
**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION TO LIFT PRECAUTIONARY MEASURES 81/2024**

Precautionary Measure No. 589-15

Ana Mirian Romero *et al.* regarding Honduras

November 1, 2024

Original: Spanish

I. SUMMARY

1. The Inter-American Commission on Human Rights (IACHR) decides to lift the precautionary measures in favor of Ana Mirian Romero, the family units of Rosalio Vásquez Pineda¹ and Ana Mirian Romero, and 13 other identified people, in Honduras. At the time of making the decision, the Commission assessed the actions taken by the State and the information presented by the parties. Upon not identifying compliance with the requirements set forth in Article 25 of its Rules of Procedure, the IACHR has decided to lift these precautionary measures.

II. BACKGROUND INFORMATION

2. On November 24, 2015, the Commission decided to grant precautionary measures in favor of Ana Mirian Romero and 13 other identified leaders of the San Isidro Indigenous Council (*Consejo Indígena San Isidro*) and the Independent Lenca Indigenous Movement for Peace (*Movimiento Indígena Lenca Independiente de la Paz*,² MILPAH) as well as the family unit of Rosalio Vásquez Pineda and Ana Mirian Romero, in Honduras.³ The request for precautionary measures alleged that the beneficiaries were facing threats and violence due to their activities in defense of indigenous territories. Consequently, in accordance with Article 25 of its Rules of Procedure, the Commission requested that the State of Honduras: i) adopt the necessary measures to protect the life and personal integrity of Ana Mirian Romero and 13 other identified leaders, who belong to the San Isidro Indigenous Council and MILPAH, as well as the family unit of Rosalio Vásquez Pineda and Ana Mirian Romero; ii) implement the necessary measures to ensure that the beneficiaries can carry out their activities as human rights defenders without being subjected to acts of violence, threats, and harassment; iii) consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and iv) report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent them from reoccurring.

III. INFORMATION PROVIDED DURING THE TIME THESE PRECAUTIONARY MEASURES WERE IN FORCE

3. During the time the precautionary measures were in force, the Commission followed up on the situation by requesting information from both parties and received a response on the following dates:

¹ Referred to as Rosario Vasquez Pineda in the granting resolution.

² The beneficiaries of the MILPAH are the following: 1) Ana Mirian Romero; 2) Rosalio Vasques García; 3) Porfirio Vasques Pineda; 4) María Felicita López; 5) Rosaura Vásquez Pineda; 6) Rigoberto Vásquez Pineda; 7) Victoria Gonzales Vásquez; 8) Rodolfo Vasques Pineda; 9) Yobany Alonzo Vásquez Castillo; 10) Mercedes Vásquez; 11) Martin Gomez Vásquez; 12) Felipe Benítez Vasquéz; 13) Eda Libida Rodriguez Diaz; and 14) Pedro Amaya.

³ IACHR, [Resolution 45/2015](#), Ana Mirian Romero et al. regarding Honduras, Precautionary Measure No. 589-15, November 24, 2015 (Only available in Spanish).

	Reports by the State	Communication by the representation	Information requested and forwarded by the Commission
2016	March 9, 18, and 30; and May 18	February 11	February 25, April 4, May 12 and 27
2022	No information	September 13	October 4
2023	August 1, 16, and 18	March 7 and November 15	February 7, June 1, and November 3
2024	February 9 and May 2	June 17	February 14 and June 17

4. On November 3, 2023, the Commission requested information from the representation to evaluate keeping these precautionary measures in force. Subsequently, on February 14 and June 17, 2024, the Commission reiterated these requests to the representation. On November 15, 2023, and June 17, 2024, the representation confirmed that it had notified the request for information of the IACHR to the beneficiaries, with whom, to date, is still in contact. However, no additional information has been received regarding the precautionary measures.

5. The Honduran Center for Protection for Community Development (*Centro Hondureño de Protección para el Desarrollo Comunitario*, CEHPRODEC) exerts representation before the Commission.

A. Information provided by the State

6. In 2016, the State indicated that on March 2, a consultation meeting was held with the beneficiaries' representation, during which the following agreements were made: i) to allocate a liaison from the Municipal Police of Marcala and the Department of Human Rights to help the beneficiaries; ii) to issue a note identifying the beneficiaries of precautionary measures; iii) to send an official letter to the Public Prosecutor's Office requesting updates on the investigations of the reported incidents; and iv) to held a new consultation meeting in three months. The State indicated that it offered police patrols at the beneficiaries' residences and police accompaniment. However, Ana Mirian Romero, María Felicita López, Yobany Alonzo, and Martín Vásquez communicated that they did not want to receive these measures.

7. The Public Prosecutor's Office informed that the Special Prosecutor's Office for Ethnic Groups and Cultural Heritage was aware of two cases concerning the construction of hydroelectric dams in the Department of La Paz. One of the cases was brought before a court, resulting in a formal prosecution order against the former Undersecretary of State for Natural Resources and Environment for abuse of authority affecting public administration due to the issuance of an environmental license for the project La Aurora. The other case was in the final stage of investigation for the construction of the Aurora II hydroelectric dam.

8. Regarding the alleged fire at the residence of the beneficiary Ana Mirian Romero on January 29, 2016, the State reported that the Department of Human Rights at the Ministry of Security requested that the representation formalize the complaint. On January 30, 2016, the representation sent a message informing that the involved house was allegedly not the residence of Ana Mirian Romero and, that it would confirm such information. The State emphasized that they have not filed a complaint.

9. In 2023, the State noted that on October 25 and 26, 2022, the Technical Committee of the National Protection Mechanism (*Comité Técnico del Mecanismo Nacional de Protección*) in favor of beneficiaries was convened and mandated on the following protective measures: i) to continue police patrols in San Isidro del Volcán, Potreritos, Nahuaterique, and Pedro Amaya; ii) to maintain police liaison for MILPAH; iii) to renew the cards of the beneficiaries of the Protection System for the members of the San Isidro Lenca Indigenous Council and MILPAH; iv) to follow-up on the installation of three security doors in Ana Mirian Romero's room; v) to oversee the coordination of dialogue between beneficiaries and state institution representatives; vi) to

submit a request to the Mayor of Santa Elena to enlarge the electrification project for San Isidro del Volcán; vii) to follow-up on medical brigades on communities of the Department of La Paz with the Ministry of Health; viii) to provide psychological support in favor of Mercedes Vásquez, Felipe Benítez Vásquez, and Pedro Amaya via Doctors of the World; and ix) to provide human rights training to La Paz police members. It was stated that all the measures had been executed.

10. The State reported that on December 1, 2022, the Protection System sent an official letter to the Secretariat of Security requesting a police escort measure in favor of María Felicita López, who had allegedly been the target of threats. On April 27, 2023, an official letter was sent to the Secretariat of Security requesting that Felipe Benítez's measures be reinforced, as he had received alleged death threats. Regarding the complaints filed by the beneficiaries, it was noted that there are three registered complaints for threats: one from 2018 on behalf of Felipe Benítez Vásquez, which is pending authorization for administrative closure; and two complaints from 2020, one for María Felicita López, for which a referral order was issued to the Marcala Local Prosecutor's Office in September 2020, and another regarding Felipe Benítez Vásquez and María Felicita López, which was considered to involve minor offenses.

11. In 2024, the State declared that the San Isidro Lenca Indigenous Council and MILPAH have experienced internal divisions and reiterated the information on the protective measures established by the Protection System in October 2022, which are allegedly in force. The beneficiaries' matter is reportedly being handled by the Risk Analysis Unit of the Protection System to gather the necessary information to perform a new risk assessment. The State reported sending official letters between 2022 and 2023 to request certificates, strengthen patrolling measures, and escort requests for the beneficiaries, among others, to implement the established measures.

12. Moreover, the Special Prosecutor's Office for Ethnic Groups and Cultural Heritage provided records of a complaint against police officers from the La Paz Department for abuse of authority, forced house search, and threats against Ana Mirian Romero, María Felicita López, and others; in relation to which Prosecutorial charging documents were presented in 2019 against four individuals. In this regard, the Marcala Sectional Court of First Instance convicted these people. However, the Court of Appeals of Comayagua upheld the appeal and issued a definitive dismissal. On April 9, 2018, an appeal for protection of constitutional rights (*amparo*) was filed against the decision, which was denied by the Supreme Court of Justice in a ruling dated January 30, 2019.

B. Information provided by the representation

13. In 2016, the representation alleged that the state authorities were not implementing the precautionary measures. It was reported that on January 29, 2016, the same individuals who allegedly had been following beneficiary Ana Mirian Romero's family also set fire to the house where she was temporarily staying. These facts were informed to the Ministry of Security, however, the authorities have reportedly not taken any measures in their favor.

14. In 2022, the representation reported that, in general, the reasons for implementing the current measures are still valid to this day. In 2023, it stated that it currently remains in contact only with Felipe Benítez Vásquez, Pedro Amaya, and María Felicita López, who are leaders of the Association of Lenca Indigenous Communities of the Department of La Paz (*Asociación de Comunidades Indígenas Lencas del Departamento de La Paz*, ASILPAZ). The aforementioned individuals allegedly continue receiving threats.

15. Regarding the other 11 beneficiaries, the representation stated that it has not had contact with them since 2018, and therefore does not have updated information on their situation. In 2024, the

representation acknowledged receipt of the communication from the IACHR and only reiterated that it remains in contact with four beneficiaries, those mentioned above and Yobany Alonzo.

IV. ANALYSIS OF THE REQUIREMENTS OF URGENCY, SERIOUSNESS, AND IRREPARABLE HARM

16. The precautionary measures mechanism is part of the Commission's function of overseeing compliance with the human rights obligations set forth in Article 106 of the Charter of the Organization of American States. These general oversight functions are established in Article 41 (b) of the American Convention on Human Rights, as well as in Article 18 (b) of the IACHR Statute. The mechanism of precautionary measures is set forth in Article 25 of the Commission's Rules of Procedure. In accordance with this Article, the IACHR grants precautionary measures in urgent and serious situations in which these measures are necessary to avoid irreparable harm to people or to the subject matter of a petition or case before the organs of the inter-American system.

17. The Inter-American Commission and the Inter-American Court of Human Rights ("the Inter-American Court" or "I/A Court H.R.") have established repeatedly that precautionary and provisional measures have a dual nature, both protective and precautionary.⁴ Regarding the protective nature, these measures seek to avoid irreparable harm and preserve the exercise of human rights.⁵ To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and the vulnerability to which the persons proposed as beneficiaries would be exposed if the measures are not adopted.⁶ Regarding their precautionary nature, these measures have the purpose of preserving a legal situation while under consideration by the organs of the inter-American system. They aim to safeguard the rights at risk until the petition pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits and, thus, avoid any further infringement of the rights at issue, a situation that may adversely affect the useful effect (*effet utile*) of the final decision. In this regard, precautionary or provisional measures enable the State concerned to comply with the final decision and, if necessary, to implement the ordered reparations. In the process of reaching a decision, according to Article 25(2) of its Rules of Procedure, the Commission considers that:

- a. "serious situation" refers to a grave impact that an action or omission can have on a protected right or on the eventual effect of a pending decision in a case or petition before the organs of the inter-American system;
- b. "urgent situation" refers to risk or threat that is imminent and can materialize, thus requiring immediate preventive or protective action; and
- c. "irreparable harm" refers to injury to rights which, due to their nature, would not be susceptible to reparation, restoration or adequate compensation.

18. In this sense, Article 25 (7) of the Commission's Rules of Procedure establishes that decisions "granting, extending, modifying or lifting precautionary measures shall be adopted through reasoned resolutions." Article 25 (9) sets forth that the Commission shall evaluate periodically, at its own initiative or at

⁴ I/A Court H.R., [Matter of the Yare I and Yare II Capital Region Penitentiary Center](#), Provisional Measures regarding the Bolivarian Republic of Venezuela, Order of March 30, 2006, considerandum 5; Case of Carpio Nicolle et al. v. Guatemala, Provisional Measures, Order of July 6, 2009, considerandum 16.

⁵ I/A Court H.R., [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 8; [Case of Bámaca Velásquez](#), Provisional measures regarding Guatemala, Order of January 27, 2009, considerandum 45; [Matter of Fernández Ortega et al.](#), Provisional measures regarding Mexico, Order of April 30, 2009, considerandum 5; [Matter of Milagro Sala](#), Provisional measures regarding Argentina, Order of November 23, 2017, considerandum 5. (Available only in Spanish)

⁶ I/A Court H.R., [Matter of Milagro Sala](#), Provisional Measures regarding Argentina, Order of November 23, 2017, considerandum 5 (Available only in Spanish); [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 9; [Matter of the Criminal Institute of Plácido de Sá Carvalho](#), Provisional Measures regarding Brazil, Order of February 13, 2017, considerandum 6 (Available only in Spanish).

the request of either party, whether to maintain, modify or lift the precautionary measures in force. In this regard, the Commission shall evaluate whether the serious and urgent situation and the risk of irreparable harm that caused the adoption of the precautionary measures persist. Furthermore, it shall consider whether there are new situations that may comply with the requirements outlined in Article 25 of its Rules of Procedure.

19. Similarly, while the assessment of the procedural requirements when adopting precautionary measures is carried out from a *prima facie* standard, keeping such measures in force requires a more rigorous evaluation.⁷ In this sense, when no imminent risk is identified, the burden of proof and argument increases over time.⁸ The Inter-American Court has indicated that the passage of a reasonable time without any threats or intimidation, in addition to the lack of imminent risk, may lead to lifting international protection measures.⁹

20. In this matter, the Commission recalls that precautionary measures were granted in 2015 to specific members of the San Isidro Indigenous Council and the Independent Lenca Indigenous Movement for Peace (MILPAH) due to threats and violence they received following their defense of indigenous lands and their opposition to development projects in the area.

21. The Commission observes that in 2023 and 2024, the State informed that it had taken measures to protect the beneficiaries, such as assigning a police liaison to MILPAH, carrying out police patrols in the communities of San Isidro del Volcán, Potreritos, Nahuaterique, and Pedro Amaya in the Department of La Paz, Honduras; and offering training courses to police officers from that department. It also requested the follow-up of medical brigades to these communities and ordered the installation of security doors at the residence belonging to beneficiary Ana Mirian Romero. Furthermore, psychological care was provided in favor of the beneficiaries Mercedes Vásquez, Felipe Benítez Vásquez, and Pedro Amaya. The State explained that it requested reinforcement of measures due to cases of threats to two beneficiaries (María Felicita López and Felipe Benítez), which occurred in December 2022 and April 2023.

22. The Commission observes that the representation did not question the protective measures reported by the State. In its communications of 2022, 2023, and 2024, the representation warned that it only remains in contact with four beneficiaries (Felipe Benítez Vásquez, Pedro Amaya, María Felicita López, and Yobany Alonso). However, despite the requests issued by the IACHR, no details have been presented on their situation or specific and current facts that allow the Commission to assess their situation in light of the procedural requirements. Additionally, the Commission notes that these beneficiaries are believed to have switched organizations and currently belong to ASILPAZ. No details or concrete elements were provided to suggest that the assessments made by the Inter-American Commission when granting precautionary measures in 2015 continue to be in force, which is significant given the lack of information and the change in organization.

23. When analyzing this matter, the Commission observes that the representation, while generally arguing that there is still a risk, has not provided detailed or sufficient information on the issue. The foregoing is relevant given that Article 25 (4) (b) of its Rules of Procedure establishes that requests for precautionary measures must contain “a detailed and chronological description of the facts that motivate the request and any other available information.”

24. In addition to the above, during the time these precautionary measures were in force, the only event that placed the proposed beneficiaries at risk, which was reported by the representation, was the alleged fire at Ana Mirian Romero’s residence in 2016. Nonetheless, regarding this fact, the State argued that it had received subsequent communication from the representation indicating that the fire had not allegedly occurred

⁷ I/A Court H.R., Fernández Ortega et al., Provisional Measures regarding Mexico, Order of February 7, 2017, paras. 16 and 17 (Only available in Spanish).

⁸ I/A Court H.R., Fernández Ortega et al., Provisional Measures regarding Mexico, Order of February 7, 2017, paras. 16 and 17 (Only available in Spanish).

⁹ I/A Court H.R., Fernández Ortega et al., Provisional Measures regarding Mexico, Order of February 7, 2017, paras. 16 and 17 (Only available in Spanish).

at the beneficiary's residence and that no complaint had been lodged with the authorities. Regarding the other beneficiaries, the representation has not presented specific situations or facts that have placed them at risk since the granting of the precautionary measures, that is, for nine years. While the State reported being aware of threats made in December 2022 and April 2023 against two beneficiaries (Felipe Benítez Vásquez and María Felicita López), the authorities had already reportedly taken measures in response, and the representation did not submit any information or express concerns about the current protection detail. The Commission also confirmed that the four individuals with whom the representation remains in contact are reportedly members of the ASILPAZ organization, and do not have any information indicating whether they are still part of the San Isidro Indigenous Council or MILPAH. Likewise, despite the requests for information that the IACHR issued regarding the other 10 beneficiaries, there is no information on their current situations, and the representation warned that it has not had contact with them since 2018.

25. In this regard, the Commission acknowledges the protective measures adopted by the state authorities in favor of the beneficiaries, such as police liaison for the MILPAH organization and police patrols to the communities of the Department of La Paz. In this regard, the Commission notes that the representation has not submitted any inquiries on the effectiveness and suitability of these measures. The Commission outlines below the specific situation of each of the beneficiaries:

- i. Ana Mirian Romero: No information has been received on her current situation, and the representation does not remain in contact.
- ii. Rosalio Vasques García: There has been no information since these precautionary measures were granted, and the representation does not remain in contact.
- iii. Porfirio Vasques Pineda: There has been no information since these precautionary measures were granted, and the representation does not remain in contact.
- iv. María Felicita López: No specific details or situations were presented against her since these precautionary measures were granted.
- v. Rosaura Vásquez Pineda: There has been no information since these precautionary measures were granted, and the representation does not remain in contact.
- vi. Rigoberto Vásquez Pineda: There has been no information since these precautionary measures were granted, and the representation does not remain in contact.
- vii. Victoria Gonzales Vásquez: There has been no information since these precautionary measures were granted, and the representation does not remain in contact.
- viii. Rodolfo Vasques Pineda: There has been no information since these precautionary measures were granted, and the representation does not have contact.
- ix. Yobany Alonzo Vásquez Castillo: No specific details or situations were presented against him since these precautionary measures were granted.
- x. Mercedes Vásquez: There has been no information since these precautionary measures were granted, and the representation does not remain in contact.
- xi. Martin Gomez Vásquez: There has been no information since these precautionary measures were granted, and the representation does not remain in contact.
- xii. Felipe Benítez Vásquez: There have been no specific details or situations against him since these precautionary measures were granted.
- xiii. Eda Libida Rodriguez Diaz: There has been no information since these precautionary measures were granted, and the representation does not remain in contact.
- xiv. Pedro Amaya: There have been no specific details or situations against him since these precautionary measures were granted.
- xv. No information was provided on the situation of the family units.

26. Based on the previous analysis, the Commission considers that there are no assessment elements to meet the procedural requirements. The Commission also recalls that when representatives of the beneficiaries wish that the precautionary measures continue, they must provide proof of the reasons for doing

so.¹⁰ The Commission observes that the State has submitted information on protective measures adopted in favor of the beneficiaries. In this regard, the representation has not presented sufficient elements of assessment to identify a situation of imminent risk for the beneficiaries, despite the requests for information issued by the IACHR. In view of the above and taking into account that exceptional and temporary nature of precautionary measures,¹¹ the Commission considers that it currently has no elements to support compliance with the requirements of Article 25 of its Rules of Procedure, and that it is appropriate to lift these precautionary measures.

27. Lastly, the Commission emphasizes that regardless of the lifting of these measures, in accordance with Article 1 (1) of the American Convention, it is the obligation of the State of Honduras to respect and guarantee the rights recognized therein, including the life and personal integrity of the beneficiaries in the present matter. This obligation remains in force regardless of the lifting of these precautionary measures.

V. DECISION

28. The Commission decides to lift the precautionary measures granted in favor of Ana Mirian Romero, the family unit of Rosalio Vásquez Pineda and Ana Mirian Romero, and other identified people, in Honduras.

29. The Commission recalls that lifting these measures does not prevent the representatives from filing a new request for precautionary measures should they consider that there is a situation that meets the requirements established in Article 25 of its Rules of Procedure.

30. The Commission instructs its Executive Secretariat to notify this resolution to the State of Honduras and to the representatives.

31. Approved on November 1, 2024, by Roberta Clarke, President; Carlos Bernal Pulido, First Vice-President; José Luis Caballero Ochoa, Second Vice-President; Edgar Stuardo Ralón Orellana; Arif Bulkan; Andrea Pochak; and Gloria Monique de Mees, members of the IACHR.

Tania Reneaum Panszi
Executive Secretary

¹⁰ I/A Court H.R., [Fernández Ortega et al.](#), Provisional Measures regarding Mexico, Order of February 7, 2017, paras. 16 and 17 (Only available in Spanish).

¹¹ I/A Court H.R., [Matter of Adrián Meléndez Quijano et al.](#), Provisional Measures regarding El Salvador, Order of August 21, 2013, para. 22; [Matter of Galdámez Álvarez et al.](#), Provisional Measures regarding Honduras, Order of November 23, 2016, para. 24 (Only available in Spanish).