to let the murder of Sergio Rojas go unpunished"](#), January 19, 2024.

⁹² IACHR, Press Release No. 24/16, [IACHR repudiates the murder of Berta Cáceres in Honduras](#), March 4, 2016.

⁹³ IACHR, [Report on the Situation of Human Rights in Honduras](#), OEA/Ser.LV/II Doc.9/24, March 24, 2024, pp. 69 and 70.

Dignity and Justice (MADJ)⁹⁴. In addition, there have been acts of harassment by people with firearms and machetes identified as workers of a logging company who have reportedly destroyed the facilities of a permanent camp in opposition to illegal logging. There were also death threats against members of MADJ⁹⁵. Territorial and agrarian conflict has historically affected the Garífuna communities, whose territories are also being developed for tourism and industrial projects in areas where the communities have settled without prior consultation. This has resulted in an intensification of threats, persecution and multiple violence against Garífuna leaders who defend their collective rights.⁹⁶

62. In Mexico, UN Human Rights learned of at least 46 cases of indigenous women human rights defenders murdered or forcibly disappeared between 2019 and 2023 with a possible link to their defense work. This accounts for almost 30% of all cases of murdered or disappeared human rights defenders registered by UN HR in this period. According to the report, the states with the highest recurrence of registered cases were Oaxaca, Chihuahua, Guerrero, Michoacán, and Chiapas.⁹⁷ These aggressions occurred mostly in areas where there are different types of mining conflicts, as well as violence due to corporate abuses and the presence of organized crime and armed groups. This is also causing a rupture of the social fabric within the communities.⁹⁸

⁹⁴ IACHR, [Report on the Situation of Human Rights in Honduras](#), OEA/Ser.L/V/II Doc.9/24 March 24, 2024, para. 279.

⁹⁵ IACHR, [Precautionary Measures Resolution 83/2023](#), Precautionary Measures No. 416-13, Tolupan Indigenous Members of the Broad Movement for Justice and Dignity regarding Honduras (Follow-up, Extension and Partial Lifting), December 27, 2023, para. 21.

⁹⁶ IACHR, [Situation of Human Rights in Honduras](#), OEA/Ser.L/V/II Doc.9/24, March 24, 2024, paras. 329-335.

⁹⁷ UN Human Rights, [On the International Day of the World's Indigenous Peoples, UN-HR recalls that the right to defend the human rights of indigenous peoples must be protected and guaranteed](#), 9 August 2023.

⁹⁸ Global Rights et al, Response to the IACHR consultation survey, received on January 30, 2024, filed with the IACHR.

63. In Nicaragua, the Inter-American Commission has been monitoring the increased violence against indigenous and Afro-descendant communities on the Caribbean Coast by armed settlers in their ancestral territories, who are allegedly acting with the acquiescence of the State.⁹⁹ They are exposed to extreme levels of armed violence, insecurity, forced displacement, food crisis, murders, kidnappings, high levels of impunity, and criminalization.¹⁰⁰ This violence would be related to territorial conflicts as land titling processes are still pending due to the presence of settlers in indigenous territories.¹⁰¹
64. In Peru, civil society organizations informed the Commission that between 2013 and July 2024, 35 indigenous defenders were killed, which is largely due to the increase in illegal logging and mining, drug trafficking, extractive corporations, the construction of airstrips and roads, as well as forestry and mining concessions granted by the State, among others.¹⁰² In March 2024, the Commission granted precautionary measures to members of the native Santa Rosillo Kichwa community of Yanayacu. Community leaders have been threatened with death, kidnapped, and physically assaulted. In November 2023, the Apu leader of the community was murdered. This violence is framed by the presence of "settlers" in their territories whose actions could be related to illicit activities in the area.¹⁰³

⁹⁹ IACHR, Press Release No. 121/24, [IACHR culminates visit of the Special Follow-up Mechanism for Nicaragua to Costa Rica](#), May 31, 2024; Press Release No. 40/24, [Nicaragua: IACHR warns international community about lack of conditions for free and fair elections in autonomous regions of the Caribbean Coast](#), February 23, 2024; IACHR, Annual Report 2023, Chapter IVB, [Nicaragua](#), para. 74.

¹⁰⁰ International Institute on Race, Equality and Human Rights, Response to the IACHR consultation survey, received on February 2, 2024, filed with the IACHR.

¹⁰¹ IACHR, Annual Report 2022, Chapter IVB, [Nicaragua](#), para. 167.

¹⁰² IACHR, Public Hearing "[Regional: Attacks and criminalization of environmental defenders](#)," held during the 190 period of sessions, July 9, 2024; IACHR, Public Hearing "[Regional: Situation of human rights defenders](#)," held during the 189 period of sessions, February 29, 2024.

¹⁰³ IACHR, [Resolution 13/2024](#), Precautionary Measures No. 1109-23, Certain families of the native Kichwa community Santa Rosillo de Yanayacu with respect to Peru, March 25, 2024.

65. In the Commission's opinion, the impact of the murder of an indigenous leader must be analyzed from both an individual and collective perspective. The Inter-American Court has pointed out that the loss of a leader can mean dismemberment and damage to the safety of the collective. It could also lead to frustration from losing the enormous trust placed in the leader to help the community achieve their objectives. There could also be feelings of loss of the collective efforts to support the community in developing their mission.¹⁰⁴
66. In addition to violence, members of indigenous and Afro-descendant communities face ungrounded criminal actions aimed at obstructing their defense activities. Private corporations have often played an important role in promoting such actions against them.¹⁰⁵
67. In Canada, information has been received about injunctions in favor of corporate activities that have been used to criminalize defenders. Amnesty International has documented the case of the Wet'suwet'en indigenous communities who oppose the construction of a gas pipeline led by private corporations in their territory, a project for which they have not given their free, prior, and informed consent. According to Amnesty, the indigenous authorities did not give their free, prior, and informed consent to this project.¹⁰⁶ In December 2019, the British Columbia Supreme Court granted an injunction to the gas company banning the Wet'suwet'en Land Defenders, and their supporters, from obstructing the construction of the pipeline in their territory. The court order contains enforcement provisions allowing for the detention and arrest of those who fail to comply. Between June and July 2022, the Supreme Court held 20 defenders in criminal contempt of court for disobeying the injunction prohibiting them from approaching the

¹⁰⁴ I/A Court H.R., [Case of Escué Zapata v. Colombia](#), Merits, Reparations and Costs, Judgment of July 4, 2007, Series C No. 165, para. 124.

¹⁰⁵ Muqui Network, Response to the IACHR consultation survey, received on December 11, 2024, filed with the IACHR; Amnesty International, [Canada: International Delegation to Attend Trial of Wet'suwet'en Land Defenders](#), June 11, 2024.

¹⁰⁶ Amnesty International, [Canada: "Removed from our land for defending it": Criminalization, Intimidation and Harassment of Wet'suwet'en Land Defenders](#), December 11, 2023, pag. 21.

pipeline construction sites.¹⁰⁷ In July 2024, Amnesty International made the unprecedented decision to designate Likhts'amisyu Clan Wing Chief Dsta'hyl of the Wet'suwet'en Nation as the first-ever prisoner of conscience in Canada, because of his criminalization for defending the land rights of his community.¹⁰⁸

68. In Ecuador, civil society organizations informed the IACHR about the alleged criminalization of at least 72 peasants who are being accused of terrorism; these processes that are allegedly being promoted by a mining company. They pointed out that this would have started after the communities filed an action for protection due to the lack of environmental consultation.¹⁰⁹ In Mexico, defenders of the Ayotitlán territory, in Jalisco, are reportedly being threatened after filing an *amparo* lawsuit that ordered the suspension of mining activities in their territory.¹¹⁰
69. In Guatemala, the Special Prosecutor's Office against Usurpation has denounced hundreds of members of indigenous communities who claim collective ownership of their ancestral lands.¹¹¹ The Commission notes that it has been a systematic and permanent practice of the Guatemalan authorities to bring community leaders

Amnesty International, [Canada: International Delegation to Attend Trial of Wet'suwet'en Land Defenders](#), June 11, 2024. Seven of them pleaded guilty in December 2022 due to their bail conditions, and to the psychological and financial impacts the criminal trial process was having on them. Five others had their charges dropped, while five others were arrested in March 2023. In January 2024, three of them were found guilty of the crime of contempt and challenged this process ¹⁰⁷, while in February of that year, another of the leaders was found guilty and in July of that year was sentenced to 60 days of house arrest. See also: Amnesty International, [Wet'suwet'en Chief Dsta'hyl declared first Amnesty International prisoner of conscience held in Canada](#), July 31, 2024.

¹⁰⁸ Amnesty International, [Wet'suwet'en Chief Dsta'hyl declared first Amnesty International prisoner of conscience held in Canada](#), July 31, 2024.

¹⁰⁹ IACHR, Public Hearing "[Ecuador: Human Rights of Human Rights Defenders in the Context of the State of Emergency](#)" held during the 190 period of sessions, July 12, 2024.

¹¹⁰ Global Rights Advocacy, Asesoría y Defensa Legal del Sureste, Tsikini, Global Exchange and the Seattle University School of Law International Human Rights Clinic, Response to the IACHR consultation survey, received on January 30, 2024, filed with the IACHR.

¹¹¹ Due Process of Law Foundation (DPLF), [Guatemala: judicial kleptocracy at war against indigenous peoples](#), August 6, 2024; Peace Brigades International (PBI) Guatemala, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

before the justice system for usurpation and aggravated usurpation in connection with their demands for the ownership of ancestral lands and the defense of the environment.¹¹² According to the Comité Campesino del Altiplano (CCDA), in 2023, 1,080 judicial accusations were registered, the vast majority for usurpation; there were also arrest warrants against land defenders, of which 363 would be women.¹¹³ The Commission notes that the Public Prosecutor's Office of Guatemala filed 4,260 eviction requests for usurpation and aggravated usurpation, threatening with eviction at least 68 indigenous Q'eqchi' and Poqomchi communities of Alta and Baja Verapaz.¹¹⁴

ii. Peasant and community leadership

70. The Commission notes that peasant and community leaders continue to face frequent and, in many cases, lethal aggressions, as well as criminalization processes in retaliation for their struggle for the recognition and vindication of their land rights.

71. In Brazil, the IACHR has expressed concern about the increase in rural violence and the serious problem faced by tens of thousands of rural families who are evicted each year from the lands they inhabit or occupy.¹¹⁵ Problems related to land conflicts and forced displacements are related to the siege, threats against, and murders of these people.¹¹⁶ Thus, there is a pattern of violence that has resulted in a large number of peasant defenders being killed.¹¹⁷ In 2023, Global

¹¹² IACHR, [Situation of human rights in Guatemala](#), OEA/Ser.L/V/II, Doc. 208/17, December 31, 2017, para. 218; UN Human Rights, Situation of human rights in Guatemala, A/HRC/49/20, February 28, 2022, para. 76.

¹¹³ IACHR, [Preliminary Observations on the on-site visit to Guatemala](#), OEA/Ser.L/V/II.doc.124/24, August 15, 2024, para. 27.

¹¹⁴ PBI, Information submitted to the IACHR, on file; PBI Guatemala, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

¹¹⁵ IACHR, Press Release No. 276/18, [IACHR and OHCHR Regional Office for South America condemn killings of rural leaders, Brazil](#), December 27, 2018.

¹¹⁶ IACHR, [Situation of Human Rights in Brazil](#), OEA/Ser.L/V/II. Doc. 9, February 12, 2021, para. 531.

¹¹⁷ IACHR, [Situation of Human Rights in Brazil](#), OEA/Ser.L/V/II. Doc. 9, February 12, 2021, para. 395.

Witness documented at least 10 murders related to "landless farmers", who are part of the landless peasant movement demanding a more equitable distribution of land.¹¹⁸

72. In Colombia, community and peasant leaders¹¹⁹ have been those most affected by violence. According to UN Human Rights, in 2023, leaders linked to Community Action Boards (JAC) accounted for 33% of the 105 verified homicide cases¹²⁰, while in 2022 there was a significant increase in the murder of these defenders, accounting for 45% of the 116 murders recorded in that year.¹²¹ The violent attack against members of the JACs would aim to instill fear in the community and ensure their control over it, either because they consider that the person was "collaborating" with another group or because they perceived that the leader or the community did not comply with their orders for the exploitation of illicit economies.¹²² The main risks for social leadership are related to demands related to the defense of territorial autonomy, participation in the implementation of State-led strategies, the refusal to comply with demands by armed groups to obstruct the presence of the State, encouraging support for a political candidacy, or disseminating their regulations.¹²³

¹¹⁸ Global Witness, [Voices silenced: violence against land and environmental defenders](#), September 10, 2024, p. 18.

¹¹⁹Colombian Commission of Jurists (CCJ), Response to IACHR questionnaire, received on December 11, 2023, filed with the IACHR; Community leaders are people who, within the framework of Community Action Boards (Juntas de Acción Comunal - JAC), work to defend the human rights of their community or several communities. Meanwhile, community leaders are individuals and groups that work for the promotion, respect and protection of the human rights of communities, without belonging to JACs, but who are recognized by these communities as activists or leaders.

¹²⁰ UN Human Rights, Situation of human rights in Colombia, [A/HRC/55/23](#), 14 February 2024, para. 59.

¹²¹ UN Human Rights, Situation of human rights in Colombia, [A/HRC/52/25](#), 27 February 2023, para. 62.

¹²² UN Human Rights, [UN Human Rights Analysis of Trends and Patterns of Violence against Human Rights Defenders in 2022](#), March 9, 2023, p. 3.

¹²³ Mission to Support the Peace Process in Colombia (MAPP/OAS), [Thirty-fourth Report of the Secretary General to the Permanent Council on the Mission to Support the Peace Process in Colombia of the Organization of American States \(MAPP/OAS\)](#), OEASer.G CP/doc.5873/23, May 1, 2023, p. 9.

73. The Commission has also learned about the grave violence affecting members of the Committee for Campesino Development (CODECA) in Guatemala. On May 6, 2023, Nicolasa López Méndez and Victoria Méndez Agustín were murdered in San Luis Jilotepeque, in the department of Jalapa.¹²⁴ According to available information, between 2018 and 2023, 27 of its members have been murdered due to their leadership roles in defending their lands and the environment.¹²⁵ In 2021, the IACHR learned about the murder of Ramón Jiménez López and Emilio Aguilar Jiménez, land defenders and members of CODECA.¹²⁶ In 2020, the Commission condemned the murder of at least eight defenders between June and August of that year, all of which were related to the defense of land and territory.¹²⁷
74. The persistent agrarian and territorial conflict in Honduras has played a major role in the increased violence in the country. This conflict is framed in an inequitable distribution of land and its resources, due to an economy based on manufacturing, a privatized extractive industry, and large-scale agriculture such as banana or African palm cultivation.¹²⁸ In early 2023, the Commission condemned the murder of five human rights defenders in Bajo Aguán and Garífuna territories, as part of this conflict.¹²⁹ The Commission is particularly concerned about information indicating that 97% of crimes against land defenders go unpunished.¹³⁰

¹²⁴ Prensa Comunitaria, [Condennan el asesinato de dos mujeres integrantes de CODECA](#), May 8, 2023.

¹²⁵ International Land Coalition, [We condemn the murders of two women human rights defenders in Guatemala](#), May 8, 2023.

¹²⁶ IACHR, Annual Report 2021, Chapter IVB, [Guatemala](#), para. 165.

¹²⁷ IACHR, Press Release No. 21520 - [IACHR condemns murders and attacks against human rights defenders in Guatemala](#), September 11, 2020.

¹²⁸ IACHR, [Report on the Situation of Human Rights in Honduras](#), OEA/Ser.L/V/II Doc.9/24, March 24, 2024, paras. 132 and 133.

¹²⁹ IACHR, Press Release No. 2223, [IACHR Condemns Killings of Human Rights Defenders in Honduras](#), February 14, 2023.

¹³⁰ UN, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Morris Tidball-Binz, Visit to Honduras, [A/HRC/56/56/Add.1](#), 24 June 2024, para. 17.

B. Women human rights defenders

75. In an exacerbated context of violence, women human rights defenders face specific risks and gender-based discrimination, with the intersection of other factors such as their sexual orientation, ethnic and racial origin, age, and the type of advocacy they carry out. Thus, they may face double or triple discrimination--or intersectional discrimination. Their risks are compounded by historical discrimination connected to the social fabric, aggravated by *machismo*, patriarchal dynamics, and the prevalence of sexist stereotypes.¹³¹
76. In recent years, the Commission has received worrying information about the high number of attacks against women defenders in several countries in the region¹³². In this regard, in Brazil, figures from Justiça Global indicate that between 2019 and 2022, 16 cisgender women and 9 transgender women were murdered¹³³ ; in Colombia figures from the Attorney General's Office indicate that 130 women defenders and leaders were murdered between 2016 and June 2022¹³⁴ ; in Honduras civil society figures indicate that 27 women defenders were murdered between 2016 and 2023¹³⁵ ; in Mexico, civil society figures indicate that, between 2012 and 2023, 73 women defenders were

¹³¹ IACHR, [Violence and Discrimination against Women, Girls and Adolescents: Good practices and challenges in Latin America and the Caribbean](#), OEA/Ser.L/V/II. Doc. 233, 14 November 2019, para. 94.

¹³² Observatorio para la defensa de la vida (ODEVIDA), [Vivir para Defender la vida, Informe de violencia contra personas líderes y defensoras de D.D.H.H.D. EN Colombia, Venezuela y Perú](#), November 16, 2023, p. 16; SISMA Mujer, [A cinco años del Acuerdo Final de Paz: Reactivar la paz con las mujeres](#), 2021; CCJ, [El riesgo de defender y liderar: Pautas comunes y afectaciones diferenciales en las violaciones de los derechos humanos de las personas defensoras en Colombia](#), October 2020, p. 141; Asociación para una Sociedad más Justa (ASJ), Response to the IACHR questionnaire, received on December 11, 2023, filed with the IACHR.

¹³³ Justiça Global & Terra de Direitos. [Na linha de frente: violência contra defensoras e defensores de direitos humanos no Brasil: 2019-2022](#), p. 27.

¹³⁴ Procuraduría General de la Nación, [Informe de seguimiento al Programa Integral De Garantías para Mujeres Líderes y Defensoras de Derechos Humanos \(PIGMLD\) plan de acción 2019 - 2022](#), undated, p. 6.

¹³⁵ Red Nacional de Defensoras de Derechos Humanos en Honduras (RNDDH) and the Mesoamerican Initiative of Women Human Rights Defenders (IM Defensoras), [Rebeldes y persistentes: Informe realidad de las defensoras en Honduras 2023](#), March 19, 2024, p. 9.

murdered¹³⁶. In addition, they have been frequent victims of other types of aggressions such as enforced disappearances¹³⁷, threats, intimidation, harassment, criminalization and stigmatization¹³⁸. Sexual and gender-based violence against them continues to be a constant aggression and fear¹³⁹

77. The Commission notes that many of the violent acts against women defenders have are undeniably gender-based¹⁴⁰, as they are accompanied by misogynistic content and demeaning gender-related qualifiers.¹⁴¹ Many of the threats directed against women defenders arise from their challenging of gender roles¹⁴² and include demeaning language and sexist content¹⁴³, in addition to referring to their bodies

¹³⁶ IM Defensoras, [Datos que nos duelen, redes que nos salvan, 10+ años de agresiones contra defensoras de derechos humanos en Mesoamérica](#), 2013-2023, April 2024, p. 83.

¹³⁷ UN Human Rights, [Enforced disappearances of human rights defenders Grisell Pérez Rivera and Claudia Uruchurtu Cruz must be clarified: UN-HR](#), 13 May 2021.

¹³⁸ CEMDA, Response to the IACHR consultation survey, received on January 12, 2024, filed with the IACHR; Colectivo EPUMx, 4th Universal Periodic Review Mexico, [Thematic Report on the Situation of Human Rights Defenders and Journalists](#), 2023, para. 42.

¹³⁹ UN, Report of the Special Rapporteur on the situation of human rights defenders, Pathways to peace: women human rights defenders in conflict, post-conflict and crisis situations, [A/78/131](#), July 7, 2023, para. 58; IM-Defensoras, [Datos que nos duelen, redes que salvan, 10+ años de agresiones contra defensoras de derechos humanos, 2012-2013](#), April 10, 2024, p. 21; Caribe Afirmativo, Respuesta al cuestionario de consulta de la CIDH, received on February 2, 2024, filed with the IACHR.

¹⁴⁰ IACHR, [Report on the Situation of Human Rights Defenders and Social Leaders in Colombia](#), OEA/Ser.LV/II. Doc. 262, December 6, 2019, para. 69.

¹⁴¹ Center for Defenders and Justice (CDJ), Response to the IACHR consultation survey, received on February 2, 2024, filed with the IACHR.

¹⁴² IACHR, [Violence and Discrimination against Women, Girls and Adolescents: Good practices and challenges in Latin America and the Caribbean](#), OEA/Ser.LV/II. Doc. 233, 14 November 2019, para. 126; IM Defensoras, Response to the IACHR consultation survey, received on January 11, 2024, filed with the IACHR.

¹⁴³ CCJ, [El deber de protección y el derecho a defender derechos, Balance de las rutas de protección para líderes, lideresas sociales, personas defensoras de derechos, exguerrilleros y exguerrilleras de las FARC-EP en proceso de reincorporación, sus comunidades, pueblos y organizaciones. August 2018 to December 2020](#), November 19, 2021, p. 97.

or loaded with sexual insinuations.¹⁴⁴ Unlike men, there is a risk that goes beyond the individual sphere, since the threats and verbal aggressions often extend to their family members or close associates, generating fear or fear that they could also be affected by their work.¹⁴⁵

78. The use of new technologies to intimidate human rights defenders is increasingly frequent. In the case of women, the messages issued by these means have a sexist and misogynist content that seeks to discredit them by attacking their image, their sexual orientation, their reputation, and their families.¹⁴⁶ In this way, online violence "is an extension of a structural situation of systematic violence perpetrated by partners, ex-partners, close associates, strangers and even government institutions and other relevant actors". At the same time, online violence translates into and feeds back into various forms of gender-based violence in non-virtual spaces.¹⁴⁷ According to the information received, women defenders have been victims of internet publications by third parties that disseminate private information about

¹⁴⁴ IACHR, [Report on the Situation of Human Rights Defenders and Social Leaders in Colombia](#), OEASer.LV/II. Doc. 262, Dec. 6, 2019, para.71; National Network of Women Human Rights Defenders in Honduras (RNDDH) and the Mesoamerican Initiative of Women Human Rights Defenders (IM Defensoras), [Rebels and Persistent: Informe realidad de las defensoras en Honduras 2023](#), March 19, 2024, p. 23.

¹⁴⁵ UDEFEGUA, [Situación de personas, organizaciones y comunidades defensoras de derechos humanos en Guatemala 2021](#), June 2022, p. 18; Comisión Nacional de los Derechos Humanos (CONADEH), [Informe Situacional de las Mujeres Defensoras de Derechos Humanos en Honduras](#), August 2023, p. 31; Centro de Derechos de Mujeres (CDM) de Honduras, Agrupación Ciudadana por la Despenalización del Aborto de El Salvador and Centro de Derechos Reproductivos (CDR), Response to the IACHR consultation survey, received on January 15, 2024, filed with the IACHR; MOE, [Report on Violence against Women Exercising Political, Social and Communal Leadership](#), November 25, 2020, p. 4; International Crisis Group, [Leaders under Fire: Defending Peace in Colombia. Latin America Report N°82](#), 6 October 2020, p. 10.

¹⁴⁶ IACHR, [Violence and Discrimination against Women, Girls and Adolescents: Good practices and challenges in Latin America and the Caribbean](#), OEASer.LV/II. Doc. 233, 14 November 2019, para. 129.

¹⁴⁷ IACHR, Office of the Special Rapporteur for Freedom of Expression (RELE), [Women journalists and freedom of expression](#), OEASer.LV/II, IACHR/RELE/INF.20/18, October 31, 2018, para. 48; Luchadoras, et al, [Online violence against women in Mexico](#), Report for the Rapporteur on Violence against Women, Ms. Dubravka Šimonović, November 1, 2017, p. 37; Karisma Foundation, [Misogyny on the Internet: open-field bombardment against women journalists](#), February 24, 2016.

a person (*doxing*) and publish false or manipulated videos.¹⁴⁸ By way of example, in El Salvador civil society indicates that by 2023, 78.7% of registered attacks against women were carried out through digital media.¹⁴⁹ In Mexico, they indicate that in 2023 there will be a 41% increase in digital aggressions against women defenders compared to 2022.¹⁵⁰ Women's groups, organizations, and defenders have been harassed online by third parties, threatened with physical and sexual aggression and even death.¹⁵¹

79. Gender impact is also reflected in stigmatization campaigns and discrediting of their work seeking to damage their "honor" or "reputation"¹⁵², challenging them for not dedicating themselves exclusively to caring for their families, using insults that refer to their sexuality, or threatening women defenders and their children with sexual violence. Messages that seek to discredit their defense work are said to have occurred in the context of feminist protests.¹⁵³ In addition, women defenders may also be stigmatized and rejected by their own family members or within their own communities by community leaders as they consider their actions represent a threat to religion, honor, culture or ways of life.¹⁵⁴

¹⁴⁸ UN, Report of the Special Rapporteur on the situation of human rights defenders, Michel Forst, 15 July 2019, [A/74/159](#), para. 20.

¹⁴⁹ IM-Defensoras, [Mesoamerican Registry of Aggressions against Women Human Rights Defenders: 2023 - Preliminary Annual Data](#), April 10, 2024.

¹⁵⁰ IM-Defensoras, [Mesoamerican Registry of Aggressions against Women Human Rights Defenders: 2023 - Preliminary Annual Data](#), April 10, 2024.

¹⁵¹ Colectivo EPUMx, [4th Universal Periodic Review Mexico, Thematic Report on the Situation of Human Rights Defenders and Journalists, 2023](#), 2023, para. 21.

¹⁵² UN, Situation of women human rights defenders, Report of the Special Rapporteur on the situation of human rights defenders, [A/HRC/40/60](#), 10 January 2019, para. 37.

¹⁵³ IM-Defensoras, Response to the IACHR consultation survey, received on January 11, 2024, filed with the IACHR.

¹⁵⁴ UN, Situation of Women Human Rights Defenders, Report of the Special Rapporteur on the situation of human rights defenders, [A/HRC/40/60](#), January 10, 2019, para. 37; CONADEH, [Informe Situacional de las Mujeres Defensoras de Derechos Humanos en Honduras](#), August 2023, p. 31; Global Witness, Response to IACHR questionnaire, received on January 16, 2024, filed with the IACHR.

80. Women defenders also face criminalization through their undue subjection to criminal proceedings. In Honduras, the Commission learned of Garífuna women defenders who were detained and subjected to criminal proceedings stemming from two injunctions filed by the Public Prosecutor's Office for alleged damages, threats, theft, and usurpation of land, which allegedly originated in a civil dispute with third parties.¹⁵⁵ In Mexico, the indigenous defender Kenia Hernández was sentenced to 10 years in prison on February 19, 2022 for robbery and other seven criminal counts against her.¹⁵⁶ The Commission has pointed out the impact that inadequate and differentiated enforcement of criminal law has on women defenders, since in addition to curbing their causes, it increases and exacerbates existing social inequalities.¹⁵⁷
81. For women defenders, there are greater obstacles to accessing justice. They face justice systems that often discriminate against them and perpetuate gender stereotypes against them, which exacerbates distrust in these systems and leads many to choose not to report violent acts. In addition, some WHRDs may choose not to report threats, including death threats, due to their deeply defamatory nature.¹⁵⁸ Online and offline threats, intimidation and harassment are often not taken seriously when reported.¹⁵⁹ For example, in Honduras, women environmental defenders are re-victimized when filing their

¹⁵⁵ IACHR, Press Release No. 195/21, [IACHR and OHCHR call on the State to refrain from criminalizing Garífuna women human rights defenders in Honduras](#), July 27, 2021.

¹⁵⁶ IACHR, Request for Information to the State of Mexico under Article 41, Criminalization of Indigenous Defender Kenia Hernández in Mexico, Communication 175-22/CIDH/SEMPCT-Art.41, May 2, 2022, filed with the IACHR; Front Line Defenders, [Kenia Inés Hernández Montalván is Sentenced to Ten Years and Six Months in Prison](#), February 21, 2022.

¹⁵⁷ IACHR, [Criminalization of the work of human rights defenders](#), OEA/Ser.L/V/II. Doc. 49/15, 31 December 2015, para. 52.

¹⁵⁸ UN, Report of the Special Rapporteur on the situation of human rights defenders, Last warning: human rights defenders, victims of death threats and killings, [A/HRC/46/35](#), 24 December 2020, para. 66.

¹⁵⁹ UN, Report of the Special Rapporteur on the situation of human rights defenders, Pathways to peace: women human rights defenders in conflict, post-conflict and crisis situations, [A/78/131](#), 7 July 2023, para. 105.b.

complaints.¹⁶⁰ In Venezuela, women defenders face greater risks because there are no specialized gender prosecutors to respond to their complaints.¹⁶¹

i. Sexual and reproductive rights defenders

82. The Inter-American Court of Human Rights has recognized the right to sexual and reproductive health as an integral part of the right to health. This right is closely linked to personal autonomy and reproductive freedom, as well as to access to reproductive health services, information, education, and the necessary means to freely and responsibly exercise the right to decide on the number of children one wishes to have.¹⁶²
83. Considering the broad and flexible nature of the work of human rights defenders, the defense of sexual and reproductive rights is part of their activities. Thus, defenders of these causes promote the ability of all people to decide freely, in an informed, safe, and responsible manner about their sexuality and reproduction, without being subject to discrimination, risks, threats, coercion, or violence. They also promote access to services, information, and education on sexual and reproductive health, promoting their knowledge and full exercise.
84. Women who defend sexual and reproductive rights have played an important role in the struggle to guarantee women's autonomy in sexual and reproductive health. According to the Inter-American Court, such autonomy has historically been limited or nullified based on negative and harmful gender stereotypes.¹⁶³ By challenging

¹⁶⁰ PBI Honduras, [La defensa de la tierra tiene nombre de mujer](#), May 2020, p.23.

¹⁶¹ UN, Report of the Special Rapporteur on the situation of human rights defenders. Pathways to peace: women human rights defenders in conflict, post-conflict and crisis situations, [A/78/131](#), 7 July 2023, para. 72.

¹⁶² I/A Court H.R., [Case of Manuela et al. v. El Salvador](#), Preliminary Objections, Merits, Reparations and Costs, November 2, 2021, Series C No. 441, para. 192.

¹⁶³ I/A Court H.R., [Case of Manuela et al. v. El Salvador, Preliminary Objections, Merits, Reparations and Costs](#), November 2, 2021, Series C No. 441, para. 252.

sociocultural patterns, women defenders are at aggravated risk of facing specific violence against them for defending this cause.¹⁶⁴

85. Thus, they are especially exposed to being delegitimized, attacked, and physically and verbally abused, receiving threats, and being criminalized through prosecutions and improper investigations.¹⁶⁵ Civil society organizations informed the Commission that 768 aggressions against women defenders and organizations working in defense of sexual and reproductive rights were registered in the Mesoamerica in 2022, where at least three women defenders lost their lives.¹⁶⁶ In Brazil, the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association learned about a sexual and reproductive rights defender who had to leave the country due to intimidation and harassment.¹⁶⁷ In Honduras, the Coordinator of the group Ecumenicas por el Derecho a Decidir was reportedly harassed and threatened by the Military Police of Public Order at her home.¹⁶⁸ In the Dominican Republic, excessive force was reportedly used by the National Police against an encampment set up in front of the National Palace as an act of resistance to the decision of the Justice Commission of the Chamber of Deputies to keep criminalizing the termination of pregnancy, including when pregnancy represents a risk

¹⁶⁴ IACHR, [Violence and Discrimination against Women, Girls and Adolescents: Good practices and challenges in Latin America and the Caribbean](#), OEA/Ser.L/V/II. Doc. 233, 14 November 2019, para. 127.

¹⁶⁵ IACHR, Public Hearing "[Situation of the Human Rights of Women Defenders of Sexual and Reproductive Rights](#)" held in the framework of the 184 period of sessions, June 24, 2022; Amnesty International, Response to the IACHR consultation survey, received on January 31, 2024, filed with the IACHR.

¹⁶⁶ IACHR, Public Hearing "[Mexico: Protection of Human Rights Defenders and Journalists](#)," held during the 189 period of sessions, February 28, 2024.

¹⁶⁷ UN, Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi Voule, Visit to Brazil, [AHRC/53/38/Add.1](#), May 23, 2023, para. 82.

¹⁶⁸ Catholic Network, [We demand the protection and safety of defender Ana Ruth García Cárcamo](#), January 16, 2018.

to the woman's life, is the result of rape or incest, or where fetal malformations are incompatible with life.¹⁶⁹

86. In the United States, it has been reported that this type of defenders have faced stigmatization, physical and verbal attacks, intimidation, threats and criminalization, including medical personnel and health care providers, activists, staff and companions of pregnancy termination clinics, midwives, education professionals, among others.¹⁷⁰ In addition, there has been an increase in arson, robbery, death threats, and occupations of clinics that provide these types of services. This is a result of the Supreme Court's decision to overturn the *Roe V. Wade* ruling, which recognized access to termination of pregnancy as a constitutional right.¹⁷¹
87. In El Salvador, these defenders have faced constant threats, delegitimization campaigns, social media campaigns with discriminatory and misogynist discourse, many related to their support in the Beatriz vs. El Salvador case brought before the Inter-American Court.¹⁷² In Honduras, organizations related to the

¹⁶⁹ CEJIL, Redlac, RCS, Plan Internacional, "[Towards the Recognition and Empowerment of Those Defending Sexual and Reproductive Rights in Latin America: a look at Colombia, El Salvador, Guatemala, and the Dominican Republic](#)". Volume II. *Regional Compendium*, 2022, p. 54.

¹⁷⁰ Physicians for Human Rights, [Delayed and denied: How Florida's six-week abortion ban criminalizes medical care](#), 17 September 2024; Lift Louisiana, Physicians for Human Rights, [Reproductive Health Impact & the Center for Reproductive Rights, Criminalized care: How Louisiana's abortion bans endanger patients and clinicians](#), 19 March 2024; Physicians for Human Rights, Oklahoma Call for Reproductive Justice & the Center for Reproductive Rights, [No One Could Say: Accessing Emergency Obstetrics Information as a Prospective Prenatal Patient in Post-Roe Oklahoma](#), 25 April 2023; Amnesty International, [Abortion in the USA: The human rights crisis in the aftermath of Dobbs](#), August 2024, pp. 73-75.

¹⁷¹ Amnesty International, [An Unstoppable Movement: Global Call to Recognize and Protect Abortion Rights Advocates](#), November 24, 2023, p. 34.

¹⁷² For example, the Agrupación Ciudadana por la Despenalización del Aborto has received 13,000 attempts to sabotage its web page. As a result, members of this organization have decided to leave the country. IACHR, Public Hearing "[Regional: Situation of Human Rights Defenders](#)" held in the framework of the 189 period of Sessions, February 29, 2024; Front Line Defenders, [Global Analysis Global Analysis 20232023](#), May 22, 2024, p. 61; Women's Rights Center (Centro de Derechos de Mujeres), , May 22, 2024, p. 61. 61; Centro de Derechos de Mujeres (CDM) of Honduras, Agrupación Ciudadana por la Despenalización del Aborto of El Salvador, and Centro de Derechos Reproductivos (CDR), Response to the IACHR consultation survey, received on January 15, 2024, filed with the IACHR.

defense of sexual and reproductive health and rights have been the target of online and other media hate and smear campaigns, often instigated, encouraged and consented to by prominent political and religious figures.¹⁷³ Stigmatizing speech and smear campaigns have also been registered in Ecuador¹⁷⁴, Guatemala¹⁷⁵, Mexico¹⁷⁶, Peru¹⁷⁷, and Venezuela.¹⁷⁸

88. In addition, the Commission has warned that women's rights defenders who promote gender equality and sexual and reproductive rights are constantly subjected to criminalization.¹⁷⁹ In Brazil, lawyers representing an 11-year-old girl who was being pressured to forgo legal termination of pregnancy were denounced before the Brazilian Bar Association for violation of professional secrecy, unfaithful patronage, and causing a non-consensual termination of pregnancy. The process

¹⁷³ UN, Human Rights Council, Honduras: Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Irene Khan - Visit to Honduras, [AHRC/56/53/Add.1](#), 15 May 2024, para. 29.

¹⁷⁴ State of Ecuador, Office of the Attorney General of Ecuador, Response to the IACHR consultation survey, Note No. 945-23/CIDH/SEMPCT-CT, received on January 18, 2024, filed with the IACHR.

¹⁷⁵ CEJIL, Redlac, RCS, Plan International, 2022. "[Towards the Recognition and Empowerment of Those Defending Sexual and Reproductive Rights in Latin America: a look at Colombia, El Salvador, Guatemala, and the Dominican Republic](#)". Volume II. Regional Compendium, 2022, p. 43.

¹⁷⁶ IM-Defensoras, [Red Nacional de Defensoras de Derechos Humanos en México ante los actos de criminalización y violencia contra defensoras de derechos sexuales y reproductivos](#), October 18, 2019.

¹⁷⁷ UN, Report of the Special Rapporteur on the situation of human rights defenders, Michel Forst, Visit to Peru, [AHRC/46/35/Add.2](#), 22 December 2020, para. 70; ACI Prensa, [Denuncian que campaña en calles por el "aborto legal" en Perú es apología del delito](#), 25 September 2019.

¹⁷⁸ UN-DH, Report of the Special Rapporteur on the situation of human rights defenders. Pathways to peace: women human rights defenders in conflict, post-conflict and crisis situations, [A/78/131](#), 7 July 2023, para. 78.

¹⁷⁹ IACHR, [Criminalization of the work of human rights defenders](#), OEA/Ser.L/V/II. Doc. 49/15, 31 December 2015, para. 52.

was subsequently archived.¹⁸⁰ The State of Ecuador has referred to the use of criminal law to investigate the apology of the crime of abortion contemplated in Article 149 of the Organic Integral Penal Code.¹⁸¹ In addition, it stated that there is an imbalance in investigations involving women defenders of sexual and reproductive rights due to prejudice around maternity and condemnation of the interruption of pregnancy by justice operators, which limit the actions of women human rights defenders, often arbitrarily.¹⁸² In Guatemala, a criminal complaint for "instigating to commit a crime" and "usurpation of quality"¹⁸³ was filed against feminist collectives for promoting on social media and in the streets of the city center the right to safe and legal termination of pregnancy in the framework of the Global Day of Action.

C. Human rights defenders of LGBTI people

89. LGBTI defenders have played a fundamental role in guaranteeing rights related to sexual orientation and gender identity. These groups may face a threefold risk for identifying themselves as members of the LGBTI community; their role as human rights defenders; and the causes they defend.¹⁸⁴ Other elements of intersectionality compound this situation: such as identifying as a woman, belonging to an indigenous or Afro-descendant community, age, and/or income.

¹⁸⁰ IACHR, Public Hearing "[Regional: Situation of Women Human Rights Defenders](#)" held during the 189 period of Sessions, February 29, 2024; Centro de Derechos de Mujeres (CDM) of Honduras, Agrupación Ciudadana por la Despenalización del Aborto of El Salvador and Centro de Derechos Reproductivos (CDR), Response to the IACHR consultation survey, received on January 15, 2024, filed with the IACHR.

¹⁸¹ Ministry of Justice, Human Rights and Worship, [Código Orgánico Integral Penal](#), Article 149

¹⁸² State of Ecuador, Office of the Attorney General of Ecuador, Response to the IACHR consultation survey, Note No. 945-23/CIDH/SE/MPCT-CT, received on January 18, 2024, filed with the IACHR.

¹⁸³ IACHR, Annual Report 2020, Chapter V, [Third follow-up report on recommendations made by the IACHR in the report on the human rights situation in Guatemala](#), para. 175; CEJIL, Redlac, RCS, Plan International, 2022. "[Towards the Recognition and Empowerment of Those Defending Sexual and Reproductive Rights in Latin America: a look at Colombia, El Salvador, Guatemala, and the Dominican Republic.](#)" Volume II. Regional Compendium, 2022, p. 43.

¹⁸⁴ IACHR, [Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas](#), OAS/Ser.L/V/II.rev.2 Doc. 36, November 12, 2015, para. 335.

90. In this regard, the OAS General Assembly has recognized the particular vulnerability in which LGBTI human rights defenders find themselves due to the compounding of several factors such as prejudice, exclusion, discrimination, and violence in the public and private spheres.¹⁸⁵
91. The IACHR notes that violence against LGBTI defenders persists. It warns that much of this violence occurs in countries where there are high rates of violence against LGBTI groups.¹⁸⁶ Civil society figures indicate that between 2021 and 2022, 33 LGBTI defenders were murdered in the region¹⁸⁷
92. In Brazil, the defense of LGBTI rights would be the second type of defense most affected by violence.¹⁸⁸ Civil society figures indicate that by 2023, six LGBTI defenders were killed.¹⁸⁹ The Commission rejected the brutal murder of Councilwoman Marielle Franco, an Afro-descendant and LGBTI rights defender in the State of Rio de Janeiro in March 2018.¹⁹⁰ In Colombia, LGBTI defenders have been constant victims of violence and structural discrimination under the context of

¹⁸⁵ OAS, General Assembly, [AG/RES. 3028 \(LIV-Q24\)](#), Promotion and Protection of Human Rights, (Adopted at the fourth plenary session held on June 28, 2024), Paragraph XX.

¹⁸⁶ IACHR, [Report on the Situation of Human Rights in Honduras](#), OEA/Ser.LV/II Doc. 9/24, March 24, 2024, para. 402; IACHR, [Situation of Human Rights in El Salvador](#), OEA/Ser.LV/II. Doc. 278, October 14, 2021, para. 233; IACHR, [Situation of Human Rights in Brazil](#), OEA/Ser.LV/II. Doc. 9, February 12, 2021, para. 263; IACHR, [Situation of human rights in Guatemala](#), OEA/Ser.LV/II. Doc. 208/17, Dec. 31, 2017, para. 380; IACHR, [Situation of human rights in Mexico](#), OEA/Ser.LV/II. Doc. 44/15, December 31, 2015, para. 263.

¹⁸⁷ Sin Violencia LGBTI, [Boletín Temático No. 02: muertes violentas de personas LGBTI defensoras de derechos humanos](#), September 2023, p. 2.

¹⁸⁸ Global Justice, Response to the IACHR consultation survey, received on January 31, 2024, filed with the IACHR; Justiça Global & Terra de Direitos, [Na linha de frente: violência contra defensoras e defensores de direitos humanos no Brasil: 2019-2022](#), p. 55.

¹⁸⁹ Observatório de Mortes e Violências LGBTI+ no Brasil, [Dossiê 2023. Mortes e violências contra LGBTI+ no Brasil](#), May 2024, p. 49.

¹⁹⁰ IACHR, [Situation of Human Rights in Brazil](#), OEA/Ser.LV/II. Doc. 9, February 12, 2021, para. 495.

the armed conflict.¹⁹¹ Figures from the Ombudsman's Office indicate that between 2018 and 2022, 13 LGBTI leaders were murdered.¹⁹² In Mexico, civil society figures indicate that by 2023, seven LGBTI defenders were killed, six in 2022 and three in 2021.¹⁹³

93. It is observed that the people most particularly vulnerable to violence are trans women defenders. Of the 33 LGBTI defenders killed between 2021 and 2022, 24 were trans women.¹⁹⁴ In Brazil, of the deaths registered by civil society in 2023, six were trans women.¹⁹⁵ In Honduras, the Commission heard about the murder of trans defender Thalía Rodríguez¹⁹⁶; and in Mexico, it learned about the murder of trans defender Mireya Rodríguez Lemus.¹⁹⁷
94. The Commission is concerned about the cruelty with which these crimes are committed, since in some cases there is evidence of compounded violence such as torture, sexual assault, intent to cause

¹⁹¹ IACHR, [Report on the Situation of Human Rights Defenders and Social Leaders in Colombia](#), OEASer.LVII. Doc. 262, December 6, 2019, para. 77.

¹⁹² Ombudsman Colombia, [Early Alert No. 019-2023, Alerta temprana nacional de riesgo sobre la labor de personas defensoras de dd.hh.\(pddh\), líderes y lideresas sociales, sus organizaciones y colectivos](#), May 19, 2023, p.38.

¹⁹³ Letra S, [LGBTphobic Violence in Mexico, 2023: Reflections on its lethal scope](#), May 2024, p. 18.

¹⁹⁴ Sin Violencia LGBTI, [Boletín Temático No. 02: muertes violentas de personas LGBTI defensoras de derechos humanos](#), September 2023, p. 3.

¹⁹⁵ Observatório de Mortes e Violências LGBTI+ no Brasil, [Dossiê 2023, Mortes e violências contra LGBTI+ no Brasil](#), May 2024, p. 49.

¹⁹⁶ Robert Kennedy Human Rights (RFK Human Rights), [We demand justice for the murder of trans activist Thalía Rodríguez in Honduras](#), January 11, 2022; Reportar Sin Miedo, [Asesinan a la líder trans Thalía Rodríguez en Tegucigalpa](#), January 10, 2022; UN Human Rights, [OHCHR condemns the murder of trans human rights defender Thalía Rodríguez](#), January 12, 2022.

¹⁹⁷ UN Human Rights, [ONU-DH Mexico condemns the murder of human rights defender Mireya Rodríguez Lemus in Chihuahua](#), September 10, 2020; Presentes, [Transfeminicidio de Mireya: la Justicia de México deja impune el caso que podía marcar un cambio](#), July 25, 2022.

marks and pain on the body¹⁹⁸, beatings, stabbings and strangulation¹⁹⁹, among other signs of high levels of violence.

95. In addition to the murders, threats continued to be made against LGBTI defenders that contain pejorative allusions to their sexual orientation or gender identity. In Brazil the Commission granted precautionary measures to Benny Briolly Rosa da Silva Santos, a black transvestite defender and a parliamentary advisor, who received death threats containing racist, degrading, transphobic, and aporophobic content.²⁰⁰ Furthermore, in 2018 it granted precautionary measures to Jean Wyllys de Matos Santos, former congressman and activist for the rights of LGBTI people, who received death threats motivated both by his work in defense of certain collectives--and, in particular, the LGBTI community--and allegedly for having publicly stated his sexual orientation.²⁰¹
96. In Colombia, threatening pamphlets include insults and disqualifying comments against these groups that also suggest the need for a "social cleansing", which is a clear reference to violent or even lethal intentions against them.²⁰² In 2023, civil society figures indicate that 37 LGBTI defenders received some kind of threats.²⁰³ Meanwhile by 2022, 31 cases of threats against LGBTI leaders were registered, 16 of which were directed at transgender people, with women being the

¹⁹⁸ CCJ, Response to IACHR questionnaire, received on December 11, 2023, filed with the IACHR; UN Human Rights, [UN Human Rights Mexico condemns the murder of human rights defender Mireya Rodríguez Lemus in Chihuahua](#), September 10, 2020.

¹⁹⁹ ABGLT, [Do luto à luta: violência contra defensores de direitos humanos lgbti+ no Brasil](#), 2021, p. 12.

²⁰⁰ IACHR, [Resolution 34/2022](#), Precautionary Measures No. 408-22, Benny Briolly Rosa da Silva Santos and members of his team regarding Brazil, July 11, 2022, para. 6.

²⁰¹ IACHR, [Resolution No.85/2018](#), Precautionary Measure No. 1262-18, Jean Wyllys de Matos Santos and family regarding Brazil, November 20, 2018, para. 22.

²⁰² International Crisis Group, [Leaders Under Fire: Defending Peace in Colombia. Latin America Report N°82](#), October 6, 2020, p. 10; Caribe Afirmativo, Response to the IACHR consultation survey, received on February 2, 2024, filed with the IACHR; Colombia Diversa, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

²⁰³ Colombia Diversa, [Boletín Amenazas contra personas LGBTIQ+ en Colombia en 2023, cifras y casos emblemáticos](#), 2024, p. 3.

main victims.²⁰⁴ In Mexico, the organization Arcoíris, received death threats scrawled on the walls of its office.²⁰⁵

97. According to civil society, these aggressions have had an impact on their advocacy activities, causing self-censorship of other people with diverse sexual orientations and gender identities and a generalized fear of becoming visible and participating in political, community or organizational processes²⁰⁶; the cracking of the social fabric, the impossibility of circulation and permanence in the public space, the freedom of expression of diverse bodies and subjectivities that impact directly the collective processes of this population²⁰⁷, even having to resort to exile.²⁰⁸
98. On the other hand, in its 2011 report the IACHR highlighted the criminalization of sexual orientations other than heterosexual as one of the most serious problems in the region for the defense of the rights of LGBTI persons. In its follow-up, the Commission noted some positive advances in this matter. In particular, it highlighted the cases

²⁰⁴ Caribe Afirmativo, Response to the IACHR consultation survey, received on February 2, 2024, filed with the IACHR. See also: Ombudsman's Office Colombia, [Informe Defensorial. Una radiografía del prejuicio: informe anual 2022 de derechos humanos de personas OSIGD-LGBTI y balance de la Política Pública Nacional 2019-2022 en Colombia](#), 2023, p. 28.

²⁰⁵ Front Line Defenders, [Global Analysis 2021](#), January 11, 2020, p. 18.

²⁰⁶ Defensoría del Pueblo Colombia, [Alerta Temprana N°019-2023, Alerta temprana nacional de riesgo sobre la labor de personas defensoras de dd.hh.\(pddh\), líderes y lideresas sociales, sus organizaciones y colectivos](#), May 19, 2023, p. 70; Colombia Diversa, Respuesta al cuestionario de consulta de la CIDH, received on December 11, 2023, filed with the IACHR.

²⁰⁷ Colombia Diversa, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

²⁰⁸ Instituto Raza e Igualdad, Response to the IACHR consultation survey, received on February 2, 2024, filed with the IACHR; Caribe Afirmativo, [El riesgo de defender los Derechos Humanos de las personas LGBTI](#), December 10, 2021.

of Antigua and Barbuda²⁰⁹, Bahamas²¹⁰, Barbados²¹¹, Belize²¹², Dominica²¹³, and St. Kitts and Nevis²¹⁴ where the criminalization of consensual same-sex relationships has been declared unconstitutional. This progress has been attained largely due to the momentum, activism, and legal strategies carried out by LGBTI defenders.²¹⁵ It is of concern that countries such as Grenada, Guyana, Jamaica, St. Lucia, St. Vincent and the Grenadines, and Trinidad and Tobago maintain the criminalization of these behaviors. As the IACHR has pointed out, this prohibits the exercise of the right of association and activities for the promotion and defense of the rights of LGBTI persons on the grounds that the purpose of their organizations and activities is "unlawful".²¹⁶

99. There are also challenges in accessing justice, mainly due to the fear of recognizing and expressing their sexual orientation, gender identities and expressions, and to public exposure. Social complicity through violence due to prejudice, revictimization and discrediting of

²⁰⁹ IACHR, Annual Report 2022, Chapter IVA, [Human Rights Development in the Region](#), para. 34.

²¹⁰ IACHR, Annual Report 2023, Chapter IVA, [Human Rights Development in the Region](#), para. 103.

²¹¹ IACHR, Annual Report 2022, Chapter IVA, [Human Rights Development in the Region](#), para. 103.

²¹² IACHR, Press Release No. 119/16, [IACHR hails unconstitutionality of criminalization of same-sex sexual relations between consenting adults in Belize](#), August 22, 2016.

²¹³ IACHR, Press Release No. 91/24, [IACHR welcomes the decision issued by the Dominica High Court in favor of equality](#), May 6, 2024.

²¹⁴ IACHR, Press Release No. 198/22, [IACHR welcomes decision declaring unconstitutional the criminalization of consensual sexual activity among LGBTI persons in St. Kitts and Nevis](#), September 6, 2022.

²¹⁵ Human Rights Watch, ["I Have to Leave to Be Me" Discriminatory Laws against LGBT People in the Eastern Caribbean](#), March 21, 2018.

²¹⁶ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser.L/V/II. Doc. 66, December 31, 2011, para. 334.

the action of the entities in charge of care, investigation and protection, limits the filing of complaints.²¹⁷

D. Human rights defenders of people in human mobility

100. Defenders of people in human mobility carry out activities that go beyond the defense of due process and personal liberty in the context of detentions and deportations of irregular migrants. Their work also includes documenting, denouncing, and monitoring human rights violations against migrants. Many of them provide their services in migrant shelters, providing assistance and protection.²¹⁸ In addition, the defenders are often migrants, refugees or asylum seekers themselves.²¹⁹

101. Since its 2011 report, the IACHR identified that these defenders are vulnerable to suffer kidnapping, illegal detentions, criminalization of their activities, raids on organizations, stigmatization, and obstacles to filing complaints of violations of migrants' rights.²²⁰ In the follow-up period of its report, the Commission warned that these risks remain and would come from both state agents and criminal groups. In

²¹⁷ IACHR, Public Hearing "[Regional: Situation of Human Rights Defenders](#)" held in the framework of the 189 period of sessions, February 29, 2024; Caribe Afirmativo, Response to the IACHR consultation survey, received on February 2, 2024, filed with the IACHR. See also: Ombudsman's Office Colombia, [Informe Defensorial. Una radiografía del prejuicio: informe anual 2022 de derechos humanos de personas OSIGD-LGBTI y balance de la Política Pública Nacional 2019-2022 en Colombia](#), 2023, p. 28.

²¹⁸ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser.L/VII. Doc. 66, December 31, 2011, para. 341.

²¹⁹ IACHR, Public Hearing "[Regional: Human Rights Defenders in Situations of Mobility](#)," held in the framework of the 191 period of Sessions, November 11, 2024; UN, Report of the Special Rapporteur on the situation of human rights defenders, Refusing to turn away: human rights defenders working on the rights of refugees, migrants and asylum seekers, [A/77/178](#), July 18, 2022, para. 32.

²²⁰ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser.L/VII. Doc. 66, December 31, 2011, para. 342.

addition, they have increased concurrently with the intensification of restrictive immigration policies.²²¹

102. Civil society organizations have identified that defenders of people in mobility face risks such as detentions, deportations, criminalization, intimidation, harassment, and digital surveillance.²²² In this regard, there have been cases of kidnappings of defenders²²³, trailing with vehicles without license plates, and taking photographs; arbitrary detentions by local police, as well as acts of harassment by members of the security forces.²²⁴ Likewise, there have been acts of surveillance and criminal investigations against them.²²⁵
103. In the Dominican Republic, civil society identified that defenders of the rights of Dominicans of Haitian descent are increasingly victims of threats, intimidation, hate speech, cyber-bullying and verbal and physical attacks due to their work.²²⁶ In October 2024, the Commission condemned the attack on the offices of Movimiento Socio-Cultural de Trabajo Humanitario y Ambiental (MOSCTHA), an organization dedicated to defending the rights of migrants, after learning that representatives of groups that supported a new policy to expel migrants promoted by the Executive surrounded their offices

²²¹ IACHR, Public Hearing "[Regional: Human Rights Defenders in a Situation of Mobility](#)," held during the 191 period of sessions, November 11, 2023; Colectivo de Monitoreo Frontera Sur, [Dossier Documental 2022](#), p. 17.

²²² IACHR, Public Hearing "[Regional: Human Rights Defenders in a Situation of Mobility](#)," held during the 191 period of sessions, November 11, 2024.

²²³ UN, [Mexico: UN expert calls for measures to curb kidnappings of human rights defenders along the US border](#), July 28, 2022; Infobae, [Narcos kidnap migrant defender priest in Tamaulipas for refusing to hand over Cubans](#), August 10, 2019; Front Line Defenders, [Defenders without walls: human rights defenders criminalized in Central America, Mexico and the United States](#), 2019, p. 18.

²²⁴ Southern Border Monitoring Collective, [Documentary Dossier 2022](#), p. 17.

²²⁵ Amnesty International, ['Saving lives is not a crime', politically motivated legal harassment by the U.S. against human rights defenders of migrants](#), July 2, 2019, p. 18.

²²⁶ UN, Human Rights Council, Summary of stakeholders' submissions on the Dominican Republic for the Universal Periodic Review, [A/HRC/WG.6/46/DOM/3](#), 23 February 2024, para. 12.

violently demanding to talk to staff while shouting stigmatizing slogans against Haitian persons.²²⁷

104. Civil society organizations warn that the actors responsible for harassment and aggressions against these defenders may vary by country, but range from state officials to criminal gangs to community members who are suspicious of migrants.²²⁸ They point out that the presence of organized crime represents a risk for this type of defenders.²²⁹ In Mexico, on October 12, 2021, eight armed men broke into the Casa Betania Santa Martha shelter in Salto de Agua, Chiapas, and threatened the human rights defenders who were there.²³⁰ In Tijuana, migrants were kidnapped by criminal groups. When the victims managed to pay the ransom and were released, their aggressors abandoned them in a shelter. This is said to make the teams working there feel insecure which forced them to close the shelters.²³¹ In Colombia, people who help migrants at the border with Venezuela operate in an extremely dangerous context in which armed groups involved in drug trafficking are responsible for direct attacks against migrants and those who help them.²³²
105. Migration records have also been used to hinder the defense of persons in mobility. It has been known that migration alert records have been used to restrict entry into the country, intimidate and punish the work done by human rights defenders, photographers and

²²⁷ IACHR, Press Release No. 248/24, [IACHR Condemns Attacks on Human Rights Defenders in the Dominican Republic](#), October 16, 2024.

²²⁸ IACHR, Public Hearing "[Regional: Human Rights Defenders in a Situation of Mobility](#)," held during the 191 period of sessions, November 11, 2024.

²²⁹ Southern Border Monitoring Collective, [Documentary Dossier 2022](#), p. 19.

²³⁰ Front Line Defenders, [Global Analysis 2021](#), February 23, 2022, p. 14.

²³¹ WOLA, [Kidnapping of migrants and asylum seekers reaches intolerable levels on the Texas-Tamaulipas border](#), April 15, 2024.

²³² UN, Report of the Special Rapporteur on the situation of human rights defenders, Refusing to turn away: human rights defenders addressing the rights of refugees, migrants and asylum seekers, [A/77/178](#), 18 July 2022, para. 85.

journalists and others who document, help or provide legal assistance to migrants and asylum seekers.²³³

106. Similarly, in the United States there were cases of digital surveillance of journalists, social media influencers, lawyers, humanitarian workers and immigration advocates allegedly connected to a caravan of more than 9,000 Central American migrants seeking asylum in 2023.²³⁴

107. In addition, civil society organizations have warned about stigmatization of this type of advocacy.²³⁵ There have been cases in which members of organizations defending migrants and refugees have been subjected to harassment on social media, smear campaigns and criminalization²³⁶. Thus, people in mobility are perceived as a "threat to national security" and those who defend them are considered as facilitators²³⁷. In addition they are being labeled "human traffickers" or being related to human trafficking²³⁸, which could facilitate their criminalization. In the United States, there have been cases of harassment by immigration authorities against

²³³ Mexican Commission for the Defense and Promotion of Human Rights, [2020 Report, Mexico's Invisible Borders: Migration Alerts, their Impact on the Human Rights of Migrants and Persons in Need of International Protection](#), April 2021, pp. 119 and 120; UN, Report of the Special Rapporteur on the situation of human rights defenders, Refusing to turn away: human rights defenders working on the rights of refugees, migrants and asylum seekers, [A/77/178](#), 18 July 2022, para. 78; Amnesty International, ['Saving lives is not a crime', politically motivated legal harassment by the US against human rights defenders of migrants](#), 2 July 2019, pp. 35-37.

²³⁴ IACHR, Annual Report 2023, Volume II, [Annual Report of the Office of the Special Rapporteur for Freedom of Expression](#), OEA/Ser.L/V/II Doc. 386, December 6, 2023, para. 718.

²³⁵ IACHR, Public Hearing ["Regional: Defenders of the Population in a Situation of Mobility"](#), held in the framework of the 191 period of sessions, November 11, 2024; Espacio Migrante A.C., Response to the IACHR consultation survey, received on February 1, 2024, filed with the IACHR.

²³⁶ Front Line Defenders, [Global Analysis 2021](#), February 23, 2022, p. 28.

²³⁷ Southern Border Monitoring Collective, [Documentary Dossier 2022](#), p. 17.

²³⁸ IACHR, Public Hearing ["Regional: Defenders of the Population in a Situation of Mobility"](#), held in the framework of the 191 period of Sessions, November 11, 2024; World Organization Against Torture (OMCT), [Mexico: "Defenders of the Rights of Migrants Accused of Human Trafficking."](#) December 16, 2022; Front Line Defenders, [Defenders Without Walls: Criminalized Human Rights Defenders in Central America, Mexico, and the United States](#), 2019, p. 20.

human rights defenders, with temporary detentions, interrogations and personal searches justified in alleged criminal investigations that are being conducted.²³⁹ Similarly, there have been cases in which human rights defenders have been charged by the Department of Homeland Security and the Department of Justice for the crimes of "harboring illegal aliens" and "conspiracy to harbor and transport illegal aliens".

²⁴⁰

108. The risks increase if the defender is also a woman or an LGBTI person or if the defender is also in an irregular situation. Civil society organizations have alerted the Commission to the differential impact of violence on women engaged in this work, not only because of the inherent risks but also because of challenging gender roles. In particular, defenders of the human rights of migrant women may be subject to public campaigns of smear, censorship, discrimination, sexual and gender-based violence, threats against their families, stigmatization, verbal and physical abuse, criminalization, imprisonment, torture, murder and enforced disappearances.²⁴¹

E. Searchers and defenders of Memory, Truth, and Justice

109. Faced with the lack of response from state authorities, relatives of disappeared persons have taken up the search process as their own cause in contexts of armed conflict, dictatorships, authoritarian regimes, or enforced disappearances by organized crime.²⁴² In many cases, they are no longer only searching for their missing relative, but have undertaken collective search systems. Despite the great threats and risks and the pain of having a disappeared family member, they continue in the search for truth and justice. Their actions have been key in the discovery of missing persons, in the moving forward of the

²³⁹ Amnesty International, ['Saving lives is not a crime', politically motivated legal harassment by the U.S. against migrant human rights defenders](#), July 2, 2019, pp. 35-41.

²⁴⁰ Amnesty International, ['Saving lives is not a crime', politically motivated legal harassment by the U.S. against migrant human rights defenders](#), July 2, 2019, pp. 35-41.

²⁴¹ UN Women, [Recommendations, Protection of persons defending the human rights of women at risk in contexts of Migration](#), 2023, p. 6.

²⁴² IACHR, Press Release No. 38/23, [States Must Protect the Rights of Women Searchers of Missing Persons](#), March 8, 2023.

investigations, and in the adoption of public policies and structural reforms in the matter.²⁴³ Through their struggle they have made important contributions to guarantee the right to the truth, justice, reparations and guarantees of non-repetition.

110. This type of defense entails inherent risks, since the search for disappeared persons is carried out in extremely dangerous conditions and, in many cases, without the support or protection of the State.²⁴⁴ In this context, various acts of aggression against them have been documented, such as murders, surveillance, persecution, torture, enforced disappearances, threats, re-victimization, stigmatization, and forced displacement. In addition to these risks, there is a lack of recognition and disqualification of their work, which contributes to weaken their protection. It should be noted that the main objective of these attacks is to silence the voices of those who seek the truth.²⁴⁵
111. In Mexico, there have been several cases of people engaged in the search for people who have been murdered or forcibly disappeared.²⁴⁶ Civil society figures indicate that between 2018 and May 2023, at least 10 people were murdered for their search work.²⁴⁷ For its part, the

²⁴³ IACHR, Press Release No. 38/23, [States Must Protect the Rights of Women Searchers for Missing Persons](#), March 8, 2023; UN, Report of the Special Rapporteur on the Situation of Human Rights Defenders. Pathways to peace: women human rights defenders in conflict, post-conflict and crisis situations, [A/78/131](#), 7 July 2023, para. 36.

²⁴⁴ IACHR, Public Hearing "[Mexico: Protection of Women Seekers](#)," held in the framework of the 189 period of sessions, February 28, 2024; ProDH Center, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

²⁴⁵ Front Line Defenders, [Global Analysis 2022](#), April 4, 2023, p. 45; UN Human Rights, [La desaparición forzada en México: Una mirada desde los organismos del Sistema de Naciones Unidas](#) (3a. edición), June 2022, para. 30.

²⁴⁶ UN, Committee on Enforced disappearances, Report of the Committee on Enforced disappearances on its visit to Mexico under Article 33 of the Convention, Information on the visit and findings (art. 33, para. 1), [CED/CMEXX/VR/1](#) (Findings), May 18, 2022, para. 16; UN-DH, [UN-DH UN-DH condemns recent attacks against human rights defenders](#), April 5, 2023.

²⁴⁷ Centro ProDH, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR; Mexican Commission for the Defense and Promotion of Human Rights, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR; El Universal, [De buscadoras a ser buscadas: Casos de asesinato de madres rastreadoras en México](#), May 2, 2023; El Economista, [They were looking for a missing family member; they were murdered](#), August 5, 2021.

Committee on Enforced Disappearances, indicates that between 2010 and 2022, at least thirteen people were murdered allegedly in retaliation for their search work.²⁴⁸ The Commission warns that this figure may be even higher.

112. On February 8, 2024 Ángela Almeras León was murdered in the municipality of Tecate, Baja California. She was president of the collective Unión y Fuerza por Nuestros Desaparecidos and was searching for her brother José Juan Vázquez León, who had been missing since 2018. Days before her death, the defender published a video in which she pointed out the discovery of a body that had a search record, but that, due to the excess of cases, the experts would take a long time to get to the location to remove the body.²⁴⁹
113. On May 2, 2023, Teresa Magueyal, a searching mother and member of the collective "Una promesa por cumplir" (A promise to keep), was murdered in the municipality of Celaya, Guanajuato. She had been searching for her missing son since April 2020.²⁵⁰ On November 6, 2022, María del Carmen Vázquez Ramírez, a searching mother and member of the collective "Personas Desaparecidas de Pénjamo", was murdered in Abasolo, Guanajuato. She was looking for her son who has been missing since June 2022.²⁵¹

²⁴⁸ Report of the Committee on Enforced disappearances on its visit to Mexico under Article 33 of the Convention, [CEDC/R.9 \(Observations and recommendations\)](#), April 12, 2022, para. 77.

²⁴⁹ IM Defensoras, [Ángela Almeras León, a human rights defender and member of the collective Unión y Fuerza por Nuestros Desaparecidos, is murdered in Tecate, Baja California](#), February 14, 2024; Animal Político, [Angelita Almeras, la "guerrera" asesinada en Tecate que luchó hasta el final por encontrar a su hermano](#), February 10, 2024.

²⁵⁰ UN Human Rights, [UN-Human Rights strongly condemns the murder of Teresa Magueyal](#), mother seeker from Guanajuato, May 3, 2023; UN, Communication to the Mexican State, Mandates of the Special Rapporteur on the situation of human rights defenders; of the Working Group on Enforced or Involuntary Enforced disappearances; of the Special Rapporteur on extrajudicial, summary or arbitrary executions and of the Independent Expert on the enjoyment of all human rights by older persons, [AL MEX 6/2023](#), July 6, 2023.

²⁵¹ UN Human Rights, [ONU-DH condemns the murder of María del Carmen Vázquez, mother searcher in Guanajuato](#), November 8, 2022; Latin Us, [Activist María del Carmen Vázquez murdered in Guanajuato: she was looking for her son who had been missing since June](#), November 7, 2022.

114. On May 29, 2021, Javier Barajas Piña, a member of the collective "Mariposas Destellando, Buscando Corazones y Justicia" and of the State Commission for the Search for Persons in Salvatierra, Guanajuato, was murdered. Three months before his murder, together with a collective of family members, Javier found a clandestine mass grave with more than 80 bodies, where the body of his sister, who had been missing since February 2020, was found.²⁵²
115. The Commission has also received information about attacks on the lives of these type of defenders. During its on-site visit to Colombia in April 2024, the Commission heard a testimony about a woman searching for missing persons who has survived three gun attacks.²⁵³ In the state of Zacatecas, Mexico, mothers searching for missing persons were shot at during their search.²⁵⁴
116. The Commission is especially concerned that, due to these risks, human rights defenders have been forced to flee their places of residence.²⁵⁵ At the same time, the IACHR highlights the intimidating effect that these attacks have on the search work carried out by human rights defenders, which situation is exacerbated by impunity.
117. On the other hand, the Commission has been informed about the strong impacts on the health of those searching for missing persons. The search becomes the focal point of their lives and, in this process, they face stressful and traumatic events, that have seriously affected

²⁵² Centro ProDH, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR; UN Human Rights, [UN Human Rights calls for clarification of the murder of Francisco Javier Barajas Piña, official of the Guanajuato Search Commission](#), June 9, 2021.

²⁵³ IACHR, Meeting with women's organizations held in Santa Marta in the framework of the IACHR *on-site* visit to Colombia, April 16, 2024.

²⁵⁴ AND 40, [Armed civilians threaten searching mothers with gunfire in Zacatecas](#), July 17, 2024; Infobae, [Armed men intimidate searching mothers with gunfire in Villa de Coss, Zacatecas](#), July 18, 2024.

²⁵⁵ The Commission learned, for example, about the case of the mother and father of Javier Barajas, who have also dedicated themselves to the search for missing persons. After the murder of their son, both were forced to relocate outside the state of Guanajuato to protect their lives. See: Front Line Defenders, [First case linked to the largest grave found in Guanajuato is about to be solved; State Judiciary has the possibility to guarantee justice to the Barajas Piña family](#), August 19, 2024.

their physical and emotional health.²⁵⁶ Searches are mostly carried out by women, who experience the impacts and consequences of this activity in different ways. Women relatives of missing persons face financial, social, and psychological damage differently from male relatives.²⁵⁷ They also assume a disproportionate burden, as they are not only responsible for the search efforts and pushing the investigations, but also for becoming the main breadwinners of the family.²⁵⁸ In addition, the domestic and caregiving tasks traditionally assigned to women further limit the time available to engage in paid activities²⁵⁹. In addition, the participation and leadership of women in the search and judicial processes entails high physical and emotional overloads that put their health at risk²⁶⁰. They are most likely to experience constant frustration and despair during the search, as well as suffering and pain due to the lack of justice.²⁶¹ They also face rejection and stigmatization from their family or community by being labeled as "irresponsible" for neglecting their family duties²⁶² and their own feelings of worry and guilt, considering that they neglect their daughters, sons, or other people under their care by dedicating themselves to the search.²⁶³

²⁵⁶ IACHR, Public Hearing "[MX: Situation of the right to health of the relatives of disappeared persons in Mexico](#)", held within the framework of the 183 period of sessions, March 17, 2022.

²⁵⁷ International Center for Transitional Justice, [The Disappeared and Invisible: Revealing the Enduring Impact of Enforced Disappearance on Women](#), March 2015, p. 6; ProDH Center, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

²⁵⁸ UN, Committee on the Elimination of Discrimination against Women, Concluding observations on the ninth periodic report of Mexico, [CEDAW/C/MEX/CO/9](#), July 25, 2018, para. 22.d.

²⁵⁹ IACHR, Press Release No. 38/23, [States Must Protect the Rights of Women Searchers of Missing Persons](#), March 8, 2023.

²⁶⁰ IACHR, Public Hearing "[MX: Situation of the right to health of the relatives of disappeared persons in Mexico](#)", held within the framework of the 183 period of sessions, March 17, 2022.

²⁶¹ International Center for Transitional Justice, [The Disappeared and Invisible: Revealing the Enduring Impact of Enforced Disappearance on Women](#), March 2015, p.11.

²⁶² Front Line Defenders, [Global Analysis 2022](#), April 4, 2023, p. 45.

²⁶³ IACHR, Press Release No. 38/23, [States Must Protect the Rights of Women Searchers of Missing Persons](#), March 8, 2023.

118. Against this backdrop, the Commission reminds States of their duty to protect defenders who are at risk, including those engaged in the search for disappeared persons. The IACHR reinforces the duty to ensure that any person who intervenes or supports the search, exhumation and identification work has the necessary security guarantees, and to initiate the necessary investigations into any situation of threat or aggression against them²⁶⁴. States must provide the necessary support in these processes, provide protection according to the specific and individual characteristics of the persons, as well as comprehensive accompaniment ensuring a gender focus throughout this process.²⁶⁵
119. On the other hand, the IACHR has recorded cases of dissemination of narratives that deny and relativize serious human rights violations, as well as damage to memorial sites²⁶⁶, and stigmatizing statements that accuse human rights defenders of "justifying terrorism".²⁶⁷ In Peru, civil society organizations have denounced "*terruqueo*" to target people seeking justice in cases of serious human rights violations as a specific form of harassment and intimidation that consists of falsely accusing them of being terrorists to discredit their work and invalidate their claims.²⁶⁸ Such is the case of human rights defender Raida Córdor, activist and mother of Armando Amaro Córdor, one of the

²⁶⁴ IA Court H.R., [Case of the Río Negro Massacres v. Guatemala](#), Judgment of September 4, 2012, Series C No. 250, para. 26.

²⁶⁵ UN, Committee on Enforced disappearances, Guiding Principles for the Search for Missing Persons, [CED/C/7](#), May 8, 2019, Principle 14.

²⁶⁶ IACHR, Public Hearing "[Regional: Affections to the right to memory, truth and justice due to attacks against memory sites](#)" held in the framework of the 190 period of sessions, July 11, 2024.

²⁶⁷ IACHR, Annual Report 2023, Chapter IVA [Human Rights Development in the Region](#), para. 64.

²⁶⁸ IACHR, Public Hearing "[Peru: Impunity for Serious Human Rights Violations During the 1980-2000 Armed Conflict](#)," held within the framework of the 190 period of sessions, July 10, 2024; Asociación Pro Derechos Humanos, [APRODEH, launches the "No to Terrorism: Let's Build a Country with Rights" campaign](#), March 10, 2023.

students detained and disappeared by agents of the so-called Colina group on July 18, 1992, who has been affected by this practice.²⁶⁹

120. The Commission has also observed various types of reprisals against individuals who contributed to the fight against impunity for serious human rights violations. In recent years, it has been documented in Guatemala that lawyers pursuing these cases have reported harassment and the misuse of criminal law against them.²⁷⁰ Likewise, information has been received about death threats against those who promote legal proceedings in the context of serious human rights violations that occurred during dictatorships in countries such as Argentina and Uruguay.²⁷¹
121. In Colombia the Commission learned of violence against victims, representatives of victims' groups of the internal armed conflict, and workers and collaborators of the institutions responsible for promoting the truth, justice and reparation.²⁷² The Commission welcomes the approval and publication of the Law for the Comprehensive Protection of the Work and Rights of Women and Persons Seeking Victims of Enforced Disappearance.²⁷³ In this regard, it calls on the States of the region, where women searchers play a crucial role in the struggle to

²⁶⁹ Institute for Democracy and Human Rights of the Pontifical Catholic University of Peru (IDEHPUCP), [Disinformation and Terrorism Against Raida Córdor: Human Rights Defenders at Risk](#), February 10, 2022; Dialogos Humanos, [Raida Córdor: From Fighting Mother to Terrorist Activist](#), February 18, 2022.

²⁷⁰ IACHR, [Preliminary Observations on the On-Site Visit to Guatemala](#), OEASer.LV/II.doc.124/24, August 15, 2024, paras. 15-18; IACHR, Public Hearing "[Guatemala: Impunity and Obstacles to the Search for Memory, Truth, and Justice](#)," held within the framework of its 192 period of sessions, March 4, 2025.

²⁷¹ X, IACHR, [The @IACHR expresses its high level of concern over death threat to social leader and historic fighter for human rights Hebe de Bonafini, President of the Association of Mothers of Plaza de Mayo](#), July 18, 2020; IACHR, Press Release No. 45/19, [IACHR expresses concern over lack of investigation into threats against justice operators involved in cases of serious human rights violations during the dictatorship in Uruguay](#), February 27, 2019.

²⁷² IACHR, Annual Report 2021, Chapter IVA [Human Rights Development in the Region](#), para. 329; PBI Colombia, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

²⁷³ Congress of Colombia, [Law 2364 of 2024](#), "Whereby the work and rights of women searching for victims of enforced disappearance are fully recognized and protected", June 18, 2024.

OBSTACLES TO THE DEFENSE OF HUMAN RIGHTS

find truth and justice, to adopt similar measures.

OBSTACLES TO THE DEFENSE OF HUMAN RIGHTS

122. In this chapter, the Commission analyzes the main obstacles that defenders face due to their work, among which are different violence against them, as well as legal measures aimed at reducing civic space.

A. Murders and enforced disappearances

123. Murders and enforced disappearances are the most serious forms of violence faced by human rights defenders. This pattern has not changed since the issuance of the first IACHR report on human rights defenders.²⁷⁴

124. The Americas is the most dangerous region for human rights defenders, accounting for 79% of the murders of human rights defenders worldwide in 2023.²⁷⁵ Despite an overall decrease in the murder rate in the region, the number of killings of human rights defenders continues to be alarming, and in some States it has even increased.²⁷⁶

125. In Brazil, the Commission observed that in recent years activists and human rights defenders have frequently been victims of crimes of homicide or other forms of violence perpetrated by private individuals

²⁷⁴ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser. L/VII. Doc. 66, December 31, 2011, para. 22; IACHR, Report on the Situation of Human Rights Defenders in the Americas, OEA/Ser.L/VII.124 Doc. 5 rev.1, March 7, 2006, para. 148.

²⁷⁵ Front Line Defenders, [Global Analysis 2023/24](#), May 22, 2024, p.9.

²⁷⁶ IACHR, Press Release No. 45/24 - [IACHR: 2023 closes with high rates of violence against human rights defenders in the Americas](#), March 5, 2024; Press Release No. 248/23, [IACHR warns of persistence of alarming violence against human rights defenders in the second four-month period of 2023](#), October 20, 2023; Press Release No. 138/23, [IACHR: Violence against human rights defenders persists in the second four-month period of 2023](#), October 20, 2023; Press Release No. 138/23, [IACHR: Violence against human rights defenders persists in the first four months of 2023](#), June 27, 2023; Press Release No. 26/23, [IACHR: 2022 a violent year for the defense of human rights in the Americas](#), February 21, 2023; Press Release No. 244/22, [IACHR: Second four-month period of 2022 records persistence of violence against defenders](#), November 2, 2022; Press Release No. 114/22, [IACHR: high violence against defenders in the first four months of 2022 urges States to protect life and work](#), May 25, 2022.

and state agents.²⁷⁷ Civil society figures indicate that between 2019 and 2022, 169 human rights defenders were killed, with 2021 being the year in which the most cases were recorded.²⁷⁸ During its last visit to the country in 2018, the IACHR found that problems related to land conflicts and forced displacement were connected to the siege, threats and killings of defenders.²⁷⁹ Information received by the IACHR subsequent to the visit indicates that this violence has been particularly directed at indigenous leaders who are land, territory and environmental defenders.²⁸⁰ According to civil society, private agents are the main perpetrators of threats and attacks on the lives of defenders. In most murders, the perpetrators are said to be landowners, miners, private security guards or other actors. They have also recorded 26 cases of killings in which the presence of a public agent, in particular the police, is reported.²⁸¹

126. Colombia is the country with the highest number of killings of human rights defenders in the region.²⁸² After the signing of the Peace Accord, violent and deadly attacks, particularly murders and threats against these groups, increased steadily.²⁸³ UN Human Rights figures indicate

²⁷⁷ IACHR, [Situation of Human Rights in Brazil](#), OEA/Ser.LV/II. Doc. 9, February 12, 2021, para. 296.

²⁷⁸ Interamerican Association for Environmental Defense (AIDA), Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR; Justiça Global & Terra de Direitos. [Na linha de frente: violência contra defensoras e defensores de direitos humanos no Brasil: 2019-2022](#), p. 20.

²⁷⁹ IACHR, [Situation of Human Rights in Brazil](#), OEA/Ser.LV/II. Doc. 9, February 12, 2021, para. 531.

²⁸⁰ IACHR, Public Hearing "[Situation of human rights and environmental defenders in Brazil](#)," held in the framework of the 181 period of sessions, October 22, 2021; Justiça Global & Terra de Direitos. [Na linha de frente: violência contra defensoras e defensores de direitos humanos no Brasil: 2019-2022](#), p 20.

²⁸¹ Terra de Direitos and Justiça Global, [Na linha de frente : violência contra defensoras e defensores de direitos humanos no Brasil: 2019-2022](#), 2023, p. 62.

²⁸² IACHR, Press Release No. 45/2024, [IACHR: 2023 closes with high rates of violence against human rights defenders in the Americas](#), March 5, 2024.

²⁸³ IACHR, [Report on the Situation of Human Rights Defenders and Social Leaders in Colombia](#), OEA/Ser.LV/II. Doc. 262, December 6, 2019, para.42.

that in 2023, 105 human rights defenders were killed²⁸⁴, 11 cases less than in 2022 when 116 cases occurred, making it the most violent year for human rights defenders since 2012.²⁸⁵ For its part, the Somos Defensores Program recorded 168 murders during 2023²⁸⁶, while they recorded 197 cases²⁸⁷ in 2022. The Commission is particularly concerned that, according to figures from the Ombudsman's Office, 1,294 defenders and leaders were killed between 2016 and 2023.²⁸⁸ The levels of violence are so grave that the Constitutional Court issued a State of Unconstitutional Things (ECI) in the face of "a generalized situation of threat and violation of the fundamental rights of leaders and human rights defenders".²⁸⁹ Various actors agree that the reconfiguration of illegal armed groups' actions after the signing of the Final Peace Agreement has been a determining factor in the high number of aggressions.²⁹⁰ The presence of illegal armed groups in the territories, their strengthening and the continuous disputes for territorial control, point to the fact that this violence is selective and its purpose is to silence defenders.²⁹¹ Various reports from civil society organizations agree on the difficulty to allege responsibility for using

²⁸⁴ UN Human Rights, Situation of human rights in Colombia, [AHRC5523](#), 14 February 2024, para. 56.

²⁸⁵ UN Human Rights, [UN Human Rights Analysis of Trends and Patterns of Violence against Human Rights Defenders in 2022](#), March 9, 2023.

²⁸⁶ Somos Defensores Program, [Puntos Suspensivos. Annual Report 2023](#), Sistema de Información sobre Agresiones contra Personas Defensoras de Derechos Humanos en Colombia - SIADDHH-, May 16, 2024, p.98.

²⁸⁷ Somos Defensores Program, [Interlude: Annual Report 2022](#), Sistema de Información sobre Agresiones contra Personas Defensoras de Derechos Humanos en Colombia - SIADDHH-, June 1, 2023, p. 98.

²⁸⁸ Defensoría del Pueblo Colombia, [Durante el 2023, en Colombia fueron asesinados 181 líderes sociales y defensores de derechos humanos](#), January 9, 2024.

²⁸⁹ Constitutional Court of Colombia, [Decision SU-546 of 2023](#), December 6, 2023, para. 806.

²⁹⁰ Defensoría del Pueblo Colombia, [Alerta Temprana N°019-2023, Alerta temprana nacional de riesgo sobre la labor de personas defensoras de dd.hh.\(pddh\), líderes y lideresas sociales, sus organizaciones y colectivos](#), May 19, 2023, pp. 7-8; Programa Somos Defensores, [La Espera. Informe semestral enero-junio 2023](#), October 19, 2023, p. 69; CCJ, Respuesta a cuestionario de consulta de la CIDH, received on December 11, 2023, filed with the IACHR.

²⁹¹ International Crisis Group, [Leaders Under Fire: Defending Peace in Colombia](#), October 6, 2020, p. 2; CCJ, [Administration of Justice for Human Rights Defenders](#), December 1, 2023, p. 20.

hired killers to commit these crimes.²⁹² In other cases, the presumed responsibility of paramilitary or successors of paramilitary armed groups, post-agreement groups, individual perpetrators, members of the National Liberation Army (ELN) and criminal partnerships, and in some other cases members of the security forces have been identified.²⁹³

127. In El Salvador, the Commission learned of the case of Rosa Elvira Flores Martínez, a human rights defender and leader of the Salvadoran Women's Movement (MSM) who had been missing since March 19, 2024 and was later found dead and with signs of violence in Cantón Los Lagartos, municipality of San Julián, department of Sonsonate.²⁹⁴ In 2022, the Commission warned about the murder of Elizabeth De León, a defender of women's rights and companioner of women victims of violence.²⁹⁵ In addition, the Commission learned about the murder of at least two environmental defenders between 2018 and 2019.²⁹⁶ The lack of official and independent records on attacks committed against defenders make this violence invisible. Hence, such attacks could be attributed to the country's insecurity and

²⁹² Somos Defensores Program, [Puntos Suspensivos, Informe Anual 2023](#), Sistema de Información sobre Agresiones contra Personas Defensoras de Derechos Humanos en Colombia - SIADDHH-, May 16, 2024, p.115; CCJ, [Administration of Justice for Human Rights Defenders](#), December 1, 2023, p.13;

²⁹³ Somos Defensores Program, [Puntos Suspensivos, Annual Report 2023](#), Sistema de Información sobre Agresiones contra Personas Defensoras de Derechos Humanos en Colombia - SIADDHH-, May 16, 2024, p.115; CCJ, [Administration of Justice for Human Rights Defenders](#), December 1, 2023, p. 13.'

²⁹⁴ IM Defensoras, [El Salvador / Eight days after being disappeared, defender Rosa Elvira Flores Martínez, leader of the Salvadoran Women's Movement, was found murdered](#), March 29, 2024; El Salvador.com, [Relatives confirm discovery of body of leader reported missing](#), March 27, 2024; La Prensa Gráfica, [Autoridad ordenó enterrar a Rosa Elvira de forma inmediata](#), April 5, 2024.

²⁹⁵ IACHR, Press Release No.114/22, [IACHR: elevada violencia contra personas defensoras en el primer cuatrimestre de 2022 urge que los Estados protejan la vida y labor](#), May 25, 2022; Special Rapporteur on the situation of human rights defenders et al, [El Salvador: asesinato de la defensora Elizabeth de León](#), July 27, 2022; IM-Defensoras, [Asesinan a defensora de derechos humanos Elizabeth De León en Santo Tomás](#), San Salvador, March 23, 2022.

²⁹⁶ IACHR, [North Central America: Environmental Defenders](#), OEA/Ser.LV/II. Doc. 400/22, December 16, 2022, para. 83.

not allow hypothesizing that such crimes could be the result of their defense activities.²⁹⁷

128. In Guatemala, UN Human Rights figures indicate that between 2019 and 2023, at least 43 human rights defenders were killed.²⁹⁸ Figures from the Unit for the Protection of Human Rights Defenders of Guatemala (UDEFEGUA) reveal that 50 murders were recorded between 2019 and 2023²⁹⁹, while Front Line Defenders registered 51 cases.³⁰⁰ The Commission has observed that violence against defenders in the country has mainly affected environmental, land and/or territory defenders, who in many cases belong to indigenous or peasant communities.³⁰¹
129. Honduras continues to be one of the most dangerous countries for human rights defenders in the Americas--and in the world. In the timeframe of this report, UN Human Rights recorded the murder of

²⁹⁷ IACHR, [Situation of Human Rights in El Salvador](#), OEA/Ser.LV/II. Doc. 278, October 14, 2021, para. 285.

²⁹⁸ UN Human Rights, Situation of human rights in Guatemala, [AHRC5521](#), 6 February 2024, para. 81; Situation of human rights in Guatemala, [AHRC5223](#), 26 January 2023, para. 72; Situation of human rights in Guatemala, [AHRC4920](#), 22 March 2022, para. 70; Situation of human rights in Guatemala, [AHRC4674](#), 11 February 2021, para. 79; Situation of human rights in Guatemala, [A/HRC/43/3/Add.1](#), 17 January 2020, para. 21.

²⁹⁹ UDEFEGUA, [Guatemala entre la democracia y la dictadura](#), April 30, 2024; UDEFEGUA, [Situación de personas, organizaciones y comunidades defensoras de derechos humanos Guatemala, January to December 2022](#), June 2023; UDEFEGUA, [Situación de personas, organizaciones y comunidades defensoras de derechos humanos en Guatemala, 2021](#), June 2022, p. 1; UDEFEGUA, [Informe de Situación de Personas, Comunidades y Organizaciones Defensoras de Derechos Humanos 2019-2020](#), May 2020, p. 6.

³⁰⁰ Front Line Defenders, [Global Analysis 2023](#), May 22, 2024, p. 8; Front Line Defenders, [Global Analysis 2022](#), April 4, 2023, p. 3; Front Line Defenders, [Global Analysis 2021](#), February 23, 2022, p. 5; Front Line Defenders, [Global Analysis 2020](#), February 9, 2021, p. 4; Front Line Defenders, [Global Analysis 2019](#), January 2020, p. 4.

³⁰¹ IACHR, Annual Report 2021, Chapter IVB [Guatemala](#), paras. 164 and 165.

at least 48 human rights defenders³⁰², and expressed their particular concern about the increase in 2023, when it learned about 15 human rights defenders killed, the highest number of known cases after UN HR's office opened in the country in 2015.³⁰³ For its part, figures from Front Line Defenders indicate that between 2019 and 2023, at least 98 human rights defenders have been killed in Honduras.³⁰⁴

130. In Mexico, UN Human Rights was able to verify that between January 2019 and September 2023 at least 91 human rights defenders were killed possibly in connection with their defense activities.³⁰⁵ According to Front Line Defenders, by 2022 Mexico ranked third in the world in the number of killings of human rights defenders.³⁰⁶ Civil society has registered at least 106 cases between 2018 and 2022 with 67% of them taking place in Guerrero, Oaxaca, Chihuahua, Chiapas, Veracruz, and Michoacán.³⁰⁷ The Commission notes that in 43.1% of the cases the responsibility for these aggressions would presumably fall on public officials, 33.5% on organized crime, and 23.4% would be

³⁰² In 2019, UN Human Rights recorded the murder of four defenders, in 2020 it recorded eight cases of murders, in 2021 it recorded the murder of 10 defenders, while in 2022 and 2023 it learned about 11 and 15 murders respectively. See: UN Human Rights, Situation of human rights in Honduras, [A/HRC/43/3/Add.2](#), 2 April 2020, para. 53; Situation of human rights in Honduras, [A/HRC/46/75](#), 10 March 2021, para. 32; Situation of human rights in Honduras, [A/HRC/49/21](#), 4 March 2022, para. 43; Situation of human rights in Honduras, [A/HRC/52/24](#), 1 March 2023, para. 65; Situation of human rights in Honduras, [A/HRC/55/22](#), 1 March 2024, para. 62.

³⁰³ UN Human Rights, Situation of human rights in Honduras, [A/HRC/55/22](#), 1 March 2024, para. 62.

³⁰⁴ Front Line Defenders, [Global Analysis 2023](#), May 22, 2024, p. 8; Front Line Defenders, [Global Analysis 2022](#), April 4, 2023, p. 3; Front Line Defenders, [Global Analysis 2021](#), February 23, 2022, p. 5; Front Line Defenders, [Global Analysis 2020](#), February 9, 2021, p. 4; Front Line Defenders, [Global Analysis 2019](#), January 2020, p. 4.

³⁰⁵ UN-DH Mexico, [Good practices and challenges in the investigation of crimes committed against human rights defenders and journalists](#), December 2023, para. 7.

³⁰⁶ Front Line Defenders, [Global Analysis 2022](#), April 4, 2023, p. 5.

³⁰⁷ Colectivo EPUmx, 4th Universal Periodic Review Mexico, [Thematic Report on the Situation of Human Rights Defenders and Journalists](#), 2023, para. 6.

unknown persons³⁰⁸. It is noted that most of these murders have occurred against land, territory and/or the environment defenders³⁰⁹. Civil society has documented that the context of insecurity in various areas of the country, corruption, and community conflicts not addressed by local authorities, are some of the structural factors that could lead to this violence.³¹⁰

131. In Peru, the Commission learned of the murder of at least seven human rights defenders during 2022 and 2023³¹¹. Front Line Defenders recorded the murder of 24 human rights defenders between 2019 and 2023³¹². Human rights defenders have denounced before the Commission that this violence is attributable to private corporations, state, and illegal actors, which would be related to illegal

³⁰⁸ IACHR, Public Hearing "[Mexico: Protection of Human Rights Defenders and Journalists](#)," held in the framework of the 189 period of sessions, February 28, 2024; Colectivo EPUMx, 4th Universal Periodic Review Mexico, [Thematic Report on the Situation of Human Rights Defenders and Journalists](#), 2023, para. 14.

³⁰⁹ IACHR, Public Hearing "[Mexico: Protection of Human Rights Defenders and Journalists](#)," held in the framework of the 189 period of sessions, February 28, 2024; CEMDA, [Report on the Situation of Persons and Communities Defending Environmental Human Rights in Mexico](#), March 2024.

³¹⁰ Centro ProDH, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

³¹¹ IACHR, Press Release No. [45/24 - IACHR: 2023 closes with high rates of violence against human rights defenders in the Americas](#), March 5, 2024; Press Release No. 248/23, [IACHR warns of persistence of alarming violence against human rights defenders in the second four-month period of 2023](#), October 20, 2023; Press Release No. 138/23, [IACHR: Violence against human rights defenders persists in the second four-month period of 2023](#), October 20, 2023; Press Release No. 138/23, [IACHR: Violence against human rights defenders persists in the first four months of 2023](#), June 27, 2023; Press Release No. 26/23, [IACHR: 2022 a violent year for the defense of human rights in the Americas](#), February 21, 2023; Press Release No. 244/22, [IACHR: Second four-month period of 2022 records persistence of violence against defenders](#), November 2, 2022; Press Release No. 114/22, [IACHR: high violence against defenders in the first four months of 2022 urges States to protect life and work](#), May 25, 2022.

³¹² Front Line Defenders, [Global Analysis 2023](#), May 22, 2024, p. 8; Front Line Defenders, [Global Analysis 2022](#), April 4, 2023, p. 3; Front Line Defenders, [Global Analysis 2021](#), February 23, 2022, p. 5; Front Line Defenders, [Global Analysis 2020](#), February 9, 2021, p. 4; Front Line Defenders, [Global Analysis 2019](#), January 2020, p. 4.

logging, drug trafficking, illegal mining and other activities, with the purpose of silencing their causes.³¹³

132. The Commission warns that in the region many of these murders occur when defenders raise their voices and denounce acts against the interests of third parties. In Brazil, indigenous environmental defender Janildo Oliveira Guajajara was murdered in September 2022 after participating in an assembly attended by members of indigenous communities and activists to discuss information and strategies to protect the rainforest and measures to prevent invasions by illegal loggers.³¹⁴ In Peru, in November 2023, environmental defender and Indigenous leader Quinto Inuma Alvarado was murdered in the San Martín region while traveling back to his community. Days earlier, he had met with other defenders in the city of Pucallpa, Ucayali, to denounce illegal activities allegedly taking place in his territory.³¹⁵
133. In addition to the murders, the Commission notes with concern that the disappearance of human rights defenders has been recorded in the timeframe of this report. In Brazil, the disappearance of the defender of indigenous peoples Bruno Araújo Pereira and journalist Dom Phillips occurred on June 5, 2022, for which precautionary

³¹³ IACHR, Public Hearing "[Regional: Situation of human rights defenders](#)" held in the framework of the 189 period of sessions, February 29, 2024.

³¹⁴ ICHRP, [Guardians at Risk: Confronting Corporate Abuse in Latin America and the Caribbean](#), September 2023, p. 15.

³¹⁵ Mongabay, [Murder of Indigenous Leader Quinto Inuma Reveals the Level of Threat Facing Environmental Defenders in the Peruvian Amazon](#), December 1, 2023; UN, [United Nations Special Rapporteur on the Situation of Human Rights Defenders, Peru: Murder of Indigenous Defender Quinto Inuma Alvarado \(Joint Communication\)](#), March 29, 2024. The Commission also learned of the case of four leaders and human rights defenders from the Saweto indigenous community who were murdered in 2014 after denouncing illegal logging in their ancestral territories. For further information on this case, see: UN, Report of the Special Rapporteur on the situation of human rights defenders, Michel Forst, Visit to Peru, [AHRC/46/35/Add.2](#), December 22, 2020, para. 58.

measures were granted to them.³¹⁶ The Commission was subsequently informed they were found dead.³¹⁷

134. In Honduras, the Commission condemned the disappearance of four leaders of the Garífuna community El Triunfo de la Cruz on July 18, 2020. According to the information, armed persons, reportedly wearing uniforms and vests of the Dirección Policial de Investigaciones (DPI), broke into the community's territory and abducted Alberth Sneider Centeno, leader and president of the patronage of the Garífuna community of El Triunfo de la Cruz, and member of the Organización Fraternal Negra de Honduras (OFRANEH), from his home in Tela, department of Atlántida. Subsequently, this same armed group allegedly entered the home of Milton Joel Martínez Álvarez, Suami Aparicio Mejía, and Gerardo Mizael Rochez, also members of OFRANEH.³¹⁸ Four years after their disappearance, their whereabouts still remain unknown.³¹⁹

135. In Mexico, there is a generalized situation of enforced disappearances in a large part of the country³²⁰, which has also affected human rights defenders. Civil society figures indicate that between January 2006 and May 2022, 220 human rights defenders have been forcibly disappeared³²¹. In January 2023, community leader Antonio Díaz Valencia, a member of the community of Aquila in Michoacán, and

³¹⁶ IACHR, Press Release No. 133/22, [IACHR grants precautionary measures to indigenous activist Bruno Araújo Pereira and journalist Dom Phillips in Brazil](#), June 11, 2022.

³¹⁷ IACHR, Press Release R138/22, [RELE condemns the murders of the beneficiaries of precautionary measures, journalist Dom Phillips and indigenous peoples expert Bruno Araújo Pereira in Brazil](#), June 18, 2022.

³¹⁸ IACHR, Annual Report 2020, Chapter V, [Follow-up to the recommendations made by the IACHR in the report on the situation of human rights in Honduras](#), para. 89.

³¹⁹ Criterio Honduras, [Four years of impunity: Garifunas demand state action for their disappeared leaders](#), July 23, 2024.

³²⁰ U.N., Committee on Enforced disappearances, Report of the Committee on Enforced disappearances on its visit to Mexico under Article 33 of the Convention, Information on the visit and findings (art. 33, para. 1), [CEDCMEXVR/1](#) (Findings), May 18, 2022, para. 24.

³²¹ Acción Urgente para Defensores de Derechos Humanos, AC, [Defender los derechos humanos en México: Los grandes pendientes. Informe junio de 2022 a mayo de 2023](#), 2024, p. 90.

lawyer and human rights defender Ricardo Lagunes³²² were disappeared in the state limit between Colima and Michoacán. As of the date of publication of this report, their whereabouts still remain unknown.³²³ Months later, Eustacio Alcalá, a Nahua environmental and territory defender who opposed mining exploitation, was disappeared in this same part of the country. Two days after his disappearance, he was found dead.³²⁴

136. The Commission emphasizes that the figures in this section do not reflect the total number of human rights defenders murdered or disappeared in the region, since recorded cases varies greatly depending on the capacity of civil society to document cases, compounded by the lack of official figures.

137. The murder or disappearance of a human rights defender has an intimidating effect eliciting fear in other people engaged in this work, causing severe harm to the community. When the aim is to silence or inhibit them, in addition to violating their fundamental rights, the public is denied the possibility of obtaining justice for human rights violations, reparations and the support and accompaniment of victims.³²⁵

B. Threats, attacks, and other acts of harassment

138. The Commission notes with concern that human rights defenders continue to face other types of attacks, violence and harassment, with

³²² El País, [Desaparecidos un defensor de derechos humanos y un líder indígena en la frontera de Colima y Michoacán](#), January 18, 2023; Mongabay, [Ricardo Lagunes y Antonio Díaz: defender un territorio en donde los cerros son de metal](#), October 23, 2023.

³²³ IACHR, [Resolution 1/2023](#), Precautionary Measures No. 42-23, Ricardo Arturo Lagunes Gasca and Antonio Díaz Valencia regarding Mexico, January 22, 2023.

³²⁴ Centro ProDH, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR; Animal Político, [Eustacio Alcalá: otro defensor comunitario del ambiente asesinado](#), April 11, 2023; El País, [Eustacio Alcalá, un defensor del territorio asesinado: radiografía de una zona de guerra en Michoacán](#), April 6, 2023.

³²⁵ I/A Court H.R., [Case of Escaleras Mejía et al. v. Honduras](#), Judgment of September 26, 2018, Series C No. 361, paras. 69 and 70.

threats being the main form of aggression directed against them.³²⁶ Since its previous report, the Commission identified that a large number of threats are made through pamphlets, e-mails, text messages, or anonymous messages left at workplaces, in addition to those made by telephone or in person.³²⁷ It also notes that, with the advance of technology, the use of social media and instant messaging has been documented as a means of making these threats.

139. In Brazil, indigenous and territorial defenders receive direct threats. The Commission has learned of indigenous community leaders who have been threatened with statements such as "let's kill them and throw the body away".³²⁸ In other cases, defenders have received WhatsApp messages with death threats and threats to burn down their homes after having denounced members of organized crime.³²⁹
140. In Colombia, threats are the most common aggression against defenders and leaders.³³⁰ Threatening pamphlets are distributed in print and on social media and through email and continue to be the

³²⁶ IACHR, [Report on the Situation of Human Rights Defenders and Social Leaders in Colombia](#), OEA/Ser.LVII. Doc. 262, December 6, 2019, para. 119; UN-HR Mexico, [Good practices and challenges in the investigation of crimes committed against human rights defenders and journalists](#), December 2023, para. 20; Justiça Global & Terra de Direitos. [Na linha de frente: violência contra defensoras e defensores de direitos humanos no Brasil: 2019-2022](#), p. 31.

³²⁷ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser. L/VII. Doc. 66, December 31, 2011, para. 51.

³²⁸ IACHR, [Resolution 47/2019](#), Precautionary Measure No. 458-19, Members of the Guayraroká community of the Guaraní Kaiowá Indigenous People regarding Brazil, September 29, 2019, para. 8.

³²⁹ IACHR, [Resolution 38/2024](#), Precautionary Measures 61-23, Members of the Pataxó Hã-Hã-Hãe Indigenous People vis-à-vis Brazil (Expansion) June 3, 2024, para. 9.

³³⁰ Presidency of the Republic of Colombia, [Política pública de desmantelamiento de organizaciones criminales que atenten contra la construcción de la paz, incluidas las denominadas sucesoras del paramilitarismo y sus redes de apoyo](#), 2023, p. 33; Human Rights Watch, [Líderes Desprotegidos y comunidades indefensas. Killings of Human Rights Defenders in Remote Areas of Colombia](#), 10 February 2021, p. 50; International Crisis Group, [Leaders Under Fire: Defending Peace in Colombia](#), 6 October 2020, p. 14.

most used method to intimidate them.³³¹ They are also made by phone calls and text messages.³³² The Commission has also learned about funeral wreaths being sent to defenders to intimidate them.³³³ The authors of these acts are mostly unknown, which makes it difficult to investigate; in other cases, threats come from illegal armed groups.³³⁴

141. In Ecuador, there have been several death threat cases, often from illegal armed actors.³³⁵ In October 2023, three women union defenders received death threats on their cell phones demanding that they refrain from defending workers' rights and not interfere with the interests of banana exporting corporations.³³⁶ That same month, water defender Javier Medrado received several phone calls and voice messages threatening him and his family with death as a possible

³³¹ Somos Defensores Program, [Puntos Suspensivos, Informe Anual 2023](#), Sistema de Información sobre Agresiones contra Personas Defensoras de Derechos Humanos en Colombia - SIADDHH-, May 16, 2024, p.117; UN Human Rights, Situation of Human Rights in Colombia, [AHRC/5225](#), February 27, 2023, para. 66.

³³² Caribe Afirmativo, Response to the IACHR consultation survey, received on February 2, 2024, filed with the IACHR; SISMA Mujer, [Patrones de violencia sociopolítica de género contra lideresas y defensoras de derechos humanos en Colombia: claves conceptuales y metodológicas 2016 - 2020](#), May 16, 2022, p. 32; Somos Defensores Program, [Puntos Suspensivos, Informe Anual 2023](#), Sistema de Información sobre Agresiones contra Personas Defensoras de Derechos Humanos en Colombia - SIADDHH-, May 16, 2024, p.117. International Crisis Group, [Leaders under Fire: Defending Peace in Colombia](#), 6 October 2020, p.10.

³³³ IACHR, Meeting with Raizal communities held in Santa Marta in the framework of the IACHR *on-site* visit to Colombia, April 16, 2024.

³³⁴ Somos Defensores Program, [Puntos Suspensivos, Informe Anual 2023](#), Sistema de Información sobre Agresiones contra Personas Defensoras de Derechos Humanos en Colombia - SIADDHH-, May 16, 2024, p.117; Somos Defensores Program, [Interludio: Informe Anual 2022, Sistema de Información sobre Agresiones contra Personas Defensoras de Derechos Humanos en Colombia - SIADDHH-](#), June 1, 2023, p. 98.

³³⁵ IACHR, Public Hearing "[Ecuador: Human Rights of Human Rights Defenders in the Context of the State of Emergency](#)" held during the 190 period of sessions, July 12, 2024.

³³⁶ ICHRP, [Ecuador: More than 30 organizations call on companies sourcing in the country to react in case of death threats against trade union defenders](#), 11 October 2023; Instituto Sindical de Cooperación al Desarrollo (ISCOD), [Las empresas importadoras de plátanos de Ecuador deben actuar frente a las amenazas a sindicalistas](#), 10 October 2023.

retaliation for his defense of the environment.³³⁷ Defender Lina María Espinosa Villegas reportedly received telephone calls threatening her with death due to the technical legal accompaniment she provided to communities and members of indigenous peoples before, during and after the national strike of June 2022.³³⁸

142. In Guatemala, information has been received on the use of "netcenters" with accounts that operate anonymously to threaten, attack, and discredit human rights defenders.³³⁹ In Guyana, the Commission learned of threats received by e-mail against a human rights defender organization that were allegedly related to its opposition to oil extraction projects; there were also allegations of sexual abuse.³⁴⁰
143. In Venezuela, civil society has reported that threats are generally made by public officials or individuals aligned with the State, and subsequently executed by agents of public powers and institutions, security agencies and civilian members of the Popular Protection System for Peace (SP3).³⁴¹ The Commission granted precautionary measures to seven union leaders who received constant threats and harassment by State agents.³⁴²

³³⁷ Alianza por los Derechos Humanos Ecuador, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR; Front Line Defenders, [Ecuador: Death threats against human rights defender and community leader Javier Medardo Feijoo Villa](#), October 20, 2023.

³³⁸ Alianza por los Derechos Humanos Ecuador, Respuesta a cuestionario de consulta de la CIDH, Received on February 2, 2024, filed with the IACHR; Alianza por los Derechos Humanos Ecuador, [Denuncia pública amenazas a defensora de derechos humanos Maria Espinosa](#), July 29, 2022.

³³⁹ IACHR, Annual Report 2023, Volume II, [Annual Report of the Office of the Special Rapporteur for Freedom of Expression](#), OEA/Ser.LV/II Doc. 386, December 6, 2023, paras. 806 and 887

³⁴⁰ Advox, [Concerns in Guyana about threats against women activists](#), August 17, 2023; Kaieteur News, [The vicious attacks on journalists, NGOs](#), April 20, 2023; IACHR, Meeting with Red Threads held on September 5, 2023, on file with IACHR.

³⁴¹ CDJ, Response to the IACHR consultation survey, received on February 2, 2024, filed with the IACHR.

³⁴² IACHR, [Resolution 15/2023](#), Precautionary Measures No. 66-23, Carlos Eduardo Salazar Ojeda et al. (Union leaders of the civil association Coalición Sindical Nacional de Trabajadores) regarding Venezuela, April 1, 2023, para. 34.

144. In addition, in the post-electoral context of 2024, the Commission learned about new forms of repressive patterns against human rights defenders in Venezuela, such as the abrupt, arbitrary, and unmotivated cancellation of passports. At least 40 human rights defenders, social leaders, journalists, and their families have been victims of this practice aimed at limiting freedom of movement and instilling fear. Another observed pattern is the persecution of election observers and witnesses. At least five of them had to move to Colombia due to death threats.³⁴³ The Commission highlights that election observers are human rights defenders, both national and international, and recalls the State's duty to refrain from actions that arbitrarily interfere in the work of observers, including reprisals for their activities.³⁴⁴

145. The IACHR has noted that threats are intimidating warnings that acts that would cause severe pain could be committed that could endanger the physical and mental capacity of defenders.³⁴⁵ The Commission is alarmed that defenders have been killed after receiving death threats. In Mexico, environmental defender Higinio Trinidad de la Cruz received a communication "that organized crime already knows all the defenders of the territory, and therefore suggests that, for his safety, he not go down to the community of La Huerta". He was also harassed several times by members of organized crime in the state of Jalisco.³⁴⁶ Higinio was disappeared on November 24, 2023 after entering the municipal presidency of Cuautitlán de García Barragán. He was later found dead.³⁴⁷

³⁴³ IACHR, [Venezuela, Grave Human Rights Violations in the Electoral Context](#), OEA/Ser.L/V/II Doc. 25/24 Dec. 27, 2024, para. 81.

³⁴⁴ IACHR, Resolution No. 1/24, [Election Observers as Human Rights Defenders](#), Doc. 23, April 30, 2024.

³⁴⁵ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser. L/V/II. Doc. 66, December 31, 2011, para. 49; IACHR, [Report on the Situation of Human Rights Defenders and Social Leaders in Colombia](#), OEA/Ser.L/V/II. Doc. 262, December 6, 2019, para. 129.

³⁴⁶ IACHR, [Resolution 11/2024](#), Precautionary Measures No. 674-21, J. Santos Rosales Contreras and twelve other members of the Nahua indigenous community of Ayotitlán regarding Mexico, March 8, 2024, para. 5.

³⁴⁷ IACHR, [Resolution 11/2024](#), Precautionary Measures No. 674-21, J. Santos Rosales Contreras and twelve other members of the Nahua indigenous community of Ayotitlán regarding Mexico, March 8, 2024, para. 7.

146. A significant number of aggressions, including threats and attacks against defenders, come from businessmen or workers of the corporations that create territorial conflicts.³⁴⁸ In Ecuador, Janeth Wampash, Shuar leader of the Colectivo de Mujeres Amazónicas Defensoras de la Selva, was reportedly a victim of threats and intimidation in March 2021 by a mining company that allegedly has 42 exploitation licenses in various Amazonian indigenous territories.³⁴⁹ In Mexico, a group of defenders of the Ayotitlán territory were threatened after filing an *amparo* lawsuit against mining activities.³⁵⁰
147. As for physical aggressions, the IACHR has noted that they are both acts of physical violence aimed at killing the defender and those aimed at inflicting pain, fear, anguish and feelings of vulnerability on a defender or members of their family, breaking their physical and moral resistance.³⁵¹ Information has been received about attacks³⁵² with explosives against human rights defenders³⁵³, interception of their

³⁴⁸ PBI Guatemala, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

³⁴⁹ Alianza por los Derechos Humanos, [Situación de personas defensoras de derechos humanos, colectivos y de la naturaleza en Ecuador: Retos y desafíos en la construcción de sistemas integrales y diferenciados para su protección](#), June 15, 2021, p.28.

³⁵⁰ Global Rights et al, Response to the IACHR consultation survey, received on January 30, 2024, filed with the IACHR; ProDESC, [Exigimos justicia para Higinio y las personas defensoras de la vida en Ayotitlán](#), December 7, 2023.

³⁵¹ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser. L/VII. Doc. 66, December 31, 2011, paras. 155 and 157.

³⁵² IACHR, Public Hearing "[Regional: Situation of human rights defenders](#)" held in the framework of the 189 period of sessions, February 29, 2024.

³⁵³ IACHR via Twitter [@IACHR], [The @IACHR expresses its deep concern over the attack committed with an explosive device against leader Yaneth Mosquera on #28July in Patía, department of Cauca](#), July 29, 2020; UN Human Rights, Situation of Human Rights in Colombia, [A/HRC/52/25](#), February 27, 2023, para. 65.

vehicle by armed persons³⁵⁴, entry of armed persons into their homes³⁵⁵, and the burning of their homes or offices.³⁵⁶

148. In addition, we have received information of other forms of harassment, such as vehicular stalking and surveillance to their homes or offices by unknown individuals or agents of the State³⁵⁷; taking photographs³⁵⁸, and in some cases surveillance carried out with drones.³⁵⁹ Information has also been received about restrictions on

³⁵⁴ IACHR, [Resolution 56/2024](#), Precautionary Measures No. 511-24, Rodsman Saadik Molina Orteiz regarding Honduras, August 26, 2024, para. 27.

³⁵⁵ I/A Court H.R., [Case of Members of the Association of Citizens Dedicated to the Investigation of the Equality of Human Rights \(ACDIIDH\) regarding Haiti](#), Provisional Measures, Resolution of the Inter-American Court of Human Rights of November 21, 2023.

³⁵⁶ CIEDH, [Ecuador: Incendian la casa de defensor tras alerta sobre posibles efectos negativos de la ampliación de mina de Ecuacorriente](#), December 5, 2023; Expreso, [Incendian casa de defensor del medioambiente en Zamora](#), según organizaciones, November 26, 2023; UN, Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi Voule, Visit to Brazil, [AHRC/53/38/Add.1](#), May 23, 2023, para. 77.

³⁵⁷ PBI Colombia, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR; IACHR, [Resolution 31/2024](#), Precautionary Measures No. 288-24, Joel Antonio García Hernández regarding Venezuela, May 13, 2024, para. 26; IACHR, [Resolution 26/2024](#), Precautionary Measures No. 438-15, Members of the Venezuelan Program for Human Rights Education-Action (PROVEA) with respect to Venezuela, April 29, 2024, para. 38; IACHR, [Resolution 66/2023973-22 Fabián Andrés Cáceres](#), Precautionary Measures No. , para. 973-22 Fabián Andrés Cáceres Palencia et al. with respect to Colombia, November 20, 2023, para. 31; IACHR, Annual Report 2023, [Chapter IVB Cuba](#), para. 53; IACHR, Annual Report 2021, [Chapter IVB Cuba](#), para. 99; Raza e Igualdad, Response to the IACHR consultation survey, received on February 2, 2024, filed with the IACHR; CDJ, Response to the IACHR consultation survey, received on February 2, 2024, filed with the IACHR; PBI Colombia, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

³⁵⁸ AIDA, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR; IACHR, [Resolution 47/2023](#), Precautionary Measures No. 404-23, Members of Alternativa de Reivindicación Comunitaria y Ambientalista de Honduras (ARCAH) regarding Honduras, August 20, 2023, para. 29; Cristosal, [Sociedad civil en alerta: investigación sobre afectaciones al derecho de asociación, November 2023](#), p. 8.

³⁵⁹ Front Line Defenders, [Global Analysis 2023/24](#), May 22, 2024, p. 53; CONADEH, [Informe Situacional de las Mujeres Defensoras de Derechos Humanos en Honduras](#), August 2023, p. 32.

leaving the country³⁶⁰, arbitrary and temporary detentions of human rights defenders as a mechanism to prevent them from carrying out their work or to deprive them of their freedom at crucial moments for the defense of their causes.³⁶¹ The Commission is especially concerned that these acts of harassment and persecution have resulted in human rights defenders having to resort to exile³⁶² or have been forcibly displaced.³⁶³

149. In a regional context where the risks of defending human rights are high, it is essential that States consider threats and attacks against these groups as indicators of the likelihood of their materialization³⁶⁴, and therefore adopt all the necessary measures to prevent them from taking place.

C. Criminalization

150. The IACHR understands criminalization as the improper use of criminal law for the manipulation of the State's punitive power by State or non-State actors with the aim of hindering defenders' work and their legitimate right to defend human rights.³⁶⁵

³⁶⁰ IACHR, [Venezuela, Grave Human Rights Violations in the Electoral Context](#), OEASer.LV/II Doc. 253/24, December 27, 2024, para. 131; Annual Report 2022, Chapter IVB, [Nicaragua](#), para. 125; Annual Report 2023, Chapter IVB, [Cuba](#), para. 54.

³⁶¹ IACHR, Annual Report 2023, Chapter IVB, [Cuba](#), paras. 48-51; IACHR, Annual Report 2022, Chapter IVB, [Cuba](#), para. 134; IACHR, Annual Report 2021, Chapter IVB, [Cuba](#), para. 100; IACHR, Annual Report 2023, Chapter IVB, [Venezuela](#), para. 35; IACHR, Annual Report 2022, Chapter IVB, [Venezuela](#), para. 102; IACHR, Annual Report 2020, Chapter IVB, [Nicaragua](#), para. 114.

³⁶² Promoción, Educación y Defensa en Derechos Humanos (PROMEDEHUM), [Desafiando la Oscuridad: Resistencia y Resiliencia de la Sociedad Civil en el Laberinto del Autoritarismo Venezolano](#), June 2024, p.5; UDJ, CISAS et al. [Report on the State of Compliance with the International Covenant on Civil and Political Rights State to be Evaluated: Nicaragua](#), September 2022, para. 74.

³⁶³ Mesa por el Derecho a defender derechos, [Informe de agresiones contra personas defensoras y periodistas: análisis de casos 2023](#), May 2024, p. 31.

³⁶⁴ I/A Court H.R., [Case of Bedoya Lima et al. v. Colombia](#), Merits, Reparations and Costs, Judgment of August 26, 2021, Series C No. 431, para. 94.

³⁶⁵ IACHR, [Criminalization of the work of human rights defenders](#), OEASer.LV/II. Doc. 49/15, December 31, 2015, para. 43.

151. The criminalization of human rights defenders in the region has become an increasingly recurrent practice aimed at silencing or obstructing their defense causes. The IACHR has observed various patterns in the improper use of criminal law³⁶⁶, starting with public statements that accuse defenders of having committed a crime; the filing of unfounded complaints; the improper claims of criminal offenses, especially those with a generic or ambiguous formulation; the prolonged use of precautionary measures, such as preventive detention; and the subjection to prolonged judicial proceedings.³⁶⁷
152. In the timeframe of this report, the Commission received information that evidences intensified criminalization of defenders in various countries in the region. In Colombia the Committee for Solidarity with Political Prisoners Foundation (CSPP) documented the criminalization of 86 defenders between the second half of 2019 and November 2021. By 2021, this criminalization increased by 165% compared to 2019, largely due to the criminalization of social protest.³⁶⁸
153. In Guatemala, UN Human Rights identified 95 cases of criminalization of human rights defenders in 2023.³⁶⁹ In 2022, criminalization of defenders increased by 54.34% compared to 2021³⁷⁰, and 2021 recorded a 36% increase in criminalization of defenders of rights to

366 IACHR, Public Hearing "Regional: Situation of human rights defenders" held in the framework of the 189 period of sessions, February 29, 2024; UN, Human Rights Council, Summary of submissions from stakeholders on Ecuador for the Universal Periodic Review, A/HRC/WG.6/41/ECU/3, August 24, 2022, para. 30.

367 IACHR, [Criminalization of the Work of Human Rights Defenders](#), OEA/Ser.LV/II. Doc. 49/15, December 31, 2015, paras. 75-77.

368 Committee for Solidarity and Political Prisoners, [Criminalization of the Defense of Human Rights in Colombia 2019-2 to 2021](#), 2022, p. 21.

369 UN Human Rights, [Situation of human rights in Guatemala 2022](#), A/HRC/55/21, 6 February 2024, para. 14.

370 UN Human Rights, [Situation of human rights in Guatemala 2022](#), A/HRC/52/23, 26 January 2023, para. 72.

land, territories and natural resources compared to 2020.³⁷¹ In Honduras, the criminalization of defenders has been a recurrent practice.³⁷² Between 2017 and 2022, IM- Defensoras documented 182 initiation of criminal or administrative cases against women defenders.³⁷³ Meanwhile, in Peru, the former UN Special Rapporteur identified criminalization as one of the most frequent forms of attacks against women defenders.³⁷⁴

154. The criminalization of human rights defenders can take the shape of criminal charges aimed at directly penalizing their activities, such as those related to the right to freedom of expression. In Brazil, the Commission learned of the opening of an investigation against Transparency International ordered by a Supreme Court justice in February 2024 for alleged misappropriation of public funds, following the publication of its 2023 corruption report, which highlights setbacks in the fight against corruption in the country.³⁷⁵ According to available information, in October 2024 the Attorney General of the Republic allegedly requested the closing of this investigation due to a lack of supporting evidence, concrete facts and minimal elements indicating

³⁷¹ UN Human Rights, [Situation of human rights in Guatemala 2021](#), AHRC/49/20, 28 February 2022, para. 70.

³⁷² UN Human Rights, [Report on the Situation of Human Rights in Honduras 2022](#), AHRC/52/24, March 1, 2023, para. 68.

³⁷³ IM Defensoras, [Perseguidas por defender y resistir, Criminalización de mujeres defensoras de derechos humanos en Honduras, México y Nicaragua](#), Honduras Chapter, September 24, 2024, p. 27.

³⁷⁴ UN, Report of the Special Rapporteur on the situation of human rights defenders, Michel Forst, Visit to Peru, [AHRC/46/35/Add.2](#), 22 December 2020, para. 28.

³⁷⁵ DW, [Brazil Investigates Transparency International Over Lava Jato](#), February 6, 2024; VOA, [Transparency International "Deeply Concerned" by Brazil's Supreme Court Investigation Order](#), February 6, 2024; Panam Post, [Brazil's Supreme Court Orders Investigation into NGO That Highlighted Corruption Under Lula's Government](#), February 5, 2024.

the occurrence of a criminal act.³⁷⁶ However, according to available information, this investigation remains open.³⁷⁷

155. In Bolivia, civil society organizations alerted the Commission to the case of the community of Chiquiacá, Tariquía Department, where at least 20 people were criminally charged with violations of the right to work, impeding, or obstructing the exercise of their duties, public incitement to commit crimes, and threats. This was after workers were shut out from Yacimientos Petrolíferos Fiscales Bolivianos (YPFB) and Petrobras, and refused to start gas exploration activities.³⁷⁸ In Cuba, charges have been brought for crimes such as assault, contempt, non-payment of fines, rioting and resistance or rebellion, with the aim of discouraging the work of human rights defense and advocacy, mainly against defenders exercising their right to protest.³⁷⁹ In Mexico, criminal charges for "blockades" has been commonly used to criminalize human rights defenders, especially in the context of protests carried out as part of their defense activities.³⁸⁰

³⁷⁶ Transparency International, [Attorney General's Office \(PGR\) Promotes Closing Investigation into False Accusations Against Transparency International](#), October 16, 2024; New York Times, [One of Latin America's Largest Corruption Investigations Is Falling Apart](#), November 24, 2024.

³⁷⁷ O Antagonista, [The Attorney General's Office \(PGR\) demands the closing of the Transparency International case](#), December 30, 2024; Transparency International, [Note on Minister Toffoli's decision accepting J&F's request](#), December 13, 2024.

³⁷⁸ IACHR, Public Hearing "[Bolivia: Criminalization of Environmental Defenders](#)", held during the 192nd Session, March 7, 2025; Fides News Agency (ANF), [YPFB files criminal charges against 20 Tariquía defenders for obstructing gas exploration](#), October 8, 2024; La Región, [Community members prosecuted by YPFB refuse to testify and will strengthen their defense of Tariquía](#), October 10, 2024.

³⁷⁹ IACHR, [Situation of Human Rights in Cuba](#), OEASer.LV/II. Doc. 2, February 3, 2020, para. 188; IACHR, Annual Report 2021, [Chapter IVB Cuba](#), para. 101.

³⁸⁰ IM-Defensoras, Response to the IACHR consultation survey, received on January 11, 2024, filed with the IACHR; Amnesty International, [Mexico: land and ¿freedom? criminalization of defenders of land, territory and environment](#) [Mexicocriminalizado protector protector de agua indígena indígena indígena de agua.](#), September 2023, p. 36; IACHR, Annual Report 2023, Chapter IVA, Development of human rights in the region, para. 584; PBI, [PBI-Mexico acompaña audiencia del p. 584. 36](#); IACHR, Annual Report 2023, Chapter IVA, [Human Rights Developments in the Region](#), para. 584; PBI Mexico, [PBI-Mexico acompaña audiencia del criminalizado protector del agua indígena nahua Alejandro Torres Chocolatli](#), July 26, 2023; CEMDA, Response to the IACHR consultation survey, received on January 12, 2024, filed with the IACHR.

156. The improper application of penal types also persists, most of them with an ambiguous or vague formulation, with unclear descriptions of the alleged involvement in the crime, or without specifying the intent or intentionality required for the conduct to become unlawful, preventing adequate information of the conducts that are punished. That would be contrary to the principle of legality under Inter-American standards, which have been used to criminalize human rights defenders.³⁸¹
157. In Argentina, human rights defenders are frequently charged with sedition, especially those exercising the right to protest, in addition to other actions such as blockades, inciting people to commit crimes, or resisting authority.³⁸² The Commission was also informed of the filing of criminal complaints against 14 social organizations, which are charged with extortion and misappropriation of State funds, claiming alleged misuse of social assistance programs. These legal actions were purportedly initiated after the federal government established a telephone line to receive complaints about alleged threats by social leaders to social programs beneficiaries for demonstrating against the government's economic plan.³⁸³
158. In Colombia, civil society has identified that some criminal offenses such as conspiracy and rebellion, contemplated in the Penal Code, are used to prosecute human rights defenders under the presumption that their work is associated with activities that seek to destabilize the State.³⁸⁴

³⁸¹ IACHR, [Criminalization of the Work of Human Rights Defenders](#), OEA/Ser.L/V/II. Doc. 49/15, Dec. 31, 2015, para. 240; IACHR, [Basic Guidelines for the Investigation of Crimes against Human Rights Defenders in the Northern Triangle](#), OEA/Ser.L/V/II. Doc. 110, June 1, 2021, paras. 66-68; CDJ, Response to the IACHR consultation survey, received on February 2, 2024, filed with the IACHR.

³⁸² CEJIL, [Argentina must protect social mobilization, not silence it](#), March 18, 2025; Amnesty International, [Argentina: Criminalization of human rights defender continues](#), October 10, 2023; FIDH, [Argentina: Criminalization of defender Guillermo Galanti](#), January 20, 2022.

³⁸³ Forbes, [Javier Milei's Government Denounces Social Organizations for "Extortion" and "Fraud"](#), December 22, 2023; El País, [Argentina's government escalates war against social movements, calling them 'a modern slavery system'](#), May 16, 2024.

³⁸⁴ Comité de Solidaridad y Presos Políticos, [Criminalización de la defensa de los derechos humanos en Colombia: La judicialización a Defensores/as de la tierra/as, el territorio, el medio ambiente y la paz](#), 2019, p.64.

159. In Ecuador, the Commission has been informed that the use of criminal offenses such as kidnapping, kidnapping for ransom, terrorism, disruption of public services, damage to third-party property, and intimidation are recurrent.³⁸⁵ In Guatemala, crimes such as kidnapping or conspiracy, coercion and threats, instigation to commit a crime, illegal detentions and theft are used³⁸⁶. In Guatemala, too, indigenous defenders are charged with usurpation, mainly by the Specialized Prosecutor's Office against Usurpation Crimes.³⁸⁷
160. In Honduras, human rights defenders, especially environmental, land and territory defenders are criminalized through charges of "incitement to violence", usurpation, slander, and libel.³⁸⁸ There is particular concern about the criminalization of forced displacement in the current Penal Code in Honduras, which is being misused to criminalize this type of defense.³⁸⁹ In 2021, the Commission expressed its concern about the reforms to the Honduran Criminal Code, which incorporate the concept of "holding of public space" as a modality of the crime of usurpation, one of the most commonly used to initiate criminal proceedings against defenders.³⁹⁰

³⁸⁵ IACHR, Public Hearing "[Ecuador: Human Rights of Human Rights Defenders in the Context of the State of Emergency](#)" held in the framework of the 190 period of sessions, July 12, 2024; Alianza por los Derechos Humanos Ecuador, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR; International Land Coalition, [The Situation of Human Rights Defenders, Mother Earth and the Environment in Latin America](#), June 9, 2023, p. 20.

³⁸⁶ IACHR, [North Central America: Environmental Defenders](#), OEA/Ser.LV/II. Doc. 400/22, December 16, 2022, para. 129; PBI Guatemala, [Boletín No.41](#), August 2019, p. 2.

³⁸⁷ IACHR, Public Hearing "[Guatemala: Forced Internal Displacement of Indigenous and Peasant Communities](#)" held during the 190 period of sessions, July 12, 2024; PBI Guatemala, Criminalization of human rights defenders, patterns on the misuse of criminal law against human rights defenders accompanied by PBI Guatemala, received on June 6, 2024, filed with the IACHR.

³⁸⁸ IACHR, [North Central America: Environmental Defenders](#), OEA/Ser.LV/II. Doc. 400/22, December 16, 2022, para. 130.

³⁸⁹ IACHR, [Situation of Human Rights in Honduras](#), OEA/Ser.LV/II Doc.924, March 24, 2024, para. 287; Front Line Defenders, [Dictan libertad definitiva a personas defensoras de derechos ambientales integrantes de ARCAH](#), April 26, 2022.

³⁹⁰ IACHR, Press Release No. 304/21, [IACHR expresses concern about the entry into force of legislative reforms that would have a regressive impact on the exercise of the right to protest in Honduras](#), November 16, 2021.

161. In Nicaragua, both the Inter-American Commission and the Inter-American Court have determined the existence of a pattern of criminalization and persecution against human rights defenders and political opponents³⁹¹, and there is a noticeable usage of criminal proceedings to silence them.³⁹² From 2018 to date, a series of laws have been passed and used as an instrument to criminally prosecute government opponents and human rights defenders, such as Law No. 977 against money laundering, financing of terrorism and the proliferation of weapons of mass destruction; Law No. 1042 on cybercrimes; and Law No. 1055 on the defense of the rights of the people to independence, sovereignty and self-determination for peace, which includes the crime of "treason".³⁹³ In particular, they use the crime of "conspiracy to undermine national integrity", to criminalize defenders.³⁹⁴
162. In Peru, the UN Special Rapporteur identified that the most common categories of crimes used to criminalize defenders are attacks against public order, disruption of public services, aggravated damages, violence and contempt, extortion, kidnapping, usurpation and

³⁹¹ IACHR, Public Hearing "[Persecution, repression, criminalization and prosecution of the peasant population of Nicaragua and forcibly displaced](#)" held in the framework of the 173rd period of sessions, September 25, 2019; IACHR Court, [Case of Members of the Nicaraguan Center for Human Rights and the Permanent Human Rights Commission \(CENIDH-CPDH\) regarding Nicaragua](#), Provisional Measures, Resolution of the Inter-American Court of Human Rights of October 20, 2023, para. 24; IACHR Court, [Case of Juan Sebastián Chamorro et al. v. Nicaragua. Provisional Measures](#), Resolution of the Inter-American Court of Human Rights of November 22, 2021, para. 49.

³⁹² IACHR Court, [Case of Members of the Nicaraguan Center for Human Rights and the Permanent Commission on Human Rights \(CENIDH-CPDH\) regarding Nicaragua](#), Provisional Measures, Resolution of the Inter-American Court of Human Rights of October 20, 2023, para. 22.

³⁹³ IACHR, [Nicaragua: Concentration of Power and Weakening of the Rule of Law](#), OEA/Ser.LV/II.Doc. 288, October 25, 2021, paras. 156 - 159.

³⁹⁴ IACHR X account([@IACHR](#)], [#Nicaragua #IACHR expresses concern over the formal accusation against defender María Oviedo and peasant leader Pedro Mena for crimes of conspiracy to commit undermining national integrity and propagation of false news through technologies](#), September 24, 2021.

conspiracy.³⁹⁵ These crimes could carry sentences of more than ten years in prison.³⁹⁶

163. The Commission has also expressed its particular concern about criminal charges of terrorism and enforcement of other laws related to State security to prosecute human rights defenders.³⁹⁷ In Chile, the Commission was informed of a complaint for incitement to uprising that the Metropolitan Intendancy had filed against the social leader Dauno Totoro under the framework of the Internal Security Law of the State.³⁹⁸ In Colombia, three human rights defenders were arrested in December 2020 after arrest warrants were issued against them. They were charged with terrorism, carrying explosives and attempted homicide, and accused them of being members of the national leadership of the National Liberation Army (ELN). The defenders were released six days after their detention.³⁹⁹ In Mexico, defenders are charged with crimes punished under the laws to fight organized crime, such as kidnapping and organized crime.⁴⁰⁰ In Nicaragua, defenders have been detained and criminalized under laws such as Law No. 977 against money laundering, the financing of terrorism and the proliferation of weapons of mass destruction; Law No. 1042 on cybercrimes; and Law No. 1055 on the defense of the rights of the

³⁹⁵ UN, Report of the Special Rapporteur on the situation of human rights defenders, Michel Forst, Visit to Peru, [AHRC/46/35/Add.2](#), 22 December 2020, para. 28.

³⁹⁶ UN, [Peru: Criminalization of environmental human rights defenders must end - UN expert](#), May 18, 2021.

³⁹⁷ IACHR, [Criminalization of the work of human rights defenders](#), OEA/Ser.LV/II. Doc. 49/15, December 31, 2015, para. 139.

³⁹⁸ IACHR, Situation of Human Rights in Chile, OEA/Ser.LV/II. Doc. 1/22, January 24, 2022, para. 141.

³⁹⁹ Committee for Solidarity and Political Prisoners, [Criminalization of the Defense of Human Rights in Colombia 2019-2 to 2021](#), 2022, pp. 35-37. The defenders would be Adolfo Gallo, member of the Asociación Nacional Campesina José Antonio Galán Zorro ASONALCA; Robert Daza, member of the Comité de Integración del Macizo Colombiano CIMA; and Teófilo Acuña, member of the Comisión de interlocución del Sur de Bolívar, Centro y Sur del Cesar.

⁴⁰⁰ UN, Committee against Torture, Decision adopted by the Committee under Article 22 of the Convention, regarding Communication No. 992/2020, [CAT/C/72/D/992/2020](#), February 7, 2022, para. 2.26; Amnesty International, [Persecuted: Criminalization of Women Human Rights Defenders in Mexico](#), May 21, 2024, p. 1.

people to independence, sovereignty and self-determination for peace, including the crime of "treason".⁴⁰¹

164. In Venezuela human rights defenders have also been charged with terrorism⁴⁰². After the presidential election of July 28, 2024, the IACHR learned about the detention and imprisonment Kennedy Tejada, a defender and member of the organization Foro Penal, who was allegedly brought to a court with jurisdiction over terrorism⁴⁰³, after asking about the whereabouts of demonstrators in a military command.⁴⁰⁴ On August 17, 2024, Henry Gómez, a human rights defender in the state of Amazonas, was detained.⁴⁰⁵ The defender was reportedly presented at a hearing with a public defender and charged with terrorism.⁴⁰⁶ The defender, Rocío San Miguel, was detained on February 15, 2024 and brought five days later before the Second Court Against Terrorism in Caracas charged with treason, conspiracy,

⁴⁰¹ IACHR, [Nicaragua: Concentration of Power and Weakening of the Rule of Law](#), OEA/Ser.LV/II.Doc. 288., October 25, 2021, paras. 156 - 159; Annual Report 2021, [Chapter IVB Nicaragua](#), para. 115;

⁴⁰² UN, Situation of human rights in the Bolivarian Republic of Venezuela, [AHRC/50/59](#), June 2022, para. 51; CDJ, Response to the IACHR consultation survey, received on February 2, 2024, filed with the IACHR.

⁴⁰³ Amnesty International, [Kennedy Tejada: defenders arbitrarily detained in Venezuela](#), September 13, 2024.

⁴⁰⁴ Robert F. Kennedy Human Rights (RFK), [RFK Human Rights Denounces Arbitrary Detention of Kennedy Tejada, human rights defender and Foro Penal lawyer in Venezuela](#), August 4, 2024; International Federation for Human Rights (FIDH), [Venezuela: Arbitrary Detention of Kennedy Tejada, Edward Ocariz and Yendri Omar Velásquez](#), September 6, 2024;

⁴⁰⁵ International Association of People's Lawyers (IAPL), [Venezuela: Prominent human rights lawyer arrested in Amazonas](#), August 17, 2024.

⁴⁰⁶ Amnesty International, [Henry Gómez: en Venezuela hay personas defensoras detenidas arbitrariamente](#), September 13, 2024; Diario Las Américas, [Siguen trasladando a detenidos en protestas poselectorales a la cárcel de Tocarón](#), September 5, 2024.

terrorism, among others.⁴⁰⁷ Previously, in 2021, three members of the organization Fundaredes were charged with terrorism and incitement to hatred.⁴⁰⁸

165. The Commission is particularly concerned about the impact that criminalization or the initiation of spurious trials has on the defense of human rights. The latent risk of criminalization has led many defenders to resort to exile, which has become a new form of repression that has a direct impact on the right to defend human rights. In Guatemala, persecution by the justice system has resulted in human rights defenders being forced to leave the country in recent years.⁴⁰⁹ In Nicaragua, due to the State's escalation of repression against civil society organizations, dozens of defenders have been forced to work from exile individually or by transferring the structure of their organizations or creating new entities.⁴¹⁰ In Venezuela, many defenders are currently in exile due to the hostile environment and repression in the country.⁴¹¹

⁴⁰⁷ X of the IACHR, [#Venezuela: #IACHR condemns the forced disappearance of defender, beneficiary of #MedidasCautelares, Rocío San Miguel and urges the State to report on her whereabouts and ensure respect for her judicial guarantees and presumption of innocence](#), February 12, 2024; France24, [Venezuela: who is Rocío San Miguel and why her arrest alarmed the international community](#), February 20, 2024; Amnesty International, [Rocío San Miguel: In Venezuela there are defenders arbitrarily detained](#), September 13, 2024; Venezuela Human Rights in Movement, [Post-electoral and Human Rights Crisis 2024 in Venezuela \(The Black Book of the Dictatorship 2024\)](#), August 29, 2024, p. 13.

⁴⁰⁸ Amnesty International, Urgent Action, [Defensor still detained, two released](#), October 27, 2021; Freedom House, [Venezuela: Authorities must immediately release human rights defenders Javier Tarazona, Rafael Tarazona and Omar Garcia of Fundaredes](#), July 7, 2021; El País, [Venezuela arrests group of civil activists and accuses them of "terrorism and treason,"](#) July 4, 2021.

⁴⁰⁹ FIDH, [Guatemala: No guarantees of return for defenders and justice operators in exile](#), July 22, 2024; FIDH, [Guatemala: Open letter on the criminalization of defender and lawyer Ramón Cadena](#), July 3, 2024; FIDH, [Guatemala: Criminal persecution against defenders of academic freedom and autonomy of USAC](#), November 24, 2023; Infobae, [Jordán Rodas, Guatemalan opponent exiled in Spain: "Dictatorships in Latin America are no longer military, they are authoritarian civilians,"](#) June 24, 2023.

⁴¹⁰ IACHR, Annual Report 2023, [Chapter IVB Nicaragua](#), para. 50; [Closing of Civic Space in Nicaragua](#), OEASer.L/VII. Doc. 212/23, September 23, 2023, para. 93.

⁴¹¹ Promoción, Educación y Defensa en Derechos Humanos (PROMEDEHUM), [Desafiando la Oscuridad: Resistencia y Resiliencia de la Sociedad Civil en el Laberinto del Autoritarismo Venezolano](#), June 2024, p. 2.

166. On the other hand, the Commission warns that justice operators can contribute to this criminalization⁴¹², when they accept trials without evidence⁴¹³ or when they present false accusations against defenders.⁴¹⁴ In some cases, these proceedings are based mainly on testimonies by public officials, without other more convincing evidence.⁴¹⁵ Similarly, attempts are made to prosecute them for aggravated crimes to obtain the longest sentences⁴¹⁶, or charge them with inexcusable criminal offenses.⁴¹⁷ There have been reports of possible violations of the right to a reasonable time due to dilatory strategies in judicial proceedings. This is mainly due to stalling and rescheduling of hearings⁴¹⁸ and to the actions of prosecutors who appeal acquittals of defendants and result in a prolonged extension of the process, among other causes.⁴¹⁹

⁴¹² IACHR, [Criminalization of the work of human rights defenders](#), OEA/Ser.L/V/II. Doc. 49/15, December 31, 2015, para. 63.

⁴¹³ PBI Guatemala, Criminalization of human rights defenders, patterns on the misuse of criminal law against human rights defenders accompanied by PBI Guatemala, received on June 6, 2024, filed with the IACHR; Instituto Raza e Igualdad, Response to the IACHR consultation survey, received on February 2, 2024, filed with the IACHR.

⁴¹⁴ Front Line Defenders, [Global Analysis 2023/24](#), May 22, 2024, p. 50.

⁴¹⁵ Amnesty International, [Mexico: land and freedom? criminalization of defenders of land, territory and environment](#), September 2023, p. 39.

⁴¹⁶ Amnesty International, [Mexico: land and freedom? criminalization of defenders of land, territory and environment](#), September 2023, p. 2.

⁴¹⁷ IACHR, Public Hearing "[Human Rights Situation of Human Rights Defenders, Justice Operators and the Rule of Law in Guatemala](#)" held in the framework of the 184 period of sessions, June 22, 2021.

⁴¹⁸ PBI Guatemala, [Annual Report 2023](#), April 2024, p. 8; PBI Guatemala, Criminalización de personas defensoras de derechos humanos, patrones sobre el uso indebido del derecho penal en contra de personas defensoras acompañadas por PBI Guatemala, received on June 6, 2024, filed with the IACHR.

⁴¹⁹ UN, Report of the Special Rapporteur on the situation of human rights defenders, Michel Forst, Visit to Peru, [A/HRC/46/35/Add.2](#), 22 December 2020, para. 27.

167. On this last point, it is noted that defenders are often subjected to lengthy criminal proceedings.⁴²⁰ In Guatemala, María Cuc Choc, a defender of land, territory and women's rights, was accused in 2018 by a private company of illegal detention, threats and aggravated usurpation, and subjected to criminal proceedings in 2020. For more than 2 years and 8 months the hearings of the case were unjustifiably suspended at the request of company's counsel.⁴²¹ After 4 years of proceedings, on May 21, 2022, the judge of the Sentencing Court of Puerto Barrios de Izabal sentenced her to 2 years in prison, commutable, for aggravated usurpation.⁴²² In Peru, environmental defender Máxima Acuña was finally acquitted in 2017 by the Supreme Court after being charged with usurpation, and having been subject to criminal proceedings since 2011.⁴²³ The Commission has also been informed of due process violations, such as the prolonged use of pretrial detention and excessive delays in judicial proceedings. In this regard, the Commission highlights the case of journalist José Rubén Zamora, who has played a key role in publicly denouncing cases of corruption and abuse of power in recent years in the country. Due to his activities, Zamora has spent more than 800 days in prison since his arrest in July 2022. He was sentenced to six years in prison for the money laundering, in addition to facing two other criminal proceedings, one for alleged conspiracy to obstruct justice and another for the alleged continued use of fake documents.⁴²⁴

⁴²⁰ Amnesty International, Response to the IACHR consultation survey, received on January 31, 2024, filed with the IACHR; Amnesty International, [Mexico: Land and freedom? criminalization of defenders of land, territory and the environment](#), September 13, 2023, p. 3.

⁴²¹ IACHR, Annual Report 2020, Chapter V, [Third follow-up report on recommendations made by the IACHR in the Report on the Situation of Human Rights in Guatemala](#), 2021, para. 175.

⁴²² IACHR, [Northern Central America: Environmental Defenders](#), OEA/Ser.LV/II. Doc. 400/22, December 16, 2022, para. 136.

⁴²³ Amnesty International, [Brave: A recipe for criminalizing environmental, territorial and land defenders in Peru](#), 2018, p. 7; Front Line Defenders, [Supreme Court acquits human rights defender Máxima Acuña de Chaupe](#), May 8, 2017.

⁴²⁴ IACHR, Press Release No. 60/25, [IACHR and UN Special Rapporteurs Express Concern over the Return to Prison of Journalist José Rubén Zamora in Guatemala](#), March 26, 2025; IACHR, Annual Report 2023, Chapter IV B, [Guatemala](#), paras. 170-173.

168. The Commission has also noted that criminal proceedings against defenders are sometimes accompanied by precautionary measures or trial assurance against them, such as pretrial detention, house arrest, bail, the obligation to appear in court periodically, among others. A prolonged use of pretrial detention has been observed in cases related to human rights defenders. In El Salvador, the case of Óscar René Martínez Iglesias, a community leader and founder of the Movimiento Indígena para la Integración de las Luchas de los Pueblos Ancestrales was reported. On June 9, 2023, he was detained under the state of emergency in force since March 2022, and was sentenced to one year of preventive detention.⁴²⁵
169. In Honduras, the Commission followed the case of five water defenders from the community of Guapinol, accused of unjust deprivation of liberty, aggravated arson, robbery, and conspiracy, after opposing an iron oxide mine within a national park in Tocoa.⁴²⁶ The defenders had been in pretrial detention since September 2019, and obtained their freedom after the Constitutional Chamber of the Supreme Court of Justice granted two *amparos* in their favor ordering the trial judge to release them in February 2022.⁴²⁷ However, on September 19, 2024, the Second Court of Appeals of La Ceiba ordered the reopening of the criminal proceedings against them.⁴²⁸

⁴²⁵ La Prensa Gráfica, [Líder comunal permanecerá en detención](#), June 24, 2023; Corriente Roja, [Comunicado del MILPA frente a la detención de Óscar René Martínez Iglesia](#), June 28, 2023; El Mundo, [Movimientos denuncian captura de líder indígena y exigen libertad](#), June 13, 2023.

⁴²⁶ IACHR, Annual Report 2021, Chapter V, [Second Follow-up Report on the recommendations made by the IACHR in the report on the situation of human rights in Honduras](#), 2022, para. 92.

⁴²⁷ IACHR, Annual Report 2022, Chapter V, [Third Follow-up Report on the recommendations made by the IACHR in the report on the situation of human rights in Honduras](#), 2023, para. 114.

⁴²⁸ Front Line Defenders, [Ordenan reabrir proceso legal contra cinco defensores de derechos ambientales de Guapinol criminalizados, incluyendo al recién asesinado Juan López](#), September 25, 2024; UN Human Rights, [OHCHR expresses concern over ruling overturning dismissal for Guapinol defenders](#), September 19, 2024

170. In Venezuela, Javier Tarazona, director and founder of Fundaredes, has been imprisoned since July 2, 2021, accused of "incitement to hatred", "treason" and "terrorism".⁴²⁹
171. On the other hand, private actors are playing an important role in promoting the criminalization of defenders, particularly of those who defend land, territory and/or the environment.⁴³⁰ In this context, it has been identified that corporate actors have made use of judicial channels to subject defenders to criminal or civil proceedings⁴³¹, threaten to file defamation lawsuits if they do not receive the environmental permits necessary for their operation⁴³², or to put pressure on States to initiate criminal proceedings against them.⁴³³
172. It should be noted that one of the modalities used by private corporations to criminalize human rights defenders has been the use of abusive strategic legal actions against public participation

⁴²⁹ IACHR, Annual Report 2023, Chapter IVB, [Venezuela](#), para. 108; IACHR, Annual Report 2022, Chapter IVB, [Venezuela](#), para. 125.

⁴³⁰ UN Human Rights, [Situation of human rights in Guatemala 2022](#), AHRC/52/23, 26 January 2023, para. 77.

⁴³¹ AIDA, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR; Alianza por los Derechos Humanos Ecuador, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR; Amnesty International, Response to the IACHR consultation survey, received on January 31, 2024, filed with the IACHR.

⁴³² ASJ, Response to IACHR questionnaire, received on December 11, 2023, filed with the IACHR; Meeting with PBI Honduras and member of the organization Alternativa de Reivindicación Comunitaria y Ambientalista de Honduras (ARCAH), October 17, 2023, filed with the IACHR.

⁴³³ UN, Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi Voulé, The exercise of the rights to freedom of peaceful assembly and of association is fundamental to the promotion of climate justice, [A/76/222](#), July 23, 2021, para. 24; UN, Report of the Special Rapporteur on the situation of human rights defenders, Michel Forst, Visit to Peru, [AHRC/46/35/Add.2](#), December 22, 2020, para. 27; PBI Guatemala, [Defend Life! Las luchas sociales en Alta Verapaz](#), May 14, 2024, p. 38.

(SLAPPs).⁴³⁴ According to the IACHR Court, the term SLAPP refers to legal actions, whether civil or criminal, that appear to be legitimate but are intended to punish or harass the defendant for participating in public life. This strategy consists in burdening the defendant with high litigation costs to make them withdraw or cease their cases, or threaten them with the possibility of being imprisoned.⁴³⁵ In this regard, the Council of Europe has identified as indications of an abusive claim against public participation: a) the disproportionate, excessive or unreasonable nature of the claim or part of it; b) the existence of multiple proceedings brought by the claimant or associated parties in relation to similar matters; and c) intimidation, harassment or threats by the claimant or its representatives.⁴³⁶ According to the Information Center on Business and Human Rights (CIEDH), between 2015 and 2022, at least 164 cases of abusive legal actions by corporations against human rights defenders denouncing harm caused by business activities in the region were registered.⁴³⁷

173. The Commission has highlighted the role that justice operators play in preventing the criminalization of human rights defenders. While the State has the obligation to promote and support criminal proceedings, as well as the duty to investigate complaints brought to its attention by non-State actors, justice operators must also ensure that no unfounded criminal proceedings are brought against defenders for the

⁴³⁴ UN, Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi Voulé, The exercise of the rights to freedom of peaceful assembly and of association is fundamental to the promotion of climate justice, [A/76/222](#), July 23, 2021, para. 33; IACHR, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR; CEJIL, Response to the IACHR consultation survey, received on January 15, 2024, filed with the IACHR.

⁴³⁵ I/A Court H.R., [Case of Palacio Urrutia et al. v. Ecuador. Merits, Reparations and Costs](#). Judgment of November 24, 2021. Series C No. 446, Concurring opinion of Judges Eduardo Ferrer Mac-Gregor Poisot and Ricardo C. Pérez Manrique, paras. 14 and 15.

⁴³⁶ European Commission. [Proposal for a Directive of the European Parliament and of the Council on the protection of persons implementing acts of public participation against manifestly unfounded or abusive legal claims \("strategic claims against public participation"\)](#). Brussels, 2022/0117 (COD), Article 3.3.

⁴³⁷ IACHR, ["Regional : Corporate Impacts on Human Rights and the Environment"](#) Public Hearing," held in the framework of the 189th session, March 1, 2024; ICHRP, [Guardians at Risk: Confronting Corporate Abuse in Latin America and the Caribbean](#), September 2023, p. 9.

mere fact of carrying out their work in a legitimate manner.⁴³⁸ Thus, justice operators have the obligation to identify when criminal complaints are unfounded or reckless.⁴³⁹ Given the possibility that these procedures constitute forms of intimidation or discrediting, it is necessary to observe whether the State authorities acted diligently in these procedures, particularly under the guarantee of reasonable time.⁴⁴⁰

D. Estigmatization

174. There is a persistent stigmatization of the work of human rights defenders in the region. The Commission was informed about public discourse aimed at delegitimizing and discrediting these activities. It is of particular concern that these messages come from the highest authorities, who publicly and repeatedly question the independence and authenticity of human rights organizations.⁴⁴¹ This narrative fosters a climate of hostility and intolerance from different sectors of the population and hinders the legitimate defense of human rights. Thus, civil society organizations point out that the heads of the executive powers have referred to human rights defenders as "economic terrorists"⁴⁴², "pseudo-defenders"⁴⁴³, "defenders of

⁴³⁸ IACHR, [Criminalization of the work of human rights defenders](#), OEA/Ser.LV/II. Doc. 49/15, December 31, 2015, para 71.

⁴³⁹ IACHR, [Criminalization of the work of human rights defenders](#), OEA/Ser.LV/II. Doc. 49/15, December 31, 2015, para 73.

⁴⁴⁰ I/A Court H.R., [Case of Acosta et al. v. Nicaragua](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of March 25, 2017, Series C No. 334, para. 192.

⁴⁴¹ IACHR, Public Hearing "[Protection of the Human Rights of Human Rights Defenders and Communicators in Mexico](#)," held in the framework of the 180 period of sessions of the IACHR, July 1, 2021; IACHR, Annual Report 2022, Chapter V, [First Follow-up Report on the Recommendations Made by the IACHR in the Report on the Situation of Human Rights in El Salvador](#), para. 180; Amnesty International et al, Communication on the delegitimization and stigmatization against the Fray Bartolomé de las Casas Human Rights Center, received on April 26, 2024, filed with the IACHR.

⁴⁴² Front Line Defenders, [Global Analysis 2022](#), April 4, 2023, p. 36.

⁴⁴³ Centro ProDH, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

criminals"⁴⁴⁴, "enemies of the State", or "traitors to the homeland"⁴⁴⁵, "criminals" and "cowards"⁴⁴⁶, among others. This type of messages has also been pronounced at Legislative Congresses during debates to pass or enact laws that would aim to apply stricter controls for their operation and/or funding, as discussed later in this report.⁴⁴⁷

175. Private actors, both legal and illegal, have contributed to deepen the delegitimization of defenders in the region. In Colombia threatening pamphlets label social leaders as "guerrillas" and "terrorists".⁴⁴⁸ In Guatemala and Mexico, private entities use social media to initiate smear campaigns against human rights defenders.⁴⁴⁹ In Honduras and Mexico, on-line media and coordinated smear campaigns have

⁴⁴⁴ IACHR, Public Hearing "[Ecuador: Human Rights of Human Rights Defenders in the Context of the State of Emergency](#)" held during the 190 period of sessions, July 12, 2024; El Salvador.com, [Gobierno estigmatiza a quienes defienden los derechos humanos en el país](#), January 2, 2023; Amnesty International, [La receta de Nayib Bukele para limitar el ejercicio de los derechos humanos](#), July 19, 2021.

⁴⁴⁵ IACHR, Annual Report 2023, Chapter IVB, [Venezuela](#), para. 21; CDJ, Response to the IACHR consultation survey, received on February 2, 2024, filed with the IACHR.

⁴⁴⁶ IACHR. Annual Report 2020. Chapter IVB, [Nicaragua](#), para. 16.

⁴⁴⁷ IACHR, Press Release No. 22/24, [Venezuela: IACHR Urges State Not to Approve Bill Limiting the Right of Association and Participation](#), January 26, 2024; IACHR, Request for Information to the State of Paraguay Regarding the Bill "Establishing Control, Transparency and Accountability of Non-Profit Organizations," August 5, 2024, filed with the IACHR.

⁴⁴⁸ CCJ and Misión de Observación Electoral (MOE), [Democracia en el punto de mira. Situación de la violencia contra líderes y lideresas en época electoral, 2018 y 2022 en Colombia](#), November 2022, p. 45.

⁴⁴⁹ International Federation for Human Rights (FIDH), [Guatemala: Smear against Jorge Santos, General Coordinator of UDEFEGUA](#), May 19, 2023; Front Line Defenders, [Defamatory statements against human rights defender Jorge Santos and UDEFEGUA](#), May 23, 2023; CEJIL, [Guatemala: CEJIL denounces the criminalization and harassment suffered by human rights defender Jorge Santos](#), May 26, 2023; PBI Mexico, Communication on Digital Security Incidents Targeting FPDTA - MPT Defenders, received on June 20, 2024, filed with the IACHR.

been used to discredit human rights defenders.⁴⁵⁰ In Peru, “*terruqueo*” is frequently used way to stigmatize and delegitimize the work of human rights defenders.⁴⁵¹

176. There is an increased use of social media and the digital sphere to make threats and coordinated smear and discredit campaigns against human rights defenders. Francisco Vera, a child environmental defender, has been a victim of photomontage, presenting him as a guerrilla, in addition to being labeled as a terrorist, communist and insurgent, which seems to be part of a criminalization strategy and a public narrative to discredit his work.⁴⁵² In Nicaragua, a coordinated pattern of disinformation and stigmatization of human rights defenders has been identified through “digital mobs” or “troll farms”.⁴⁵³
177. Stigmatization can also be linked to the initiation of criminal proceedings through the broadcasting of speeches that accuse them of committing a crime without necessarily having been judicially proven. In Guatemala a smear campaign was launched against members of the International Accompaniment Project in Guatemala (ACOGUATE) that included calls to the State to make use of the “NGO law” and cancel the organization, initiate legal proceedings against its

⁴⁵⁰ IACHR, Public Hearing “[Regional: Situation of human rights defenders](#)” held in the framework of the 189 period of sessions, February 29, 2024; UN, Human Rights Council, Honduras: Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Irene Khan - Visit to Honduras, [AHRC/56/53/Add. 9](#); UN, Human Rights Council, Honduras: Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Irene Khan - Visit to Honduras, [AHRC/56/53/Add.1](#), 15 May 2024, para. 28.

⁴⁵¹ National Coordinator of Human Rights and others, [Human Rights Defenders in Cajamarca, Peru: Struggles and Challenges for Their Effective Protection](#), February 28, 2023, p. 9; CEJIL, Response to the IACHR consultation survey, received on January 15, 2024, filed with the IACHR.

⁴⁵² CEJIL, Information sent to the IACHR on the situation of the child environmental defender Francisco Vera in Colombia, received on March 12, 2025, filed with the IACHR; Information sent to the Office of the Special Rapporteur for Freedom of Expression, October 30, 2024, November 6 and 27, 2024, File of the Office of the Special Rapporteur for Freedom of Expression.

⁴⁵³ Connectas, [Propaganda, fake news and manipulation behind the “truth”, by Ortega y Murillo](#), December 6, 2023.

members, and expel all members who were not citizens of the country.⁴⁵⁴

178. On the other hand, defenders are often questioned because of the type of defense they carry out. Environmental, land, and territory defenders are the ones who mostly face this type of discourse. In Antigua and Barbuda, defenders were labeled by the Executive as "economic terrorists" for their opposition to the construction of a luxury tourism development.⁴⁵⁵ In Ecuador, the Minister of Energy and Mines accused a defender of being "an international criminal" for defending indigenous peoples and Amazonian communities against the impacts of oil company operations in the Ecuadorian Amazon.⁴⁵⁶ In Honduras, members of local governments or security personnel label women defenders as "opponents of development" or, on occasions, when they make a complaint in public spaces or in the media, they are labeled as "false environmentalists" or addressed as "usurpers" or "invaders".⁴⁵⁷ In Peru, defenders have been publicly called "opponents of development" and "radical anti-mining groups" and accused of defending selfish or corrupt interests as they try to prevent the exploitation of economic resources, and aim at diverting part of the profits from such exploitation to the affected communities or change the method of resource extraction.⁴⁵⁸

179. The source of funding for their activities is another reason why they are discredited. In Mexico, the Federal Executive presented public information indicating that nine civil society organizations have received funds from foreign foundations and organizations for the sole

⁴⁵⁴ UN, Special Rapporteur on the situation of human rights defenders, [Communication on the criminalization and harassment of the human rights organization ACOGUATE, which is framed in the context of deterioration and closure of democratic spaces for the work and defense of human rights in Guatemala](#), January 25, 2022; Front Line Defenders, [Global Analysis 2021](#), February 23, 2022, p. 29.

⁴⁵⁵ Front Line Defenders, [Global Analysis 2022](#), April 4, 2023, p. 36.

⁴⁵⁶ Amnesty International, [Ecuador: Ecuadorian human rights defender Pablo Fajardo stigmatized](#), 28 April 2023.

⁴⁵⁷ CONADEH, [Informe Situacional de las Mujeres Defensoras de Derechos Humanos en Honduras](#), August 2023, p. 32.

⁴⁵⁸ UN, Report of the Special Rapporteur on the situation of human rights defenders, Michel Forst, Visit to Peru, [A/HRC/46/35/Add.2](#), 22 December 2020, para. 23.

purpose of opposing the construction of the "Mayan train". The organizations were allegedly described as "benefactors and opponents" that "disguise themselves as environmentalists for money", and that "also disguise themselves for money as human rights defenders".⁴⁵⁹ In Venezuela, state authorities have recurrently made public accusations against the organization Venezuelan Program for Human Rights Education-Action (PROVEA), describing it as protecting terrorists, "selling out the country", receiving funding from the Central Intelligence Agency (CIA), or foreign currency with the aim of destabilizing the country, among others.⁴⁶⁰

180. In known contexts of violence against human rights defenders, stigmatization further increases their vulnerability. The case of environmental defender Samir Flores in Mexico reflects these risks, as he was labeled a "conservative" in a meeting with the Federal Executive four days before his murder.⁴⁶¹ In El Salvador, civil society indicates that using their organization's official identification documents poses a risk to the military, police, and private individuals who have adopted the state discourse that claim that these organizations are financed by opponents to the government or that they work to defend gangs.⁴⁶²
181. The Commission recalls that statements from state representatives expressed in contexts of political violence, strong polarization, or high social conflict, send a message that violence aimed at silencing human rights defenders has the acquiescence of the government⁴⁶³.

⁴⁵⁹ IACHR, Request for information based on Article 41 on official actions or statements affecting the legitimacy of the work of environmental defenders in Mexico, Communication 438-20/CIDH/SEMPCT-Art.41, September 14, 2020, filed with the IACHR.

⁴⁶⁰ IACHR, [Resolution 26/2024](#), Precautionary Measures No. 438-15, Members of the Venezuelan Human Rights Education-Action Program (PROVEA) regarding Venezuela (Follow-up and Expansion), April 29, 2024, para. 7.

⁴⁶¹ IACHR, Public Hearing, Mexico: Protection of Human Rights Defenders and Journalists, held in the framework of the 189 period of Sessions of the IACHR, February 28, 2024.

⁴⁶² Cristosal, [Sociedad civil en alerta: investigación sobre afectaciones al derecho de asociación](#), November 2023, p. 9.

⁴⁶³ IACHR, Report on the Situation of Human Rights Defenders in the Americas, OEA/Ser.L/V/II.124 Doc. 5 rev.1, March 7, 2006, para. 177.

Political leaders and public officials should not make statements that could promote intolerance, discrimination, or misinformation, and should instead take advantage of their leadership positions to counteract these social harms and promote intercultural understanding and respect for diversity.⁴⁶⁴ The IACHR recalls that "public officials should refrain from making statements that stigmatize human rights defenders or suggest that organizations act improperly or illegally, simply because they carry out their work to advocate for and defend human rights". In general, these types of statements seek not only to stigmatize them in the eyes of society, but also to delegitimize the work they do.⁴⁶⁵ Thus, the stigmatizing official discourse not only contributes to the deterioration of the public debate, but also has the potential to increase the risks inherent to the work of defending human rights, especially in a context of escalating violence against them.⁴⁶⁶

182. The Commission reiterates its call to the States of the region so their authorities refrain from speech that stigmatizes the work of human rights defenders and, consequently, their right to defend them. Public and unequivocal recognition of the importance of their activities within society--in all spheres and at all levels of power--is fundamental to contribute to building an environment conducive to the defense of human rights in a democratic society. Non-state actors also have an important role to play in this recognition.

E. Access to justice for crimes committed against human rights defenders

183. There is a persistent stigmatization of the work of human rights defenders in the region. The Commission was informed about public discourse aimed at delegitimizing and discrediting these activities. It is of particular concern that these messages come from the highest

⁴⁶⁴ IACHR, RELE, [Joint Declaration 2021 on political leaders, public officials and freedom of expression](#), 2021, Recommendation 3.iii.

⁴⁶⁵ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser. L/VII. Doc. 66, December 31, 2011, para. 22; IACHR, Report on the Situation of Human Rights Defenders in the Americas, OEA/Ser.L/VII.124 Doc. 5 rev.1, March 7, 2006, para. 145.

⁴⁶⁶ IACHR, Annual Report 2022, Volume II, [Annual Report of the Office of the Special Rapporteur for Freedom of Expression](#), OEA/Ser.L/VII Doc. 50, March 6, 2023, para. 956.

authorities, who publicly and repeatedly question the independence and authenticity of human rights organizations.⁴⁶⁷ This narrative fosters a climate of hostility and intolerance from different sectors of the population and hinders the legitimate defense of human rights. Thus, civil society organizations point out that the heads of the executive powers have referred to human rights defenders as "economic terrorists"⁴⁶⁸, "pseudo-defenders"⁴⁶⁹, "defenders of criminals"⁴⁷⁰, "enemies of the State", or "traitors to the homeland"⁴⁷¹, "criminals" and "cowards"⁴⁷², among others. This type of messages has also been pronounced at Legislative Congresses during debates to pass or enact laws that would aim to apply stricter controls for their operation and/or funding, as discussed later in this report.⁴⁷³

184. Private actors, both legal and illegal, have contributed to deepen the delegitimization of defenders in the region. In Colombia threatening

⁴⁶⁷ IACHR, Public Hearing "[Protection of the Human Rights of Human Rights Defenders and Communicators in Mexico](#)," held in the framework of the 180 period of sessions of the IACHR, July 1, 2021; IACHR, Annual Report 2022, Chapter V, [First Follow-up Report on the Recommendations Made by the IACHR in the Report on the Situation of Human Rights in El Salvador](#), para. 180; Amnesty International et al, Communication on the delegitimization and stigmatization against the Fray Bartolomé de las Casas Human Rights Center, received on April 26, 2024, filed with the IACHR.

⁴⁶⁸ Front Line Defenders, [Global Analysis 2022](#), April 4, 2023, p. 36.

⁴⁶⁹ Centro ProDH, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

⁴⁷⁰ IACHR, Public Hearing "[Ecuador: Human Rights of Human Rights Defenders in the Context of the State of Emergency](#)" held during the 190 period of sessions, July 12, 2024; El Salvador.com, [Gobierno estigmatiza a quienes defienden los derechos humanos en el país](#), January 2, 2023; Amnesty International, [La receta de Nayib Bukele para limitar el ejercicio de los derechos humanos](#), July 19, 2021.

⁴⁷¹ IACHR, Annual Report 2023, Chapter IVB, [Venezuela](#), para. 21; CDJ, Response to the IACHR consultation survey, received on February 2, 2024, filed with the IACHR.

⁴⁷² IACHR. Annual Report 2020. Chapter IVB, [Nicaragua](#), para. 16.

⁴⁷³ IACHR, Press Release No. 22/24, [Venezuela: IACHR Urges State Not to Approve Bill Limiting the Right of Association and Participation](#), January 26, 2024; IACHR, Request for Information to the State of Paraguay Regarding the Bill "Establishing Control, Transparency and Accountability of Non-Profit Organizations," August 5, 2024, filed with the IACHR.

pamphlets label social leaders as "guerrillas" and "terrorists".⁴⁷⁴ In Guatemala and Mexico, private entities use social media to initiate smear campaigns against human rights defenders.⁴⁷⁵ In Honduras and Mexico, on-line media and coordinated smear campaigns have been used to discredit human rights defenders.⁴⁷⁶ In Peru, "*terruqueo*" is frequently used way to stigmatize and delegitimize the work of human rights defenders.⁴⁷⁷

185. There is an increased use of social media and the digital sphere to make threats and coordinated smear and discredit campaigns against human rights defenders. Francisco Vera, a child environmental defender, has been a victim of photomontage, presenting him as a guerrilla, in addition to being labeled as a terrorist, communist and insurgent, which seems to be part of a criminalization strategy and a public narrative to discredit his work.⁴⁷⁸ In Nicaragua, a coordinated

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⁴⁷⁵ International Federation for Human Rights (FIDH), [Guatemala: Smear against Jorge Santos, General Coordinator of UDEFEGUA](#), May 19, 2023; Front Line Defenders, [Defamatory statements against human rights defender Jorge Santos and UDEFEGUA](#), May 23, 2023; CEJIL, [Guatemala: CEJIL denounces the criminalization and harassment suffered by human rights defender Jorge Santos](#), May 26, 2023; PBI Mexico, Communication on Digital Security Incidents Targeting FPDTA - MPT Defenders, received on June 20, 2024, filed with the IACHR.

⁴⁷⁶ IACHR, Public Hearing "[Regional: Situation of human rights defenders](#)" held in the framework of the 189 period of sessions, February 29, 2024; UN, Human Rights Council, Honduras: Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Irene Khan - Visit to Honduras, [AHRC/55/3/Add. 9](#); UN, Human Rights Council, Honduras: Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Irene Khan - Visit to Honduras, [AHRC/56/3/Add.1](#), 15 May 2024, para. 28.

⁴⁷⁷ National Coordinator of Human Rights and others, [Human Rights Defenders in Cajamarca, Peru: Struggles and Challenges for Their Effective Protection](#), February 28, 2023, p. 9; CEJIL, Response to the IACHR consultation survey, received on January 15, 2024, filed with the IACHR.

⁴⁷⁸ CEJIL, Information sent to the IACHR on the situation of the child environmental defender Francisco Vera in Colombia, received on March 12, 2025, filed with the IACHR; Information sent to the Office of the Special Rapporteur for Freedom of Expression, October 30, 2024, November 6 and 27, 2024, File of the Office of the Special Rapporteur for Freedom of Expression.

pattern of disinformation and stigmatization of human rights defenders has been identified through "digital mobs" or "troll farms".⁴⁷⁹

186. Stigmatization can also be linked to the initiation of criminal proceedings through the broadcasting of speeches that accuse them of committing a crime without necessarily having been judicially proven. In Guatemala a smear campaign was launched against members of the International Accompaniment Project in Guatemala (ACOGUATE) that included calls to the State to make use of the "NGO law" and cancel the organization, initiate legal proceedings against its members, and expel all members who were not citizens of the country.⁴⁸⁰
187. On the other hand, defenders are often questioned because of the type of defense they carry out. Environmental, land, and territory defenders are the ones who mostly face this type of discourse. In Antigua and Barbuda, defenders were labeled by the Executive as "economic terrorists" for their opposition to the construction of a luxury tourism development.⁴⁸¹ In Ecuador, the Minister of Energy and Mines accused a defender of being "an international criminal" for defending indigenous peoples and Amazonian communities against the impacts of oil company operations in the Ecuadorian Amazon.⁴⁸² In Honduras, members of local governments or security personnel label women defenders as "opponents of development" or, on occasions, when they make a complaint in public spaces or in the media, they are labeled as "false environmentalists" or addressed as "usurpers" or "invaders".⁴⁸³ In Peru, defenders have been publicly called "opponents of

⁴⁷⁹ Connectas, [Propaganda, fake news and manipulation behind the "truth"](#), by Ortega y Murillo, December 6, 2023.

⁴⁸⁰ UN, Special Rapporteur on the situation of human rights defenders, [Communication on the criminalization and harassment of the human rights organization ACOGUATE, which is framed in the context of deterioration and closure of democratic spaces for the work and defense of human rights in Guatemala](#), January 25, 2022; Front Line Defenders, [Global Analysis 2021](#), February 23, 2022, p. 29.

⁴⁸¹ Front Line Defenders, [Global Analysis 2022](#), April 4, 2023, p. 36.

⁴⁸² Amnesty International, [Ecuador: Ecuadorian human rights defender Pablo Fajardo stigmatized](#), 28 April 2023.

⁴⁸³ CONADEH, [Informe Situacional de las Mujeres Defensoras de Derechos Humanos en Honduras](#), August 2023, p. 32.

development" and "radical anti-mining groups" and accused of defending selfish or corrupt interests as they try to prevent the exploitation of economic resources, and aim at diverting part of the profits from such exploitation to the affected communities or change the method of resource extraction.⁴⁸⁴

188. The source of funding for their activities is another reason why they are discredited. In Mexico, the Federal Executive presented public information indicating that nine civil society organizations have received funds from foreign foundations and organizations for the sole purpose of opposing the construction of the "Mayan train". The organizations were allegedly described as "benefactors and opponents" that "disguise themselves as environmentalists for money", and that "also disguise themselves for money as human rights defenders".⁴⁸⁵ In Venezuela, state authorities have recurrently made public accusations against the organization Venezuelan Program for Human Rights Education-Action (PROVEA), describing it as protecting terrorists, "selling out the country", receiving funding from the Central Intelligence Agency (CIA), or foreign currency with the aim of destabilizing the country, among others.⁴⁸⁶

189. In known contexts of violence against human rights defenders, stigmatization further increases their vulnerability. The case of environmental defender Samir Flores in Mexico reflects these risks, as he was labeled a "conservative" in a meeting with the Federal Executive four days before his murder.⁴⁸⁷ In El Salvador, civil society indicates that using their organization's official identification documents poses a risk to the military, police, and private individuals

⁴⁸⁴ UN, Report of the Special Rapporteur on the situation of human rights defenders, Michel Forst, Visit to Peru, [AHRC/46/35/Add.2](#), 22 December 2020, para. 23.

⁴⁸⁵ IACHR, Request for information based on Article 41 on official actions or statements affecting the legitimacy of the work of environmental defenders in Mexico, Communication 438-20/CIDH/SE/MPCT-Art.41, September 14, 2020, filed with the IACHR.

⁴⁸⁶ IACHR, [Resolution 26/2024](#), Precautionary Measures No. 438-15, Members of the Venezuelan Human Rights Education-Action Program (PROVEA) regarding Venezuela (Follow-up and Expansion), April 29, 2024, para. 7.

⁴⁸⁷ IACHR, Public Hearing, Mexico: Protection of Human Rights Defenders and Journalists, held in the framework of the 189 period of Sessions of the IACHR, February 28, 2024.

who have adopted the state discourse that claim that these organizations are financed by opponents to the government or that they work to defend gangs.⁴⁸⁸

190. The Commission recalls that statements from state representatives expressed in contexts of political violence, strong polarization, or high social conflict, send a message that violence aimed at silencing human rights defenders has the acquiescence of the government⁴⁸⁹. Political leaders and public officials should not make statements that could promote intolerance, discrimination, or misinformation, and should instead take advantage of their leadership positions to counteract these social harms and promote intercultural understanding and respect for diversity.⁴⁹⁰ The IACHR recalls that "public officials should refrain from making statements that stigmatize human rights defenders or suggest that organizations act improperly or illegally, simply because they carry out their work to advocate for and defend human rights". In general, these types of statements seek not only to stigmatize them in the eyes of society, but also to delegitimize the work they do.⁴⁹¹ Thus, the stigmatizing official discourse not only contributes to the deterioration of the public debate, but also has the potential to increase the risks inherent to the work of defending human rights, especially in a context of escalating violence against them.⁴⁹²

191. The Commission reiterates its call to the States of the region so their authorities refrain from speech that stigmatizes the work of human rights defenders and, consequently, their right to defend them. Public and unequivocal recognition of the importance of their activities within

⁴⁸⁸ Cristosal, [Sociedad civil en alerta: investigación sobre afectaciones al derecho de asociación](#), November 2023, p. 9.

⁴⁸⁹ IACHR, Report on the Situation of Human Rights Defenders in the Americas, OEA/Ser.LV/II.124 Doc. 5 rev.1, March 7, 2006, para. 177.

⁴⁹⁰ IACHR, RELE, [Joint Declaration 2021 on political leaders, public officials and freedom of expression](#), 2021, Recommendation 3.iii.

⁴⁹¹ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser. L/ VII. Doc. 66, December 31, 2011, para. 22; IACHR, Report on the Situation of Human Rights Defenders in the Americas, OEA/Ser.LV/II.124 Doc. 5 rev.1, March 7, 2006, para. 145.

⁴⁹² IACHR, Annual Report 2022, Volume II, [Annual Report of the Office of the Special Rapporteur for Freedom of Expression](#), OEA/Ser.LV/II Doc. 50, March 6, 2023, para. 956.

society--in all spheres and at all levels of power--is fundamental to contribute to building an environment conducive to the defense of human rights in a democratic society. Non-state actors also have an important role to play in this recognition.

F. Restrictions to the right of association

196. The Commission has recognized the right to freedom of association, in its individual and collective dimensions, as a fundamental tool for the exercise of the right to defend human rights.⁴⁹³ Freedom of association, as part of the civic space, is essential to any democratic society, because it enhances the role of historically discriminated-against individuals and communities and integrates their voices, values, perspectives and demands. It also offers an appropriate way for people to participate and act collectively on issues that interest or affect them.⁴⁹⁴
197. Together with the right of assembly and freedom of expression, they constitute fundamental principles of democracy and are, concurrently, essential components of civic space. Thus, the opening of civic space makes citizen participation possible in society at a given moment and time.⁴⁹⁵
198. In its 2006 and 2011 reports, the Commission identified undue restrictions on freedom of association through impediments to the registration and operation of civil society organizations and financial controls. It is noted that this trend has continued to date. The defense of human rights in the region currently operates in an increasingly reduced civic space. Civil society organizations face an impending threat of approval of legislative or administrative frameworks aiming to limit or obstruct their work through stricter registration processes,

⁴⁹³ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser. L/VII. Doc. 66, December 31, 2011, paras. 152 and 158.

⁴⁹⁴ IACHR, [Closure of Civic Space in Nicaragua](#), OEA/Ser.LV/II. Doc. 212/23, September 23, 2023, paras. 44 and 46.

⁴⁹⁵ IACHR, [Closure of Civic Space in Nicaragua](#), OEA/Ser.LV/II. Doc. 212/23, September 23, 2023, paras. 42 and 43.

seeking to control their areas of advocacy or disproportionately control their sources of funding.⁴⁹⁶

199. The IACHR notes that an important part of human rights defense is performed through legal entities and, therefore, it is essential that human rights defenders in these organizations enjoy the necessary protection and independence to fully perform their functions. Non-governmental organizations or civil associations for the defense of human rights are a vehicle for the realization of other rights such as freedom of association, freedom of expression and the right to defend human rights.⁴⁹⁷
200. A growing trend in the region is to adopt laws and regulations that restrict the legitimate work of civil society. Despite some differences among legislations, their common features are that they are based on broad and ambiguous definitions; impose restrictions; disseminate narratives that explicitly or effectively silence and close the space for civil society; and limit free participation in public affairs.⁴⁹⁸
201. The IACHR received information claiming that these laws are for "national security" purposes, to combat money laundering or terrorism, to exercise "citizen control" or "ensure transparency" in the activities of civil society organizations. The use of regulations to prevent and combat money laundering and the financing of terrorism to restrict freedom of association has also been noted. In this regard, the recommendations issued by the Financial Action Task Force (FATF), responsible for preventing and combating money laundering, have been used regionally and globally to impose requirements

⁴⁹⁶ Amnesty International, Response to the IACHR consultation survey, received on January 31, 2024, filed with the IACHR.

⁴⁹⁷ IACHR, [Closure of Civic Space in Nicaragua](#), OEA/Ser.LV/II. Doc. 21/23, September 23, 2023, para. 94.

⁴⁹⁸ UN, Human Rights Council, Preserving the gains and pushing back against the global attack on civic space and growing authoritarianism, Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi Voule, [A/HRC/56/50](#), 21 June 2024, para. 40.

restricting the registration, operation and foreign financing of organizations dedicated to the defense of human rights.⁴⁹⁹

202. In Guatemala it was reported that reforms to the Law on Non-Governmental Organizations for Development and the Civil Code entered into force in 2021, establishing a set of requirements for the incorporation, registration, regulation, operation, and oversight applicable to national and international non-governmental organizations. In addition to the fact that these requirements could be excessive and disproportionate, in practice they could be used discretionarily or arbitrarily to the detriment of civil society entities in the country.⁵⁰⁰

203. In Ecuador, on July 8, 2024, Ministerial Agreement No. PR-SGIP-2024-0002-A was published in the Official Gazette, containing the Integrity Strategy for Civil Society Organizations/NGOs, regulated by Executive Decree No. 193 of October 23, 2017.⁵⁰¹ Civil society organizations consider that there are causes for concern regarding the right of association in Ecuador: this strategy is based on a Decree that has been questioned internationally for including grounds for dissolution of organizations that could be interpreted arbitrarily and discretionarily by the authority on duty. It also establishes the obligation to submit information and report actions on specific issues annually to maintain their legal standing. Likewise, the information reported annually would be monitored "periodically by the General Secretariat of Public Integrity, with the fundamental and permanent support of the Ministry of Government, and of governing entities that work closely with civil society organizations".⁵⁰²

⁴⁹⁹ IACHR, [Closure of Civic Space in Nicaragua](#), OEA/Ser.LV/II. Doc. 21/23, September 23, 2023, para.146.

⁵⁰⁰ IACHR, Press Release No. 128/21, [La CIDH y su RELE rechazan entrada en vigor de reformas a la Ley de Organizaciones No Gubernamentales en Guatemala](#), May 19, 2021.

⁵⁰¹ Republic of Ecuador, [Secretaría General de Integridad Pública, Estrategia de integridad para organizaciones de la sociedad civil/ong](#), 2024.

⁵⁰² INREDH, [Integrity Strategy for Civil Society Organizations issued by the government on July 8, 2024 restricts the right of association and puts the work of defenders at risk](#), August 12, 2024.

204. Nicaragua represents one of the most severe forms of disproportionate restrictions on freedom of association. Between April 18, 2018 and December 31, 2024, the State canceled the legal status of 5,431 organizations out of a total of 7,227 legally registered in the country.⁵⁰³ This has been done by passing and enforcing laws contrary to the Inter-American standards, particularly: Law no. 977 against Money Laundering, Financing of Terrorism and Financing of the Proliferation of Weapons of Mass Destruction, passed on July 16, 2018; Law no. 1040 on the Regulation of Foreign Agents, passed on October 15, 2020; Law no. 1115 on Regulation and Control of Non-Profit Organizations of the Republic of Nicaragua, passed on March 31, 2022; and Law no. 1127 amending Law no. 1115, passed on August 11, 2022.⁵⁰⁴

205. In Paraguay, the enactment of the Law on Transparency and Accountability of Non-Profit Organizations was announced.⁵⁰⁵ The Commission warned that its application could hinder and restrict the operation of non-profit organizations. This law requires organizations to keep a record of the funds and assets they receive or administer, as well as the actions financed and executed with those resources, accompanied by their corresponding "legal vouchers" and other documents that substantiate "use and destination" of the funds received. They must also submit an "annual report" detailing the expenses for their activities, an accounting and equity balance sheet, as well as a list of all the professionals and entities, national or foreign, that have rendered services to the organization during the relevant period. The imposition of such requirements could make it easier to obtain information on financial and operational aspects of the organizations, putting at risk the privacy and security of donors, beneficiaries, and members of such organizations. On the other hand, there is concern about the use of vague and ambiguous terms in the bill that could be interpreted to restrict the right to freedom of

⁵⁰³ IACHR, Annual Report 2023, Chapter IVB, [Nicaragua](#), para. 15.

⁵⁰⁴ IACHR, Press Release No. 73/25, [Seven Years After the Start of the Crisis in Nicaragua, IACHR Condemns the Consolidation of the Authoritarian Regime](#), April 14, 2025.

⁵⁰⁵ La Nación, [Peña promulgó ley de control y transparencia de ONG](#), November 15, 2024; Swiss Info, [Presidente Peña promulga ley de control a oenegés pese a las críticas de sectores sociales](#), November 16, 2024.

expression and association, contravening the standards of the Inter-American system, according to which any limitation to fundamental freedoms must be expressly, precisely, and specifically provided for in the law. Thus, it relates non-profit organizations to undefined concepts such as "public utility", "social interest" and "cultural interest".⁵⁰⁶ While this bill was discussed, information was received on the creation of a Commission for the Investigation of Punishable Acts of Money Laundering, Crimes against State Assets, Contraband, and other Related Crimes.⁵⁰⁷ Some reports from civil society organizations state that the commission is being used for intimidating purposes⁵⁰⁸ and stigmatizing remarks have been made by public officials to refer to specific organizations and they are being requested to provide information on budget execution, private contracts, invoices and other tax information, which is protected by the Constitution.⁵⁰⁹

206. The IACHR emphasizes that, in principle, the financial resources received by organizations are not to be disclosed unless they provide public services or execute public funds on behalf of the State.⁵¹⁰ Along these lines, the Inter-American Court of Human Rights has stated that the exercise of freedom of association implies the right to implement its internal structure, activities and program of action, without

⁵⁰⁶ IACHR, Press Release No. R255/24, [RELE warns of bill limiting freedom of association in Paraguay](#), October 18, 2024.

⁵⁰⁷ Última Hora, [El Senado aprobará mañana creación de comisión "garrote"](#), August 6, 2024; Congreso Nacional, Honorable Cámara de Senadores, [Instalan Comisión Transitoria para Investigación de Lavado de Activos y Delitos Contra el Patrimonio](#), August 26, 2024; Swissinfo.ch, [Congreso de Paraguay instala comisión bicameral para investigar casos de lavado de activos](#), August 27, 2024.

⁵⁰⁸ Information provided by civil society organization to RELE, November 27, 2024, Archivo de la Relatoría Especial para la Libertad de Expresión.

⁵⁰⁹ RDN, [Organizaciones civiles rechazan acusaciones de "amenaza para la democracia"](#), September 24, 2024; ABC, [Bachi apunta el "garrote" a Alma Cívica y Semillas](#), September 29, 2024; RDN, [Comisión Bicameral viola privacidad, denuncian ONG](#), September 30, 2024; Information provided by civil society organization to RELE, November 27, 2024, Archivo de la Relatoría Especial para la Libertad de Expresión.

⁵¹⁰ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser. L/V/II. Doc. 66, December 31, 2011, para. 182.

intervention by the authorities that limits or hinders the exercise of the respective right.⁵¹¹

207. In addition, there is a special emphasis on regulations that seek to restrict the sources of funding from international cooperation of civil society organizations. In Cuba reforms to the Penal Code in 2022 establish penalties of between four and ten years in prison for those who receive independent funding.⁵¹²
208. In Honduras, reforms to the Money Laundering Law were approved to include Politically Exposed Persons (PEP), which includes civil society organizations that manage external cooperation funds used in different projects or programs, and that are also engaged in the observation, investigation, evaluation, or analysis of public administration. This could entail a disproportionate restriction to obtain international funding to carry out these activities as there is the possibility of applying the concept of "no risk management".⁵¹³
209. In Peru, a Commission of the National Congress approved an opinion seeking to modify a series of norms related to the supervision of non-governmental organizations by the Peruvian Agency for International Cooperation (APCI).⁵¹⁴ On March 12, 2025, the Congress of the Republic approved the amendments to this law. The IACHR is particularly concerned that under these modifications it is a grave violation to use funds and donations from international cooperation to "advise, assist or finance, in any form or manner, administrative, judicial or otherwise, in national or international instances, against the Peruvian State"; or "allocate funds from international technical

⁵¹¹ I/A Court H.R., [Case of Baena Ricardo et al. v. Panama, Merits, Reparations and Costs](#), Judgment of February 2, 2001, Series C No. 72, para. 156.

⁵¹² Article 19, [Cuba's New Penal Code, Attacks Human Rights](#), September 6, 2022; Amnesty International, [Cuba: New Penal Code Presents a Terrifying Outlook for 2023 and Beyond](#), December 2, 2022; Front Line Defenders, [Global Analysis 2022](#), April 4, 2023, p. 40.

⁵¹³ IACHR, Press Release No. 304/21, [IACHR expresses concern over the entry into force of legislative reforms that would have a regressive impact on the exercise of the right to protest in Honduras](#), November 16, 2021.

⁵¹⁴ Instituto de Defensa Legal (IDL), [Críticas al dictamen aprobado por la Comisión de Relaciones Exteriores del Congreso contra el trabajo de las ONG](#), June 8, 2024.

cooperation or donations to activities that have been declared administratively or judicially as acts affecting public order, citizen security, national defense, domestic order, or that damage public or private property". In case of incurring in any violation of the law, it could even lead to the cancellation of the organization's registration with the APCI.⁵¹⁵

210. In Venezuela, laws have been passed with the purpose of controlling and limiting the work carried out by civil society organizations, in addition to exercising greater control over their sources of financing. In August 2024, the National Assembly passed the "Law for the control, regularization, performance and financing of non-governmental and related organizations", after the bill was approved in a first debate in January 2023.⁵¹⁶ At the time, the Commission considered that the bill, in addition to limiting the activities that can be developed by the organizations, grants the State authorities the power to unilaterally dissolve those that, in its criteria, engage in political activities or that threaten national stability and the institutions of the State.⁵¹⁷ Additionally, the draft "International Cooperation Law" contemplates the prohibition, suspension, restriction, or elimination of civil society organizations that "directly or indirectly promote or participate with other associations, organizations, governments or international organizations, in the application of unilateral coercive measures

⁵¹⁵ National Congress of the Republic of Peru, [Predictamen recaído en los proyectos de Ley N° 6162/2023-CR, 6252/2023-CR, 7140/2023-CR, 7354/2023-CR, 7367/2023-CR Y 7505/2023-CR, ley que modifica la Ley 27692, Ley de creación de la Agencia Peruana De Cooperación Internacional - APCI](#), in order to strengthen the work of said institution and contribute to the transparency and supervision of the execution of the resources received by the entities that manage non-reimbursable international technical cooperation, March 12, 2024; El Comercio, [Congreso aprueba modificar legislación sobre la supervisión y fiscalización de las ONG](#), March 12, 2025; Amnesty International, [Peru: Modificatoria de ley APCI paved the way for impunity](#), March 13, 2025.

⁵¹⁶ BBC News, [Venezuela approves law against NGOs amid allegations of arbitrary arrests](#), August 15, 2024; AP News, [National Assembly approves controversial law to regulate NGOs operating in Venezuela](#), August 15, 2024; IACHR, Press Release No. 22/24, [Venezuela: IACHR urges State not to approve bill limiting right to association and participation](#), January 26, 2024.

⁵¹⁷ IACHR, Press Release No. 36/23, [IACHR and RELE express concern over bill limiting citizen participation in Venezuela](#), March 6, 2023.

against the Republic".⁵¹⁸ It is of special concern that this bill contemplates the possibility that "any citizen" may request information and data on the incorporation, charters, activities, origin, administration and destination of their resources, with detailed specification of their sources of financing from non-government organizations.⁵¹⁹

211. The Commission recalls that the right to seek, receive and use funds from national, foreign, and international sources is fundamental to the right to freedom of association.⁵²⁰ Thus, limiting foreign funding hinders human rights defenders as they depend on these funds to perform their activities to advocate for and protect human rights due to lack of funds in their country.⁵²¹ Therefore, States should refrain from restricting the means of financing human rights organizations and should also allow and facilitate transparent access by human rights organizations to foreign funds within the framework of international cooperation.⁵²²
212. So-called "foreign agent" laws targeting organizations that receive funding from abroad have gained momentum. These laws would require civil society receiving foreign funds to register as "foreign agents". Failure to comply could result in the cessation of their activities and the cancellation of their legal status. The Commission agrees with the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, who states that these types of laws unduly restrict the rights to freedom of association. They do so, in particular, because they affect the right of associations to access resources and introduce a generalized suspicion against

⁵¹⁸ IACHR, Press Release No. 130/22, [IACHR and RELE urge Venezuela not to approve the draft "International Cooperation Law"](#), June 8, 2022.

⁵¹⁹ Bolivarian Republic of Venezuela, National Assembly, [International Cooperation Bill](#), 2022.

⁵²⁰ United Nations General Assembly, Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, [A/Res/53/144](#), March 8, 1999, art. 13.

⁵²¹ IACHR, [Criminalization of the work of human rights defenders](#), OEA/Ser.LV/II. Doc. 49/15, December 31, 2015, para. 135.

⁵²² IACHR, [Democracy and Human Rights in Venezuela](#), OEA/Ser.LV/II, Doc. 54, December 30, 2009, para. 568.

civil society, especially those working on human rights, in addition to be intimidating.⁵²³ In Nicaragua, more than 150 organizations have lost their registration for allegedly failing to comply with the Foreign Agents Law.⁵²⁴

213. In El Salvador, the Commission called on the State not to approve the draft "Foreign Agents Law". In addition to the registration obligations, this initiative prohibits "foreign agents" from carrying out activities that have "political or other purposes, with the purposes of disrupting public order, or that jeopardize or threaten national security, social and political stability of the country"; it also determines levying a 40% tax on any financial transaction or donation coming from abroad that is not among the exceptions expressly provided for.⁵²⁵ The State indicated to the Commission that this project would seek to promote the transparency of foreign financing in the country.⁵²⁶
214. The misuse of anti-terrorism legislation also poses a risk to the operation of civil society organizations. In Venezuela, Administrative Ruling No. 001-2021 was approved, requiring non-profit organizations to register in the Unified Registry of Reporting Entities of the National Office Against Organized Crime and Financing of Terrorism (ONCDOFT). This ruling establishes as part of the indispensable requirements for the registration the disclosure of donor organizations and the names of the end beneficiaries of their work, among which there may be victims of human rights violations.⁵²⁷ The link with the

⁵²³ UN, Human Rights Council, Preserving the gains and pushing back against the global attack on civic space and growing authoritarianism, Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi Voule, [AHRC/56/50](#), 21 June 2024, para. 42.

⁵²⁴ IACHR, [Closure of Civic Space in Nicaragua](#), OEA/Ser.LV/II. Doc. 21/23, September 23, 2023, para. 166.

⁵²⁵ IACHR, Press Release No. 308/21, [The IACHR and Its Special Rapporteurship for Freedom of Expression Urge the State of El Salvador to Not Pass the Foreign Agents Bill](#), November 17, 2021.

⁵²⁶ IACHR, Annual Report 2023, Chapter V, [Second follow-up report on the recommendations made by the IACHR in the report on the situation of human rights in El Salvador](#), para. 277.

⁵²⁷ IACHR, Press Release No. 108/21, [The IACHR and its RELE reject the registration of non-profit organizations with Venezuela's National Office Against Organized Crime and Terrorist Financing](#), April 30, 2021.

fight against terrorism is of concern, as this may stigmatize civil society organizations by linking them to this type of criminal activity.⁵²⁸

215. On the other hand, the Commission has learned of refusals or complex, lengthy, and costly processes for registration or unjustified delays in renewing the legal status of civil society organizations. In Bolivia, civil society organizations consider that the legal and regulatory framework does not facilitate their incorporation, registration, and operation as it is a "mandatory, complex, lengthy, and costly process that must be carried out periodically" and that the laws on civil society organizations contain "imprecise prohibitions".⁵²⁹
216. In Cuba, it is known that the Ministry of Justice systematically denies registration of associations or fails to reply to registration applications.⁵³⁰ In El Salvador, the Ministry of Government and Territorial Development, through the General Directorate for the Registration of Non-Profit Associations and Foundations, is responsible for legalizing entities in the Registry of Non-Profit Associations and Foundations.⁵³¹ Civil society indicates that the process to obtain legal status is limited by bureaucratic actions.⁵³²
217. In Venezuela, human rights groups and other civil society organizations suffer frequent delays and even denials when attempting

⁵²⁸ UN, Human Rights Council, Preserving the gains and pushing back against the global attack on civic space and growing authoritarianism, Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi Voule, [AHRC/56/50](#), 21 June 2024, para. 36.

⁵²⁹ IACHR, Public Hearing "[Regional: Situation of human rights defenders](#)" held in the framework of the 189 period of sessions, February 29, 2024; National Union of Institutions for Social Action Work (UNITAS), [Situation Report 2023: On democratic institutional, fundamental freedoms and the right to defend rights in Bolivia](#), May 2024, p. 122.

⁵³⁰ Amnesty International, [Laws designed to silence: global attack on courageous civil society organizations](#), February 21, 2019, p. 13.

⁵³¹ Republic of El Salvador, Contributions of the State of El Salvador to the Third Report on the Human Rights Situation of Human Rights Defenders in the Americas, received on January 19, 2024, p. 9, filed with the IACHR.

⁵³² Cristosal, [Sociedad civil en alerta: investigación sobre afectaciones al derecho de asociación](#), November 2023, p. 9.

to register their legal documents with the relevant authorities to comply with legal requirements, which would restrict their ability to function normally or even formally incorporate.⁵³³ Civil society indicates that most organizations face severe difficulties in updating their documents and at least one third have not been able to formalize their legal status.⁵³⁴

218. While a system of national registration of organizations is not necessarily incompatible with international standards, States should ensure that registration is carried out expeditiously, requiring only the documents necessary to obtain the information appropriate to their purposes. Likewise, these systems should not give the authorities discretionary powers to authorize the incorporation and operation of organizations.⁵³⁵ Thus, the principle of legality must be observed, which includes that these laws be formulated in an express, precise, exhaustive, and prior manner.⁵³⁶

G. Media surveillance and interventions and digital attacks

219. In its 2011 report, the Commission noted that human rights defenders were victims of arbitrary or abusive intelligence activities. Their organizations' private communications were hacked and some of these actions continued during the monitoring period of this report.
220. The former UN Special Rapporteur on human rights defenders recognized that attacks such as blocking web pages and data traffic on

⁵³³ U.N. Human Rights Council, Report of the independent international fact-finding mission on the Bolivarian Republic of Venezuela, [AHRC/54/57](#), 15 December 2023, para. 79.

⁵³⁴ Civilis Human Rights, Response to IACHR questionnaire, received on December 12, 2023, filed with the IACHR.

⁵³⁵ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser. L/VII. Doc. 66, December 31, 2011, para. 172.

⁵³⁶ I/A Court H.R., [Case of Kimel v. Argentina. Merits, Reparations and Costs, Judgment of May 2, 2008](#), Series C No. 177, para. 63.

networks, denying services, remote attacks to take control of equipment or extracting information, using malicious programs (*malware*) to monitor and track communications, compromising accounts by hacking credentials, phishing, blocking profiles, creating fake profiles or arbitrary removal of content by digital platforms are other ways to violate numerous rights of human rights defenders.⁵³⁷

221. Surveillance methods have proven to be even more sophisticated when taken into the digital realm.⁵³⁸ The Commission has received information on the use of *malware* that would have resulted in arbitrary and unjustified hackings of human rights defenders media outlets. In 2020, the Commission expressed its serious concern about reports of an alleged illegal spying network in Colombia on media, journalists, and human rights defenders through special equipment that would allow tapping cell phone calls and the installation of a *malware* called "Invisible Man" in hacked devices.⁵³⁹ Civil society has reported to the Commission that this situation persists today, having the offices and homes of human rights defenders under surveillance using drones and hacking emails.⁵⁴⁰

222. The use of *Pegasus*, a software designed to monitor people through their cell phones, has been observed with concern as a means to

⁵³⁷ UN, Report of the Special Rapporteur on the situation of human rights defenders, Michel Forst, 15 July 2019, [A/74/159](#), para. 21.

⁵³⁸ I/A Court H.R., [Case of Members of the Corporación Colectivo de Abogados "José Alvear Restrepo" v. Colombia](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of October 18, 2023, Series C No. 506, para. 71.

⁵³⁹ IACHR, Press Release R10/20, [CIDH y su Relatoría Especial manifiestan grave preocupación ante denuncias sobre espionaje a periodistas, defensores de derechos humanos, magistradas y dirigentes políticos en Colombia](#), January 16, 2020.

⁵⁴⁰ PBI Colombia, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR; CEJIL, Response to the IACHR consultation survey, received on January 15, 2024, filed with the IACHR.

monitor human rights defenders.⁵⁴¹ Civil society organizations indicate that, in El Salvador, tapping and surveillance of electronic devices is a pattern especially in more established organizations dedicated to social control and the defense of human rights.⁵⁴² In 2022, at least 35 people from Salvadoran media and civil society organizations had their phones tapped with this software.⁵⁴³ The State indicated to the Commission that the origin of such tapping was unknown so it would investigate to determine who was responsible and the author of such acts, which would have also hacked devices and communications of state officials.⁵⁴⁴

223. In Mexico, the Commission expressed its concern over the increased use of *Pegasus*.⁵⁴⁵ Between 2019 and 2023, new cases of unlawful surveillance against at least 3 human rights defenders were registered.⁵⁴⁶ In April 2023, it was confirmed that members of the Miguel Agustín Pro Juárez Human Rights Center (Centro Prodh) were again victims of digital attacks on their cell phones with Pegasus

⁵⁴¹ IACHR, Office of the Special Rapporteur for Freedom of Expression (RELE), Special Report on the Situation of Freedom of Expression in Mexico, [Joint Report of the IACHR Special Rapporteur for Freedom of Expression, Edison Lanza, and the United Nations Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, David Kaye, on their mission to Mexico](#), June 2018, para. 52.

⁵⁴² Cristosal, [Sociedad civil en alerta: investigación sobre afectaciones al derecho de asociación](#), November 2023, p. 10.

⁵⁴³ IACHR, Press Release No. 22/22, [The IACHR, RELE and OHCHR express concern about the findings on the use of Pegasus software to spy on journalists and civil society organizations in El Salvador](#), January 31, 2022.

⁵⁴⁴ IACHR, Annual Report 2022, Chapter V, [First follow-up report on the recommendations made by the IACHR in the report on the situation of human rights in El Salvador](#), para. 188.

⁵⁴⁵ IACHR, Press Release No. 109/23, [IACHR expresses concern over the increase in cases of Pegasus use in Mexico](#), June 2, 2023.

⁵⁴⁶ Mexican Commission for the Defense and Promotion of Human Rights (CMDPDH), Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

software, allegedly carried out by the Army⁵⁴⁷, which would be added to the cases reported in 2017.⁵⁴⁸

224. In addition, we also learned about the undue gathering of personal information, including telephone communications and geolocation of two women defenders and one journalist by the then Attorney General's Office (PGR), now the Prosecutor General's Office, using the legal instruments established to combat organized crime in Mexico.⁵⁴⁹
225. In Cuba, human rights defenders, journalists, and government dissidents have been persecuted and censored through actions such as: deliberate cuts in internet access, disabling communication services, cyber harassment, obtaining and misusing personal information by hacking of social media, destruction, and permanent surveillance.⁵⁵⁰
226. Inter-American jurisprudence states that Article 11 of the Convention prohibits any arbitrary or abusive interference with the private life of individuals, providing for several protected rights, such as the private lives of their families, their homes or their correspondence, including

⁵⁴⁷ IACHR, Annual Report 2022, Chapter V, [Seventh follow-up report on recommendations made by the IACHR in the Report on the Situation of Human Rights in Mexico](#), para. 389; Centro ProDH, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR; [Centro Prodh, Espionaje por defender derechos humanos](#), April 27, 2023.

⁵⁴⁸ IACHR, Office of the Special Rapporteur for Freedom of Expression (RELE), Special Report on the Situation of Freedom of Expression in Mexico, [Joint Report of the IACHR Special Rapporteur for Freedom of Expression, Edison Lanza, and the United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, David Kaye, on their mission to Mexico](#), June 2018, paras. 52 -55.

⁵⁴⁹ UN-DH Mexico, [UN-DH expresses full support for the women human rights defenders and journalist under investigation in connection with the San Fernando massacre](#), 25 November 2021; Amnesty International, [Perseguidas: Criminalización de mujeres defensoras de derechos humanos en México](#), May 2024.

⁵⁵⁰ IACHR, Annual Report 2023, Volume II, [Annual Report of the Office of the Special Rapporteur for Freedom of Expression](#), OEA/Ser.LV/II Doc. 386, December 6, 2023, para. 540; IACHR, Public Hearing "Cuba: freedom of expression and press, and the new Law on Social Communication," held in the framework of the 188 period of sessions, November 7, 2023.

telephone conversations.⁵⁵¹ For intelligence activities to be considered legitimate in a democratic system, it is essential to have a legal framework that defines and regulates these activities, their purposes, and the scope of the competent agencies and authorities. They must pursue a legitimate purpose, be suitable, necessary, and commensurate; and must ensure effective control and supervision mechanisms, as well as redress measures for those who consider that they have been affected by these activities.⁵⁵²

227. Also, social media has increasingly served as a tool to stigmatize and attack defenders through practices such as *doxing*⁵⁵³, online threats, and harassment campaigns from coordinated groups of anonymous accounts.⁵⁵⁴ Violence in the digital sphere has a differentiated impact on certain groups: there is copious content inciting to violence, discrimination, misinformation, and online harassment against women and LGBTI people.⁵⁵⁵ Digital threats and aggressions against women defenders have increased in recent years. Between 2020 and October 31, 2024, IM -Defensoras documented a total of 7,406 digital aggressions in El Salvador, Honduras, Mexico, and Nicaragua. The most frequent virtual aggressions have been harassment,

⁵⁵¹ I/A Court H.R., [Case of Tristán Donoso v. Panama. Preliminary Objection, Merits, Reparations and Costs](#), Judgment of January 27, 2009, Series C No. 19, para. 55.

⁵⁵² I/A Court H.R., [Case of Members of the Corporación Colectivo de Abogados "José Alvear Restrepo" v. Colombia](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of October 18, 2023, Series C No. 506, paras. 528-608

⁵⁵³ Doxing is the practice of collecting and publishing personal, private or identifiable information about individuals online without their consent, with the aim of exposing them to threats or intimidation. Although doxing can be directed at any individual when used as a tactic of digital harassment, it often hits hardest those who are active in public debate or who have a high profile of public notoriety, such as journalists, activists, human rights defenders, and women involved in political life. Doxing and threats can have severe self-censorship effects, leading individuals to eliminate their online presence and profiles, or to reduce their visibility and digital activity. See: IACHR, RELE, [Inclusión digital y gobernanza de contenidos en internet](#), OEA/Ser.LV/II CIDH/RELE/INF. 28/24 June 2024, footnote 45.

⁵⁵⁴ IACHR, Annual Report 2022, Volume II, [Annual Report of the Office of the Special Rapporteur for Freedom of Expression](#), OEA/Ser.LV/II Doc. 50, March 6, 2023, para. 770; IACHR, [Resolution 42/2023](#), Precautionary Measures No. 341-23, Gustavo Andrés Gorriti Ellenbogen¹ regarding Peru, July 24, 2023.

⁵⁵⁵ IACHR, RELE, [Inclusión digital y gobernanza de contenidos en internet](#), OEA/Ser.LV/II CIDH/RELE/INF. 28/24 June 2024, para. 192.

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dissemination of misinformation, smear campaigns, questioning the leadership, morals, ethics, or professionalism of WHRDs or their organizations, and threats. The vast majority were perpetrated through social media.⁵⁵⁶ The IACHR has considered that online attacks are one of the most serious threats to gender security and equality. These are violent, coordinated, markedly sexual, and malicious attacks that inflict very real psychological harm, bury women's professional careers, and deprive society of important voices and perspectives.⁵⁵⁷

⁵⁵⁶ IM-Defensoras, [Cuerpos digitales, territorios en disputa. Feminist analysis of digital violence against women human rights defenders in Mesoamerica](#), November 2024.

⁵⁵⁷ IACHR, RELE, [Inclusión digital y gobernanza de contenidos en internet](#), OEA/Ser.L/V/II CIDH/RELE/INF. 28/24 June 2024, para. 33.

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228. The Inter-American Commission and the Court have reiterated that the defense of human rights can only be exercised freely when defenders are not victims of threats or physical, psychological, or moral aggressions or other acts of harassment.⁵⁵⁸ To this end, States must not only provide the legal and formal conditions, but also guarantee the factual conditions in which human rights defenders can freely carry out their work.⁵⁵⁹
229. In turn, the Court has determined that States must facilitate the necessary means for human rights defenders to freely carry out their activities; protect them when they are subject to threats to prevent attacks on their lives and physical integrity; create the conditions for the eradication of violations by State agents or private individuals; refrain from imposing obstacles that hinder the performance of their work; and seriously and effectively investigate violations committed against them, combating impunity.⁵⁶⁰
230. For its part, the Commission has specified that the obligation of States is to prevent violations against human rights defenders and to protect those who are at risk, which implies: i) ensuring the conditions for them to do their work freely; ii) the duty not to impede and remove existing obstacles to their work; iii) avoiding and responding to acts intended to unduly criminalize their work; iv) protecting them if they are at risk, which may involve complying with precautionary measures issued by the IACHR; and, v) the cross-cutting obligation to

⁵⁵⁸ IACHR, [Report on the Situation of Human Rights Defenders in the Americas](#), para. 46; I/A Court H.R., [Case of Human Rights Defender et al. v. Guatemala](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of August 28, 2014, Series C No. 283, para. 144.

⁵⁵⁹ I/A Court H.R., [Case of Defensor de Derechos Humanos et al. v. Guatemala](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of August 28, 2014, Series C No. 28, para. 142.

⁵⁶⁰ I/A Court H.R., [Case of Digna Ochoa and family members v. Mexico](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of November 25, 2021, Series C No. 447, para. 100.

investigate, clarify, prosecute, and punish crimes committed against them.⁵⁶¹

231. In view of the challenges described in the previous chapter, the Commission analyzes these obligations contained in the relevant standards and the measures adopted by the States to address these risks and obstacles.

A. Ensure the conditions for human rights defenders to carry out their activities freely

232. States have the obligation to guarantee a favorable environment for human rights defenders to carry out their activities⁵⁶², understanding that a democratic State is largely based on the respect and freedom afforded to defenders in doing their work.⁵⁶³ Thus, States must develop positive actions to create favorable environments for the defense of human rights, which, in turn, translate into the suppression of hostile or dangerous environments for the protection of human rights.⁵⁶⁴

233. In this regard, it is a priority that States act on the structural causes affecting the security of human rights defenders or that foster an adverse environment for the defense of human rights to create the necessary conditions for the effective enjoyment of the rights established in the Convention.⁵⁶⁵ To this end, the IACHR has recommended developing a comprehensive protection policy based on the interrelation and interdependence of States' obligations with

⁵⁶¹ IACHR, [Basic Guidelines for the Investigation of Violations of the Rights of Human Rights Defenders in the Americas](#), OEA/Ser.L/V/II. Doc. 211, December 31, 2017, para. 23.

⁵⁶² IACHR, [Report on the Situation of Human Rights Defenders and Social Leaders in Colombia](#), OEA/Ser.L/V/II. Doc. 262, December 6, 2019, para. 174.

⁵⁶³ I/A Court H.R., [Case of Danilo Rueda v. Colombia. Provisional Measures](#), Resolution of the Inter-American Court of Human Rights of November 14, 2017, para. 15.

⁵⁶⁴ IACHR, [Report on the Situation of Human Rights Defenders and Social Leaders in Colombia](#), OEA/Ser.L/V/II. Doc. 262, December 6, 2019, para. 174.

⁵⁶⁵ IACHR, [Guía Práctica sobre lineamientos y recomendaciones para la elaboración de planes de mitigación de riesgos de personas defensoras de derechos humanos](#), April 29, 2021, p. 13.

respect to human rights defenders. The Commission has also identified the minimum elements to be considered in it.⁵⁶⁶

234. The Commission highlights the efforts undertaken by Colombia in the developing public policy aimed at strengthening the protection of human rights defenders. The Colombian State informed the Commission that it is in the process of drafting the Public Policy to Guarantee the Defense of Human Rights.⁵⁶⁷

235. In Brazil, the Commission learned about the publication of Ordinance No. 11.562, of June 13, 2023, creating the Technical Working Group "Sales Pimenta" (GTT), with the purpose of drafting the "National Plan for the Protection of Human Rights Defenders, Communicators and Environmentalists" and a bill on the "National Policy for the Protection of Human Rights Defenders".⁵⁶⁸ According to available information, the TWG held meetings in 2023 to move forward in creating this national policy.⁵⁶⁹ In the framework of the public hearing "*Seguimento à Mesa de Trabalho Conjunta das medidas cautelares a favor de Bruno Araújo Pereira, Dom Phillips e 11 membros da UNIVAJA-MC 449-22*", the State informed the Commission that it had held three public hearings, 54 public consultations, and 11 sessions under the TWG, including consultations with the IACHR and with the United Nations Special Rapporteurship on the Situation of Human Rights Defenders. The

⁵⁶⁶ The Commission has identified some minimum elements that should be considered when developing a comprehensive public policy for the protection of human rights defenders, which are further developed in the report "[Towards a comprehensive policy for the protection of human rights defenders](#)", as well as in the "[Practical Guide on guidelines and recommendations for the development of risk mitigation plans for human rights defenders](#)". For its part, the Inter-American Court in the [Luna López v. Honduras](#) case also identified a series of components that should be integrated into these public policies.

⁵⁶⁷ IACHR, Press Release No. 45/2024, [IACHR: 2023 closes with high rates of violence against human rights defenders in the Americas](#), March 5, 2024.

⁵⁶⁸ Vladimir Herzog Institute. Response to the IACHR consultation survey, received on December 18, 2023, filed with the IACHR.

⁵⁶⁹ Ministério dos Direitos Humanos e da Cidadania, [Grupo de Trabalho Técnico Sales Pimenta realiza 1ª reunião e define calendário de atividades](#), November 14, 2023; Terra de Direitos, [Grupo de Trabalho Sales Pimenta se reúne em dezembro para fortalecimento da Política de Proteção à Defensores](#), November 22, 2023.

proposed National Plan for the Protection of Human Rights Defenders was submitted for public consultation.⁵⁷⁰

236. Ecuador reported that it would develop a "Public Policy for the protection and promotion of the rights of defenders of human rights, nature and journalists", for which an inter-institutional working group has been set up and will work based on a situational diagnosis made during 2024.⁵⁷¹ In this regard, civil society organizations have underscored the need for a participatory diagnosis of the situation of human rights defenders in Ecuador by gathering information that contextualizes the problem.⁵⁷² The IACHR welcomes these initiatives and hopes they will be implemented in the short term, and recalls the importance of active and effective participation of human rights organizations in their preparation.
237. On the other hand, having an appropriate legal framework is an important measure to prevent human rights violations, especially in countries where violence against human rights defenders is well known⁵⁷³. The Commission notes that since the publication of its last regional report, some countries have adopted legal frameworks that

⁵⁷⁰ IACHR, Public Hearing "Brasil: Seguimento da Mesa de Trabalho, Medidas Preventivas de membros de povos indígenas da UNIVAJA", held during the 191 period of sessions, November 13, 2024.

⁵⁷¹ Republic of Ecuador, Response to the IACHR consultation survey, received on January 10, 2024, filed with the IACHR.

⁵⁷² Alianza por los Derechos Humanos Ecuador, [Pronunciamiento: La construcción de una política pública de personas defensoras de los derechos humanos exige su participación y que el Estado se abstenga de criminalizarla](#), November 9, 2020.

⁵⁷³ IACHR, [Towards a comprehensive policy for the protection of human rights defenders](#), OEA/Ser.L/V/II. Doc. 207/17, December 29, 2017, para. 134.

recognize the work of human rights defenders and the right to defend human rights.⁵⁷⁴

238. Another important preventive measure that makes it possible to address structural causes, is for States to be aware of the risks and main threats faced by human rights defenders due to their work, and to analyze the socio-historical contexts and structural factors that have affected them.⁵⁷⁵ States should start by implementing a serious policy to identify possible patterns of attacks, aggressions and obstacles faced by human rights defenders. This includes the actions of illegal armed groups and organized crime entities, as well as corporations that may be involved in attacks and intimidation against these groups.⁵⁷⁶

239. To this end, the Commission has highlighted the importance of having a registry of disaggregated and contextual information on threats and risks to human rights defenders, as it allows States to map the violence suffered by these groups, to better understand the scope of these problems, their regional peculiarities, and possible origins of the risks, and thus define the most efficient prevention measures.⁵⁷⁷ It also makes it possible to identify the type of defense most affected; the crime being prosecuted; the circumstances of the manner, time and place of the criminal acts; possible persons or groups presumed

⁵⁷⁴ In Colombia, Article 95 of its constitution establishes that: "it establishes: "The duties of the individual and the citizen are:... To defend and disseminate human rights as the foundation of peaceful coexistence". In addition, there are several regulations that recognize the importance of the work of human rights defenders in Colombia and call for their protection. In Honduras, the "Law for the protection of human rights defenders, journalists, social communicators and justice operators" recognizes the right to defend human rights, as well as the state's obligation to respect the human rights of human rights defenders.

⁵⁷⁵ IACHR, [Guía Práctica sobre lineamientos y recomendaciones para la elaboración de planes de mitigación de riesgos de personas defensoras de derechos humanos](#), April 29, 2021, p. 13.

⁵⁷⁶ IACHR, [Towards a comprehensive policy for the protection of human rights defenders](#), OEA/Ser.L/VII. Doc. 207/17, December 29, 2017, para. 143.

⁵⁷⁷ IACHR, [Guía Práctica sobre lineamientos y recomendaciones para la elaboración de planes de mitigación de riesgos de personas defensoras de derechos humanos](#), April 29, 2021, p. 13.

responsible; the authorities in charge of the investigation, among other elements.⁵⁷⁸

240. In Guatemala, a temporary unit, the Instance for the Analysis of Patterns and Attacks against Human Rights Defenders, was created in 2008 to analyze patterns of attacks against human rights defenders and identify actions for protection and fast response.⁵⁷⁹ Despite its challenges, this Instance became an important space to coordinate and submit requests for fast response in risk situations for human rights defenders.⁵⁸⁰ In 2020, the government terminated it after not renewing its mandate.⁵⁸¹ The Commission welcomes the approval of Ministerial Agreement 214-24 on August 28, 2024, reinstating the Instance for the Analysis of Attacks against the Rights of Individuals, Organizations, Communities and Authorities of Indigenous Peoples to Defend Human Rights.⁵⁸²

241. Peru has a Registry on Risk Situations for Human Rights Defenders, approved by Ministerial Resolution No. 0255-2020-JUS, which would allow the State to identify the riskiest areas and the types of attacks against human rights defenders, as well as the structural problems that exacerbate their vulnerability. Likewise, the Registry would provide statistical information and a risk map to guide prevention and

⁵⁷⁸ IACHR, [Towards a comprehensive policy for the protection of human rights defenders](#), OEA/Ser.L/VII. Doc. 207/17, 29 440 December 2017, para. 145.

⁵⁷⁹ WOLA, [Protecting Human Rights in Guatemala. Assessing State Capacity to Protect and Promote Human Rights](#), December 2019, p. 16.

⁵⁸⁰ IACHR, [North Central America, Environmental defenders](#), OEA/Ser.L/VII. Doc. 400/22, December 16, 2022, para. 260; UN Human Rights and PDH Guatemala, [Situación de las personas defensoras de derechos humanos en Guatemala: entre el compromiso y la adversidad](#), May 2019, paras. 83 and 84.

⁵⁸¹ IACHR, Annual Report 2020, Chapter V, [Third follow-up report on recommendations made by the IACHR in the report on the situation of human rights in Guatemala](#), 2020, para. 184.

⁵⁸² Diario de Centroamérica, [Ministerio de Gobernación, Ministerial Agreement 214-24](#), August 28, 2024.

protection actions.⁵⁸³ The Commission is unaware of the progress of this registry.

242. On the other hand, States should foster a culture of human rights and recognition of the work of human rights defenders at all institutional levels, including the highest authorities.⁵⁸⁴ Public and unequivocal recognition of the value and importance of the work of human rights defenders can contribute to this end. State officials need cross-cutting, intersectional, gender and diversity-sensitive training and education on the importance of the role played by human rights defenders, since that would contribute to generating adequate conditions for the defense of human rights.⁵⁸⁵ In this regard, Mexico informed the Commission that it had conducted a series of training sessions for public officials on the function and scope of the national protection mechanism.⁵⁸⁶

243. Finally, States should not overlook the involvement of corporations in creating or exacerbating these risk situations. In this regard, the IACHR has pointed out the importance of informing corporations about the right to defend human rights, about their positive and negative duties to respect these rights, and about the concrete measures they should take to ensure corporations contribute to creating a safe and adequate environment for human rights defenders.⁵⁸⁷

⁵⁸³ Diario Oficial El Peruano, Crean el "Registro sobre Situaciones de Riesgo de personas defensoras de derechos humanos" y aprueban "Lineamientos para el funcionamiento del Registro sobre Situaciones de Riesgo de personas defensoras de derechos humanos, [Resolución Ministerial N° 0255-2020-JUS](#), October 1, 2020; Coordinadora Nacional de Derechos Humanos et al, [Defensoras y defensores de los derechos humanos en Cajamarca, Perú: luchas y desafíos para su protección efectiva](#), January 2023, p. 15.

⁵⁸⁴ IACHR, [Guía Práctica sobre lineamientos y recomendaciones para la elaboración de planes de mitigación de riesgos de personas defensoras de derechos humanos](#), April 29, 2021, p. 15.

⁵⁸⁵ IACHR, [Guía Práctica sobre lineamientos y recomendaciones para la elaboración de planes de mitigación de riesgos de personas defensoras de derechos humanos](#), April 29, 2021, p. 15.

⁵⁸⁶ State of Mexico, Response to the IACHR consultation survey, OAS Electronic Note 719 4.8.0.7, received on March 2, 2024, filed with the IACHR.

⁵⁸⁷ IACHR, [Towards a comprehensive policy for the protection of human rights defenders](#), OEA/Ser.L/V/II. Doc. 207/17, 29 442 December 2017, para. 143.

B. The duty not to impede their work and to resolve existing obstacles

244. The actions of States should not contribute to creating hostility that encourages violence against human rights defenders but rather recognize the legitimate role they play in society.⁵⁸⁸ Instead, the States must ensure that the rights of human rights defenders are not left to the discretion of public authorities.⁵⁸⁹ As for the right to life, States must ensure that no one is arbitrarily deprived of their life, in particular with the direct participation of State agents⁵⁹⁰, or with the acquiescence or collaboration of the State.⁵⁹¹

245. On the other hand, the Commission has identified that State authorities must refrain from making statements that stigmatize human rights defenders or suggest that the organizations act improperly or illegally, just because they carry out their work in the promotion and defense of human rights.⁵⁹² In this regard, they must refrain from engaging in smear campaigns, dissemination of negative representations or stigmatization of human rights defenders and the work they do.⁵⁹³

246. The Commission appreciates the efforts made by Colombia to promote the importance of the work of human rights defenders and prevent their stigmatization. The Commission takes note of the "Lidera

⁵⁸⁸ IACHR, [Towards a comprehensive policy for the protection of human rights defenders](#), OEA/Ser.L/VII. Doc. 20/17, December 29, 2017, para. 125.

⁵⁸⁹ IACHR, [Towards a comprehensive policy for the protection of human rights defenders](#), OEA/Ser.L/VII. Doc. 20/17, December 29, 2017, para. 126.

⁵⁹⁰ I/A Court H.R., [Case of Myrna Mack Chang v. Guatemala](#), Merits, Reparations and Costs, Judgment of November 25, 2003, Series C No. 101, para. 154.

⁵⁹¹ I/A Court H.R., [Case of Yarce et al. v. Colombia](#), Preliminary Objection, Merits, Reparations and Costs, Judgment of November 22, 2016, Series C No. 325, para. 180.

⁵⁹² IACHR, [Criminalization of the Work of Human Rights Defenders](#), OEA/Ser.L/VII. Doc. 49/15, December 31, 2015, para. 83; IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser.L/VII. Doc. 66, December 31, 2011, para. 124.

⁵⁹³ IACHR, [Criminalization of the work of human rights defenders](#), OEA/Ser.L/VII. Doc. 49/15, December 31, 2015, para. 83.

la vida" (Lead Life) campaign, which aims at making the work of women human rights defenders more visible, making it possible to overcome stigmas and vindicate the social leadership they assume in their territories and thus contribute to their non-stigmatization.⁵⁹⁴ It also recognizes Presidential Directive No. 07 on the "duties of public officials in the exercise of freedom of expression and respect for freedom of the press" which, with the technical advice of the Office of the Special Rapporteur for Freedom of Expression, establishes guidelines to avoid the use of stigmatizing discourse towards journalists, media, and human rights defenders by public officials⁵⁹⁵, and calls on the importance of its application.

247. Likewise, States must refrain from creating obstacles or maintaining any disproportionate impediment or restriction to the registration, establishment, funding, and operation of human rights organizations.⁵⁹⁶ When a State obstructs this right by any means incompatible with international standards, it not only restricts freedom of association, but also hinders the work to advocate for and defend human rights.⁵⁹⁷ In this regard, the Inter-American Court has emphasized that States must ensure that, in general, their regulatory framework, including secondary norms, decrees, protocols and guidelines for action, conform to international standards on the matter.⁵⁹⁸ As identified in the previous chapter, this continues to be a pending issue when hearing laws or bills that would have the effect of

⁵⁹⁴ UN Human Rights, [Relaunching of the Lidera la Vida campaign](#), August 2, 2023; Office of the Attorney General of Colombia, [Bulletin 1006-2023](#), Lidera La Vida Campaign seeks to combat stigmatization against social leaders, 2023.

⁵⁹⁵ Government of Colombia, Función Pública, [Directiva No. 07 de 2024 Presidencia de la República](#), September 9, 2024; IACHR, Press Release No. R211/24, [RELE recibe con gratificación la directiva presidencial de Colombia sobre deberes de autoridades en libertad de expresión](#), September 9, 2024.

⁵⁹⁶ IACHR, [Guía Práctica sobre lineamientos y recomendaciones para la elaboración de planes de mitigación de riesgos de personas defensoras de derechos humanos](#), April 29, 2021.

⁵⁹⁷ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser.L/V/417 II. Doc. 66, December 31, 2011, para. 156.

⁵⁹⁸ IACHR, [Towards a comprehensive policy for the protection of human rights defenders](#), OEA/Ser.L/V/II. Doc. 207/17, December 29, 2017, para. 126.

disproportionately restricting the right of association and, therefore, the activities carried out by civil society organizations.⁵⁹⁹

248. In addition, States must avoid and respond to the criminalization of human rights defenders aiming at controlling, punishing, or impeding the right to defend human rights.⁶⁰⁰ As can be seen from the previous chapters, this continues to be one of the main obstacles human rights defenders face in the development of their work. The arbitrary use of the criminal justice system would be facilitated by the improper enforcement of ambiguous criminal definitions. It is therefore essential that States adopt administrative, legislative, and judicial measures to ensure that the criminal offenses provided for under their legislation comply with the principle of legality in both their content and enforcement. Furthermore, the role of justice operators is also fundamental to avoid the criminalization of human rights defenders. When justice operators are faced with manifestly unfounded accusations and criminal complaints, they have the obligation to investigate the sources of this type of arbitrary denunciation or reckless litigation and impose appropriate sanctions.⁶⁰¹

C. Protect human rights defenders in situations of risk due to their work

249. The obligation of States to guarantee the rights to life and safety is reinforced in the case of human rights defenders.⁶⁰² Therefore, States

⁵⁹⁹ IACHR, Annual Report 2021, Chapter IVB, [Guatemala](#), June 2, 2021, paras. 172-173; Press Release No. 128/21, [La CIDH y su RELE rechazan entrada en vigor de reformas a la Ley de Organizaciones no Gubernamentales en Guatemala](#), May 19, 2021; IACHR, [Cierre del espacio cívico en Nicaragua](#), OEA/Ser.LV/II. Doc. 21/23, September 23, 2023, para. 149.

⁶⁰⁰ IACHR, [Criminalization of the work of human rights defenders](#), OEA/Ser.LV/II. Doc. 49/15, December 31, 2015, para. 12.

⁶⁰¹ IACHR, [Criminalization of the work of human rights defenders](#), OEA/Ser.LV/II. Doc. 49/15, December 31, 2015, para. 73.

⁶⁰² I/A Court H.R., [Case of Defensor de Derechos Humanos et al. v. Guatemala](#), Preliminary Objections, Merits, Reparations and Costs. Judgment of August 28, 2014, Series C No. 283, para. 142.

must ensure that human rights defenders can enjoy the necessary protection to fulfill their function.⁶⁰³

250. The duty to protect, as a means of preventing violations of the rights of human rights defenders, is particularly important in countries known for violence against these groups. States, therefore, have the obligation to adopt all appropriate and reasonable measures to protect and preserve the right to life, liberty, and safety of those who are particularly vulnerable, especially due to their work. This is applicable provided that the State is aware of a real and immediate risk against them and that there are reasonable possibilities to prevent or avoid such risks⁶⁰⁴, including actions of third parties.⁶⁰⁵ This does not exclude the relevance of the State's knowledge of a general risk situation, since it may be relevant in assessing whether a given act is sufficient to inform the authorities of a real and immediate risk, or in responding to it.⁶⁰⁶

251. Several States in the region have maintained a reactive approach to imminent risks to the life and safety of human rights defenders by implementing security schemes. To this end, they have established specialized protection programs or mechanisms, which will be analyzed later in this chapter. However, it is necessary to address these risks in a comprehensive manner, otherwise the resulting sense of defenselessness becomes detrimental to the work of human rights defenders.⁶⁰⁷

⁶⁰³ I/A Court H.R., [Case of Escaleras Mejía et al. v. Honduras](#), Judgment of September 26, 2018, Series C No. 361, para. 44.

⁶⁰⁴ I/A Court H.R., [Case of Yarce et al. v. Colombia](#), Preliminary Objection, Merits, Reparations and Costs, Judgment of November 22, 2016. Series C No. 325, para. 181.

⁶⁰⁵ I/A Court H.R., [Case of Luna López v. Honduras](#), Merits, Reparations and Costs, Judgment of October 10, 2013, Series C No. 269, para. 120.

⁶⁰⁶ I/A Court H.R., [Case of Yarce et al. v. Colombia](#), Preliminary Objection, Merits, Reparations and Costs, Judgment of November 22, 2016. Series C No. 325, para. 183.

⁶⁰⁷ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser. L/V/II. Doc. 66, December 31, 2011, para. 472.

252. Other states have witness protection programs. El Salvador informed the Commission that it has a "Special Law for the Protection of Victims and Witnesses" to ensure that victims, witnesses, and other persons involved in the investigating crimes or in judicial proceedings are protected.⁶⁰⁸ This law is the legal framework that regulates the implementation of a comprehensive program for the protection of victims and witnesses entrusted to the National Civil Police and the Attorney General's Office of the Republic of El Salvador.⁶⁰⁹ Ecuador has the "Criminal Policy to Guarantee Access to Justice and Protection within the Criminal Investigation of Human Rights and Nature Defenders" which contemplates the System for the Protection and Assistance to Victims and Witnesses (SPAVT).⁶¹⁰ The Commission has emphasized that this type of program is based on a possible risk of being linked to a criminal case, but does not necessarily consider the link between the risk and defending human rights, and that on many occasions the only way to access these programs without being part of a criminal process is by filing a complaint.⁶¹¹ It is precisely because of these requirements that defenders may face difficulties in accessing effective and diligent protection.⁶¹²

⁶⁰⁸ Republic of El Salvador, Response to the IACHR consultation survey, Note Verbale MPOEA-OAS-010-2024, January 18, 2024, filed with the IACHR.

⁶⁰⁹ Republic of El Salvador, Response to request for information on the human rights situation of environmental defenders in El Salvador, received on April 12, 2022, filed with the IACHR; IACHR, [North Central America: Environmental Defenders](#), OEA/Ser.LV/II. Doc. 40022, December 16, 2022, para. 277.

⁶¹⁰ State of Ecuador, Office of the Attorney General of Ecuador, Response to the IACHR consultation survey, Note No. 945-23/CIDH/SEMPCT-CT, received on January 18, 2024, filed with the IACHR; Alianza por los Derechos Humanos, [Situación de personas defensoras de derechos humanos, colectivos y de la naturaleza en Ecuador: Retos y desafíos en la construcción de sistemas integrales y diferenciados para su protección \(Situation of human rights defenders, collective and natural rights defenders in Ecuador: Challenges in the construction of comprehensive and differentiated systems for their protection\)](#), June 15, 2021, p. 31.

⁶¹¹ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser. L/VII. Doc. 66, December 31, 2011, para. 500.

⁶¹² IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser. L/VII. Doc. 66, December 31, 2011, para. 503.

253. The effective and comprehensive protection of human rights defenders ultimately depends on the political will of the States and the development of comprehensive protection policies that include, among other aspects, an in-depth evaluation of the effectiveness of the physical protection measures that they decide to implement.⁶¹³ The Commission presents below an analysis of the functioning of the current special protection mechanisms current in the region, followed by an analysis of compliance with the precautionary measures granted by the IACHR to human rights defenders.

i. Functioning of national mechanisms for the protection of human rights defenders.

254. Faced with the violent outlook for human rights defenders in the region, some countries have opted to establish special national protection mechanisms that have proven to be very valuable risk prevention tools. These mechanisms constitute an important step towards the protection of human rights defenders, since they are based on the inherent recognition of the risk involved in defending human rights.

255. Brazil, Colombia, Honduras, and Mexico have national protection mechanisms for human rights defenders and journalists, whose structures, functioning and outcomes have been previously analyzed by the IACHR in various annual, thematic, and country reports.⁶¹⁴ During the period covered by this report, Peru established the Intersectoral Mechanism for the Protection of Human Rights Defenders, which includes, among others, physical protection

⁶¹³ IACHR, [Guía Práctica sobre lineamientos y recomendaciones para la elaboración de planes de mitigación de riesgos de personas defensoras de derechos humanos](#), April 29, 2021, p. 22.

⁶¹⁴ For more on these elements see: [Towards a comprehensive policy for the protection of human rights defenders](#), OEA/Ser.LV/II. Doc. 207/17, 29 440 of December 2017; as well as the "[Guía Práctica sobre lineamientos y recomendaciones para la elaboración de planes de mitigación de riesgos de personas defensoras de derechos humanos](#)", 26 April 2021.

measures.⁶¹⁵ Similarly, within the framework of the Joint Action Mechanism to Contribute to the Protection of Human Rights Defenders in the Americas with the Office of the United Nations High Commissioner for Human Rights⁶¹⁶, its operation has been monitored through annual meetings, which have provided a space to share and discuss their main challenges, as well as the good practices they have developed.

256. Proper implementation of these mechanisms can help the State fulfill its obligation to protect by allowing greater proximity to and concrete knowledge of the defender's particular situation and, consequently, to provide specialized and proportional interventions to the risk being faced in a timely manner.⁶¹⁷ The Commission emphasizes that these mechanisms should be part of a broader public policy and should be addressed in a comprehensive manner to ensure an effective, sustainable, and lasting response to the structural challenges that lead to violence against human rights defenders.

257. The Commission welcomes the fact that these States have specialized mechanisms in place and recognizes the efforts made at different times to ensure their operation. It also encourages other States to adopt such mechanisms in their countries to prevent and protect human rights defenders at risk. Below is an analysis of the current operation of these mechanisms based on the information received within the timeframe of this report.

⁶¹⁵ IACHR, Press Release No. 111/21 - [IACHR Welcomes the Creation of the Intersectoral Mechanism for the Protection of Human Rights Defenders in Peru](#), May 3, 2021; El Peruano, Diario Oficial del Bicentenario, [Decreto Supremo N° 004-2021-JUS](#) que crea el Mecanismo intersectorial para la protección de las personas defensoras de derechos humanos, April 22, 2021. The Intersectoral Mechanism was subsequently modified through [Supreme Decree 002-2022](#) of April 14, 2022.

⁶¹⁶ The Mechanism for Joint Actions to Contribute to the Protection of Human Rights Defenders in the Americas with the Office of the United Nations High Commissioner for Human Rights was established in 2017. See: IACHR, Press Release No. 167/17, [UN Human Rights Office and Inter-American Commission on Human Rights Launch Joint Action Plan to Contribute to the Protection of Human Rights Defenders in the Americas](#), October 25, 2017.

⁶¹⁷ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser. L/VII. Doc. 66, December 31, 2011, para. 484.

a) Colombia

258. Colombia, through the National Protection Unit (UNP), has one of the most robust protection mechanisms in the region to ensure the life and safety of human rights defenders in risk situations. This mechanism has a solid legal framework that supports its operation and validity.⁶¹⁸ State information indicates that by 2024, the UNP had a budget of 2.8 billion Colombian pesos (\$673,680,000 USD)⁶¹⁹ and protects 1,473 members of these groups.⁶²⁰

259. The Commission recognizes that the UNP has been an important tool to protect human rights defenders. However, some challenges have been observed in its operation. It is of particular concern to know that, during 2023, 11 human rights defenders benefiting from protection measures were murdered.⁶²¹ Civil society organizations have coincided in pointing out that risk assessments would be insufficient, and that preliminary assessments would take long periods of time, in addition to the fact that they would be prepared by analysts with little

⁶¹⁸ In Colombia, the protection mechanism was created by Law 418 of 1997, which remains in force to date, although it has since been developed and strengthened. Thus, it has a robust body of regulations that has been modified and strengthened on several occasions. Through the approval of [Decree 4065 in 2011](#), the National Protection Unit (UNP) was created, an agency with legal, administrative and financial autonomy, in the institution in charge of protection functions. As well as [Decree 4912 of 2011](#) which organizes the Program for Prevention and Protection of the rights to life, liberty, integrity and security of persons, groups and communities of the Ministry of the Interior and the National Protection Unit", which seeks to respond to the need to unify the existing Protection Programs with the purpose of granting timely, suitable and effective protection. Among other regulations that have been approved with a view to strengthening the protection of vulnerable groups.

⁶¹⁹ National Protection Unit, [Response to Proposition No. 006 of 2024 \(C.P.C.P.P.3.1.083-24\) - INTERNAL RADICADOS EXT24-00115970 and EXT24-00116046](#), August 20, 2024; Information received by the IACHR in meeting with the National Protection Unit held in the framework of the *on-site* visit to Colombia carried out between April 15 and 19, 2024, filed with the IACHR.

⁶²⁰ Republic of Colombia, Supplementary information to the IACHR on-site visit, October 18, 2024, p. 236.

⁶²¹ UN Human Rights, Situation of human rights in Colombia, [A/HRC/55/23](#), 14 February 2023, para. 64.

knowledge of the reality of the territories.⁶²² According to Human Rights Watch, analysts sometimes conduct risk analyses by telephone instead of visiting the place where the person requesting protection lives.⁶²³

260. In addition, civil society organizations have informed the Commission of deficient material protection measures, especially regarding the vehicles used to transport human rights defenders, which have constant mechanical and electrical failures or are not adequate for the territory where defenders live; bulletproof vests in poor condition that do not physically fit the body of the beneficiary; telephones or panic buttons that do not work; telephone numbers registered by third parties; uncovered fuel costs for protection vehicles that are paid by the beneficiaries, among others.⁶²⁴ Moreover, the Commission has warned about a lack of coordination between the authorities involved in the implementation of the protection measures.⁶²⁵ The Commission learned about the case of human rights defender Fabio Alex Ortega Acero, a beneficiary of UNP protection measures, who was murdered on December 19, 2024, in El Zulia, Norte de Santander.⁶²⁶

⁶²² IACHR, Public Hearing "[Colombia: Follow-up to Precautionary Measures for Human Rights Defenders](#)," held in the framework of the 191 period of sessions, November 11, 2024; Reporters Without Borders, [Under Risk: How to overcome the shortcomings of journalist protection programs in Latin America](#) (Brazil, Colombia, Honduras and Mexico), February 2022, p. 46; Human Rights Watch, [Unprotected Leaders and Defenseless Communities Killings of Human Rights Defenders in Remote Areas of Colombia](#), February 2021, p. 83; CSPP, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

⁶²³ Human Rights Watch, [Unprotected Leaders and Defenseless Communities Killings of Human Rights Defenders in Remote Areas of Colombia](#), February 10, 2021, p. 82.

⁶²⁴ IACHR, Public Hearing "[Colombia: Follow-up to Precautionary Measures for Human Rights Defenders](#)," held during the 191 period of sessions, November 11, 2024; IACHR, Public Hearing "[Colombia: Implementation of Precautionary Measures for Human Rights Defenders](#)," held during the 185 period of sessions, October 27, 2022; Amnesty International, [Hope at Risk: The Lack of a Safe Space to Defend Human Rights in Colombia Continues](#), November 9, 2023, pp. 28 and 38.

⁶²⁵ IACHR, Public Hearing "[Colombia: Follow-up to Precautionary Measures for Human Rights Defenders](#)," held during the 191 period of sessions, November 11, 2024.

⁶²⁶ National Protection Unit, [Murder of a Social Leader Reported in Cúcuta](#), December 19, 2024; La Opinión, [The Case of a Miner's Murder Reportedly Led to the Death of a Lawyer and Former Ombudsman in Cúcuta](#), December 19, 2024.

261. Colombia has a Collective Protection Pathway through Decree No. 2,078 of 2017⁶²⁷, as well as Decree 660 of 2018 that creates the Comprehensive Security and Protection Program for Communities and Organizations in the Territories.⁶²⁸ In this regard, we learned of the case the General Community Council of San Juan (ACADESAN)⁶²⁹, in southern Chocó. They promoted several actions and reached an agreement with the national government to provide 49 comprehensive collective protection measures not only through UNP but also through the involvement and commitment of various entities of the National Government.⁶³⁰
262. It is also positive that Colombia has a Comprehensive Program of Guarantees for Women Leaders and Human Rights Defenders⁶³¹, and that, in consultation with some women's organizations, it adopted the Protocol for Risk Analysis for Women Leaders and Human Rights Defenders to ensure gender-based approach.⁶³² However, according to SISMA Mujer, there is lack of implementation and/or lack of

⁶²⁷ Republic of Colombia, Ministry of the Interior, [Decree No. 2078](#) by which Chapter 5, of Title 1, of Part 4, of Book 2 of Decree 1066 of 2015, Sole Regulatory Decree of the Administrative Sector of the Interior on the pathway for collective protection of the rights to life, liberty, integrity and personal security of groups and communities, December 7, 2017.

⁶²⁸ Republic of Colombia, Administrative Department of the Civil Service, [Decree No. 660](#) that creates and regulates the Comprehensive Security and Protection Program for Communities and Organizations in the Territories; and other provisions are issued, April 17, 2018.

⁶²⁹ ACADESAN is a territory of black communities with a collective property title granted by the Colombian State. It covers 72 communities (grouping at least 15,000 people) in southern Chocó, a region on Colombia's Pacific coast. At the same time, ACADESAN is an organizational process with a triple mission: (1) to represent these communities through their ethnic authorities; (2) to protect the collective territory from private interests; and (3) to seek to make a dignified life a reality for the black people of the San Juan River.

⁶³⁰ For more on this process see: Parra Bayona, Mauricio, "[Tejiendo vínculos entre autoprotección y protección colectiva: la experiencia de ACADESAN en Colombia](#)", Accountability Research Center, Accountability Working Paper. April 18, 2024.

⁶³¹ IACHR, [Report on the Situation of Human Rights Defenders and Social Leaders in Colombia](#), OEA/Ser.L/V/II. Doc. 262, December 6, 2019, para. 75.

⁶³² Human Rights Watch, [Unprotected Leaders and Defenseless Communities Killings of Human Rights Defenders in Remote Areas of Colombia](#), February 2021, p. 82; UNP, [National Protection Unit launches Risk Analysis Protocol for Women Leaders and Human Rights Defenders](#), November 4, 2020.

knowledge of the actions to apply this protocol.⁶³³ The Commission has also received information on the need to improve the inclusion of a differentiated approach for the LGBTI population given the differential impact that violence has on these groups.⁶³⁴

b) Brazil

263. Brazil has a National Program for the Protection of Human Rights Defenders, Communicators, and Environmentalists (PPDDH), whose purpose is to guarantee protection measures for defenders who are at risk due to their activities. The protection program is in force throughout the national territory; its implementation depends on the execution of agreements between the Union and the states.⁶³⁵ For the states that have it, the mechanism is implemented by technical teams of managing entities of civil society organizations with agreements with the regional secretariats.⁶³⁶ State information indicates that currently the states of Paraíba, Pará, Bahia, Pernambuco, Ceará, Maranhão, Mato Grosso, Minas Gerais, Espírito Santo, and Rio Grande do Sul have state teams, while Amazonas, Roraima, Rondônia and Mato Grosso do Sul have regionalized federal teams. The other states would be monitored by the Federal Technical

⁶³³ SISMA Mujer, [Programa Integral de Garantías para Mujeres Líderesas y Defensoras de Derechos Humanos \(PIGMLD\) III Balance: Construcción de un rumbo hacia la consolidación del nuevo Plan de Acción cuatrienal \(2023-2026\) y Valoración de avances del Plan de Acción cuatrienal \(2019-2022\)](#), February 2024, p. 34.

⁶³⁴ IACHR, Public Hearing "[Colombia: Follow-up to precautionary measures for human rights defenders](#)," held during the 191 period of sessions, November 11, 2024; Electoral Observation Mission in Colombia, Response to the IACHR consultation survey, received on December 11, 2023, filed with the IACHR.

⁶³⁵ IACHR, [Towards a Comprehensive Policy for the Protection of Human Rights Defenders](#), OEA/Ser.L/V/II. Doc. 207/17, December 29, 2017, para. 201; Amnesty International, Americas: [Status of Protection Mechanisms for Human Rights Defenders](#), October 3, 2018, p. 2.

⁶³⁶ Reporters Without Borders, [Under Risk: Overcoming the shortcomings of journalist protection programs in Latin America](#) (Brazil, Colombia, Honduras and Mexico), February 2022, p. 19.

Team.⁶³⁷ The Commission stresses the need to continue to make progress to cover the entire national territory.

264. According to information provided by the Brazilian State, by 2024 there was an 85% increase in funding for the protection policy from R\$17,690,818.36 (\$3,043,000 USD) in 2023 to R\$32,902,518.59 (\$5,666,854.45 USD).⁶³⁸ The latest information available to the IACHR indicates that, until March 2022, the State Programs and the Federal Program together accompanied a total of 783 defenders.⁶³⁹

265. The Commission appreciates the efforts undertaken by the Brazilian State to ensure the protection of defenders at risk, as well as the budget provided for it. However, information has been received regarding budget cuts for the program at the state level⁶⁴⁰. For example, civil society organizations point out that the budget for the Program in the state of Rio de Janeiro is insufficient to meet the required demand.⁶⁴¹ Likewise, it is known that the average size of the teams would be 10 people.⁶⁴² Civil society organizations warn that standardizing the number of team members does not meet the needs of a country like Brazil. States such as Amazonas, Pará, Bahia and

⁶³⁷ República Federativa Do Brasil, Subsídios para o capítulo IV do relatório anual 2024 da CIDH, November 7, 2024, p. 44, filed with the IACHR.

⁶³⁸ República Federativa Do Brasil, Subsídios para o capítulo IV do relatório anual 2024 da CIDH, November 7, 2024, pp. 44 and 45, filed with the IACHR.

⁶³⁹ IACHR, Annual Report 2023, Chapter V, [Second follow-up report on the recommendations made by the IACHR in the Report on the Situation of Human Rights in Brazil](#), April 25, 2024, para. 457; IACHR, Annual Report 2022, Chapter V, [Follow-up on Recommendations Made by the IACHR in its Country or Thematic Reports: Brazil](#), April 20, 2023, para. 335.

⁶⁴⁰ IACHR, [Situation of Human Rights in Brazil](#), OEA/Ser.L/V/II. Doc. 9, February 12, 2021, para. 438.

⁶⁴¹ International Institute on Race, Equality and Human Rights, Response to the IACHR consultation survey, received on February 1, 2024, filed with the IACHR.

⁶⁴² Reporters Without Borders, [Under Risk: Overcoming the shortcomings of journalist protection programs in Latin America](#) (Brazil, Colombia, Honduras and Mexico), February 2022, p. 24.

Minas Gerais, with their extensive territory and large number of people involved, would need a larger technical team.⁶⁴³

266. Another challenge previously identified by the Commission is the lack of a solid legal framework to support it.⁶⁴⁴ The National Program for the Protection of Human Rights Defenders was established in 2004. Subsequently, Decree No. 6,044 was published in 2007, which approved the National Policy for the Protection of Human Rights Defenders. It was until 2019, through Decree No. 9,937, that the Protection Program for Human Rights Defenders, Communicators, and Environmentalists (PPDDDH) was created. The program was subsequently amended by Decree No. 10,815 of September 27, 2021⁶⁴⁵ and regulated by Ordinance No. 507 of February 21, 2022.⁶⁴⁶ The Commission notes that this program needs a solid legal framework to provide a permanent structured human rights protection policy.⁶⁴⁷ This is due to the fact that as currently constituted, through presidential orders, it could be the program could subject to structural changes depending on the

⁶⁴³IACHR, Annual Report 2023, Chapter V, [Second follow-up report on the recommendations made by the IACHR in the Report on the Situation of Human Rights in Brazil](#), April 25, 2024, para. 460; Justiça Global. Response to the consultation questionnaire, September 17, 2023.

⁶⁴⁴ IACHR, [Towards a comprehensive policy for the protection of human rights defenders](#), OEASer.L/VII. Doc. 207/17, December 29, 2017, para. 199.

⁶⁴⁵ The modifications made by this Decree were mainly on the functions of the Deliberative Council of the Protection Program and according to civil society organizations, this reform would reinforce the lack of civil society participation in the Council. For more details see: Justiça Global, [Olhares críticos sobre mecanismos de proteção de defensoras e defensores de direitos humanos na América Latina](#), December 2022.

⁶⁴⁶ Ministério dos Direitos Humanos e da Cidadania, [Entenda o Funcionamento do Programa](#), November 11, 2022; Focus, Brazil: [Estado: Ley o decreto aprobado a nivel nacional \(o subnacional\)](#), updated November 17, 2022.

⁶⁴⁷ Justicia Global, [Olhares críticos sobre mecanismos de proteção de defensoras e defensores de direitos humanos na América Latina](#), December 2022; Reporters Without Borders, [Bajo Riesgo: Cómo superar las deficiencias de los programas de protección de periodistas en América Latina](#) (Brasil, Colombia, Honduras y México), February 2022, p. 24.

governments in office.⁶⁴⁸ In this regard, information has been received indicating that Bill 4575, which aims to establish a legal basis for the PPHRD, has been awaiting approval by the Brazilian Parliament since 2009.⁶⁴⁹

267. The Commission has also learned about the lack of efficiency of the PPDDH in issuing concrete and effective protection measures.⁶⁵⁰ According to the information received, the measures granted continue to be homogeneous and do not address the specific contexts and particular needs of human rights defenders. Thus, there would be no disaggregated record of whether the beneficiaries belong to rural communities or indigenous peoples, which would not allow for differentiated attention mechanisms and, as a result, the measures would not be effective and adequate in many cases.⁶⁵¹ The Commission learned about the case of defender María Bernadette, who despite being part of the protection program since 2017, was murdered on August 17, 2023.⁶⁵²

268. Similarly, information has been received on the lack of national risk analysis guidelines and protocols and on the absence of measures and approaches that include gender, race, ethnicity, and sexual

⁶⁴⁸ Reporters Without Borders, Under Risk: Overcoming the Shortcomings of Journalist Protection Programs in Latin America (Brazil, Colombia, Honduras and Mexico), February 2022, p. 25; Article 19, Response to the IACHR consultation survey, received on March 15, 2024, filed with the IACHR.

⁶⁴⁹ Reporters Without Borders, Under Risk: Overcoming the shortcomings of journalist protection programs in Latin America (Brazil, Colombia, Honduras and Mexico), February 2022, p. 25.

⁶⁵⁰ IACHR, Annual Report 2023, Chapter V, Second follow-up report on the recommendations made by the IACHR in the Report on the Situation of Human Rights in Brazil, April 25, 2024, para. 457; IACHR, Annual Report 2022, Chapter V, First follow-up report on the recommendations made by the IACHR in the Report on the Situation of Human Rights in Brazil, paras. 335-337.

⁶⁵¹ IACHR, Annual Report 2023, Chapter V, Second follow-up report on the recommendations made by the IACHR in the report on the situation of human rights in Brazil, para. 459.

⁶⁵² X from the IACHR [@CIDH], #Brazil: #CIDH condemns the murder of the quilombola defender and Afro-religious leader, Yalorixá Maria Bernadete Pacífico, in Simões Filho, Bahia, on #17August. Insta o Estado investigar de forma imediata e diligente, com perspectiva étnico-racial e de gênero. #DireitosHumanos, August 19, 2023. Available at: <https://x.com/CIDH/status/1692940923896775105?s=20>; See also: Article 19, Response to the IACHR consultation survey, received on March 15, 2024, filed with the IACHR; Agencia Brasil, Bahia revises protection program following murder of Mae Bernadete, August 21, 2023.

diversity of beneficiaries.⁶⁵³ According to Reporters Without Borders, beneficiaries have reported difficulties in continuing to defend human rights and the absence of a collective perspective of protection in the measures offered.⁶⁵⁴

c) México

269. The Honduran mechanism was established in April 2015 through the "Law for the Protection of Human Rights Defenders, Journalists, Social Communicators, and Justice Operators".⁶⁵⁵ The State indicated to the Commission that, as of November 2023, it has 202 active cases with protection measures, of which 153 are defenders.⁶⁵⁶

270.

271. According to information from the State, by 2023 it managed to double the mechanism's budget allocation to L20,000,000.00 (\$780,000 USD), and stressed that its financial sustainability is a constant concern.⁶⁵⁷ However, during its on-site visit, the Commission received testimonies about defenders who have not been able to access protection measures from the mechanism due to budget shortages⁶⁵⁸,

⁶⁵³ IACHR, [Precautionary Measures Resolution 59/2022](#), Precautionary Measures No. 449-22, Identified Members of the "União dos Povos Indígenas do Vale de Javari" - UNIVAJA, October 27, 2022, (Expansion and Follow-up), para.24.

⁶⁵⁴ Reporters Without Borders, [Under Risk: Overcoming the shortcomings of journalist protection programs in Latin America](#) (Brazil, Colombia, Honduras and Mexico), February 2022, p. 28.

⁶⁵⁵ La Gaceta, Decree No.34-2015, [Law for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Operators](#), April 15, 2015.

⁶⁵⁶ Republic of Honduras, Electronic Communication No. 930-DPM-SRECI-2023, Report in response to the request of the Inter-American Commission on Human Rights, Article 41, on the human rights situation in Honduras during 2023, November 9, 2023, p. 8.

⁶⁵⁷ Republic of Honduras, Response to the IACHR consultation survey, Oficio No. SEDH-0065-2024, March 1, 2024, p. 26, filed with the IACHR.

⁶⁵⁸ IACHR, [Situation of Human Rights in Honduras](#), OEA/Ser.L/V/II Doc.9/24, March 24, 2024, para. 310; Meeting with organizations on women human rights defenders in the framework of the IACHR *on-site* visit to Colombia, April 16, 2023.

which impacts the security of protection measures beneficiaries.⁶⁵⁹ For example, in February 2023, the IACHR learned about the murder of peasant defender Santos Hipólito Rivas, who was a beneficiary of protection measures.⁶⁶⁰

272.

273. Also, according to the National Commissioner for Human Rights (CONADEH), delays in risk analysis and the implementation of measures are being reported due to the lack of funds.⁶⁶¹ Likewise, a significant downsizing in the protection system staff was reported. According to Reporters Without Borders, by 2021, 26 people worked in the National Directorate of the National Protection System.⁶⁶² By 2023, the mechanism had only 16 employees, as per information from the State.⁶⁶³ The Honduran State has recognized staff shortages as another of the challenges of the mechanism.⁶⁶⁴

274.

275. As for risk assessments, UN Human Rights identified several challenges, including: using a "basic" methodology, needing more

⁶⁵⁹ Reporters Without Borders, [New Honduran government dismantles journalist protection mechanism](#), August 19, 2022.

⁶⁶⁰ UN Human Rights, [On the occasion of the first year of the signing of the Agreement between the government and peasant and popular organizations of Bajo Aguán, OHCHR calls for its effective compliance](#), February 23, 2023; Swissinfo, [Asesinan a un defensor campesino en Honduras, el séptimo en menos de 2 meses](#), February 13, 2022.

⁶⁶¹ IACHR, [Situation of Human Rights in Honduras](#), OEASer.LV/II Doc.9/24, March 24, 2024, para. 311; CONADEH, Aportes del Comisionado Nacional de los Derechos Humanos en el marco de la visita in loco de la Comisión Interamericana de Derechos Humanos, April 2023, para.86.

⁶⁶² Reporters Without Borders, [Under Risk: Overcoming the shortcomings of journalist protection programs in Latin America](#) (Brazil, Colombia, Honduras and Mexico), February 2022, p. 65.

⁶⁶³ IACHR, [Situation of Human Rights in Honduras](#), OEASer.LV/II Doc.9/24, March 24, 2024, para. 306; Government of the Republic of Honduras, Response of the State of Honduras to the request for complementary information regarding the *on-site* visit of the Inter-American Commission on Human Rights in Honduras in April 2023, August 2, 2023, p. 21.

⁶⁶⁴ Republic of Honduras, Response to the IACHR consultation survey, Oficio No. SEDH-0065-2024, March 1, 2024, p. 26, filed with the IACHR.

sources to avoid a reductionist view; lacking in-depth analysis of the context under which the threats occur; absence of specific tools to analyze the context and the particular vulnerabilities of excluded population groups; and lacking an intersectional approach due to the fact that the same methodology would be used for all people who resort to the mechanism.⁶⁶⁵

276.

277. On the other hand, civil society organizations have expressed the need to strengthen coordination with the Attorney General's Office to ensure prompt and effective investigation of attacks and threats against human rights defenders.⁶⁶⁶ UN Human Rights identified scarce cooperation from the Public Prosecutor's Office to report on the progress of investigations related to attacks against beneficiary human rights defenders, which is essential to determine the risk levels in which they find themselves.⁶⁶⁷ The Commission continues to find impunity in most of the incidents that occurred in the last 10 years, due to the fact that investigations are decentralized and do not delve into finding the masterminds.⁶⁶⁸

278.

279. The State has adopted some measures to strengthen the mechanism, such as the appointment of the new Director in November, after the position was vacant since August 2024⁶⁶⁹ and the approval of

⁶⁶⁵ UN Human Rights, [Diagnosis and Plan to Strengthen the National Protection System for Human Rights Defenders, Journalists, Social Communicators and Justice Operators in Honduras](#), August 2022, pp. 58-61.

⁶⁶⁶ Amnesty International, Americas: [Status of Protection Mechanisms for Human Rights Defenders](#), October 3, 2018, p.6.

⁶⁶⁷ UN Human Rights, [Diagnosis and Plan to Strengthen the National Protection System for defenders, journalists, social communicators and justice operators in Honduras](#), August 2022, p. 59.

⁶⁶⁸ IACHR, Press Release No. 285/24, [IACHR concludes working visit to Honduras](#), November 12, 2024. UN Human Rights, Report on the situation of human rights in Honduras, [A/HRC/58/23](#), March 3, 2025, para. 55.

⁶⁶⁹ Criterio Hn, [The IACHR highlights the urgency of strengthening the National Protection Mechanism in Honduras](#), November 4, 2024.

Executive Agreement No. SEDH-004-2024 on November 30, 2024, which authorizes the Secretariat of Human Rights to make direct purchases that could expedite the implementation of protection measures. In addition, the "Articulation for the Protection of Human Rights Defenders" and the "Extended Group to Strengthen the National Protection System" are created by civil society organizations, with technical advice from UN Human Rights, to support the State in strengthening the National Protection System.⁶⁷⁰

d) Honduras

275. The Honduran mechanism was established in April 2015 through the "Law for the Protection of Human Rights Defenders, Journalists, Social Communicators, and Justice Operators".⁶⁷¹ The State indicated to the Commission that, as of November 2023, it has 202 active cases with protection measures, of which 153 are defenders.⁶⁷²

276. According to information from the State, by 2023 it managed to double the mechanism's budget allocation to L20,000,000.00 (\$780,000 USD), and stressed that its financial sustainability is a constant concern.⁶⁷³ However, during its on-site visit, the Commission received testimonies about defenders who have not been able to access protection measures from the mechanism due to budget shortages⁶⁷⁴, which impacts the security of protection measures beneficiaries.⁶⁷⁵

⁶⁷⁰ UN Human Rights, Report on the situation of human rights in Honduras, [AHRC/58/23](#), March 3, 2025, para. 56.

⁶⁷¹ La Gaceta, Decree No.34-2015, [Law for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Operators](#), April 15, 2015.

⁶⁷² Republic of Honduras, Electronic Communication No. 930-DPM-SRECI-2023, Report in response to the request of the Inter-American Commission on Human Rights, Article 41, on the human rights situation in Honduras during 2023, November 9, 2023, p. 8.

⁶⁷³ Republic of Honduras, Response to the IACHR consultation survey, Oficio No. SEDH-0065-2024, March 1, 2024, p. 26, filed with the IACHR.

⁶⁷⁴ IACHR, [Situation of Human Rights in Honduras](#), OEASer.L/VII Doc.924, March 24, 2024, para. 310; Meeting with organizations on women human rights defenders in the framework of the IACHR *on-site* visit to Colombia, April 16, 2023.

⁶⁷⁵ Reporters Without Borders, [New Honduran government dismantles journalist protection mechanism](#), August 19, 2022.

For example, in February 2023, the IACHR learned about the murder of peasant defender Santos Hipólito Rivas, who was a beneficiary of protection measures.⁶⁷⁶

277. Also, according to the National Commissioner for Human Rights (CONADEH), delays in risk analysis and the implementation of measures are being reported due to the lack of funds.⁶⁷⁷ Likewise, a significant downsizing in the protection system staff was reported. According to Reporters Without Borders, by 2021, 26 people worked in the National Directorate of the National Protection System.⁶⁷⁸ By 2023, the mechanism had only 16 employees, as per information from the State.⁶⁷⁹ The Honduran State has recognized staff shortages as another of the challenges of the mechanism.⁶⁸⁰

278. As for risk assessments, UN Human Rights identified several challenges, including: using a "basic" methodology, needing more sources to avoid a reductionist view; lacking in-depth analysis of the context under which the threats occur; absence of specific tools to analyze the context and the particular vulnerabilities of excluded population groups; and lacking an intersectional approach due to the

⁶⁷⁶ UN Human Rights, [On the occasion of the first year of the signing of the Agreement between the government and peasant and popular organizations of Bajo Aguán, OHCHR calls for its effective compliance](#), February 23, 2023; Swissinfo, [Asesinan a un defensor campesino en Honduras, el séptimo en menos de 2 meses](#), February 13, 2022.

⁶⁷⁷ IACHR, [Situation of Human Rights in Honduras](#), OEASer.LV/II Doc.9/24, March 24, 2024, para. 311; CONADEH, Aportes del Comisionado Nacional de los Derechos Humanos en el marco de la visita in loco de la Comisión Interamericana de Derechos Humanos, April 2023, para.86.

⁶⁷⁸ Reporters Without Borders, [Under Risk: Overcoming the shortcomings of journalist protection programs in Latin America](#) (Brazil, Colombia, Honduras and Mexico), February 2022, p. 65.

⁶⁷⁹ IACHR, [Situation of Human Rights in Honduras](#), OEASer.LV/II Doc.9/24, March 24, 2024, para. 306; Government of the Republic of Honduras, Response of the State of Honduras to the request for complementary information regarding the *on-site* visit of the Inter-American Commission on Human Rights in Honduras in April 2023, August 2, 2023, p. 21.

⁶⁸⁰ Republic of Honduras, Response to the IACHR consultation survey, Oficio No. SEDH-0065-2024, March 1, 2024, p. 26, filed with the IACHR.

fact that the same methodology would be used for all people who resort to the mechanism.⁶⁸¹

279. On the other hand, civil society organizations have expressed the need to strengthen coordination with the Attorney General's Office to ensure prompt and effective investigation of attacks and threats against human rights defenders.⁶⁸² UN Human Rights identified scarce cooperation from the Public Prosecutor's Office to report on the progress of investigations related to attacks against beneficiary human rights defenders, which is essential to determine the risk levels in which they find themselves.⁶⁸³ The Commission continues to find impunity in most of the incidents that occurred in the last 10 years, due to the fact that investigations are decentralized and do not delve into finding the masterminds.⁶⁸⁴

280. The State has adopted some measures to strengthen the mechanism, such as the appointment of the new Director in November, after the position was vacant since August 2024⁶⁸⁵ and the approval of Executive Agreement No. SEDH-004-2024 on November 30, 2024, which authorizes the Secretariat of Human Rights to make direct purchases that could expedite the implementation of protection measures. In addition, the "Articulation for the Protection of Human Rights Defenders" and the "Extended Group to Strengthen the National Protection System" are created by civil society organizations, with technical advice from

⁶⁸¹ UN Human Rights, [Diagnosis and Plan to Strengthen the National Protection System for Human Rights Defenders, Journalists, Social Communicators and Justice Operators in Honduras](#), August 2022, pp. 58-61.

⁶⁸² Amnesty International, Americas: [Status of Protection Mechanisms for Human Rights Defenders](#) [Protection Mechanisms for Human Rights Defenders](#), October 3, 2018, p.6.

⁶⁸³ UN Human Rights, [Diagnosis and Plan to Strengthen the National Protection System for defenders, journalists, social communicators and justice operators in Honduras](#), August 2022, p. 59.

⁶⁸⁴ IACHR, Press Release No. 285/24, [IACHR concludes working visit to Honduras](#), November 12, 2024. UN Human Rights, Report on the situation of human rights in Honduras, [AHRC/58/23](#), March 3, 2025, para. 55.

⁶⁸⁵ Criterio Hn, [The IACHR highlights the urgency of strengthening the National Protection Mechanism in Honduras](#), November 4, 2024.

UN Human Rights, to support the State in strengthening the National Protection System.⁶⁸⁶

e) Peru

281. In 2021, Supreme Decree No. 004-2021, created the Intersectoral Mechanism for the Protection of Human Rights Defenders, with the purpose of guaranteeing prevention, protection, and access to justice for human rights defenders in risk situations that arise from their activities.⁶⁸⁷ As per information from the State, in the framework of the Early Warning Procedure (PAT)⁶⁸⁸, 11 protection measures were granted for defenders at risk in 2023.⁶⁸⁹

282. The Commission highlights the need for the mechanism to be backed by a law, since it was approved and subsequently modified through supreme decrees, secondary rules that regulate the actions of a set of sectors of the central government, but do not have the authority to bind state bodies that are not part of the Executive or the central government.⁶⁹⁰ Additionally, according to available information, more than two years after the creation of the Intersectoral Mechanism, one of its main challenges is the absence of guidelines for the

⁶⁸⁶ UN Human Rights, Report on the situation of human rights in Honduras, [AHRC/58/23](#), March 3, 2025, para. 56.

⁶⁸⁷ Diario Oficial del Bicentenario El Peruano, [Decreto Supremo N° 004-2021-JUS que crea el Mecanismo intersectorial para la protección de las personas defensoras de derechos humanos](#), April 22, 2021.

⁶⁸⁸ Also, the purpose of the TAP is to evaluate requests for protection measures. The State reported on the processing of 46 requests between April 23, 2019 and September 19, 2023. According to what was reported, 22 of them met the admission requirements and situations of risk for the exercise of human rights defense were identified. In this regard, see: State of Peru, Note No. 7-5-M/238, Response of the Peruvian State to the Request for Information from the Inter-American Commission on Human Rights (507-23/CIDH/SE/MPCT-IV), for the preparation of the 2023 Annual Report, October 14, 2023, para. 64.

⁶⁸⁹ IACHR, Annual Report 2023, Chapter IVA, [Human Rights Development in the Region](#), April 25, 2024, para. 687.

⁶⁹⁰ IDL, Mecanismo en emergencia. [Balance of the first year of operation of the "Intersectoral Mechanism for the protection of human rights defenders" in the indigenous peoples of the Peruvian Amazon](#), July 8, 2022, p. 14; OXFAM, [Mecanismos que no protegen: una dura realidad que enfrentan los defensores y defensoras del ambiente y el territorio en el Perú](#), November 24, 2022.

implementation of protection measures and urgent protection measures.⁶⁹¹

283. Similarly, the Commission is aware that the Intersectoral Mechanism would be seriously limited by limited funding, and any programmatic and operational issues that could prevent it from comprehensively guaranteeing the protection of human rights defenders at risk.⁶⁹² This would be because the State would not be allocating specific resources for the implementation of the mechanism, but rather it would behoove each sector to assume the costs within their approved budgets, so the amounts far below what is required to protect human rights defenders.⁶⁹³

284. The Commission notes positively that the Intersectoral Mechanism expressly includes the importance of considering gender-based intercultural, differential, and intersectional approaches in the protection of human rights defenders.⁶⁹⁴ However, it notes there are challenges for its adequate implementation. Information was received about the relocation of indigenous women defenders from their communities to the city, which would prevent them from being

⁶⁹¹ Instituto de Democracia y Derechos Humanos (IDEHPUCP), [Defensores de derechos humanos en el Perú: A dos años de la creación del Mecanismo Intersectorial para la protección de las personas defensoras de derechos humanos](#), April 25, 2023; Grupo de Trabajo sobre Pueblos Indígenas de la Coordinadora Nacional de Derechos Humanos, Informe alternativo sobre el cumplimiento del Convenio 169 de la OIT en el Perú - 2023, "[Discriminación y vulneración sistemática a derechos de los pueblos indígenas u originarios en tiempos de crisis política y social](#)", July 2023, pp. 36 y 37.

⁶⁹² IACHR, [Resolution 13/2024](#), Precautionary Measures No. 1109-23, Certain families of the native Kichwa community Santa Rosillo de Yanayacu¹ regarding Peru, March 25, 2024, para. 20; FIDH, [Peru: Desamparo de las personas defensoras de derechos humanos](#), August 16, 2022.

⁶⁹³ Grupo de Trabajo sobre Pueblos Indígenas de la Coordinadora Nacional de Derechos Humanos, Informe alternativo sobre el cumplimiento del Convenio 169 de la OIT en el Perú - 2023, "[Discriminación y vulneración sistemática a derechos de los pueblos indígenas u originarios en tiempos de crisis política y social](#)", July 2023, p. 36.

⁶⁹⁴ El Peruano, Diario Oficial del Bicentenario, [Decreto Supremo N° 004-2021-JUS](#) que crea el Mecanismo intersectorial para la protección de las personas defensoras de derechos humanos, April 22, 2021.

able to carry out the activities to which they are accustomed.⁶⁹⁵ The IACHR considered that, in the event the relocation of the proposed beneficiaries is extended over time, it would be necessary to consider the impact that such a measure would carry from a cultural perspective. If this were the case, the Commission understands that the members of the community would be outside their territory and without the possibility of earning their livelihood in the usual way, which would also affect their financial conditions to stay in a city. The Commission considers it relevant for the State to bear in mind the impact of this type of actions when evaluating and implementing protection measures⁶⁹⁶, and to do so jointly with the proposed beneficiaries.

285. The Commission appreciates the efforts made by these States to protect defenders at risk. To do so effectively, the IACHR recalls the importance of risk analysis to identify the main threats, vulnerabilities, and capacities to assign adequate protection measures. To this end, the risk assessments carried out must be flexible and take into consideration factors related to the context in which the defender operates, the specific risk to which they are exposed, the type of activity they carry out, as well as the specific needs for their and their protection and that of their families, organizations and/or communities.⁶⁹⁷ It is also recalled that for the measures adopted to be adequate and effective, they must not only respond to the alleged risk, but also allow the defender to continue her defense activities.⁶⁹⁸

ii. Compliance with Precautionary Measures of the IACHR

286. The precautionary measures mechanism of the Inter-American Commission has been in place for more than four decades in the Inter-

⁶⁹⁵ IACHR, [Resolution No. 13/24](#), MC 1109-23 - Certain Families of the Native Kichwa Community Santa Rosillo de Yanayacu regarding Peru, March 25, 2024, para. 22.

⁶⁹⁶ IACHR, [Resolution No. 13/24](#), MC 1109-23 - Certain Families of the Native Kichwa Community Santa Rosillo de Yanayacu regarding Peru, March 25, 2024, para. 52.

⁶⁹⁷ IACHR, [Guía Práctica sobre lineamientos y recomendaciones para la elaboración de planes de mitigación de riesgos de personas defensoras de derechos humanos](#), April 26, 2021, p. 24.

⁶⁹⁸ IACHR, [Guía Práctica sobre lineamientos y recomendaciones para la elaboración de planes de mitigación de riesgos de personas defensoras de derechos humanos](#), April 26, 2021, p. 29.

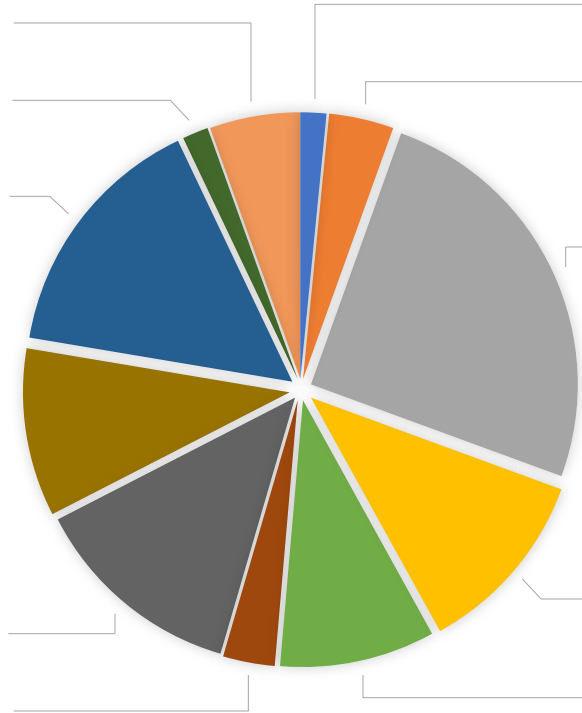
American System, which are provided for in Article 25 of the Rules of Procedure of the IACHR. As per such mechanism, in serious and urgent situations of irreparable harm, the Commission may, at its own initiative or at the request of a party, "request that a State adopt precautionary measures"⁶⁹⁹, making it possible for States to comply with their international obligations undertaken by adopting the American Declaration and ratifying the American Convention on Human Rights.⁷⁰⁰

287. The nature and purpose of the precautionary measures granted by the Inter-American Commission are different from those available in domestic jurisdictions. Precautionary measures fulfill two functions related to the protection of fundamental rights enshrined in the norms of the Inter-American System. On the one hand, they have a "precautionary" function by maintaining a legal situation under the cognizance of the IACHR in petitions or cases; on the other, a "safekeeping" function in the sense of preserving the exercise of human rights, regardless of whether there is an underlying petition or case.⁷⁰¹
288. In the case of human rights defenders, precautionary measures can be granted both individually and to a group that is identifiable and determinable. As of 2024, the IACHR has more than 250 measures in place for human rights-defending individuals or organizations, which account for more than 40% of the total universe. These measures are distributed geographically as shown in the graph below:

⁶⁹⁹ IACHR, [Rules of Procedure of the Inter-American Commission on Human Rights](#), 2013; In various reports, the Commission has specified the requirements and elements necessary for the granting of precautionary measures in accordance with its rules of procedure, which will not be discussed in this section. For more information see: IACHR, [Fact Sheet on Precautionary Measures](#), undated; [Towards a Comprehensive Policy for the Protection of Human Rights Defenders](#), OEA/Ser.L/V/II., December 29, 2017, paras. 66-74; [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser.L/V/II, December 31, 2011, pp. 196- 213.

⁷⁰⁰ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser. L/ VII. Doc. 66, December 31, 2011, para. 437.

⁷⁰¹ IACHR, Annual Report 2022, [Chapter II](#), para. 428.



289. Of these, more than 100 precautionary measures were granted between 2019 and the date of approval of this report. The Commission has continued to grant precautionary measures related to human rights defenders, in the same way that several of the precautionary measures granted prior to 2019 are still in force. This is evidence that the risks faced by human rights defenders in the region have remained over time. The IACHR expresses its concern for the high number of human rights defenders who, in the absence of a suitable State response, have had to resort to the mechanism of precautionary measures.

290. From the precautionary measures granted during the period covered by this report, it can be observed that the most affected groups are environmental and/or territory defenders and defenders of indigenous peoples and Afro-descendants. Thus, the Commission

has granted precautionary measures for this type of defense in countries such as Brazil⁷⁰², Colombia⁷⁰³, Guatemala⁷⁰⁴, Guyana⁷⁰⁵,

⁷⁰² IACHR, [Resolution No. 28/24](#), MC 50-24, Members of the Tapeba Indigenous People of Caucaia, Brazil, April 29, 2024; [Resolution No. 11/19](#), MC 1450-18, Julio Renato Lancellotti and Daniel Guerra Feitosa, Brazil, March 8, 2019; [Resolution No. 47/19](#), MC 458-19, Members of the Guyaroká community of the Guarani Kaiowá Indigenous People, Brazil; [Resolution No. 86/21](#), MC 869-21, Antônio Martins Alves, Brazil, October 21, 2021.

⁷⁰³ IACHR, [Resolution No. 53/24](#) (extension and follow-up), MC 395-18, Authorities and members of the Gonzaya (Buenavista) and Po Piyuya (Santa Cruz de Piñuña Blanco) Resguardos of the Siona Indigenous People (ZioBain), Colombia; [Resolution No. 19/2427/23](#), MC 53-23, MC 73-24, Thirteen members of the La Plata Bahía Málaga Community Council, Colombia, April 8, 2024; [Resolution No. 33/2433/2333/23](#), MC 1036-23, Víctor Miguel Ángel Moreno Campaña, Colombia, May 20, 2024; [Resolution No. Resolution No. Resolution No. 33/23](#), MC 1036-23, Víctor Miguel Ángel Moreno Campaña, Colombia, May 20, 2024; , MC 903-22, David Mayorga Osorio and José Luis Moreno Álvarez, Colombia, June 12, 2023; , Álvaro Alcides Crespo Hernández e. , MC 903-22, David Mayorga Osorio and José Luis Moreno Álvarez, Colombia, June 12, 2023; [Resolution No. 27/23](#), MC 53-23, Álvaro Alcides Crespo Hernández and daughter, Colombia, May 3, 2023; [Resolution No. 70/22](#), MC 822-22, Jhon Anderson Ipia Bubu, Colombia, December 11, 2022; [Resolution No. 55/22](#), MC 261-22, A.A.V.B and his immediate family, Colombia, October 15, 2022.

⁷⁰⁴ IACHR, [Resolution No. 44/24](#), MC 638-24, Gustavo Yaxón Meletz and his nuclear family, Guatemala, August 2, 2024; [Resolution No. 67/20](#), MC 306-20. Mayan Poqomchi' indigenous families of the Washington and Dos Fuentes Communities, Guatemala, October 14, 2020; [Resolution No. 33/19](#), MC 487-19, Quelvin Otoniel Jimenez Villalta, Guatemala, July 3, 2019.

⁷⁰⁵ IACHR, [Resolution No. 41/23](#), MC 196-23, Chinese Landing Carib Indigenous Community, Guyana, July 21, 2023.

Honduras⁷⁰⁶, Mexico⁷⁰⁷, and Peru.⁷⁰⁸

⁷⁰⁶ IACHR, [Resolution No. 83/23](#) [47/23](#), MC (extension, follow-up and partial lifting), MC 416-13, Indigenous Tolupan members of the Movimiento Amplio por la Justicia y la Dignidad, Honduras, December 27, 2023; [Resolution No. 55/23](#) [Resolution 18/23](#), MC 137-23, Identified members of the Comité Municipal de Defensa de los Bienes Comunes y Públicos de Tocoa, and of the Bufete Justicia para los Pueblos, Honduras, October 15, 2023; [Resolution No. No. 47/23](#) 404-23, Members of the organization Alternativa de Reivindicación Comunitaria y Ambientalista de Honduras (ARCAH), Honduras, August 20, 2023; , MC 404-23, Members of the organization Alternativa de Reivindicación Comunitaria y Ambientalista de Honduras, Honduras, August 20, 2023. , MC 404-23, Members of the organization Alternativa de Reivindicación Comunitaria y Ambientalista de Honduras (ARCAH), Honduras, August 20, 2023; [Resolution No. 18/23](#), MC 937-22, Pedro de Jesús Pinto Cabrera and his family, Honduras, April 13, 2023;

⁷⁰⁷ IACHR, [Resolution No. 11/242/232/23](#), MC 674-21, Santos Rosales Contreras and twelve other members of the Nahua indigenous community of Ayotitlán, Mexico, March 8, 2024; [Resolution No. 93/21](#) [Resolution.](#), MC 990-21, Vicente Iván Suástegui Muñoz and family, Mexico, October 27, 2021; [Resolution No. No2/23](#), MC 876-22, Eleven members of the Jesuit community of Cerocahui, Tarahumara, municipality of Urique, Chihuahua, Mexico, January 2023; , MC 876-22, Eleven members of the Jesuit community of Cerocahui, Tarahumara, municipality of Urique, Chihuahua, Mexico, January 2023. , MC 876-22, Eleven members of the Jesuit community of Cerocahui, Tarahumara, municipality of Urique, Chihuahua, Mexico, 22 January 2023; [Resolution No. 1/23](#), [MC 42-23](#), Ricardo Arturo Lagunes Gasca and Antonio Díaz Valencia, Mexico, 22 January 2023.

⁷⁰⁸ IACHR, [Resolution No. 13/24](#), MC 1109-23, Certain families of the Kichwa native community Santa Rosillo de Yanayacu, Peru, March 25, 2024; [Resolution No. 81/20](#), MC 776-20, Members of the Native Community of Santa Clara de Uchunya and another, Peru, October 28, 2020; [Resolution No. 57/19](#), MC 887-19, Families of the Community Nueva Austria del Sira, Peru, November 6, 2019.

291. The most frequently recorded aggressions include death threats made directly or through telephone calls, e-mails or social media, monitoring, surveillance, physical aggressions, and smear campaigns. The use of drones to monitor human rights defenders has also been observed. In extreme cases, there are reports of murders of community members or family members of defenders⁷⁰⁹, as well as armed attacks⁷¹⁰, kidnappings⁷¹¹, and enforced disappearances⁷¹². Furthermore, in various contexts it has been observed that threats and aggressions have come from State security agents and/or actors with economic or industrial interests, especially in sectors such as mining and natural resource exploitation, or private individuals with interests in the lands.⁷¹³ In

⁷⁰⁹ IACHR, [Resolution No. 59/22](#) (extension and follow-up), MC 449-22, Identified members of the "União dos Povos Indígenas do Vale de Javari" -UNIVAJA , Brazil, October 27, 2022.

⁷¹⁰ IACHR, [Resolution No. 80/21](#), MC 491-21, S.G.R.Q. and his family, Colombia, October 4, 2021; [Resolution No. 43/22](#), MC 433-22 - M.A.C., Haiti, August 30, 2022.

⁷¹¹ IACHR, [Resolution No. 83/23](#)(extension, follow-up and partial lifting), MC 416-13, Indigenous Tolupan members of the Broad Movement for Justice and Dignity, Honduras, December 27, 2023; [Resolution No. 57/19](#), MC 887-19, Families of the Nueva Austria del Sira Community, Peru, November 6, 2019.

⁷¹² IACHR, [Resolution No. 24/22](#), MC 449-22, Bruno Araújo Pereira and Dom Phillips, Brazil, June 11, 2022; [Resolution No. 43/23](#), MC 532-23, David Estiven Fernández Soler, Colombia, July 28, 2023; [Resolution No. 51/19](#), MC 870-19, Aaron Casimiro Méndez Ruíz and Alfredo Castillo, Mexico, Oct. 4, 2019; [Resolution No. 1/23](#), [MC 42-23](#), Ricardo Arturo Lagunes Gasca and Antonio Díaz Valencia, Mexico, January 22, 2023; [Resolution No. 111/21](#), MC 1113-21, Abencio Caicedo Caicedo and Edinsón Valencia García, Colombia, December 31, 2021.

⁷¹³ IACHR, [Resolution No. 11/19](#), MC 1450-18, Julio Renato Lancellotti and Daniel Guerra Feitosa, Brazil, March 8, 2019; IACHR, [Resolution No. 47/23](#), MC 404-23, Members of the organization Alternativa de Reivindicación Comunitaria y Ambientalista de Honduras (ARCAH), Honduras, August 20, 2023; [Resolution No. 11/23](#), MC 41-22 - Hedme Fátima Castro Vargas and her immediate family, Honduras, March 6, 2023; [Resolution No. 31/19](#), MC 1151-18, Members of the JOPRODEH Organization, Honduras, June 14, 2019; [Resolution No. 13/24](#), MC 1109-23, Certain families of the Kichwa native community Santa Rosillo de Yanayacu, Peru, March 25, 2024; [Resolution No. 81/20](#), MC 776-20, Members of the Native Community of Santa Clara de Uchunya and another, Peru, October 28, 2020; [Resolution No. 57/19](#), MC 887-19, Families of the Nueva Austria del Sira Community, Peru, November 6, 2019; [Resolution No. 84/21](#), MC 845-21, Ligia del Carmen Ramos Zúñiga, Honduras, October 12, 2021.

other cases, such as in Colombia⁷¹⁴, Haiti⁷¹⁵, and Mexico⁷¹⁶, criminal groups and organized armed groups are allegedly responsible for these attacks, and for stalking and surveilling the homes or workplaces of human rights defenders. In countries such

⁷¹⁴ IACHR, [Resolution No. 34/24](#), MC 376-24, Sonia Chilgueso Dagua, Diana Montilla Moreno and their families. Colombia, May 23, 2024; [Resolution No. 53/24 66/23](#), (extension and follow-up), MC 395-18, Authorities and members of the Resguardos Gonzaya (Buenavista) and Po Piyuya (Santa Cruz de Piñuña Blanco) of the Siona Indigenous People (ZioBain), Colombia, August 21, 2024; [Resolution No. 66/23](#) MC 973-22, Fabián Andrés Cáceres Palacios Palacios (ZioBain), Colombia, August 21, 2024. , MC 973-22, Fabián Andrés Cáceres Palencia et al, Colombia, November 20, 2023; [Resolution No. 4/23](#), MC 931-22, Guillermo Andrés Mosquera Miranda et al, Colombia, February 6, 2023.

⁷¹⁵ IACHR, [Resolution No. 43/22](#), MC 433-22 - M.A.C., Haiti, August 30, 2022; [Resolution No. 74/21](#), MC 1175-20, Camille Occius and family, Haiti, September 4, 2021.

⁷¹⁶ IACHR, [Resolution No. 2/23932144/23](#), MC 876-22, Eleven members of the Jesuit community of Cerocahui, Tarahumara, municipality of Urique, Chihuahua, Mexico, January 22, 2023; [Resolution No. Resolution No. 93/21](#), MC 990-21, Vicente Iván Suástegui Muñoz and family, Mexico, October 27, 2021; , MC 99-23, A. A. Q. O. and family, Mexico, October 27, 2021. , MC 990-21, Vicente Iván Suástegui Muñoz and family, Mexico, 27 October 2021; [Resolution No. 44/23](#), MC 99-23, A. A. Q. O. and family members, Mexico, 12 August 2023; [Resolution No. 86/21](#), MC 869-21, Antônio Martins Alves, Brazil, 21 October 2021.

as Nicaragua⁷¹⁷, Cuba⁷¹⁸, and Venezuela⁷¹⁹, state actors are said to be directly involved in the attacks and intimidation against human rights defenders.

a) Follow-up on the implementation and compliance with precautionary measures to human rights defenders

292. The Commission closely monitors the implementation of a precautionary measure from the time it is granted and throughout its term. The IACHR analyzes the information provided by the beneficiaries or their representatives, as well as by the States, either through the files or by holding public hearings. This follow-up makes it possible to learn about the measures being adopted by the States in favor of the beneficiaries to mitigate the risks that led to granting such

⁷¹⁷ IACHR, [Resolution No. 60/21](#) (extension), MC 1191-19, Francis Valdivia Machado and his family, Nicaragua, August 7, 2021; [Resolution No. 27/21](#) (extension), MC 1067-18, Danelia del Rosario Argüello Cano and her family, Nicaragua, March 14, 2021; [Resolution No. 11/21](#), MC 664-20 - Olman Onel Salazar Umanzor and his family, Nicaragua, February 4, 2021.

⁷¹⁸ CIDH, [Resolución No. 21/24](#), MC 280-24, Julio César Góngora Millo, Cuba, 10 de abril de 2024; [Resolución No. 100/21](#), MC 705-21, 992-21, Héctor Luis Valdés Cocho y “X”, Cuba, 1 de diciembre de 2021; [Resolución No. 68/21](#), MC 1068-20, Irán Almaguer Labrada, Cuba, 28 de agosto de 2021; [Resolución No. 64/21](#) (extension), MC 211-20, Richard Adrián Zamora Brito, Cuba, August 22, 2021; [Resolution No. 29/21](#) [26/21](#), [Resolution No 26/21](#), (extension), MC 1101-20, Aminta D’Cárdenas Soroa and Carlos Manuel Álvarez, Cuba, March 24, 2021; [Resolution No. 26/21](#) MC 552-20, MC 552-20, Cuba, March 24, 2021; MC 552-20, MC 552-20, Cuba, December 1, 2021. , MC 552-20, María de los Ángeles Matienzo Puerto and Kirenia Yalit Núñez Pérez, Cuba; [Resolution No. 14/21](#), MC 1101-20, 20 identified members of Movimiento San Isidro (MSI), Cuba, 11 February 2021; [Resolution No. 7/21](#), MC 211-20 - Juan Antonio Madrazo Luna, Marthadela Tamayo and Oswaldo Navarro Veloz, Cuba, 19 January 2021; [Resolution No. 96/20](#), MC 1043-20, Niober García Fournier and his immediate family, Cuba, December 18, 2020; [Resolution No. 90/20](#), MC 935-20, Maydolis Leyva Portelles, Ana Iris Miranda Leyva, Ada Iris Miranda Leyva, Fidel Manuel Batista Leyva, T.R.M., A.M.R.M. and María Casado Ureña, Cuba, November 23, 2020.

⁷¹⁹ CIDH, [Resolución No. 31/24](#), [MC 288-24](#), Joel Antonio García Hernández, Venezuela, 13 de mayo de 2024; [Resolución No. 26/24](#) (ampliación y seguimiento), MC 438-15, Integrantes del Programa Venezolano de Educación-Acción en Derechos Humanos (PROVEA), Venezuela, 29 de abril de 2024; [Resolución No. 40/23](#), MC 409-23, Franklin Alfredo Caldera Cordero, Venezuela, July 20, 2023; [Resolution No. 37/23](#), MC 438-23, Mary Yuli González Pérez, Venezuela, June 24, 2023; [Resolution No. 15/23](#), MC 66-23, Carlos Eduardo Salazar Ojeda and others (Union leaders of the civil association Coalición Sindical Nacional de Trabajadores), Venezuela, April 1, 2023.

measures, the challenges identified for their effective compliance, as well as to determine the relevance of maintaining the measures.⁷²⁰

293. Within this follow-up, the Commission has identified some good practices by the States to advance the implementation of the measures. In Brazil, it was agreed to establish a Joint Working Group aimed at contributing to fully complying with precautionary measures MC-449-22 regarding "Bruno Araújo Pereira and Dom Phillips"⁷²¹, which was later extended to "Identified members of the Union of Indigenous Peoples of the Javari Valley-UNIVAJA".⁷²² This working group seeks to ensure a space for coordination and complementarity between the national level and the IACHR.⁷²³ The Working Group prepared an Action Plan discussed and agreed upon by the parties, validated by Resolution 76/23, which includes a technical cooperation component with the Commission.⁷²⁴

294. Colombia has reiterated its commitment to a substantial change in protection mechanisms and has expressed it is open to dialogue with civil society, stating it is in favor of establishing a follow-up working group to address civil society organizations' proposals to follow-up compliance with precautionary measures to human rights defenders.⁷²⁵ In Mexico, the Commission welcomes the efforts made

⁷²⁰ As of its [Resolution 2/2020 "Strengthening the monitoring of precautionary measures in force"](#), the Commission carries out a more frequent review of precautionary measures in force, by means of follow-up resolutions to address the effective implementation of precautionary measures.

⁷²¹ IACHR, [Resolution 24/2022](#), MC-449-22 - Bruno Araújo Pereira and Dom Phillips regarding Brazil. June 11, 2022.

⁷²² IACHR, [Resolution 59/22](#) (extension and follow-up) MC 449-22 - Identified members of the Union of Indigenous Peoples of the Javari Valley - UNIVAJA regarding Brazil, 27 October 2022.

⁷²³ IACHR, [Resolution 76/2023](#), MC- 449-22, Identified members of the Union of Indigenous Peoples of the Javari Valley - UNIVAJA regarding Brazil, December 9, 2023, para. 5.

⁷²⁴ IACHR, [Resolution 76/2023](#), MC- 449-22, Identified members of the Union of Indigenous Peoples of the Javari Valley - UNIVAJA regarding Brazil, December 9, 2023.

⁷²⁵ IACHR, Public Hearing "[Colombia: Implementation of Precautionary Measures for Human Rights Defenders](#)" held during the 185 period of sessions, October 27, 2022.

by the State to coordinate with state governments to comply with the precautionary measures granted by the IACHR.⁷²⁶

295. In Honduras, the Commission highlights the State's willingness to dialogue with the beneficiaries of precautionary measures. In particular, the IACHR has expressed itself positively on the consultation measures adopted, such as the installation of the Inter-Institutional Working Group, involving different State institutions, the beneficiaries, and their representatives in the context of MC-416-13 in favor of the Tolupan indigenous members of the Broad Movement for Justice and Dignity.⁷²⁷ Likewise, we highlight the establishment of the Interdisciplinary Group of Independent Experts to assist in the investigation of the case of human rights defender Berta Cáceres (GIEI Honduras). Its purpose is to strengthen the investigation of the events related to the defender's murder, particularly related crimes and scheming. It stemmed from precautionary measures MC 405-09 and 112-16 regarding the defender, her relatives, and members of the Civic Council of Popular and Indigenous Organizations of Honduras (COPINH)⁷²⁸, whose beneficiary is also a signatory of the Agreement establishing the GIEI.

296. However, throughout its follow-up, the Commission has observed several challenges when implementing protection measures for beneficiaries. In particular, the Commission is extremely concerned that the lack of adequate implementation of the precautionary

⁷²⁶ Government of Mexico, Response to the IACHR consultation survey, Electronic Note OEA719 4.8.0.7, received on March 2, 2024, filed with the IACHR.

⁷²⁷ IACHR, Resolution 83/2023 (follow-up, extension and partial lifting), MC-416-13 - Indigenous Tolupan members of the Broad Movement for Justice and Dignity regarding Honduras, December 27, 2023, para. 69.

⁷²⁸ IACHR, [Cooperation Agreement between the General Secretariat of the Organization of American States through the Executive Secretariat of the Inter-American Commission on Human Rights and the Republic of Honduras through the Ministry of Foreign Affairs and International Cooperation for the establishment of an Interdisciplinary Group of Independent Experts for international technical assistance from a human rights perspective in the investigation of the intellectual authorship of the murder of Bertha Cáceres and related crimes](#), October 2024.

measures has resulted in irreparable harm, such as the murder of beneficiaries, as described in previous chapters⁷²⁹

297. In this context, information has been received on shortcomings and/or deficiencies in the protection measures being provided by the States. For example, providing vehicles with mechanical failures or lacking maintenance, or having to pay for the costs of using such vehicle⁷³⁰; assigning protection personnel that would not be trusted by the beneficiaries; delaying risk assessments, and the lack of coordination of the measures with the beneficiaries.⁷³¹
298. On the other hand, the Commission identifies the need for protection measures to include intersectionality and differentiated gender, race, ethnicity, culture, diversity, and age approaches, among others. In Colombia, civil society organizations informed the Commission about challenges in applying ethnic-racial approaches that stem from the lack of recognition of these leaderships.⁷³² In Cuba, the IACHR considered that the risk situation of the defender Aniette González García⁷³³ had a differentiated impact because she was a woman, stating that "[...] imprisoned women have the right to access specialized medical care according to their physical and biological

⁷²⁹ See paragraphs 50 and 58 of this report.

⁷³⁰ IACHR, Public Hearing "[Colombia: Follow-up to Precautionary Measures for Human Rights Defenders](#)," held during the 191 period of Sessions, November 11, 2024; IACHR, Public Hearing "[Colombia: Implementation of Precautionary Measures for Human Rights Defenders](#)" held in the framework of the 185 period of sessions, October 27, 2022; IACHR, Annual Report 2022, Chapter V, [Second Follow-Up Report on the Recommendations Made by the IACHR in the Report on the Situation of Human Rights in Honduras](#), para. 104; IACHR, [Resolution 34/2022](#), MC-408-22 - Benny Briolly Rosa da Silva Santos and members of his working team regarding Brazil, July 11, 2022, para. 49.

⁷³¹ IACHR, Public Hearing "[Colombia: Follow-up to Precautionary Measures for Human Rights Defenders](#)," held during the 191 period of sessions, November 11, 2024; IACHR, Public Hearing "[Colombia: Implementation of Precautionary Measures for Human Rights Defenders](#)," held during the 185 period of sessions, October 27, 2022. IACHR, Annual Report 2022, Chapter V, [Second Follow-up Report on the Recommendations Made by the IACHR in the Report on the Situation of Human Rights in Honduras](#), para. 104.

⁷³² IACHR, Public Hearing "[Colombia: Follow-up to Precautionary Measures for Human Rights Defenders](#)," held during the 191 period of sessions, November 11, 2024.

⁷³³ IACHR, [Resolution 24/2024](#), MC-352-26, Aniette González García regarding Cuba, April 26, 2024.

characteristics, that adequately responds to their reproductive health needs"⁷³⁴. Similarly, after analyzing the security measures granted to Leyner Palacios Asprilla and his family, the IACHR reminded Colombia that "it is up to the State to adopt the necessary measures to ensure the suitability and effectiveness of the protection mechanisms"⁷³⁵, determining that it "adopt the necessary measures, with the relevant ethnic and gender-based approach, to protect the right to life and safety of Mr. Leyner Palacios and his family"⁷³⁶.

299. In the case of members of the Tapeba Indigenous People of Caucaia in Brazil, the IACHR observed that the individual approach of the PPDDH was not sufficient to protect the collective risk situation, as it was incapable of deterring new risks for defense leaders and other Tapeba beneficiaries.⁷³⁷ In MC-1109-23 for certain families of the native Kichwa community Santa Rosillo de Yanayacu in Peru, the Commission also highlighted that, as regards indigenous peoples, the measure of relocation when extended over time, may have cultural consequences that must be considered by the State⁷³⁸
300. Non-compliance with IACHR precautionary measures has resulted in requests to the Inter-American Court for provisional measures. In 2022, the Commission requested provisional measures from the Inter-American Court for Members of the Yanomami, Ye'kwana and Munduruku Indigenous Peoples of Brazil. The IACHR considered that they were in an extremely grave and urgent situation of irreparable harm to their rights after observing, among other things, the persistence of threats to indigenous leaders. In this context, the Program for the Protection of Human Rights Defenders would not be

⁷³⁴ IACHR, [Resolution 24/2024](#), MC-352-26, Aniette González García regarding Cuba, April 26, 2024, para. 19.

⁷³⁵ IACHR, [Resolution No. 45/21](#), MC 649-20, Leyner Palacios Asprilla and his next of kin regarding Colombia, June 1, 2021, para. 59.

⁷³⁶ IACHR, [Resolution No. 45/21](#), MC 649-20, Leyner Palacios Asprilla and his next of kin regarding Colombia, June 1, 2021, para. 62.

⁷³⁷ IACHR, [Resolution No. 28/24](#), MC-50-24, Members of the Tapeba Indigenous People of Caucaia regarding Brazil, May 9, 2024, para. 37.

⁷³⁸ IACHR, [Resolution No. 13/24](#), MC-1109-23 - Certain families of the native Kichwa community Santa Rosillo de Yanayacu, Peru , March 25, 2024, para. 52.

effectively guaranteeing the protection of the beneficiaries due to the lack of structure and measures appropriate to the reality of each defender, among others.⁷³⁹ In this regard, the Court ordered Brazil to "adopt the necessary measures to protect the life and safety of the indigenous leaders of the beneficiary Indigenous Peoples who are under threat"⁷⁴⁰.

301. In 2023, the IACHR also requested provisional measures in favor of human rights defenders in the case of "members of the Association of Citizens Dedicated to the Investigation of the Equality of Human Rights (ACDIIDH) with respect to Haiti"⁷⁴¹. In this regard, the Commission pointed out to the IACHR Court that the situation of human rights defenders in Haiti, particularly of ACDIIDH, had worsened over time, with events of violence arising in the context of their work in defense of human rights, despite the existence of precautionary measures in their favor since 2015.⁷⁴² Likewise, it was noted that the State of Haiti did not provide a response to the Commission, and it is unknown whether protection measures have been adopted in favor of the identified defenders⁷⁴³. In its decision,

⁷³⁹ I/A Court H.R., [Case of Members of the Yanomami, Ye'kwana and Munduruku Indigenous Peoples regarding Brazil. Adoption of Provisional Measures](#), Resolution of July 1, 2022, para. 45; see also: [Case of Members of the Yanomami, Ye'kwana and Munduruku Indigenous Peoples vis-à-vis Brazil. Provisional Measures](#). Resolution of 12 December 2023.

⁷⁴⁰ I/A Court H.R., [Case of Members of the Yanomami, Ye'kwana and Munduruku Indigenous Peoples vis-à-vis Brazil. Adoption of Provisional Measures](#), Resolution of July 1, 2022, operative paragraph 4.

⁷⁴¹ IACHR Court. [Case of Members of the Association of Citizens dedicated to the Investigation of the Equality of Human Rights \(ACDIIDH\) regarding Haiti](#). Request for Provisional Measures. Resolution of March 24, 2023.

⁷⁴² IACHR Court. [Case of Members of the Association of Citizens dedicated to the Investigation of the Equality of Human Rights \(ACDIIDH\) regarding Haiti](#). Request for Provisional Measures. Resolution of March 24, 2023, paras. 16 and 21.

⁷⁴³ IACHR Court. [Case of Members of the Association of Citizens dedicated to the Investigation of the Equality of Human Rights \(ACDIIDH\) regarding Haiti](#). Request for Provisional Measures. Resolution of March 24, 2023, para. 17.

the Inter-American Court ordered Haiti to protect the life and safety of the beneficiaries.⁷⁴⁴

302. In addition, the Commission has found challenges in the implementation of precautionary measures due to the lack of response from some States and their unwillingness to comply with them. In many cases, there have even been direct actions by State agents against beneficiaries.

303. In Cuba, through Follow-up Resolution 48/22 of precautionary measure No. 264-13 related to Damas de Blanco, the Commission observed that since 2016 various acts have persisted against the beneficiaries. For example: harassment; death threats; *de facto* prohibitions to prevent them from freely leaving their homes, with periodic raids or surveillance of their homes by state agents and/or persons in civilian clothes, which can extend for several days; monitoring of the beneficiaries during their movements and during their participation in demonstrations; and detentions that are not necessarily linked to judicial proceedings, which have been accompanied by transfers to Police Units for different periods of time. Likewise, the opening of proceedings against beneficiaries without them being duly notified has been recorded, with claims that some of them would not even know what the charges against them are.⁷⁴⁵

304. In relation to Nicaragua, the IACHR has presented five requests for provisional measures to the Inter-American Court of Human Rights regarding human rights defenders in a situation of extremely grave and urgent need for fear of irreparable harm. Considering the country's context--a police state aimed at preventing any social mobilization--⁷⁴⁶, the Commission highlighted the extremely serious situation of members of human rights organizations, such as the Nicaraguan Center for Human Rights and the Permanent Human

⁷⁴⁴ IACHR Court. [Case of Members of the Association of Citizens dedicated to the Investigation of the Equality of Human Rights \(ACDIIDH\) regarding Haiti](#). Request for Provisional Measures. Resolution of March 24, 2023, para. 23.

⁷⁴⁵ IACHR, [Resolution 48/2022](#), MC-264-13, Members of Damas de Blanco regarding Cuba, September 28, 2022, (Follow-up).

⁷⁴⁶ IACHR Court. [Case of Juan Sebastián Chamorro et al. v. Nicaragua](#). Provisional Measures. Resolution of June 24, 2021, para. 8.

Rights Commission, as well as people who have more prominent defense leadership roles.⁷⁴⁷

305. In Venezuela, the Commission decided to extend and maintain the validity of precautionary measure no. 438-15 with respect to members of the human rights organization Programa Venezolano de Educación-Acción en Derechos Humanos (PROVEA).⁷⁴⁸ We find that the State has not only not taken any recent action to address the situation faced by the beneficiaries but, to the contrary, information has been received on actions taken by State agents that have intensified their risk situation, such as surveillance and stalking by taking photographs of members of the organization.⁷⁴⁹ Additionally, in following up precautionary measure no. 258-20 granted to defender Javier Tarazona, the Commission noted that the situation of stigmatization, harassment and violence against him has continued over time. Also, as described in previous chapters, the beneficiary was detained on July 2, 2021 and would continue to be deprived of his liberty to this date.⁷⁵⁰

306. The Commission reiterates that compliance with the precautionary measures granted by the IACHR is mandatory. Given the risks faced by human rights defenders in the region and given the legal nature of these measures, which seek to prevent irreparable harm to persons in grave and urgent situations, the Commission recalls that non-compliance with the State's duty to report on all measures adopted in compliance with its international protection decisions--such as

⁷⁴⁷ IACHR Court. [Case of Members of the Nicaraguan Center for Human Rights and the Permanent Commission on Human Rights \(CENIDH-CPDH\) regarding Nicaragua](#). Provisional Measures. Resolution of October 20, 2023, para. 20.

⁷⁴⁸ IACHR, [Resolution 26/2024](#), MC-438-15, Members of the Venezuelan Human Rights Education-Action Program (PROVEA) regarding Venezuela, April 29, 2024, (Follow-up and Expansion), paras. 35 and 38.

⁷⁵⁸ IACHR, [Resolution 26/2024](#), MC-438-15, Members of the Venezuelan Human Rights Education-Action Program (PROVEA) regarding Venezuela, April 29, 2024, (Follow-up and Expansion), paras. 38 and 39.

⁷⁵⁰ IACHR, [Resolution 60/2022 \(modification and follow-up\)](#), MC-258-20, José Javier Tarazona Sánchez regarding Venezuela, October 30, 2022, paras. 31 and 32.

precautionary measures--is particularly serious.⁷⁵¹ The duty to inform constitutes a dual obligation that, to be effectively fulfilled, requires the timely and formal submission of a document and the specific, certain, current, and detailed material reference to the matters in connection with such obligation.⁷⁵²

307. Therefore, it is extremely concerning that even if the precautionary measures are valid, a State fails to respond to this Commission. It is essential that the States coordinate the implementation of precautionary measures with all the institutions responsible at all levels, define the criteria to determine the protection measures that would be provided to defenders at risk, and the follow-up protocol for such implementation to guarantee the necessary logistical and budgetary resources. All of the foregoing is aimed at ensuring that the measures are adequate and effective. To this end, it is essential to reach an agreement with the beneficiaries or their representatives, taking into consideration all relevant differential approaches, including gender, race, culture, sexual diversity, age, among others.⁷⁵³

D. The duty to investigate crimes committed against human rights defenders.

308. The eradication of impunity for these crimes is a fundamental element in guaranteeing that human rights defenders can carry out their work in a safe environment⁷⁵⁴. The effective investigation of violence against them and criminal punishment of all perpetrators is

⁷⁵¹ IA Court H.R., Case of the Communities of Jiguamiandó and Curvaradó against Colombia, Provisional Measures, Resolution of February 7, 2006, Whereas 16; and Case of Luisiana Ríos et al (Radio Caracas Televisión - RCTV), Provisional Measures, Resolution of September 12, 2005, Whereas 17.

⁷⁵² IA Court H.R., Case of the Communities of Jiguamiandó and Curvaradó against Colombia, Provisional Measures, Resolution of February 7, 2006, Whereas 16; and Case of Luisiana Ríos et al (Radio Caracas Televisión - RCTV), Provisional Measures, Resolution of September 12, 2005, Whereas 17.

⁷⁵³ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser.L/VII, December 31, 2011, para. 447.

⁷⁵⁴ IA Court H.R., [Case of Sales Pimenta v. Brazil](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of June 30, 2022. Series C No. 454, para. 88.

the most effective means of protecting them⁷⁵⁵. Thus, the investigation of violations against these groups, when carried out diligently, is an important prevention and non-repetition measure.⁷⁵⁶

309. The obligation to investigate is reinforced for violations of the rights of human rights defenders⁷⁵⁷, even more so when there is evidence of the participation of state agents.⁷⁵⁸ This obligation also extends to acts committed by private individuals, because if they are not diligently investigated, they would be, in a way, supported by the public authorities.⁷⁵⁹
310. Thus, the authorities responsible for the investigation must conduct all necessary actions in an expeditious manner to protect the interests of the victims and preserve the evidence, thus avoiding delays, obstructions or unjustified hindrances to the proceedings that lead to impunity and violate due judicial protection.⁷⁶⁰
311. In cases of crimes against human rights defenders, States have the duty to seriously and effectively investigate the violations committed against them, combat impunity and ensure impartial, timely and informal justice. This entails an exhaustive search for all the information needed to design and execute an investigation that leads to properly analyze the perpetration hypotheses, including by doing

⁷⁵⁵ IACHR, [Report on the Situation of Human Rights Defenders and Social Leaders in Colombia](#), OEA/Ser.LV/II. Doc. 262, Dec. 6, 2019, para. 192; IACHR, Second Report on the Situation of Human Rights Defenders in the Americas, OEA/Ser. LV/II. Doc. 66, December 31, 2011, para. 233.

⁷⁵⁶ IACHR, [Basic Guidelines for the Investigation of Violations of the Rights of Human Rights Defenders in the Americas](#), OEA/Ser.LV/II. Doc. 211, December 31, 2017, para. 30.

⁷⁵⁷ I/A Court H.R., [Case of Escaleras Mejía et al. v. Honduras](#), Judgment of September 26, 2018, Series C No. 361, para. 54.

⁷⁵⁸ I/A Court H.R., [Case of Castillo González et al. v. Venezuela](#), Merits, Judgment of November 27, 2012, Series C No. 256, para. 127.

⁷⁵⁹ I/A Court H.R., [Case of Defensor de Derechos Humanos et al. v. Guatemala](#), Preliminary Objections, Merits, Reparations and Costs. Judgment of August 28, 2014, Series C No. 283, para. 200.

⁷⁶⁰ IACHR, [Report No. 05/03](#), Jesús María Valle Jaramillo v. Colombia (Admissibility), February 20, 2003, para. 31.

or not doing, and all different levels, and then explore all relevant lines of investigation to identify the perpetrators.⁷⁶¹

312. Both the Inter-American Commission and the Inter-American Court have identified some minimum elements that must be observed by States concerning their obligation to investigate and punish these crimes.
313. The first element is that the crime is possibly related to the victim's defense activity. It is up to the investigative authorities to exhaust the necessary procedures to establish or rule out a plausible hypothesis about the motive of the crime and its relationship with the activities of human rights defenders⁷⁶². The Commission agrees that the application of this approach in investigations makes it possible to determine whether the right to defend human rights is being obstructed and establish the true motive of the criminal action⁷⁶³. Thus, the investigating authorities must consider the facts and the defenders' activities to identify the interests that could have been affected, and establish and exhaust the lines of investigation, determine the hypothesis of the crime, and identify the perpetrators.⁷⁶⁴
314. The Commission notes that few countries have made progress in considering human rights defense work as the main hypothesis in their lines of investigation, in line with the high levels of impunity in the region. In Ecuador, civil society organizations point out that both the Judiciary Council and the Attorney General's Office acknowledge that they do not have disaggregated information on human rights defenders, and that all cases are investigated in the same way, that

⁷⁶¹ I/A Court H.R., [Case of Digna Ochoa and family members v. Mexico](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of November 25, 2021, Series C No. 447, para. 100.

⁷⁶² I/A Court H.R., [Case of Acosta et al. v. Nicaragua](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of March 25, 2017, Series C No. 334, para. 145.

⁷⁶³ UN, Report of the Special Rapporteur on the situation of human rights defenders, Michel Forst, 15 July 2019, [A/74/159](#), para. 99.

⁷⁶⁴ I/A Court H.R., [Case of Sales Pimenta v. Brazil](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of June 30, 2022. Series C No. 454, para. 86.

is, without considering their capacity as human rights defender and the risks they face.⁷⁶⁵

315. In Mexico, UN Human Rights identified cases in which the investigating entity considered the human rights advocacy work carried out by the victim and prioritized this line of investigation. However, it also detected other cases in which the relevant prosecutor did not pursue this line of investigation. In general, it observed that in Mexico a large part of the officials of the prosecutors do not have full knowledge of the social role of human rights defenders, of the reasons why they suffer aggressions and, above all, of why they should be specially recognized and protected.⁷⁶⁶
316. The Inter-American Court has determined that a reinforced due diligence of the deaths of human rights defenders entails actions such as documenting the activity of the defender, the role they played in the community and its surroundings, the agenda they developed, and the area in which he carried out their work, using case association methodological tools to identify patterns of systematicity⁷⁶⁷. It pointed out that the investigating authorities can elaborate the victim's profile as part of the investigations. In the case of human rights defenders, this would allow a better understanding of what their defense work consisted on, in what environment they carried out their activities, and what the risk factors associated with their work were.⁷⁶⁸
317. The Commission has also highlighted the importance of the authorities unifying investigation criteria and coordination of lines of investigation in crimes against human rights defenders to identify

⁷⁶⁵ Alianza por los Derechos Humanos, [Situación de personas defensoras de derechos humanos, colectivos y de la naturaleza en Ecuador: Retos y desafíos en la construcción de sistemas integrales y diferenciados para su protección](#), June 15, 2021, p.12.

⁷⁶⁶ UN-DH Mexico, [Good practices and challenges in the investigation of crimes committed against human rights defenders and journalists](#), December 2023, paras. 40, 41 and 83.

⁷⁶⁷ I/A Court H.R., [Case of Sales Pimenta v. Brazil](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of June 30, 2022. Series C No. 454, para. 87.

⁷⁶⁸ I/A Court H.R., [Case of Sales Pimenta v. Brazil](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of June 30, 2022. Series C No. 454, para. 96.

possible connections. In many countries of the region, this is especially relevant given the existing and proven context of violence against these groups, particularly against specific groups such as environmental defenders.⁷⁶⁹

318. In short, in the case of crimes against human rights defenders, the violence cannot be analyzed as isolated acts, but must be investigated in a comprehensive manner, inserted in a context that allows for evidence of all the elements necessary to understand the structures that participated in the commission of the crimes.⁷⁷⁰
319. To advance in the fulfillment of this obligation, the Inter-American Court has recommended several States to adopt special investigation protocols specifically aimed at crimes committed against human rights defenders that ponder the risks inherent to their work, with a gender and ethnic perspective⁷⁷¹. In its previous reports, the Commission recommended that States establish properly funded and trained specialized police and prosecutorial units, as well as specific protocols for the investigation of attacks against human rights defenders.⁷⁷²
320. During the monitoring period, the IACHR learned of the existence of some specialized prosecutors' offices in the region that deal with crimes committed against human rights defenders. In addition, Colombia, Ecuador, Guatemala, and Peru have approved specific investigation guidelines or protocols, which are described below.

⁷⁶⁹ IACHR, [North Central America: Environmental Defenders](#), OEA/Ser.LV/II. Doc. 400/22, December 16, 2022, para. 235.

⁷⁷⁰ IACHR, [Guía Práctica sobre lineamientos y recomendaciones para la elaboración de planes de mitigación de riesgos de personas defensoras de derechos humanos](#), April 26, 2021, p. 38.

⁷⁷¹ I/A Court H.R., [Case of Sales Pimenta v. Brazil](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of June 30, 2022, Series C No. 454, para. 170; I/A Court H.R., [Case of Digna Ochoa and family members v. Mexico](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of November 25, 2021, Series C No. 447, para. 178; I/A Court H.R., [Case of Escaleras Mejía et al. v. Honduras](#), Judgment of September 26, 2018, Series C No. 361, paras. 908-102.

⁷⁷² IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser.L/V/504 II. Doc. 66, December 31, 2011, Recommendation 22; IACHR, [Report on the Situation of Human Rights Defenders in the Americas](#); OEA/Ser.LV/II.124, March 7, 2006, Recommendation 23.

321. The Commission welcomes the efforts made by the Attorney General's Office (FGN) in Colombia. In 2017, the Commission provided technical support to the FGN of Colombia for the development of Directive No. 0002 on guidelines for the investigation of crimes committed against human rights defenders.⁷⁷³ It is also aware that it has a Special Investigation Unit for crimes against human rights defenders, which has made progress in consolidating a methodology and a strategy to investigate murders of human rights defenders.⁷⁷⁴ As evidenced in previous chapters, despite significant efforts, these initiatives seem insufficient given the persistence of high levels of violence against defenders and leaders in Colombia.
322. Ecuador has a "Criminal Policy to Guarantee Access to Justice and Protection in Criminal Investigations for Human Rights and Nature Defenders", aimed at guiding prosecutors when violence or threats committed against a human rights defender are being investigated.⁷⁷⁵
323. Guatemala has General Instruction 05-2018 that establishes the "Protocol for the investigation of crimes committed against human rights defenders". However, civil society organizations have expressed to the Commission the lack of application of this protocol when it comes to the murder of human rights defenders, as well as the lack of investigation on the possible relationship of the crime with the defense-related activities of the victim.⁷⁷⁶
324. Honduras has a Special Prosecutor's Office for the Protection of Human Rights Defenders, Journalists, Social Communicators, and

⁷⁷³ FGN, [Directive 002-2017](#) "Whereby general guidelines are established on the investigation of crimes committed against human rights defenders in Colombia", November 30, 2017.

⁷⁷⁴ UN Human Rights, Situation of human rights in Colombia, [A/HRC/55/23](#), 14 February 2024, para. 67.

⁷⁷⁵ State of Ecuador, Office of the Attorney General of Ecuador, Response to the IACHR consultation survey, Note No. 945-23/CIDH/SEMPCT-CT, received on January 18, 2024, filed with the IACHR; Office of the Attorney General of Ecuador, [Criminal Policy to Guarantee Access to Justice and Protection in Criminal Investigations for Human Rights and Nature Defenders](#), 2023.

⁷⁷⁶ IACHR, Public Hearing, [Impunity for attacks and murders of human rights defenders in Guatemala](#), held during the 177 regular period of sessions, October 2, 2020.

Justice Operators (FEPRODDHH), created in 2018.⁷⁷⁷ The Commission appreciates that Honduras has created this specialized prosecutor's office. However, during its last on-site visit to the country, it learned about serious problems in exercising its investigative functions in a complete, effective, and timely manner, especially in the face of violence. From 2018 to date, the Special Prosecutor's Office has not achieved any convictions.⁷⁷⁸ This was later confirmed by the United Nations Special Rapporteur on Freedom of Opinion and Expression who, during her visit to the country in October 2023, learned that this Prosecutor's Office has not prosecuted one single case in five years.⁷⁷⁹ In turn, civil society organizations indicate that there is confusion of competencies between the Special Prosecutor's Office for Human Rights (FEDH) and the FEPRODEH, which would delay the complaint process and the opening of the corresponding investigation.⁷⁸⁰

325. In 2022, Peru adopted the Protocol for Prosecutorial Action for the Prevention and Investigation of Crimes against Human Rights Defenders, approved by Resolution No. 439-2022-MP00, which received technical assistance from the IACHR.⁷⁸¹ The Commission considers this protocol a step forward, as it establishes general and specific investigation guidelines for crimes against human rights defenders, as well as the application of differential and intersectional approaches in its application. However, the Commission does not have information on its implementation in specific investigations.

⁷⁷⁷ Republic of Honduras, Response to the IACHR consultation survey, Oficio No. SEDH-0065-2024, March 1, 2024, p. 24, filed with the IACHR.

⁷⁷⁸ IACHR, [Report on the Situation of Human Rights in Honduras](#), OEA/Ser.LV/II Doc.9/24, March 24, 2024, para. 619.

⁷⁷⁹ UN, Statement by Irene Khan, Special Rapporteur on Freedom of Opinion and Expression, [Visit to Honduras, October 16-27, 2023](#), October 27, 2023.

⁷⁸⁰ Cattrachas Lesbian Network, Response to the IACHR consultation survey, received on January 30, 2024, filed with the IACHR.

⁷⁸¹ Republic of Peru, Resolution of the Attorney General's Office No. 439-2022-MP-FN, [Protocolo de Actuación Fiscal para la Prevención e Investigación de los Delitos en Agravio de Personas Defensoras de Derechos Humanos](#), March 28, 2022.

326. Brazil, Honduras, and Mexico have yet to develop specific investigation protocols as ordered by the Inter-American Court judgments. Regarding Honduras, the Commission was informed about the creation of this protocol with technical assistance from UN Human Rights.⁷⁸² However, it has not been approved.
327. In Mexico, civil society organizations have indicated that, despite the high levels of impunity for crimes against human rights defenders, no specialized Unit or Prosecutor's Office has been created nor is there a regulatory framework that supports follow-up of cases from the Prosecutor General's Office, nor is there a specialized protocol for mandatory investigation at the national level.⁷⁸³ Similarly, UN Human Rights recommended, among others, that the State to adopt protocols or guidelines to coordinate with the protection mechanism to strengthen their capacity to investigate attacks against human rights defenders.⁷⁸⁴
328. It is also necessary that the States investigate diligently, thoroughly, and impartially any threats against human rights defenders to prevent them from occurring. To this end, it is necessary that the States strengthen the means to investigate digital threats so they can be effectively clarified and that those responsible are tried and punished.⁷⁸⁵ On this issue, the Center for Justice and International Law (CEJIL) developed the "Protocol of Hope", which represents an important tool for the investigation of threats against human rights defenders.⁷⁸⁶ The Commission encourages States, in particular their prosecuting authorities, to use this tool in their investigations.

⁷⁸² IACHR, Annual Report 2022, Chapter V, [Third follow-up report on the recommendations made by the IACHR in the report on the situation of human rights in Honduras](#), 2023, para. 62.

⁷⁸³ Colectivo EPUMx, 4th Universal Periodic Review Mexico, [Thematic Report on the Situation of Human Rights Defenders and Journalists](#), 2023, para. 36.

⁷⁸⁴ UN-HD Mexico, [Good practices and challenges in the investigation of crimes committed against human rights defenders and journalists](#), December 2023, para. 98 and recommendation 100.

⁷⁸⁵ IACHR, [Basic Guidelines for the Investigation of Crimes against Human Rights Defenders in the Northern Triangle](#), OEA/Ser.LV/II. Doc. 110, June 1, 2021, para. 63.

⁷⁸⁶ CEJIL, [Protocol of Hope, An Effective Response to Threats against Human Rights Defenders](#), 2021.

329. In Colombia, the Commission is aware of various actions implemented by the State to advance the investigation and punishment of these attacks. The Attorney General's Office issued Resolution No. 0775 of 2021, which adopts a National Working Group for the prioritization, support, and immediate response to the investigation of threats against human rights defenders or other specific populations.⁷⁸⁷ Meanwhile, in Mexico, UN Human Rights observed a lack of support for threat investigations.⁷⁸⁸
330. In addition, States have the obligation to investigate and punish all those who participate in the planning and commission of violations of the rights of human rights defenders.⁷⁸⁹ In other words, the obligation to investigate and punish refers to the obligation of States to devote their efforts to identify, investigate, prosecute, and punish not only the material perpetrators of the violations, but also the orchestrators responsible for such acts.
331. On the other hand, it is important for jurisdictional authorities to incorporate a differentiated gender-based, ethnic-racial, and intersectional approach in the investigation, prosecution, punishment, and reparation of crimes against human rights defenders to ensure that prejudice or stereotype do not lead to rejection of cases, discrimination, and lack of access to justice.⁷⁹⁰ It is necessary to understand that the defense of human rights has diverse and concurring identities. Therefore, the application of these approaches should be considered when investigating violence at all

⁷⁸⁷ Office of the Attorney General of the Nation (FGN), [Balance. Four years of commitment to human rights. Defensoras y defensores de derechos humanos](#), S/F, p. 6; UN Human Rights, Situación de los derechos humanos en Colombia, [A/HRC/49/19](#), 17 May 2022, para. 45.

⁷⁸⁸ UN-DH Mexico, [Good practices and challenges in the investigation of crimes committed against human rights defenders and journalists](#), December 2023, para. 95.

⁷⁸⁹ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser.L/V/504 II. Doc. 66, December 31, 2011, para. 237.

⁷⁹⁰ IACHR, [Guía Práctica sobre lineamientos y recomendaciones para la elaboración de planes de mitigación de riesgos de personas defensoras de derechos humanos](#), April 26, 2021, p. 40.

stages, from the moment the complaint is filed or the investigation is initiated ex officio until the determination of reparations.⁷⁹¹

332. In the case of women defenders, the Inter-American Court has indicated that States must guarantee: (i) unrestricted and non-discriminatory access to justice for women, ensuring that women human rights defenders receive effective protection against harassment, threats, reprisals, and violence; (ii) a justice system that conforms to international standards of competence, efficiency, independence, impartiality, integrity, and credibility, and ensures the diligent and prompt investigation of violence, and (iii) within the framework of access to justice for women human rights defenders, the application of mechanisms that guarantee that evidentiary standards, investigations, and other legal evidentiary procedures are impartial and not influenced by gender bias or stereotypes.⁷⁹²
333. The Commission reminds the States of the importance of promptly and diligently investigating crimes committed against human rights defenders so that those responsible are punished. This not only ensures justice for the victims and their families but also combats impunity, which perpetuates violence and harassment against them. An effective investigation sends a clear message that these actions are not tolerated, thus strengthening the rule of law and reaffirming the commitment of States to protect those who dedicate themselves to advocating for fundamental rights. Moreover, this effort is key to creating a safe and enabling environment for the defense of human rights.

⁷⁹¹ UN, Report of the Special Rapporteur on the situation of human rights defenders, Michel Forst, 15 July 2019, [A/74/159](#), para. 107.

⁷⁹² I/A Court H.R., [Case of Digna Ochoa and family members v. Mexico](#), Preliminary Objections, Merits, Reparations and Costs, Judgment of November 25, 2021, Series C No. 447, para. 101.

CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS AND RECOMMENDATIONS

334. Human rights defenders play a key role in the consolidation of democracies and the strengthening of the rule of law. However, violence and harassment against them have remained at alarming levels over time. Violence has increased significantly in several countries, especially murders and threats. Significant challenges persist in moving forward the investigations of these crimes; and the high levels of impunity in the region have contributed to perpetuating this situation. It is essential that States take on the investigation of these crimes diligently. Impunity is a factor that increases risk, leaves defenders helpless and lacking protection, which favors repetition of violent acts.
335. The persistent and increased use of the punitive and justice systems to hinder human rights defense activities has created a negative impact not only at the individual but also at the collective level. Consequently, the Commission is concerned that many human rights defenders have been forced to resort to exile for self-protection. It is a priority that States adopt the necessary measures to prevent manipulation of the criminal or civil system as a tool for retaliation, harassment, or criminalization against human rights defenders. This includes modifying the normative frameworks or criminal types that do not conform to Inter-American standards, particularly those that are vague or ambiguous and allow for discretion in their interpretation and enforcement by the competent authorities.
336. The Commission recognizes and appreciates the efforts made by some States to protect and recognize the rights of human rights defenders. However, given the outlook described in the report, it is essential that States adopt comprehensive public policies that go beyond guaranteeing the physical protection of defenders at risk. These policies must address the structural factors that have allowed the persistence of violence to prevent these risks from continuing. This policy must be in line with a public and unequivocal recognition---from all levels and powers of the State--of the essential value that the work of human rights defenders represents in the construction of democratic societies.

337. Finally, the Commission underscores the importance of States ensuring an open, pluralistic, safe, and participatory civic space that protects the right of association of human rights defenders and civil society organizations. In this regard, the IACHR urges the States of the region to promote a hostility-free environment and to guarantee respect for the fundamental freedoms of human rights defenders.

338. Therefore, and pursuant to Article 41.b of the American Convention on Human Rights, the Commission issues the following recommendations to the States of the region and reiterates its willingness to provide technical assistance in this area:

1. Adopting a comprehensive public policy to protect and guarantee the rights of human rights defenders with the active and effective participation of civil society organizations in the drafting process, applying intersectional gender-based ethnic-racial approaches. To this end, it is suggested to:
 - Prepare a preliminary diagnosis that identifies the risks, needs, and conditions necessary to meet its objective.
 - Create an internal follow-up and evaluation mechanism to monitor its effectiveness.
2. Reviewing the current legal framework on the prevention of human rights violations and on the right to defend human rights. Following this review or in the absence of such regulations, amending or adopting laws to ensure they include the Inter-American standards on both matters.
3. Strengthening the State's procedures and protocols—through their modification or adoption, as appropriate— to identify and grant protection measures to human rights defenders who have been subjected to threats or harassment.

It is suggested that these procedures and protocols ensure that the work to evaluate, design, implement, monitor, and eventually lift protection measures:

- Is flexible and adjustable.
 - Is individualized and adjusted on a case-by-case basis.
 - Considers the context under which people carry out their advocacy activities.
 - Ensures they apply intersectional gender-based and ethnic-racial approaches.
 - Ensures the involvement of defenders throughout the process.
4. Effectively complying with the precautionary measures issued by the IACHR. This requires:
- a) Responding to communications issued by the Inter-American Commission.
 - b) Reporting on the measures the State adopts to comply with them pursuant to the resolution granting such measures.
 - c) Agreeing with the beneficiaries on the measures to be adopted by the State to this end.
5. For States with national protection mechanisms:
- a) Ensuring sufficient funding for their adequate operation and so that they have sufficient and trained technical personnel. A prior diagnosis is necessary to calculate the needs to be covered.
 - b) Ensuring that the candidates for protection are involved in requesting, evaluating, implementing, and lifting protection measures.

- c) Ensuring the application of differentiated and intersectional approaches to protection measures during the evaluation, design, implementation, and lifting of protection measures.
6. Establishing or strengthening an internal protocol with specific measures that must be adopted to guarantee the safety of those who search for missing persons.

This protocol must establish gender-based specific measures to provide comprehensive accompaniment to the people in charge of these searches..

7. Moving forward the investigations of perpetrators and orchestrators of crimes against human rights defenders, including those that occur in the digital sphere. To this end, a periodic and mandatory training plan for justice operators must be implemented on:

- The rights of human rights defenders.
- Strengthening current capacities to investigate, prosecute, and punish crimes against human rights defenders, including those perpetrated in the digital sphere.

This training plan must have a specific component of to incorporate a differentiated intersectional gender-based ethnic-racial approach in the investigation, prosecution, punishment, and reparation of these acts. It must also have an internal evaluation mechanism.

8. Preparing a diagnosis of the adequacy of financial and material resources available to ensure effective law enforcement in crimes committed against human rights defenders, including those perpetrated in the digital sphere, and adopt concrete measures to guarantee their availability.
9. Establishing a mechanism to measure the outcomes of investigations or processes. The purpose is to identify how the implementation of measures promoted by justice operators has

been useful in establishing who is responsible for crimes committed against human rights defenders.

10. Adopting or strengthening specialized directives and protocols for the investigation and prosecution of the perpetrators and orchestrators of crimes against human rights defenders, including those perpetrated in the digital sphere, which include, at a minimum, the following guidelines:
 - a) The relationship of the crime committed with the defense activity as the central hypothesis of the investigation.
 - b) The type of activity carried out by the defender at the time of the attack.
 - c) Persons or interests that could be opposed or could be affected by such activity.
 - d) The context in which the events occurred.
 - e) Possible patterns of violence or systematic attacks.
 - f) The circumstances that could affect the level of risk faced by the defender.
 - g) The type of threats or attacks that have been made against you.
 - h) The level of repetition or increase.
 - i) Guidelines for an intersectional gender-based ethnic-racial approach in the investigation, prosecution, punishment, and reparation of these acts.
11. Strengthening the search for defenders who have been reported missing, to determine their whereabouts and learn the truth about the facts. To this end, it is also suggested to adopt a specialized protocol for the immediate search of human rights defenders reported as disappeared, which includes:

- Urgent search work activation without delaying launch.
- Inter-institutional coordination between the entities involved.
- The use of tools to optimize the search.
- Involvement of family members and representatives at all stages of the process.
- An internal mechanism to periodically evaluate protocol effectiveness.

12. Adopting policies and/or plans to prevent and combat stigmatization of human rights defenders working within State entities, at all levels and in all powers, and in the community at large. To this end, it is suggested that a broad and sustained national awareness campaign be adopted for State officials, at all levels and in all powers, as well as for the community at large, aimed at combating stigmatization of human rights defenders and to recognize their work as essential in a democratic society.

This campaign must incorporate intersectional gender-based ethnic-racial approaches and include defenders in its design and implementation, and use diverse dissemination channels.

13. Strengthening supervision tasks and effective control over corporate activities, including private security companies and their officers, with the specific purpose of preventing attacks against human rights defenders. To this end, it is suggested that the "Business and Human Rights: Inter-American Standards" reports be used for reference. and that a monitoring, prevention and accountability mechanism be created.
14. Carrying out adequate procedures for free, prior, and informed consultation with indigenous, Afro-descendant, and/or tribal peoples and communities, to obtain their consent pursuant to the relevant international standards if there is an intent to extract natural resources from their lands and territories or to otherwise develop and exploit their territories with potential impacts.

15. Refraining from engaging in any type of arbitrary or abusive interference in the offices or headquarters, correspondence, telephone, or digital communications of human rights organizations. To this end, it is suggested that any form of surveillance, search, or hacking of communications without a court order be expressly banned in the State's domestic regulations, including applicable sanctions for breaching this guideline.
16. Effectively investigating and punishing all persons responsible for arbitrary or abusive interference in the home, headquarters, correspondence, and/or communications of human rights defenders and organizations. To this end, it is suggested to have a specific institutional protocol, which includes an internal monitoring mechanism, as well as measures to guarantee adequate reparation to victims.
17. Refraining from initiating unjustified criminal proceedings against defenders to impede their defense activities. To this end, it is suggested to issue a directive for justice operators, including prosecutors and judges, on the identification and dismissal of unfounded or disproportionate complaints, investigations, or processes that seek to make inadequate use of criminal law against human rights defenders. It is also suggested to have a mechanism for early review of complaints against human rights defenders, with a view to identifying whether they have an intimidating purpose to deter their work.
18. Reviewing, adjusting and/or repealing current criminal figures or legislative frameworks that are contrary to the principle of legality, and that are commonly used to criminalize human rights defenders.
19. Avoiding hindrances and disproportionate restrictions that limit the right to defend human rights. It is recommended to review and repeal legal or regulatory provisions that impose restrictive, arbitrary, or disproportionate requirements to the registration, establishment, funding, and operation of human rights,

especially those that contain disproportionate sanctions for alleged non-compliance.

20. Taking steps to ensure that the registration and operation processes of these organizations are conducted in a transparent, accessible, and without hindrances.

