



Center for Gender & Refugee Studies

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Submission to the Special Rapporteur on the Human Right to a Clean, Healthy and Sustainable Environment

Overview of the Implementation of the Right to a Clean, Healthy and Sustainable Environment

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The Center for Gender & Refugee Studies (CGRS) is grateful for the opportunity to contribute this input to inform your thematic report on the implementation of the right to a clean, healthy and sustainable environment, to be presented at the 79th Session of the UN General Assembly. Specifically, our submission answers question 7 related to the challenges affecting particular groups of people.¹

This submission draws upon the CGRS Report "[Honduras: Climate Change, Human Rights Violations, and Forced Displacement](#)" (December 2023), which provides analysis and information relevant to the call for input. Part I provides a brief overview of climate and environmental conditions in Honduras and the factors that influence them; Part II highlights the plight of Indigenous peoples and women, two vulnerable groups who see their human right to a healthy environment violated; and Part III presents conclusions and recommendations. Finally, a copy of our Report is included in the Annex.

¹ Special Rapporteur on the human right to a healthy environment, *Call for input: Overview of the implementation of the Right to a clean, healthy and sustainable environment* (Last accessed on May 30, 2024), <https://www.ohchr.org/en/calls-for-input/2024/call-input-overview-implementation-right-clean-healthy-and-sustainable>. Our submission addresses question No. 7: "Information describing any specific challenges or obstacles affecting particular groups or individuals including in relation to access to information, participation and access to justice."

I. THE CLIMATE AND ENVIRONMENTAL EMERGENCY IN HONDURAS

In Honduras, the right to a healthy environment is severely compromised by the dual pressures of climate-related disasters and harmful human activities. The country's susceptibility to climate-induced disasters, compounded by aggressive development policies and inadequate governmental response, not only exacerbates environmental degradation but also threatens fundamental human rights.

The country has historically been highly vulnerable to the impacts of climate change. Sudden-onset disasters alone have caused losses of life, infrastructure, and escalated threats to health. For example, as highlighted in our Report, in 1998 hurricane Mitch “killed over 10,000 people and destroyed over 70 percent of the country’s infrastructure and crops.” In 2020, back-to-back Hurricanes Eta and Iota claimed over 100 lives, displaced more than 300,000 people, and devastated agriculture, causing approximately an 80 percent reduction in output.² Honduras is also plagued by slow-onset disasters like prolonged droughts, irregular rainfall patterns and land erosion forcing people to leave due to water and food scarcity, as well as loss of livelihood.

To make matters worse, the devastating effects of the climate emergency in Honduras are exacerbated by the government’s development policies and its inadequate response to environmental degradation and the effects of climate change. Rapidly expanding mega-industrial projects, such as massive monocultures, mining, and hydroelectric projects, have significantly contributed to the environmental crisis. These projects contaminate or dry up rivers, reduce drought resilience, and destroy entire ecosystems, limiting access to clean water and farmland. For example, our Report details how mining operations have polluted water supplies with toxic metals – such as lead, mercury, and cyanide - causing severe health problems among local populations.

Against the backdrop of severe environmental degradation, Honduran authorities have enacted land reforms and policies that allow corporations to appropriate land for mega-industrial projects, adversely impacting “peasant cooperatives, Indigenous collective lands, and small landowners.”³ These projects are significantly influenced by foreign investment,

² International Federation of Red Cross, Honduras: Hurricane Eta and Iota - Emergency Appeal n° MDR43007 Operation Update no. 2, 2, (Jan. 21, 2021), <https://reliefweb.int/report/honduras/honduras-hurricane-eta-and-iota-emergency-appeal-n-mdr43007-operation-update-no-2>.

³ Interview by Refugee and Human Rights Clinic (RHRC) and Center for Gender for Refugee Studies (CGRS) with Elvin Hernandez, Equipo de Reflexión, Investigación y Comunicación SJ (ERIC-SJ),

with foreign banks facilitating investments that lead to land monopolies by select corporations. Moreover, many dominant industrial enterprises, like mining and palm oil, are owned by U.S. and Canadian entities.⁴ Honduras does not properly regulate, monitor, or control these activities, and licenses are often granted without conducting the necessary environmental assessments.

Corporate actors and the State, both directly and indirectly, brutally repress any opposition. As detailed in our research, Honduras is one of the most dangerous countries for land and environmental defenders. Violence, especially gender-based violence, is used to seize land or quell resistance from the community. Moreover, the existing legal framework and instruments to protect environmentalists and land defenders are either entirely not enforced or hindered by corruption and lack of resources.

II. DISPROPORTIONATE IMPACT ON VULNERABLE POPULATIONS

While the climate and environmental crises affect the Honduran population as a whole, they disproportionately harm already marginalized communities. These groups, notably including Indigenous communities and women, are inherently vulnerable, and their situation is worsened by policies and practices that violate their right to a clean, healthy and sustainable environment and associated procedural rights, such as access to information, public participation, and access to justice.⁵

A. Indigenous Peoples

Indigenous and Garífuna peoples are deeply connected to their lands, relying on them for both surviving and maintaining their ancestral practices and cultural identity. However, they face constant threats to their control over their territories and the environment they safeguard. For example, our Report documents how the development of the San Andres Gold mine has devastating consequences for local Indigenous communities. First, they were not consulted with or in any way involved with the planning or commencement of the project, which advanced despite their protests.⁶ Then, the pollution caused by the mine caused

San Pedro Sula, Hond. (Oct. 29, 2022) (on file with CGRS); see also Andres Leon Araya, *The politics of dispossession in the Honduran palm oil industry: A case study of the Bajo Aguán*, 71 J. Rural Stud. 134 (2019), <https://www.sciencedirect.com/science/article/abs/pii/S074301671730623X>.

⁴ *Id.*

⁵ United Nations, *What is the Right to a Healthy Environment?: Information Note*, p. 9 (2023) <https://www.undp.org/sites/g/files/zskgke326/files/2023-01/UNDP-UNEP-UNHCHR-What-is-the-Right-to-a-Healthy-Environment.pdf>.

⁶ Karen Spring, *Mining in a State of Impunity*, Honduras Solidarity Network & Mining Watch Canada,

lasting health effects among the local population, including respiratory, skin, and gastrointestinal conditions.

In general, Indigenous peoples in Honduras face threats, criminalization, disappearances, and displacement for protecting their lands. Social exclusion and racial biases deny them access to justice, protection, and services they deserve. For instance, in the rural areas where Indigenous people predominantly live, they often lack basic infrastructure such as roads, health centers, and access to running water. Subsequently, it results in their exclusion from State post-disaster relief.

B. Women

Environmental degradation in Honduras endangers women's lives, personal integrity, and health. Honduran patriarchal norms relegate women and girls to the domestic sphere, leading them to be in charge of responsibilities such as collecting water.⁷ However, because of droughts, they have to travel further away in search of water, risking being sexually assaulted, raped, or kidnapped. Additionally, women are more prone to health conditions such as cancers, skin diseases, and miscarriages due to the frequent and prolonged contact with contaminated water caused by the mega-industrial projects. In the context of environmentally harmful projects or policies, gender-based violence is used as a tactic to repress any opposition and seize land.

Disasters also increase the vulnerability of women and girls. Following events like hurricanes, gender-based violence rises, and women and girls are often coerced by State authorities into exchanging sex for emergency aid. They also face escalated risks of sexual and other violence in emergency shelters. Finally, these circumstances also see an increase in early forced marriages for girls. The climate emergency and its associated heightened vulnerabilities force women to flee their homes.

III. RECOMMENDATIONS

The right to access to information, participation and access to justice for Indigenous Peoples and women in Honduras is essential for safeguarding the right to a clean, healthy and sustainable environment. The Honduran government violates the rights of vulnerable

(June 28, 2016) https://issuu.com/karenspring/docs/mining_in_a_state_of_impunity_june.

⁷ Series of Interviews by RHRC/CGRS with Donald Hernandez, Director of Honduran Centre for the Promotion of Community Development (CEHPRODEC) (Nov. 2022 to Sept. 2023) (on file with the CGRS).

populations, including by excluding them from meaningful consultations in projects that will impact their communities and by repressing any advocacy. We urge the Special Rapporteur to address this right of the individuals displaced by climate change or disasters in the upcoming thematic report, and recommend that States in general:

- Strengthen collaboration with local communities and civil society organizations, to center the voices and knowledge of local communities and ensure their participation.
- Prioritize community and human rights in investment initiatives, by establishing mechanisms for consulting with affected communities, especially Indigenous and Afro-descendent groups.
- Ratify the “Regional agreement on access to information, public participation and justice in environmental matters in Latin America and the Caribbean” (Escazú Agreement), or create similar agreements in other regions.

Specifically for Honduras, CGRS recommends that the authorities:

- Advance an equitable land reform program and uphold indigenous and Afro-Honduran collective land rights that will ensure that small landowners can build a resilient and sustainable livelihood without the threat of displacement.
- Prioritize meaningful community consultations and respect for ancestral rights, where Indigenous communities are genuinely consulted and give their free, prior, and informed consent before initiating any projects affecting their territories.
- Ensure equitable post-disaster relief that reaches all victims, including marginalized groups like women, Indigenous People and those living in rural and remote areas.