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**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS  
RESOLUTION 56/2024**

Precautionary Measure No. 511-24  
Rodsman Saadik Molina Ortez regarding Honduras  
August 26, 2024  
Original: Spanish

**I. INTRODUCTION**

1. On May 1, 2024, the Inter-American Commission on Human Rights (“the Inter-American Commission”, “the Commission” or “the IACHR”) received a request for precautionary measures from Rodsman Saadik Molina Ortez (“the applicants”) urging the Commission to require that the State of Honduras (“the State” or “Honduras”) adopt the necessary measures to protect his rights to life and personal integrity, in his capacity as president of the Union of Workers of the Honduran Civil Aeronautics Agency (*Sindicato de Trabajadores de la Agencia Hondureña de Aeronáutica Civil*, SITRAAHAC), and include his immediate family<sup>1</sup> and four members of the association’s board of directors<sup>2</sup> (“the proposed beneficiaries”). According to the request, the proposed beneficiary is at risk due to threats and acts of violence by third parties allegedly due to his union activities.

2. Pursuant to the provisions of Article 25 (5) of its Rules of Procedure, the Commission requested additional information from the applicants on May 14 and June 6, 2024 and received a response on May 27, 2024, May 31, and June 21, 2024. It then requested information from the State of Honduras, which submitted its observations on August 12, 2024. The applicant submitted additional information on August 13, 2024.

3. Upon analyzing the submissions of fact and law furnished by the parties, the Commission considered that the proposed beneficiaries are in a serious and urgent situation, given that their rights to life and personal integrity are at risk of irreparable harm. Consequently, in accordance with Article 25 of its Rules of Procedure, the Commission requested that Honduras: a) adopt the necessary measures to protect the rights to life and personal integrity of the beneficiary and his family unit; b) implement the necessary measures to ensure that the beneficiary can exercise his functions as president of the Union of Workers of the Honduran Civil Aeronautics Agency (SITRAAHAC), without being subjected to threats, intimidation, harassment, or acts of violence; c) consult and agree upon the measures to be implemented with the beneficiaries and his representatives; and d) report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

**II. SUMMARY OF FACTS AND ARGUMENTS**

**A. Information provided by the applicants**

4. The proposed beneficiary, Rodsman Saadik Molina Ortez, was the president of the National Association of Meteorologists of Honduras which later, through an assembly, was decided to turn into a union (SITRAAHAC). Mr. Molina Ortez was then elected president for the 2022-2026 term. It is alleged that he is at risk due to threats and acts of violence from third parties, supposedly related to his union activities.

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<sup>1</sup> The proposed beneficiary has a wife and two children.

<sup>2</sup> The individuals are the following: 1. Derek Isaac Molina Carranza, 2. Martha Dayanna Molina Carranza; 3. Ana Deisy Carranza Guillen, 4. Rodsman Saadik Molina Carranza Guillen.

5. By way of background, it was stated that, since he assumed the presidency of the union, he has been the victim of alleged acts of labor discrimination. It was reported that he was left out of work teams, removed from training, and made to return travel expenses to cover vacations, without justification. In particular, it was stated that in October 2023, the proposed beneficiary was removed from a work assignment to cover vacations in Puerto Lempira without a clear explanation. On October 16, 2023, the proposed beneficiary and another employee were allegedly threatened by the lawyer of the Honduran Civil Aeronautics Agency, who warned him of the consequences of calling an extraordinary meeting.

6. The request stated that the proposed beneficiary and his family members have received a series of threats and acts of violence since April 2024, which they believe is due to their union activities. In this regard, it was alleged that on April 2, 2024, the proposed beneficiary was on his way to his office when he was intercepted by armed persons. These individuals exited a blue vehicle and forced him to stop his vehicle, while pointing firearms at him. One of the assailants got into the proposed beneficiary's car and ordered him to drive, threatening to shoot him if he did not obey. Subsequently, two more individuals got into the vehicle. They were also carrying firearms and threatened to kill him. Under threats and physical assaults, the proposed beneficiary was forced to drive to the San Francisco neighborhood. Here, he was ultimately robbed of his belongings, including personal documents, cash, a cell phone, documents from the Union of Workers of the Honduran Civil Aeronautics Agency, stamps, and invoices. The perpetrators warned the proposed beneficiary not to file complaints and not to interfere, as they knew where he lived and worked, and threatened to attack his family. After the assailants left, the proposed beneficiary asked for help and reported the kidnapping and robbery to the police, providing details of the vehicle and the assailants. Subsequently, between April 5 and 6, 2024, he felt he was being followed and took photos of two suspicious vehicles without license plates that stayed behind his motorcycle.

7. On May 2, 2024, at approximately 6:40 p.m., the proposed beneficiary was assaulted by individuals dressed in police uniforms and military boots while on driving to work on his motorcycle. The assailants intercepted him and stole his cell phone, on which he had a video with an audio narration and several photos of vehicles that had been following him since April 2. The assailants forced him to get off the motorcycle, brought him to his knees and threatened him, saying that they know where he lives and that they would kill him and his family. At that moment, someone from across the street shouted at them, "Thieving cops, leave him alone!" The assailants then got into a vehicle and left.

8. On May 22, 2024, the proposed beneficiary went to pick up one of his children from music school. As they drove home on his motorcycle, a gray van began to approach. When they switched lanes and accelerated, the SUV followed, forcing them off the road near the Villanueva bridge. The proposed beneficiary managed to control the motorcycle, and his daughter was able to take some photographs of the vehicle that intentionally tried to ram them. After this incident, unknown individuals were reported to have loitered around the proposed beneficiary's house on two separate occasions. It was stated that, out of fear, they did not call the police were not called. However, they implement self-safety measures, such as not leaving the house and keeping the doors locked.

9. Regarding internal procedures, a complaint was attached to the Directorate of Police Investigations (*Dirección Policial de Investigaciones, DPI*), issued on May 3, 2024. On May 17, 2024, the proposed beneficiary visited the DPI to inquire about the status of the investigations. He was alerted that investigative notes had been sent to various departments, but no follow-up on the investigation had been conducted. The proposed beneficiary requested the information in writing and was told that he should file a request for a certificate of closure of the investigation.

10. On May 19, 2024, at around 9:30 a.m., the proposed beneficiary received a call from an officer of the Investigation Police, requesting that he present himself with the vehicle documents at the Fourth Bethlehem Police Station. He was informed that a vehicle had been found abandoned in the Centro Americana

neighborhood of Tegucigalpa and, after checking its identification, it was confirmed that it was the vehicle that had been stolen from him on April 2 of that year. Police reportedly presented him with images of the vehicle, which showed blood on one of its rear rims and which was linked to multiple crimes possibly related to Mara 18 gang members.

11. On May 23, 2024, the proposed beneficiary visited the CONADEH (National Human Rights Commission of Honduras) to report the persecution he had experienced within the union<sup>3</sup> and to request protective measures. A document from the Secretary of State in the Office of Security, issued on June 11, 2024 which provides instructions for self-protection measures, was attached. In addition, the request noted that a police officer had been assigned to maintain constant communication and that they had explored the possibility of assigning patrols. However, it was alleged that they never arrived, no matter how many times he called.

12. The request stated that the proposed beneficiary has taken measures to ensure the safety and well-being of his family, such as avoiding constantly leaving the house, changing routes, and receiving psychological counseling to deal with the emotional impact, especially on the children. However, due to economic constraints, they have been unable to consider relocating, even though the threats suggest that the aggressors are aware of his current location with his family. It was stated that the proposed beneficiary's family members are very emotionally overwhelmed.

13. On June 18, 2024, while the proposed beneficiary was on his way to the Conservatory of Music to pick up his son, a vehicle struck him head-on and then fled. He called the assigned human rights officer to report what happened, but the call was cut off. The officer then sent him the contact of another officer, who eventually responded by apologizing for the delay. Screenshots of *WhatsApp* conversations with the police officer were attached. In this conversation, the proposed beneficiary reportedly notified the officer of what had happened at 4:30 p.m. and the police officer replied with the following message at 9:28 p.m.: "Hello, good evening, I'm sorry I left you on read, I was in an activity."

14. It was added that on July 5, 2024, the proposed beneficiary was at work when his frightened wife called to report the presence of three men on motorcycles in front of their house, taking pictures of the front door and the vehicle that had been returned by the Public Prosecutor's Office through the police a few days earlier. It was detailed that the proposed beneficiary had called the contacts of the assigned agents, who did not answer.

## **B. Response from the State**

15. The State sent the requested information through the offices of four different bodies: i. Executive Secretariat of the National Commissioner for Human Rights (CONADEH); ii. Department of Human Rights of the Secretary of State in the Office of Security; iii. Executive Director of the Honduran Civil Aeronautics Agency; and iv. Office of the Attorney General.

16. In the official letter from CONADEH, issued on August 1, 2024, it was stated that on May 23, 2024, the proposed beneficiary filed a complaint before the referred body due to events of kidnappings, robberies, and threats against him that occurred on April 2 and May 2, 2024. In this regard, the proposed beneficiary indicated to CONADEH that he has brought the facts to the attention of the State through the following complaints: i. complaint to the DPI (April 2, 2024); and ii. Complaint to the Directorate of Police Disciplinary Affairs (DIDADPOL) on May 2, 2024. In the context of this complaint before CONADEH, the proposed beneficiary requested protection measures. In response, CONADEH sent a letter to the Secretary of State in charge of security to carry out a risk assessment study. As a result, the Secretariat sent a letter on June

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<sup>3</sup> The request alleges that, since obtaining certification in June 2022, they have faced labor and union discrimination, unjustified dismissals of board members and arbitrary suspension of union dues.

11, 2024, indicating that the proposed beneficiary had the following protection measures in favor: a talk and workshop on self-protection measures by a risk analyst and appointment of a police liaison for a period of three months from June 11, 2024. It was reported that these measures were granted without prejudice to extending the temporariness or implementing new, more suitable measures, in accordance with supervening circumstances.

17. The letter issued by the head of the Human Rights Department of the Secretary of State in the Office of Security confirmed receipt of the document sent by CONADEH, in which protective measures were requested for the proposed beneficiary. It was alleged that on June 6, 2024, a meeting was held with Mr. Ortez in order to reach a consensus on the protection measures. In this regard, the granting of a police liaison implemented by the Metropolitan Police Unit No. 4 of the Kennedy Colony of Tegucigalpa was reported. It acknowledged the fact that the measures are implemented in accordance with institutional competencies and capacities. It was also indicated that it is not known whether CONADEH has processed any proceedings before the Protection Mechanism of the General Directorate of the Protection System of the Secretariat of Human Rights. The aforementioned mechanism frames its functions in the law of protection for human rights defenders, journalists, social communicators, and justice operators (Decree 34-2015). As registered, if the proposed beneficiary is welcomed into the Protection Mechanism, he would receive a broader range of protection measures, as established in Article 54 of the decree.

18. The communication from the Executive Director of the Honduran Civil Aeronautics Agency, dated August 2, 2024, presents information regarding the employment relationship of the proposed beneficiary. In this communication, it regrets the incident with the proposed beneficiary and clarified that the facts are not related to a situation of employment discrimination.

19. Lastly, in a document dated August 7, 2024, the Office of the Attorney General indicated that it would follow up with the competent authorities regarding the status of the investigations and that the information would be provided at a later time.

### **III. ANALYSIS OF THE ELEMENTS OF SERIOUSNESS, URGENCY, AND IRREPARABLE HARM**

20. The mechanism of precautionary measures 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 provided for 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 that Article, the Commission grants precautionary measures in serious and urgent situations in which these measures are necessary to avoid an irreparable harm to persons.

21. The Inter-American Commission and the Inter-American Court of Human Rights ("the Inter-American Court" or "I/A Court H.R.") have repeatedly stated that precautionary and provisional measures have a dual nature, one protective and the other precautionary.<sup>4</sup> Regarding the protective nature, these measures seek to avoid irreparable harm and preserve the exercise of human rights.<sup>5</sup> To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and how vulnerable

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<sup>4</sup> 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 (Available only in Spanish).

<sup>5</sup> 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)

the persons proposed as beneficiaries would be left in case the measures are not adopted.<sup>6</sup> Regarding their precautionary nature, these measures have the purpose of preserving legal situations while under the study of the IACHR. 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, in this way, 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 allow the State concerned to comply with the final decision and, if necessary, implement the ordered reparations.<sup>7</sup> 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.

22. In analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt. The information provided should be assessed from a *prima facie* standard of review to determine whether a serious and urgent situation exists.<sup>8</sup> Similarly, the Commission recalls that, by its own mandate, it is not called upon to determine any individual liabilities for the facts alleged. Moreover, in this proceeding, it is not called upon to determine through this mechanism any violation of the rights enshrined in the American Convention or other applicable instruments.<sup>9</sup> This is better suited to be addressed by the Petition and Case system. The following analysis refers exclusively to the requirements of Article 25 of its Rules of Procedure, which can be resolved without entering into determinations on the merits.<sup>10</sup>

23. The Commission also considers the current context of Honduras when assessing the alleged facts. In the 2024 Report on the Human Rights Situation in Honduras,<sup>11</sup> the Commission highlighted that the country continues to be one of the most dangerous in the Americas, and in the world, for the defense of human

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<sup>6</sup> 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).

<sup>7</sup> 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 7; [Matter of “El Nacional” and “Así es la Noticia” newspapers](#), Provisional Measures regarding Venezuela, Order of November 25, 2008, considerandum 23; [Matter of Luis Uzcátegui](#), Provisional Measures regarding Venezuela, Order of January 27, 2009, considerandum 19 (Available only in Spanish).

<sup>8</sup> I/A Court H.R., [Matter of Members of the Miskitu Indigenous Peoples of the North Caribbean Coast regarding Nicaragua](#), Extension of Provisional Measures, Order of August 23, 2018, considerandum 13 (Available only in Spanish); [Matter of children and adolescents deprived of liberty in the “Complexo do Tatuapé” of the Fundação CASA](#), Provisional Measures regarding Brazil, Order of July 4, 2006, considerandum 23.

<sup>9</sup> IACHR, [Resolution 2/2015](#), Precautionary Measure No. 455-13, Matter of Nestora Salgado regarding Mexico, January 28, 2015, para. 14; [Resolution 37/2021](#), Precautionary Measure No. 96-21, Gustavo Adolfo Mendoza Beteta and family regarding Nicaragua, April 30, 2021, para. 33.

<sup>10</sup> In this regard, the Court has stated that “[it] cannot, in a provisional measure, consider the merits of any arguments pertaining to issues other than those which relate strictly to the extreme gravity and urgency and the necessity to avoid irreparable damage to persons.” I/A Court H.R., [Matter of James et al. regarding Trinidad and Tobago](#), Provisional Measures, Order of August 29, 1998, considerandum 6 (Available only in Spanish); [Case of the Barrios Family v. Venezuela](#), Provisional Measures, Order of April 22, 2021, considerandum 2 (Available only in Spanish).

<sup>11</sup> IACHR, [Situation of Human Rights in Honduras](#), OEA/Ser.L/V/II, March 24, 2024, para. 273 (Available only in Spanish).

rights. The report highlighted the extreme risk that human rights defenders face due to the different forms of violence that state and non-state actors exercise against them in an attempt to silence their causes.<sup>12</sup>

24. In this sense, since its last visit to Honduras in 2018, the Commission has continued to receive urgent reports about situations threatening the life, integrity, and personal freedom of human rights defenders, as well as other circumstances that impede the free exercise of the right to defend human rights in the country.<sup>13</sup> The Commission expressed concern that these events are framed in a context of structural impunity in which 97% of the crimes committed against this population are not punished.<sup>14</sup> The context of impunity was also highlighted in the 2023 Annual Report, which recorded the murder of at least 11 human rights defenders in Honduras, and reports of other forms of violence, including threats, physical aggression, acts of harassment or intimidation.<sup>15</sup>

25. The IACHR was also informed about the challenges in the performance of the National Protection System for Human Rights Defenders, Journalists, Social Communicators, and Justice Operators (*Sistema Nacional de Protección para Defensores de Derechos Humanos, Periodistas, Comunicadores Sociales y Operadores de Justicia*). In 2022, civil society organizations expressed their disagreement with the new operations of the National Protection Mechanism.<sup>16</sup> Following its on-site visit to Honduras in April 2023,<sup>17</sup> the IACHR received concerning information about the intensification of technical, administrative, and financial problems of the Mechanism for the Protection of Human Rights Defenders, Journalists, Communicators and Justice Operators that undermine its ability to respond promptly and effectively to applicants and beneficiaries.<sup>18</sup> Regarding the implementation of protection measures, the Commission observed shortcomings in the risk analysis and assessment, and the lack of coordination of the state response, and called on the responsible entities to work in a coordinated and articulated manner.<sup>19</sup> In its 2023 Annual Report, although the State's efforts to strengthen the protection mechanism were highlighted, the information provided by civil society organizations in the hearing "Honduras: Protection Mechanism for Human Rights Defenders",<sup>20</sup> indicated the persistence of challenges, such as the absence of state authorities in the sessions of the National Protection Council, the lack of a sufficient budget for its operation and the lack of a comprehensive, differentiated, and intersectional approach.<sup>21</sup>

26. In analyzing the requirement of *seriousness*, the Commission takes into account, in addition to the above context, the situation faced by the proposed beneficiary in his capacity as president of the Union of Workers of the Honduran Civil Aeronautics Agency (SITRAAHAC).

27. In this specific matter, the Commission observes that the proposed beneficiary has been subjected to multiple forms of intimidation throughout 2024. This includes armed individuals intercepting his vehicle while on his way to work, followed by threats, physical assaults, and being robbed of his belongings; an assault carried out by individuals dressed in police uniforms; surveillance and photography by individuals in unidentified and unregistered vehicles, among other incidents. The request stated that the alleged facts are a direct consequence of his union activities. It is of particular concern that gang members from Mara 18 may be

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<sup>12</sup> *Ibidem*, para. 273.

<sup>13</sup> IACHR, [Situation of Human Rights in Honduras](#), OEA/Ser.L/V/II, August 27, 2019, para. 85; CONADEH, Contributions of the National Commissioner for Human Rights within the framework of the on-site visit of the Inter-American Commission on Human Rights, April 2023, para. 83.

<sup>14</sup> IACHR, [Situation of Human Rights in Honduras](#), OEA/Ser.L/V/II, March 24, 2024, para. 274 (Available only in Spanish).

<sup>15</sup> IACHR, [2023 Annual Report](#), Ch. IV.a, OEA/Ser.L/V/II, approved on December 31, 2023, paras. 505 and 506.

<sup>16</sup> IACHR, [2022 Annual Report](#), Chapter IV.A. OEA/Ser.L/V/II, April 1, 2023, para. 510.

<sup>17</sup> IACHR, [Preliminary Observations: On-site visit to Honduras](#), April 24 to 28, 2023, 49 (Available only in Spanish).

<sup>18</sup> *Ibidem*

<sup>19</sup> IACHR, [Preliminary Observations: On-site visit to Honduras](#), April 24 to 28, 2023, paras. 45-46 (Available only in Spanish).

<sup>20</sup> IACHR, Public Hearing "Honduras: Protection Mechanism for Human Rights Defenders," held within the framework of the 188th Period of Sessions, November 6, 2023.

<sup>21</sup> IACHR, [2023 Annual Report](#), Ch. IV.a, OEA/Ser.L/V/II, approved on December 31, 2023, paras. 507.

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involved in the incidents faced by the proposed beneficiary to date. The Commission notes that the proposed beneficiary's family members have also been followed and photographed by unauthorized persons.

28. Considering that the reported events are still under investigation, the IACHR does not have elements to rule out the possibility that they are directly related to his work as a union leader. On the subject, the Inter-American Court has affirmed in its reiterated jurisprudence that:

[...] in the face of indications or allegations that a certain fact against a human rights defender could have been motivated precisely by his work in defense and promotion of human rights, the investigating authorities must take into account the context of the facts and his activities to identify the interests that could have been affected in the exercise of the same, in order to establish and exhaust the lines of investigation that take into account his work, determine the hypothesis of the crime and identify the perpetrators."<sup>22</sup>

29. The Commission observes, based on the information provided by the applicants and confirmed by the State, that the State authorities became aware of the events reported through complaints to the following institutions: DPI (April 2, 2024), DIDADPOL and CONADEH (May 23, 2024), before which protection measures were reportedly requested. In this regard, it was alleged that there had been no progress in the pertinent investigations, a point that was not disputed by the State. In this regard, the lack of progress in the investigations, which could mitigate the reported risk factors, is concerning. This creates a situation of impunity that allows these issues to persist and recur over time, as can be inferred from the information available in the file.

30. The Commission observes that, as indicated by both parties, the proposed beneficiary Orteiz provided a reported security detail consisting of a police liaison for a period of three months starting June 11, 2024, in addition to a workshop on self-protection measures. The Commission acknowledges the protection measures implemented by the State. However, it warns that, according to available information, the existing protection measures are not ideal or effective in the face of the risk the proposed beneficiary faces. In this regard, the Commission notes that there have been reports of communication failures with the assigned police officer, who has not responded immediately when the proposed beneficiary reported a risk against him or his family. Faced with this allegation, the State did not report on corrective actions for the best implementation of the current security detail.

31. In this matter, the Commission understands that various national bodies were made aware of the proposed beneficiary's situation. Consequently, and with a view to determining the best suitability and effectiveness of the protection measures to be implemented, the State may carry out an updated risk assessment based on the latest developments and questions. In this regard, the Commission recalls that the Inter-American Court has indicated the following:

"[...]state authorities have a responsibility to be aware of a situation of special risk, to identify or determine whether the person being threatened or harassed requires protection measures or to refer the matter to the competent authority for that purpose and to offer the person at risk pertinent information on the measures available." Regarding human rights defenders, this Court has stated that the suitability of protection measures requires that they fulfill the following characteristics: a) appropriate to the functions performed by the defenders; b) subject to an assessment based on the level of risk, in order to adopt and monitor the effective measures; and c) adaptable according to changes in the intensity of the risk.<sup>23</sup> In this regard, the Commission recalls that the protection

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<sup>22</sup> I/A Court H.R., [Matter of Escaleras Mejía et al. v. Honduras](#), Judgment of September 2018, para. 47 (Available only in Spanish).

<sup>23</sup> I/A Court H.R., [Yarce et al. v. Colombia](#), Preliminary Objection, Merits, Reparations and Costs, Judgment of November 22, 2016, para. 193 (Available only in Spanish).

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measures must be suitable and effective, in the sense that they should enable the defender to face the risk and mitigate such risk, focusing special relevance on the principle of consultation.<sup>24</sup>

32. Consequently, in light of the information available to the parties, the IACHR observes that a risk assessment is crucial to assist in defining the most appropriate measures, and to evaluate the pertinent measures so that Mr. Ortez can continue to carry out his work in safe conditions.

33. Considering the information received from both parties, and taking into account the proposed beneficiary's role as a union leader, the ongoing risk he has faced over time, the lack of investigation into the reported incidents, and the lack of modifications or new risk assessments for defining the appropriate protective measures, the Commission finds that, in light of the context in Honduras, the rights to life and integrity of the proposed beneficiary and his family are *prima facie* in a serious situation.

34. With regard to the requirement of *urgency*, the Commission notes that it has been fulfilled, given that, according to the information provided, the proposed beneficiary and his family members have faced risks on a sustained basis, despite the granted security detail. In view of these issues, the Commission is particularly concerned that, to date, no risk assessment has been conducted to assess the measures to be adopted or to coordinate them with the proposed beneficiary and his family members.

35. Regarding the requirement of *irreparable harm*, the Commission finds that it is also met, to the extent that the potential impact on the rights to life, personal integrity, and health constitutes the maximum situation of irreparability.

36. Lastly, regarding the four members of the union's board of directors identified as proposed beneficiaries in the request, the Commission believes it currently lacks sufficient information to assess the specific situation of these proposed beneficiaries. As mentioned in the request, the reported risk occurred directly against the main proposed beneficiary and his family members, so the Commission lacks information on concrete events to assess the situation of the other proposed beneficiaries. If new facts are presented, the applicants may submit a new request for precautionary measures, which will be analyzed in the terms of Article 25 of its Rules of Procedure. Without prejudice to this decision, all the State's international obligations in light of the American Convention and applicable international standards, such as those referring to the duty to protect persons at risk, remain in force.

#### **IV. BENEFICIARIES**

37. The Commission declares Rodsman Saadik Molina Ortez and his family unit as the beneficiaries of the precautionary measures, who are duly identified in this proceeding.

#### **V. DECISION**

38. The Commission considers that this matter meets *prima facie* the requirements of seriousness, urgency, and irreparable harm set forth in Article 25 of its Rules of Procedure. Consequently, the Commission requests that Honduras:

- a) adopt the necessary measures to protect the rights to life and personal integrity of the beneficiary and his family unit;

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<sup>24</sup> IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), December 31, 2011, para. 521-524.



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- b) implement the necessary measures to ensure that the beneficiary can exercise his functions as president of the Union of Workers of the Honduran Civil Aeronautics Agency (SITRAAHAC), without being subjected to threats, intimidation, harassment, or acts of violence;
  - c) consult and agree upon the measures to be implemented with the beneficiaries and his representatives; and
  - d) report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

39. The Commission requests that Honduras report, within 15 days from the date of notification of this resolution, on the adoption of the requested precautionary measures and update that information periodically.

40. The Commission emphasizes that, in accordance with Article 25(8) of its Rules of Procedure, the granting of this precautionary measure and its adoption by the State do not constitute a prejudgment of any violation of the rights protected in the American Convention and other applicable instruments.

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

42. Approved on August 26, 2024, by Roberta Clarke, President; Carlos Bernal Pulido, First Vice-President; José Luis Caballero Ochoa, Second Vice-President; Andrea Pochak and Arif Bulkan, members of the IACHR.

Jorge Meza Flores  
Deputy Executive Secretary