

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations
Promoting human rights by protecting those who defend them

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Thursday, March 3, 2016

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Attention Attorney General and Chief of the Armed Forces

Re: Assassination of Berta Cáceres

Lawyers' Rights Watch Canada (LRWC) is a committee that promotes human rights and the rule of law through advocacy, education and research. LRWC is an NGO in Special Consultative Status with the Economic and Social Council (ECOSOC) of the United Nations (UN).

LRWC is shocked by the assassination of world renowned environmental and indigenous rights advocate Berta Cáceres in Honduras on 3 March 2016.

LRWC calls on the Government of Honduras to take all steps necessary to ensure that:

1. the crime scene is appropriately preserved and recorded; and,
2. all evidence is professionally collected and preserved so as to prevent contamination, deterioration or loss of all evidence related to the murder;
3. an investigation of the murder in full compliance with the requirements of the *International Covenant on Civil and Political Rights* and the *Effective Prevention and Investigation of Extra-Legal, Arbitrary or Summary Executions* is commenced immediately;
4. the relatives and representatives of Berta Cáceres are consulted regarding the investigation and kept informed of the course of the investigation..

Given Ms Cáceres' advocacy for causes and people unpopular with both state and corporate actors engaged in land grabs and resource extraction, it is reasonable to anticipate that powerful actors may seek to prevent an effective investigation leading to the prosecution of those responsible for authoring and executing this murder. Extreme care and professionalism is therefore necessary in carrying out the investigation of the murder. Failure by the Government of Honduras to ensure an effective, competent and transparent investigation and strict adherence to the highest professional standards in the collection, preservation and analysis of evidence may well lead observers to suspect state involvement. Those appointed to carry out the investigation must be independent of all departments and people suspected of complicity.

BACKGROUND

Berta Cáceres was the coordinator and co-founder of the Council of Indigenous Peoples of Honduras (COPIHN). Ms Cáceres was internationally known and admired for her defense of indigenous rights, particularly rights to land and natural resources. In 2015 she received the prestigious Goldman award in recognition of her extraordinary environmental and human rights advocacy. She was murdered in the early hours of 3 March 2016 by unknown assailants who forced their way into the home where she was staying in her hometown of Esperanza, in the Western Province of Intibuca. Although the Inter-American Commission on Human Rights had ordered protective measure be provided by the Government of Honduras to ensure her safety, Ms. Cáceres was utterly unprotected by the police when murdered. The absence of any protective measures as ordered by the Commission, is particularly difficult to comprehend given reports that approximately one week prior to her murder, she was threatened with harm for opposing a dam on indigenous lands. Prior to her murder, she had complained that Honduran government was not implementing the procedures.¹

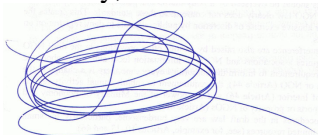
Undoubtedly Ms Cáceres' work as a human rights and democracy defender brought her to the notice and possible disfavour of powerful actors. In 2009 Ms Carceres opposed the military coup. More recently, Ms Cáceres and COPINH were supporting the Lenca people in their opposition to the Agua Zarca hydroelectric dam project on the Gualcarque River: a project plagued with accusations of serious human rights abuses.² Reports indicate that Synohydro, a Chinese corporation, withdrew from the mega-dam project because of human rights violations, and the Central American Mezzanine Infrastructure Fund, part of the World Bank, cancelled a loan to help finance the project for the same reasons.

LRWC urges the Government of Honduras to move quickly to ensure a proper investigation of the murder, prosecution and trial of the suspects and punishment of the perpetrators. LRWC urges the Government of Honduras to also investigate and explain the appalling failure to provide the protective measures for Berta Cáceres as ordered by the Inter-American Commission on Human Rights.

Honduras failed to provide the protective measures that might have prevented the assassination of Berta Cáceres. Honduras must not fail to properly investigate her assassination and to ensure that all the perpetrators are identified through investigation and trial and properly punished.

LRWC will continue to follow this matter.

Sincerely,



Gail Davidson, Executive Director, LRWC

Copied to:

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¹ <http://www.reuters.com/article/us-honduras-crime-reaction-idUSKCN0W52G4>

² <http://www.coha.org/human-rights-violations-in-honduras-land-grabs-peasants-repression-and-big-companies/> see also <http://www.aljazeera.com/indepth/features/2013/12/honduras-dam-project-shadowed-violence-201312211490337166.html>