

Open Letter to Federica Mogherini, High Representative of the Union for Foreign Affairs and Security Policy, and Cecilia Malmström, European Commissioner for Trade, regarding the Murder of Honduran Environmental and Human Rights Defender Berta Cáceres

15 March 2016

Dear Ms. Mogherini,
Dear Ms. Malmström,

We write in shock and deep sorrow regarding the murder of Honduran environmental and human rights defender Berta Cáceres. She was a Lenca indigenous leader and the coordinator and co-founder of the Civic Council of Popular and Indigenous Organizations of Honduras (COPINH). In 2015, she was awarded the Goldman Foundation Environmental Prize for defending her land and natural resources, notably for her campaigning against Agua Zarca dam project. This project receives both national and international funds, including from the Dutch development bank FMO, Finnfund from Finland. Voith Hydro, a joint venture between Voith and Siemens (both based in Germany), is also involved in the project as equipment supplier.

Ms. Cáceres had precautionary measures from the Inter-American Commission on Human Rights (IACHR) since 2009,¹ but did not receive the full protection she needed. She is one of the 15 human rights defenders who have been killed in Honduras despite being beneficiaries of IACHR precautionary measures, as reported by the Committee of Relatives of the Disappeared in Honduras (COFADEH). On March 5th, 2016, the IACHR granted precautionary measures for COPINH members, Berta Cáceres' family and Gustavo Castro Soto, given the risk to their safety.²

Gustavo Castro Soto, Mexican environmentalist, journalist and member of Otros Mundos Chiapas/Friends of the Earth-Mexico and the Mesoamerican Movement against the Extractive Mining Model was also wounded in the attack against Cáceres. On March 6th, when he attempted to leave Honduras, with protection from the Mexican Embassy in Honduras, he was prevented from doing so by Honduran authorities before passing through migration in the Tegucigalpa International Airport, under the argument that he had to give further testimony. According to the latest information, as of 8th March, he was requested to stay in the country for 30 more days.³

Berta Cáceres' death confirms what a 2015 report has shown: Honduras is one of the world's most dangerous countries for environmental activists. At least 109 environmental activists were murdered between 2010 and 2015. Since the 2009 coup, Honduras has become one of the world's most dangerous places to be a human rights defender of any kind. The murder of Berta Cáceres sends a devastating message to all Hondurans trying to exercise their rights – including their right to defend their human rights.

1 "IACHR Condemns the Killing of Berta Cáceres in Honduras",

2 Precautionary measure N. 112-16, 5 March 2016 (available in Spanish): www.oas.org/es/cidh/decisiones/pdf/2016/MC112-16-Es.pdf.

3 OHCHR, "Honduras: "Another defender needs protection after Berta Cáceres's killing" – UN expert", 10 March 2016 (available in English and Spanish): <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17198&LangI>

We welcome the statement the EU Delegation in Honduras together with members states have issued just after Ms. Cáceres assassination⁴ as well as the Statement of the Spokesperson⁵ highlighting the need of a “transparent yet expedite investigation” and asking for the full protection of Mr. Castro Soto and be allowed to leave the country as soon as possible.

We urge that, though political dialogue, you request the State of Honduras to:

Support an independent international investigation of Ms. Cáceres murder, led by the Inter-American Commission on Human Rights, and urge the Honduran government to invite and fully cooperate with such an investigation. An independent investigation is essential given the lack of confidence in the judicial system; reigning impunity,⁶ including for cases involving human rights defenders; and the emblematic nature of this case.

Ensure that Honduran judicial authorities carry out their duties to effectively and promptly investigate Cáceres' murder, in cooperation with the international investigation, and following lines of inquiry that take into account the context of Cáceres' work and situation of risk, while pursuing the intellectual and material authors, guaranteeing due process and access to justice.

Comply with the precautionary measures granted by the IACHR on March 5 and provide immediate, effective, and carefully consulted protection to members of COPINH, members of Ms. Cáceres' family, Mr. Castro and all witnesses in the case. The Honduran State must inform the IACHR about the measures adopted in this regard until March 18th, 2016.

Proceed immediately to cancel the concession granted to DESA for the Agua Zarca project, which represents a violation of article 15 of ILO Convention 169 (C169), as there is no evidence to suggest that the indigenous Lenca people ever gave their consent prior to Honduran National Congress approving the concession in September 2010. All other concessions in Lenca territories approved without free, prior and informed consent must be suspended. The State of Honduras has ratified ILO Convention 169 and the Declaration on the Rights of Indigenous Peoples. Thus, it has the international obligation to seek consent.

Advance on the regulations and implementation of the mechanism for the protection of human rights defenders, journalists, media workers and justice operators, which must be fully operational and adequately funded, with protection measures consulted with beneficiaries.

Additionally, according to EU an international mechanisms, we recommend you to:

Ensure that the EU Delegation as well as Embassies and Consulates of EU member states in Honduras actively accompany and monitor the processes around the investigation of the murder of Berta Cáceres and the situation of Gustavo Castro Soto, in line with the European Union Guidelines on Human Rights Defenders.

Regulate European investments in natural resources exploitation projects in indigenous territories in order to comply with States human rights obligations, including those enshrined in C169 and outlined in the Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights and the UN Guiding Principles. As stated above, the concession granted to DESA for the Agua Zarca project represents a violation of article 15 of C169.

4 EU local Statement on the death of human rights defender Berta Cáceres, 3 March 2016 (only in Spanish).

Available at: http://eeas.europa.eu/delegations/honduras/press_corner/all_news/news/2016/20160303_es.htm

5 Statement of the Spokesperson on the follow up the death of Berta Cáceres in Honduras, 12 March 2016. Available at: http://eeas.europa.eu/statements-eeas/2016/160312_02_en.htm

6 The latest report by the IACHR on the situation of human rights in Honduras (December 2015) states that impunity is “structural” in the country. Available at: <http://www.oas.org/en/iachr/reports/pdfs/Honduras-en-2015.pdf>.

In the framework of the implementation of the trade pillar of the Association Agreement between the EU and Central America, verify that all clauses related to the implementation of labour, environmental and social rights are respected by the State of Honduras, but also by European member states whose companies are supporting related projects in Honduras. Mobilise all mechanisms at disposal to ensure the full respect and implementation of these clauses as well as Art. 1 of the agreement.

The EU must stand with those who are putting their lives on the line for the protection of human rights and the environment in Honduras. And as outlined by the EU, human rights defenders around the world deserve to see that impunity (of any kind) will not prevail.

Signed by:

1. ACT Alliance EU
2. Ambiente, Desarrollo y Capacitación, Honduras
3. Agropecuaria Van Der Zee S.A. Nicaragua
4. Asociación de mujeres feministas puntos subversivos.
5. Asociación Latinoamericana de Organizaciones de Promoción al Desarrollo, ALOP, Mexico
6. Asociación Mujeres en la Diversidad - Spain
7. Asociación para la Promoción y el Desarrollo de la Comunidad (CEIBA), Guatemala
8. Asociación Paz con Dignidad, Spain
9. Asociación Pro Derechos Humanos de España (APDHE), Spain
10. Asociación Servicio Doméstico Activo (SEDOAC), Spain
11. Associació PERIFÈRIES, Spain
12. Axela Romero Cárdenas, México
13. Ayuntamiento de Madrid- Spain
14. Bischöfliche Aktion Adveniat e.V. para los pueblos en América Latina y el Caribe, Germany
15. Bread for all, Switzerland
16. Broederlijk Delen, Belgium
17. C-CONDEM
18. Calala Fondo de Mujeres, Spain
19. Capítulo Boliviano de Derechos Humanos, democracia y desarrollo.
20. Center for International Environmental Law - United States
21. Centre National de Coopération au Développement CNCD-11.11.11 - Belgium
22. Centro de Documentación en Derechos Humanos "Segundo Montes Mozo S.J." (CSMM), Ecuador
23. Centro de Estudios e Investigación sobre Mujeres
24. Centro de Estudios y Apoyo al Desarrollo Local
25. Centro de la Mujer Peruana Flor Tristán, Peru.
26. Centro Internazionale Crocevia, Italy
27. Christliche Initiative Romero e.V., Germany
28. Colectivo Rebeldía - Bolivia
29. Colegio de Profesionales Forestales de Honduras, COLPROFORH. Honduras
30. Collectif Alerte Honduras, France
31. Collectif Paris-Ayotzinapa , France
32. Comisión Nacional de los Derechos Humanos - RD
33. Comité de Familiares de Detenidos-Desaparecidos en Honduras (COFADEH), Honduras
34. ComuniCA e.V. Comunidad Centroamericana en Alemania , Germany
35. Cooperacio, Spain
36. Coordinadora Indígena de Mesoamérica y el Caribe (CIMCA) Honduras

37. Copenhagen Initiative for Central America and Mexico (CIFCA), Belgium.
38. DanChurchAid, Danemarc
39. Defenred - Spain
40. Due Process of Law Foundation, United States
41. The Norwegian Solidarity Committee for Latin America , Norway
42. Entrepueblos/Entrepobles/Entrpobos/Herriarte, Spain
43. Espacio ACI, Honduras
44. Federación Comercializadora de Café Especial de Guatemala, "FECCEG", Guatemala
45. Federación de Planificación Familiar Estatal - Spain
46. Federacion de Mujeres jóvenes, Spain
47. FIAN International (international organization)
48. Focus on the Global South, Thailand
49. Forschungs- und Dokumentationszentrum Chile-Lateinamerika e.V., Berlin, Germany
50. France Amérique Latine, France
51. Forum de Política Feminista de Málaga
52. Front Line Defenders, Ireland
53. Fuerza de Mujeres Wayuu - Sütsüin Jiyeyuu Wayuu -Colombia
54. Fundación Acceso - Costa Rica
55. Fundación Madrid Paz y Solidaridad, Spain
56. Fundación Mundubat, Spain
57. Grito de los excluidos Bolivia
58. Grupo Sur - European Advocacy Network - EU Latin America and Caribbean
59. Guatemala Solidarität Österreich, Austria
60. Habitat International Coalition, Latin American Office, Mexico
61. Haurralde Fundazioa, Spain
62. Hausfeld & CO LLP
63. HEKS/EPER
64. HELVETAS, Honduras
65. Honduran Conservation Coalition
66. Honduras Forum Switzerland, Switzerland
67. Hondurasdelegation, Germany
68. Honduraswerkgroep Belgium
69. Humanos con Recursos, España
70. IBIS, Denmark
71. ICID, Iniciativa de Cooperacion Internacional para el desarrollo, Spain.
72. Index on Censorship, UK
73. Informationsgruppe Lateinamerika (IGLA), Austria
74. Iniciativa Cuba Socialista (Belgium)
75. Iniciativa Mesoamericana de Mujeres Defensoras de Derechos Humanos
76. Instituto de Investigacion y capacitacion pedagógica social
77. International Federation for Human Rights (FIDH)
78. Jobs AUstralia, AUstralia
79. Kindernothilfe e.V. - Germany
80. La Via Campesina
81. Le Réseau des GASAP asbl (Belgium)
82. medico international Germany
83. Misereor, GERMANY
84. Mugarik Gabe, Bask Country, Spain
85. Muejres de negro de Madrid, Spain
86. Nación Tawahka
87. Nicaragua-Verein Düsseldorf e.V., Germany
88. NOAH - Friends of the Earth Denmark

89. Observatorio DESC, Spain
90. Ökumenisches Büro für Frieden und Gerechtigkeit e.V., Germany
91. Ökumenische Initiative Mittelamerika e.V.
92. ONG Realidades - Bolivia
93. ONGD Asociación de Investigación y Especialización Sobre Temas Iberoamericanos, Spain
94. Oxfam
95. Peace Brigades International (PBI)
96. Plataforma de lucha contra la Violencia hacia la Mujer, Santa Cruz de la Sierra-Bolivia
97. Plataforma de Solidaridad con Chiapas y Guatemala de Madrid, Spain
98. Plataforma de Solidaritat amb el Poble de Guatemala, Spain.
99. Plataforma Interamericana de Derechos Humanos, Democracia y Desarrollo (PIDHDD Regional) Quito, Ecuador
100. Platform against gender violence- Catalonia -Spain
101. Protection International, Belgium
102. Provea – Venezuela
103. Red Derechos Sexuales y Derechos Reproductivos de Euskadi, Bask Country, Spain
104. Rede de mujeres de América Latina y el Caribe en Espana, Spain.
105. Redlad, Colombia
106. Red Nosotras en el Mundo (España-Argentina-Mesoamérica)
107. Secours Catholique Caritas, France
108. SEDOAC.
109. Servicios Juridicos y Sociales SERJUS, Guatemala
110. Society for International Development (SID) - Global Organization with HQ in Italy
111. Solidarity Sweden-Latin America / SAL, Sweden
112. Sri Lanka Nature Group - Sri Lanka
113. TROCAIRE, Ireland
114. Unión Argentina de Pescadores Artesanales (UAPA)
115. Urgenci International Community Supported Network
116. VSF Justicia Alimentaria Global
117. We Effect, Sweden
118. Women's International League for Peace and Freedom
119. World Organisation Against Torture (OMCT), Switzerland
120. World Solidarity, Belgium
121. World Forum of Fish Harvesters and Fish Workers (WFF)
122. World Forum of Fisher Peoples - Global Fisher Movement

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