This is a joint call to action by international civil society organizations to call upon the Honduran authorities to ensure there is justice for the victims of the murder on Berta Caceres. Eight years and four months have passed since the crime against Berta and the Honduran justice system has not confirmed the sentences of those convicted and has not prosecuted the intellectual authors. We are extremely concerned that independent administration of justice and international agreements on human rights are not being upheld.

Berta Cáceres was murdered on the night of March 2, 2016, in her home in the town of La Esperanza, in southwestern Honduras. She was murdered after leading the resistance, together with COPINH and the indigenous community of Río Blanco, against the unconsulted and illegal installation of the Agua Zarca hydropower project. The project was being developed by the company DESA (Desarrollos Energéticos S.A.). A company owned by the Atala Zablah family, a powerful economic group in Honduras. It was financed by the Dutch development bank FMO, as well as Finnfund and CABEI.

On November 29, 2018, the sentencing court with national territorial jurisdiction in criminal cases, located in Tegucigalpa, issued a conviction (case no. 172-2020) for the murder of Berta Cáceres and the attempted murder of Gustavo Castro, against Douglas Bustillo (former military officer, head of security of DESA), Mariano Díaz (army major), Henry Hernández (former military officer, contract killer), Sergio Rodríguez (environmental and social manager of DESA), Elvin Rápalo (hitman), Óscar Torres (hitman) and Edilson Duarte (hitman) as perpetrators of the crime, with respective convictions on December 2, 2019 with sentences ranging from 30 to 50 years in prison. Similarly, on July 5, 2021, the court issued a conviction (Case No. 567-2022) for the murder of Berta Cáceres against David Castillo (general director of DESA, former military) as a co-perpetrator of the crime, sentencing him to 22 years and 6 months in prison on June 20, 2022.

The legal defenders of those convicted in the two trials have filed cassation appeals against the verdicts, but to date the Supreme Court has yet to rule. This causes us serious concern. The Criminal Chamber of the Supreme Court, composed of magistrates Nelson Mairena Franco, Walter Miranda Sabio and Mario Díaz, has the power to confirm the verdicts and provide legal certainty to the victims for the two trials held for the murder of Berta Cáceres, indigenous Lenca leader and Honduran social activist.

These trials represent a transcendental precedent in Honduras and the region when it comes to breaking impunity. It is the first time in Latin-America that members of private parties have been tried and punished for crimes against indigenous communities and organizations in the context of the struggle for the defense of the territory.

The decision of the Criminal Chamber is currently in a critical situation due to the undue pressure unleashed through communication campaigns and unsubstantiated legal actions of the technical defense of David Castillo and Sergio Rodríguez[1]**.** This communication campaign was launched after the Honduran Attorney General's Office for crimes against life issued an injunction against Daniel Atala Midence, financial manager of the DESA company, on December 1, 2023.

On May 3, 2024, the conviction of David Castillo and Carolina Castillo as former officials of the ENEE and later employees of the DESA company was announced**,** for the crime of fraud for the illegal acts that led to obtaining contracts between the State of Honduras and the DESA company

[1] https://copinh.org/2024/04/comunicado-basta-de-dilatar-las-sentencias-de-los-culpables-del-asesinato-de-berta-caceres/

for the construction of the Agua Zarca hydroelectric project, a confirmation of the illegality and corruption denounced by COPINH and Berta Cáceres. Due to the failure of Castillo's lawyers to appear, this proceeding has been postponed once again.

As civil society organizations signing, it is in our interest that there be effective judicial protection, both for victims and for the accused. Public confidence in the Honduran judiciary is crucial. The resolution of these appeals will not only bring relief to the affected families, but will also demonstrate Honduras' commitment to justice and the rule of law. Therefore, once again, we call upon the Honduran authorities to ensure there is justice for the victims of the murder on Berta Caceres.

Signed,

Both ENDS
SOMO
TNI
Banktrack
Global Justice Association
Milieudefensie
Oxfam
GAGGA alliance
Action Aid
Friends of the Earth International