

Kawas Fernández and Luna López v. Honduras

I. COMPLIANCE AND FOLLOW-UP ADDENDUM¹

August 30, 2017: The Court issued a statement regarding the State's compliance with both the *Kawas Fernández* and *Luna López* judgments as both cases related to violations against environmental activists.² Regarding the *Kawas Fernández* case, the Court found that the State provided insufficient information regarding compliance.³ Though the State indicated that it engaged in criminal proceedings regarding the death of Ms. Kawas Fernández, there was insufficient evidence showing a proper level of due diligence.⁴ There was also insufficient information about compliance with the *Luna López* judgment, which led the Court to conclude that further compliance monitoring is necessary.⁵

The Court acknowledged that the State created public policy that ensures the protection of environmental activists and human rights defenders.⁶ The State should, however, continue its national awareness campaign and conclude related criminal proceedings.⁷ Furthermore, the State must keep compliance monitoring open for both cases and submit reports regarding said compliance monitoring for both cases.⁸

November 14, 2018: The State provided an update regarding the *Luna López* case, addressing measures of reparation.⁹ Though the State must provide psychological treatment to the victims, the victims did not desire

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2. *Kawas Fernández and Luna Lopez v. Honduras*, Monitoring Supervision of Compliance of Judgment, Order of the Court, Inter-Am. Ct. H.R. "Considering That," ¶3 (Aug. 30, 2017).

3. *Id.* "Considering That," ¶ 43.

4. *Id.* "Considering That," ¶¶ 41, 47.

5. *Id.* "Considering That," ¶ 43.

6. *Id.* "Resolves," ¶ 2.

7. *Id.* "Resolves," ¶ 3.

8. *Kawas Fernández and Luna Lopez v. Honduras*, Monitoring Supervision of Compliance of Judgment, Order of the Court, "Resolves," ¶¶ 4-6.

9. *Luna Lopez v. Honduras*, Monitoring Supervision of Compliance of Judgment, Order of the Court, Inter-Am. Ct. H.R. "Considering That," ¶ 4 (Nov. 14, 2017).

treatment.¹⁰ Thus, the State did not need to comply with this reparation measure.¹¹ Because the State admitted international responsibility, it effectively fulfilled its duty of having an act of public recognition.¹² Similarly, the State published its judgment in the required periodicals; however, they did not publish on the State website.¹³ Pending compliance with the website publication, the State substantially complied with its duty.¹⁴ Finally, the State largely complied with the relevant payments; pending two final payments, the State will have complied with the judgment.¹⁵

10. *Id.* “Considering That,” ¶ 6.

11. *Id.* “Considering That,” ¶¶ 6-7.

12. *Id.* “Considering That,” ¶¶ 9-11.

13. *Id.* “Considering That,” ¶ 14.

14. *Id.* “Considering That,” ¶¶ 14-15.

15. *Luna Lopez v. Honduras, Monitoring Supervision of Compliance of Judgment, “Considering That,”* ¶ 23.