

## **The response of the Inter-American Commission's Rapporteur on Human Rights Defenders to the increasing risks faced by defenders working on corporate accountability**

05.12.2014

The Inter-American Commission on Human Rights, through its Rapporteurship on Human Rights Defenders, considers that environmental defenders play a key role in guaranteeing the enjoyment of essential rights such as life and personal integrity of human beings who are exposed to pollutants which stem from different sources and can affect the quality of the air, water, soil and subsoil and harm the enjoyment of human rights, says Commissioner José de Jesús Orozco Henríquez.



***By Commissioner José de Jesús Orozco Henríquez, Rapporteur on Human Rights Defenders of the Inter-American Commission on Human Rights***

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The Inter-American Commission on Human Rights, through its Rapporteurship on Human Rights Defenders, considers that environmental defenders play a key role in guaranteeing the enjoyment of essential rights such as life and personal integrity of human beings who are exposed to pollutants which stem from different sources and can affect the quality of the air, water, soil and subsoil and harm the enjoyment of human rights, as well as in securing the right balance between environment protection and development in the countries of the region.

In the past years, there is a frightening increase of the number of complaints on criminalisation, threats, acts of violence and murders of environment defenders, in the context of their opposition to large-scale projects, of land conflicts, of the right to previous consultations and of the defense of environment and of ancestral lands. In this sense, in its Second report on the situation of human rights defenders in the Americas, the Rapporteurship highlighted the situation of special risk that affects the defenders of land rights and natural resources.

With the aim to address this situation along the years, the Commission has analysed the issues related to the link that exists between the environment, the defenders, and human rights. [1] It has done so through its different mechanisms of promotion and protection of human rights. Thus, by means of its system of petitions[2], its requests of precautionary measures[3], its requests of information to States, its press releases[4], its thematic reports[5], and the public hearings and working meetings, amongst many others, the Commission has identified the obstacles that are faced by defenders who work towards a healthy environment and/or those who defend indigenous and tribal peoples' natural resources, calling on states to recognise their work and to guarantee the means and conditions necessary to carry out their defence activities in a safe context, free of risks to life and to personal integrity. Moreover, the Commission called on states to undertake, as a public policy, a struggle against impunity through exhaustive and independent investigations on the attacks suffered by the human rights defenders, with the aim to sanction the material and intellectual authors of those violations. Finally, the Commission, through its Rapporteurship on Human Rights Defenders, acknowledges the right of every individual to defend human rights, and reminds that this concerns not only the civil and political rights, but also the activities of denouncing, monitoring and promoting social, economic and cultural rights.

*Photo: IACHR*

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[1] IACHR, Report No. 69/04 (admissibility), Petition 504/03, Comunidad de San Mateo Huanchor y sus

miembros, Peru, 15 October 2004; Report No. 76/09 (admissibility), Petitionn 1473-06, Comunidad de La Oroya, Peru, 5 August 2009; amongst others.

[2] IACHR, Report No. 11/04 (admissibility), Petitionn 735/01, Teodoro García Cabrera and Rodolfo Montiel Flores, Meexico, 27 February 2004; Request of the IACHR, Teodoro Cabrera and Rodolfo Montiel Flores v. Meexico, 24 June 2009; Report 67/05 (admissibility), Petitionn 61/03 Blanca Jeanette Kawas Fernández, Honduras, 13 October 2005; Request by the IACHR, Blanca Jeanette Kawas Fernandez v. Honduras, 4 February 2008; Report No. 63/04 (admissibility), Petitionn 60/2003, Carlos Antonio Luna, Honduras, 13 October 2004; Report No. 58/06 (admissibility), Petition 1083/05, Erwin Haroldo Ochoa López and Julio Armando Vásquez Ramírez, Guatemala, 20 July 2006; Report No. 80/07 (merits), Case 11.658, Martín Pelicó Coxic, Guatemala. See also *Report on the situation of human rights defenders in the Americas*, para. 220, amongst others.

[3] MC 240/09 - Mauricio Meza, Colombia; MC 239/09 - Héctor Antonio García Berríos and others, El Salvador; MC 196/09 - Extension of precautionary measures, Honduras- Andrés Tamayo; MC 121/11 - 14 Comunidades Indígenas Q'echi del Municipio de Panzos, Guatemala; MC 452/11 - Líderes y lideresas de Comunidades Campesinas y Rondas Campesinas de Cajamarca, Perú, amongst others.

[4] Press release 102/14 - *IACHR condemns the murder of four indigenous Ashaninkas leaders in the department of Ucayall, Peru*, 18 September 2014; Press release 59/13 - *IACHR calls on Member States to guarantee respect for the human rights of indigenous peoples in voluntary isolation and initial contact*, 9 August 2013, amongst others.

[5] IACHR, *Indigenous and Tribal People's Rights over their Ancestral Lands and Natural Resources. Norms and Jurisprudence of the Inter-American Human Rights System*, 30 December 2009, paras. 190 and 191; IACHR, *Report on the situation of human rights defenders in the Americas*, chapter IV "Especially Exposed Groups of Defenders", para. 215; CIDH, *Second report on the situation of human rights defenders in the Americas*, paras. 136-146.