



The Debt of Justice: Delay in Berta Cáceres case causes concern

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Six months ago today, seven men were found guilty of the murder of indigenous Lenca leader and human rights defender Berta Cáceres and the attempted murder of Mexican environmental activist, Gustavo Castro who was also injured in the attack on March 2, 2016. Members of the Mission that observed the trial express their concern that the Tribunal has yet to deliver in writing the guilty sentence it announced six months ago, leading to legal uncertainty in the case.

In the oral ruling issued on November 29, the Court recognized that the murder was planned and carried out with "full knowledge and consent" of executives of Desarrollos Energéticos S.A. (DESA), with the intention of stopping the opposition to their *Agua Zarca* hydroelectric dam project.

"The ruling confirmed a truth about the facts that coincides substantially with the assertions and statements of the private prosecutors since the beginning of the investigation," said Juan Francisco Soto, Vice President of FIDH and Director of CALDH, both member organizations of the Mission. "The ruling recognized that Berta Cáceres was assassinated because she was an indigenous leader and defender of the human, land and water rights of the Lenca people," Soto added.

The Observation Mission is made up of international and national organizations, experts in human rights, international law and criminal law, and was present for the duration of the first trial for the murder of Berta Cáceres (a second trial against an additional defendant is pending). Throughout the process, the Mission noted structural weaknesses in the Honduran judicial system that continue to pose limitations and challenges to the population's access to justice. These include the lack of timely resolution of judicial remedies, the omission of the investigation of the intellectual authors of the crime, and the limitation of the rights of the victims. Members of the Mission are in Tegucigalpa today to hold a forum on the impacts of the legal proceedings.

"It's an obligation of the Honduran State to issue a written judgment against the perpetrators," said Isabel Solís, Maya K'iche' researcher and National Director of GHRC/USA, who was present to observe the trial and who will speak at the forum. "It's a necessary step in order to continue with the investigation, trial and punishment of all the

intellectual authors of the crime and to guarantee true justice for the family of Berta Cáceres and the Civic Council of Popular and Indigenous Organizations of Honduras (COPINH).”

The Observation Mission is necessarily withholding publication of its final report regarding the trial until the Court issues its written judgment. Six months after the trial ended, that judgment is still pending.

“The Debt of Justice: Impacts of the first trial of the murder of Berta Cáceres” is a public forum hosted by the Observer Mission on Wednesday, May 29 from 3-5 pm local time at Hotel Honduras Maya in Tegucigalpa. It will be streamed live on Twitter @MisionCaso

Signed:

- Center for Indigenous Peoples’ Legal Aid (CALPI) – Nicaragua
- Center for Human Rights Legal Action (CALDH) - Guatemala
- Center for Human Rights Research and Promotion (CIPRODEH) – Honduras
- Center for Justice and International Law (CEJIL) – Regional
- José Alvear Restrepo Lawyer’s Collective (CAJAR) – Colombia
- International Commission of Jurists (CIJ) – International
- Due Process of Law Foundation (DPLF) - USA
- Reflection, Research, and Communications Team (ERIC-sj) – Honduras
- International Human Rights Federation (FIDH), within the framework of the Observatory for the Protection of Human Rights Defenders– International
- World Organisation Against Torture (OMCT) within the framework of the Observatory for the Protection of Human Rights Defenders– International
- Guatemala Human Rights Commission (GHRC/USA) – USA
- Joseph P. Berra, Promise Institute for Human Rights, UCLA – USA
- National Lawyers Guild, International Committee – USA
- Observatoire International des Avocats – Spain/France/Italy/Paris
- International Platform Against Impunity – Geneva

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