

19 May 2017

Honduras: Arrest of human rights defender Cesar Geovany Bernardez

On 18 May 2017, human rights defender **Cesar Geovany Bernardez** was arrested in Santa Fe, Honduras under charges of illegal occupation of land.

[Cesar Geovany Bernardez](#) is a member and director of *Organización Fraternal Negra Hondureña – OFRANEH (Honduran Black Fraternity Organization)*. The organization has worked since 1978 for the promotion of the Afro-Caribbean Garifuna people's right to self-determination through programmes that support their political, social, economic and cultural advancement. In October 2016, OFRANEH was the recipient of the [Nota SOL Prize](#), which recognises groups that strengthen the culture of indigenous peoples, foster sustainable development and defend their human rights. In 2015, OFRANEH was awarded the [Food Sovereignty Prize](#), which honours grass-roots activists working for a more democratic food system.

On the afternoon of 18 May 2017, the human rights defender was arrested under charges of illegal occupation of land. The arrest warrant was issued in November 2016 against four directors of OFRANEH who are currently facing attempts of criminalisation: Cesar Geovany Bernardez, **Medalime David Fernandez**, **Celso Alberto Guillen** and **Cosme Avila**. Charges were brought against them by Patrick Forseth, owner of CARIVIDA, a Canadian tourist company that intends to build a resort and villas on Garifuna traditional land in Guadalupe, Santa Fe, Honduras. Cesar Geovany Bernardez was brought to La Ceiba police station and is currently being transferred to the Trujillo Prison.

The Garifuna land has been plundered through fraudulent and corrupt processes involving state agents and notary offices. The land is registered in the name of other people and is subsequently sold to foreign businesses which want to establish tourism projects in the region. OFRANEH is currently in a legal battle to secure the right of the Garifuna communities to maintain their lands.

It is not the first time that members of Garifuna people and OFRANEH are subject to attempts of criminalisation due to their work to preserve their land and culture. On 11 November 2016, human rights defender Medalime David Fernandez was arrested and ill-treated by state security forces in Guadalupe under the same charges brought against Cesar Geovany Bernardez. The human rights defender was released the following day, after OFRANEH managed to have the charges against her dropped by questioning the case in court. On 11 January 2017, members of the National Police attempted to detain human rights defender [Miriam Miranda](#), coordinator of OFRANEH, while she was passing through a checkpoint in La Ceiba, with fellow human rights defenders **Luis Gutierrez**, **Oscar Gaboa** and **Luis Miranda**. After reviewing the driver's documents, the police officers aggressively told the defenders to "get out of the vehicle, you are going to jail". The incident took approximately thirty minutes and it is believed that the police officers gave up on the arbitrary arrest due to phone calls made by Miriam Miranda to her supporters.

Human rights defenders in Honduras are constantly reporting incidents of harassment and attacks perpetrated by police officers against them. Members of OFRANEH in particular have been subject to attacks, harassment, and threats. OFRANEH has filled several cases against the Honduran State at the Inter-American Court on Human Rights, due to their negligence in providing protection to the Garifuna

communities. The organisation has recently brought Randy Jorgensen, a Canadian businessman to trial in Trujillo, in relation to a large-scale tourism project that displaced Garifuna communities from their ancestral lands.

Honduras is considered to be one of the world's most dangerous countries and is known for failing to protect human rights defenders, as stated by the United Nations and the Inter-American Commission on Human Rights Special Rapporteurs for human rights defenders in a [joint statement](#) last year. In 2016, at least 33 human rights defenders were killed with several others surviving attempted assassinations as a result of their human rights work as reported in [Front Line Defenders annual report](#).

Front Line Defenders is gravely concerned by the arrest of Cesar Geovany Bernardez and the attempt to criminalize OFRANEH members in Honduras, as it believes that the harassment carried out against them is in relation to their work in promoting human rights.

Front Line Defenders urges the authorities in Honduras to:

1. Immediately and unconditionally release Cesar Geovany Bernardez;
2. Drop all charges against Cesar Geovany Bernardez and against Celso Alberto Guillen and Cosme Avila, as Front Line Defenders believes that they are being being criminalized solely as a result of their legitimate and peaceful work in the defence of human rights;
3. Take all necessary measures to guarantee the physical and psychological integrity and security of Cesar Geovany Bernardez as well as of the members of OFRANEH;
4. Guarantee in all circumstances that all human rights defenders in Honduras are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions.