

# DEATH BY IMPUNITY: BERTA CÁCERES AND AGUA ZARCA

 FOEI  
HUMAN RIGHTS  
DEFENDERS  
MARCH | 2019

THE URGENT CASE FOR BINDING LEGISLATION ON  
TRANSNATIONAL CORPORATIONS AND HUMAN RIGHTS



**Friends of  
the Earth  
International**

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# FOREWORD



Berta Cáceres.  
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***“I cannot freely walk on my territory or swim in the sacred river and I am separated from my children because of the threats. I cannot live in peace, I am always thinking about being killed or kidnapped. But I refuse to go into exile. I am a human rights fighter and I will not give up this fight.”<sup>1</sup>***

Berta Cáceres, murdered in her home by hitmen on 2 March 2016 in retaliation for her work defending her peoples’ territory and human rights.

Berta Cáceres was murdered for protesting against the Agua Zarca hydroelectric dam that was threatening a river considered sacred by her community. The community faced years of intimidation and military repression and, in total, five members of the community were killed. The company constructing the dam turned out to be directly involved in these killings.

Several international institutions financed the project, including two European financiers: the Dutch Development Finance Institution (FMO) and the Finnish Development Finance Institution (Finnfund). When they were made aware by the community of the human rights violations linked to the construction of the dam, they turned a blind eye and continued their involvement.

The banks claimed that they followed the voluntary United Nations Guiding Principles on Business and Human Rights (UNGP) guidelines on human rights due diligence, despite the overwhelming evidence that the project disregarded international standards. After Berta’s murder, the companies were put under strong pressure and, finally, agreed to stop financing the project.

This case clearly shows that, in order to prevent such human rights violations, we need legally binding norms to hold corporations to account for the human rights violations and environmental damages their activities cause. As shown by this case, voluntary commitments clearly don’t work. We are therefore calling for a UN binding treaty on transnational corporations and human rights.

<sup>1</sup> <https://www.theguardian.com/world/2016/mar/03/remembering-bertha-caceres-interview-la-esperanza-honduras-human-rights>



Gualcarque river.  
© Goldman Environmental Prize

On the 2<sup>nd</sup> March 2016, armed hitmen broke into the home of Berta Cáceres two days before what would have been her 45<sup>th</sup> birthday. They shot her three times with a .38 revolver, and then fled to a waiting getaway car. She died shortly afterwards in the arms of her friend Gustavo Castro, the director of Ortos Mundos/ Friends of the Earth Mexico and old friend, who had also been shot, and who had survived by pretending to be dead. At the time of her assassination, the internationally-renowned Lenca indigenous leader and Honduran human rights and environment defender was leading the struggle against the Agua Zarca project: the construction of an internationally-financed hydroelectric dam on the Gualcarque River in western Honduras. The Gualcarque River is sacred to the Lenca people, and the dam's construction threatened to desiccate the river and endanger the livelihoods of the Lenca people. Her fearless work with COPINH (Civic Council of Popular and Indigenous Organizations of Honduras) to defend the Gualcarque River, its surrounding environment and local people had won her the Goldman Environmental Prize in 2015. Before her murder, Berta had been given a prison sentence by the Honduran government for opposing the Agua Zarca project and had been repeatedly threatened, placed under surveillance, and persecuted for her opposition to the project.

## INTIMIDATION OF ENVIRONMENTAL ACTIVISTS

According to Global Witness, two people are killed worldwide every week for taking a stand against environmental destruction.<sup>2</sup> In 2017, 201 activists across the world were recorded to have been killed for taking a stand against environmental destruction and land-grabbing by governments and companies, and for calling out the corrupt and unjust practices associated with it.<sup>3</sup> The actual number is likely to be much higher. Most of the activists were killed in disputes over hydropower, mining and agri-business, and many of them were indigenous people.

According to Global Witness, Latin America had the world's highest number of killings of land and environment defenders in 2017, and, within Latin America, 'nowhere on earth are you more likely to be killed for protesting the theft of land and destruction of the natural world than in Honduras.'<sup>4</sup> After the 2009 military coup that introduced a pro-business government that sanctioned large numbers of renewable energy projects, mines, and biofuel plantations in rural communities without consulting the local population, there has been a wave of death threats, assassinations

<sup>2</sup> <https://www.globalwitness.org/en/campaigns/environmental-activists/how-many-more/>

<sup>3</sup> <https://www.globalwitness.org/en/campaigns/environmental-activists/at-what-cost/>

<sup>4</sup> [https://www.globalwitness.org/documents/18804/English\\_Honduras\\_full\\_report\\_single\\_v6.pdf](https://www.globalwitness.org/documents/18804/English_Honduras_full_report_single_v6.pdf)

and systematic targeting of environmental and human rights activists in Honduras. 123 known land and environmental defenders have been killed in Honduras since the coup, making it the most dangerous country in the world to be an environmental activist.

## THE AGUA ZARCA HYDROELECTRIC PROJECT

The Agua Zarca project, under construction by the Honduran corporation Desarrollos Energéticos S.A. (DESA), was a proposed hydroelectric project on the Gualcarque river in Río Blanco, western Honduras. It was predicted to have a generating capacity of 22 megawatts, and consist in a 300 metre-long reservoir and a 3-kilometre-long diversion channel between the dam and the turbines.<sup>5</sup> In relative terms it was a small hydroelectric project, but it posed an enormous threat to the indigenous Lenca people, who consider the river to be sacred, and use it for irrigating their farmland as well as for swimming, washing and fishing. The Agua Zarca project was one of at least 49 mega-projects destined for Lenca territories.<sup>6</sup>

In the aftermath of the 2009 military coup that overthrew the Juan Manuel Zelaya government, Honduras saw a proliferation of environmentally destructive projects sanctioned without legally required community consultations, and the Agua Zarca project was one of these.<sup>7</sup> The construction of the dam was strongly resisted from the beginning. When it became known in 2006 that the construction of the dam – one of four foreseen on the Gualcarque river – was planned, the local community voted against the project and filed complaints with both the government authorities and the Inter-American Human Rights Commission for not having been consulted, as is the requirement under international law.<sup>8</sup> DESA, a special-purpose company founded for the sole purpose of the development of the Agua Zarca project and based in Tegucigalpa, Honduras,<sup>9</sup> was set up in 2008, and the executive president was Robert David Castillo Mejía. Preliminary construction started in 2011, after which DESA signed a contract with the Chinese firm Sinohydro, the world's largest dam builder, in November 2011.

In March 2013, DESA blocked access to the Gualcarque river. In response, on April 1, 2013, the COPINH community of Río Blanco began a blockade, preventing the dam company from reaching the river and blocking the construction of the dam. The crisis escalated over the following months, with the site becoming increasingly militarised. The continued protests and serious conflicts that took place between the developer and local communities caused Sinohydro to cancel its contract agreement with the project in 2013. However, DESA, the Honduran company and promoter of the project, continued its involvement and sought out new financiers and participating companies, including the Dutch development bank FMO, the Finnish Fund for Industrial Cooperation (Finnfund), the Central American Bank for Economic Integration (CABEI), and Voith Hydro (Siemens/Voith), the company foreseen to supply the turbines, generators and automation technology to the project.

The Lenca people continued their protest addressing the fact that they were not properly consulted regarding the Agua Zarca project. Repression and threats against them increased culminating in fabricated criminal charges against Berta and the murder of Río Blanco community leader and COPINH member Tomás García in July 2013, who was killed by a soldier stationed inside the DESA logistics headquarters during a peaceful protest.

In 2015, the site of the project was moved to the opposite bank of the Gualcarque river, where it was no longer on indigenous farmland but could still threaten the land due to desiccation, and construction started in October 2015. On March 16 2016, just two weeks after the murder on Berta Cáceres, Nelson García, another member of COPINH, was assassinated (despite the international spotlight being on Honduras following Berta's murder). Following this news, both FMO and Finnfund (and subsequently CABEI, the third financier) announced that they would temporarily suspend all disbursements towards the Agua Zarca project. Finnfund and FMO finalised their exit from the Agua Zarca project in July 2017, putting the project on hold.<sup>10</sup>



Berta Cáceres and the people set up a road blockade to prevent DESA's access to the dam site.

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- 5 [https://www.banktrack.org/project/agua\\_zarca\\_dam](https://www.banktrack.org/project/agua_zarca_dam)
- 6 <https://www.theguardian.com/global-development/2018/sep/16/bertha-caceres-murder-trial-set-to-begin-honduras>
- 7 <https://www.theguardian.com/world/2017/jun/04/honduras-dam-activist-bertha-caceres>
- 8 [https://www.iucn.nl/files/publicaties/exemplary\\_cases\\_of\\_good\\_chinese\\_investor\\_responsibility/exemplary\\_cases\\_of\\_good\\_chinese\\_investor\\_responsibility\\_case\\_3\\_agua\\_zarca\\_a.pdf](https://www.iucn.nl/files/publicaties/exemplary_cases_of_good_chinese_investor_responsibility/exemplary_cases_of_good_chinese_investor_responsibility_case_3_agua_zarca_a.pdf)
- 9 <https://www.fmo.nl/agua-zarca> and <https://www.bloomberg.com/research/stocks/private/snapshot.asp?privcapid=298110979>
- 10 [https://www.banktrack.org/project/agua\\_zarca\\_dam](https://www.banktrack.org/project/agua_zarca_dam)

# THE COURT CASE AGAINST THE MURDERERS

# 02



Local assembly where community members formally voted against the dam.  
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Two months after the murder of Berta Cáceres, the first four suspects were arrested, two of them having ties with DESA.<sup>11</sup> But the court case, in which in total eight men were charged with the murder of Berta Cáceres and the attempted murder of Gustavo Castro, only started in 2018 and has been mired by allegations of negligence and cover-ups.

The trial, scheduled to begin on 17 September 2018, was postponed after the judges were accused of abuse of authority and a cover-up. Lawyers representing Berta's family requested that the three judges be recused and replaced, arguing that multiple decisions and omissions by the judges in the hearings before the trial constituted a violation of due process and bias against the victims, and that the judges had shown a disregard for the rule of law, for instance by refusing to share evidence with the family's legal team, despite having received a court order to do so.<sup>12</sup> Additionally, five injunctions were submitted, including one by the Berta's family's lawyers, challenging the seemingly arbitrary decision by the judges to reject witnesses, experts and documentary evidence indicating that the murder was part of a wider criminal conspiracy.<sup>13</sup>

<sup>11</sup> <https://www.frontlinedefenders.org/en/case/case-history-bera-c%C3%A1ceres>

<sup>12</sup> <https://www.theguardian.com/world/2018/sep/17/bera-caceres-trial-postponed-judges-accused>

<sup>13</sup> <https://www.theguardian.com/world/2018/sep/17/bera-caceres-trial-postponed-judges-accused>

Despite this, when the verdict was pronounced on Thursday 29 November 2018, it was unequivocal: firstly, the court recognised that the murderers were contract killers who had been paid to kill Cáceres; secondly that a high-level DESA executive had coordinated with the hitmen convicted of Berta Cáceres' murder; and, thirdly, that the murder was planned and carried out with 'knowledge and consent' of DESA executives in retaliation for the delays and financial losses linked to the protests she had been leading in defence of indigenous territories, especially the Gualcarque River.<sup>14</sup> Seven men were convicted, including a current and a former DESA employee, and four people with links to the military.

The verdict confirmed that one of the men convicted, the former DESA chief of security, had acted in accordance with a DESA executive, who was identified company president David Castillo, a US-trained former military intelligence officer. Castillo will be tried separately in 2019, and is accused of masterminding the murder.

The family and colleagues of Berta Cáceres welcomed the verdict, but repeated their demands that justice be delivered against whoever masterminded the assassination, as well as those who financed it. Olivia Zuniga, Cáceres' eldest daughter, said in a statement:

***“Today there’s no satisfaction, or happiness, but we are glad to see jailed the killers who murdered my mother simply for defending natural resources at a moment when she was defenceless. We don’t want revenge because we are not killers like them, but we demand that the masterminds behind the murder be brought to justice.”<sup>15</sup>***



Berta Cáceres at the studio of Radio Guarajambala, a community radio station at COPINH's office.

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## UNANSWERED QUESTIONS: WHO WAS THE MASTERMIND BEHIND THE MURDER?

However, despite the guilty verdict, the multiple irregularities during the proceedings highlight the fact that the rights to justice, truth, and reparation were not guaranteed. According to Amnesty International, 'the irregularities in the investigation and court proceedings relating to the murder of prominent human rights defender Berta Cáceres, combined with the fact all those who masterminded the crime have still not been identified, lead to the conclusion that neither the right to justice, the right to the truth, nor the right to reparation have been guaranteed in this emblematic case.'<sup>16</sup>

The Grupo Asesor Internacional de Personas Expertas (GAIPE), an international group of lawyers, suggested in their 2017 report (discussed in more detail below)<sup>17</sup> that there was a pattern of infiltration, surveillance, criminal conspiracy, illicit association and corruption targeting Cáceres and Copinh that dated back months before the murder.<sup>18</sup> It also concluded that the events that led to Cáceres' death involved a network of Honduran state agents and senior DESA executives.

According to an ex-soldier from one of the US-trained Special Forces units of the Honduran military, Berta Cáceres' name and photo had appeared on a hitlist featuring dozens of social and environmental activists months before her death.<sup>19</sup> The list was distributed to two elite units with orders to eliminate each target. The list was given to the military police unit in the Inter-institutional Security Force (Fusina), which in summer 2015 received training from 300 US marines and FBI agents.

The 24-year old lieutenant, who deserted rather than comply with the order and fled to a neighbouring country, told the Guardian in 2016, ***“If I went home, they’d kill me. Ten of my former colleagues are missing. I’m 100% certain that Berta Cáceres was killed by the army.”*** According to Annie Bird, the director of Rights and Ecology, a group documenting human rights abuses in Honduras: “Cruz’s testimony suggests death squads are targeting political opposition, but the justice system is so broken, and directly controlled by figures implicated in corruption, that there is no one [in Honduras] who can credibly investigate.”<sup>20</sup>

14 Oxfam blogs – was justice really served? <https://blogs.oxfam.org/en/blogs/18-12-17-has-justice-been-served-bertha-caceres> and <https://www.theguardian.com/world/2018/nov/29/bertha-caceres-seven-men-convicted-conspiracy-murder-honduras>

15 <https://www.theguardian.com/world/2018/nov/29/bertha-caceres-seven-men-convicted-conspiracy-murder-honduras>

16 <https://www.amnesty.org/en/latest/news/2018/11/honduras-half-truths-for-bertha-caceres-and-her-family/>

17 <https://gaipe.net/wp-content/uploads/2017/10/Exec-Summ-Dam-Violencia-EN-FINAL.pdf>

18 <https://www.theguardian.com/world/2016/nov/15/bertha-caceres-murder-honduras-international-investigation>

19 Berta Cáceres's name was on Honduran military hitlist, says former soldier <https://www.theguardian.com/world/2016/jun/21/bertha-caceres-name-honduran-military-hitlist-former-soldier>

20 <https://www.theguardian.com/world/2016/jun/21/bertha-caceres-name-honduran-military-hitlist-former-soldier>

# THE FAILURE OF DUE DILIGENCE

# 03



Berta Cáceres with her mother, Doña Berta, a midwife and social activist.  
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A few months after the murder, Berta Cáceres' relatives and COPINH made a public request for there to be an independent investigation into the assassination, quoting concerns that Honduran authorities would not identify the intellectual authors of the crime.<sup>21</sup> When this was disregarded, the family and COPINH, together with the Wide Movement for Dignity and Justice (MADJ),<sup>22</sup> the Center for Justice and International Law (CEJIL)<sup>23</sup> and others, insisted that there be an investigation by a group of independent experts. As a result, the International Advisory Group of Experts (GAIPE), tasked with independently investigating the murder, was formed in November 2016.

GAIPE published its damning report in November 2017. Its findings included that 'Berta Isabel Cáceres' murder is not an isolated incident'<sup>24</sup> and that 'partners, executives, managers, and employees of [DESA], private security companies working for DESA, and public officials and state security agencies implemented different strategies to violate the right to free, prior, and informed consultations of the Lenca indigenous people [...] to control, neutralize, and eliminate any opposition.'

Given that DESA was funded by a number of international financiers - the Central American Bank for Economic Integration (CABEI), the Netherlands Development Finance Institution (FMO), and the Finnish Development Finance Institution, Finnfund - these findings

raise questions concerning the due diligence they carried out in their financing of the project.

## NO FREE, PRIOR AND INFORMED CONSENT

According to an agreement between the President of Honduras and COPINH, which was in turn based on the United Nations Declaration on the Rights of Indigenous Peoples,<sup>25</sup> projects affecting indigenous land and resources require free, prior and informed consultation of indigenous people regarding the project or its revisions.<sup>26</sup> However, the Lenca people were not adequately consulted regarding the Agua Zarca project and its revisions.

COPINH repeatedly contacted FMO insisting that they not fund the Agua Zarca project, as the project's sponsor had not obtained the required free, prior, informed consent of the indigenous Lenca

<sup>21</sup> <http://bertacaceres.org/international-group-experts-report-assassination-berta-caceres/>

<sup>22</sup> <https://www.frontlinedefenders.org/en/profile/madj>

<sup>23</sup> <https://cejil.org/en>

<sup>24</sup> <https://gaipe.net/wp-content/uploads/2017/10/Exec-Summ-Dam-Violencia-EN-FINAL.pdf>

<sup>25</sup> UN GA 61/295 Article 32: 'States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.' <http://www.un-documents.net/a61r295.htm>

<sup>26</sup> July 2011 agreement signed between COPINH and Porfirio Lobo Soso, President of the Republic of Honduras, which establishes a commitment "not to authorize the construction of dams in Lenca communities without undertaking prior, free, and informed consultations" (GAIPE final report p. 4)



people, and because land titles had not been properly obtained. COPINH explained in their letters that the project had resulted in continuous repression and threats against them.

The letters drew specific attention to the increasing number of human rights violations and militarisation resulting from the Agua Zarca project. Despite this, out of the three letters sent between October 2013 and April 2014, FMO responded to only one, and failed to respond adequately to the concerns raised. During a diligence visit to Honduras in October 2013, FMO did not meet with the communities opposed to the project in Río Blanco, but met with individuals invited by DESA at meetings set up by DESA, which does not constitute proper consultation of affected people.

According to GAIPE, ‘the level of violence that accompanied the project was prolonged, intense, and systematic’ with communities suffering ‘attacks, aggressions, and legal persecution [and] surveillance’. They concluded that CABEL, FMO and Finnfund had prior knowledge of DESA’s repressive tactics ‘through repeated complaints and reports by international consultants’<sup>27</sup> and yet failed to implement ‘appropriate, effective, and timely measures to guarantee respect for the human rights of indigenous communities affected by the Agua Zarca dam’.<sup>28</sup>

These financial institutions failed to protect the life of Berta Cáceres and continued to finance Agua Zarca despite concerns about the level of violence, lack of prior consultation and other problematic aspects that were communicated to both the public and directly to the international financiers, all of which constitute willful negligence on their part:

***“Having been effectively aware of the actions executed on behalf of DESA, in which the company’s agents were attributed responsibility for attacks against human rights, the international financial system preferred to look the other way and maintain the financing and operation of those who carried out these criminal acts.”***

### HUMAN RIGHTS DUE DILIGENCE IN THE UNGPS – AN ACCOUNTABILITY GAP

Both FMO and Finnfund assert that they follow and uphold the United Nations Guiding Principles on Business and Human Rights (UNGPs): a set of guidelines designed for States and companies to prevent, address and remedy human rights abuses committed in business operations.<sup>29</sup> However, they were able to turn a blind eye to the systemic violence carried out by DESA, culminating in the murder of Berta Cáceres.

The UNGPs established Human Rights Due Diligence (HRDD), an ongoing risk management process that has the potential to prevent human rights abuses in global business operations, provided that it is correctly implemented and the appropriate

enforcement mechanisms are established.<sup>30</sup> However, the UNGPs and the associated HRRD is not directly binding on businesses, and require implementation at the national level.

Implementation is done in part through the elaboration of National Action Plans (NAP) on Business and Human Rights – of which Honduras has none. The Honduran Government formally announced that Honduras would develop a NAP in November 2018, implementing the United Nations Guiding Principles on Business and Human Rights, but this NAP has not been published yet.

In effect, in the years since the UN Human Rights Council’s adoption of the UNGPs in 2011, full implementation of the corporate responsibility to respect human rights and of HRDD has remained marginal. European Union decision makers have, in general, relied on voluntary and incentive-driven rather than mandatory measures to promote business respect for human rights, and this has proven to be insufficient, as the murder on Berta Cáceres proves.<sup>31</sup>

### A UN TREATY ON TRANSNATIONAL CORPORATIONS AND HUMAN RIGHTS IS NEEDED IN ORDER TO PREVENT FURTHER HUMAN RIGHTS ABUSE

The absence of binding regulation defining companies’ and financial institutions’ duties and ensuring access to justice for victims of corporate human rights abuse has produced serious accountability gaps, allowing companies to operate in and profit from countries where laws guaranteeing human rights or environmental standards do not exist or are not adequately enforced, like is the case in Honduras.<sup>32</sup>

As long as there are no binding rules at the international level, companies can continue to perpetuate human rights abuse with impunity. Claudia Saller of ECCJ, when asked to comment on the specific case of Berta Cáceres, stated: It is important to highlight that the error lies in the voluntary nature of the ‘due diligence’ conducted in this case, and in the absence of a binding rule that defines due diligence and links it to liability.’

Binding legislation on a national and international level is needed to ensure that corporations are held legally accountable for any corporate abuse, like the UN binding treaty on transnational corporations and human rights. This treaty, being discussed at UN level since 2014, could finally bring an end to the wide scale international human rights abuses perpetrated by corporations across the world. If this treaty gets adopted it would mean that, for the first time, international human rights law would apply to the operations of transnational corporations.

<sup>27</sup> <https://gaipe.net/wp-content/uploads/2017/10/Exec-Summ-Dam-Violencia-EN-FINAL.pdf>

<sup>28</sup> <https://gaipe.net/wp-content/uploads/2017/10/Exec-Summ-Dam-Violencia-EN-FINAL.pdf>

<sup>29</sup> <https://www.fmo.nl/news-detail/62ea0bff-d3cd-42f5-888e-e906c191a990/walking-the-talk-on-human-rights> and [https://www.finnfund.fi/wp-content/uploads/2019/01/Finnfund-Human-Rights-Statement\\_Final-ENG\\_230119.pdf](https://www.finnfund.fi/wp-content/uploads/2019/01/Finnfund-Human-Rights-Statement_Final-ENG_230119.pdf)

<sup>30</sup> [http://corporatejustice.org/documents/publications/eccj/2018eccj-position-paper-mhrdd-final\\_june2018.pdf](http://corporatejustice.org/documents/publications/eccj/2018eccj-position-paper-mhrdd-final_june2018.pdf) and <https://www.business-humanrights.org/en/un-guiding-principles>

<sup>31</sup> [http://corporatejustice.org/documents/publications/eccj/2018eccj-position-paper-mhrdd-final\\_june2018.pdf](http://corporatejustice.org/documents/publications/eccj/2018eccj-position-paper-mhrdd-final_june2018.pdf)

<sup>32</sup> [http://corporatejustice.org/documents/publications/eccj/2018eccj-position-paper-mhrdd-final\\_june2018.pdf](http://corporatejustice.org/documents/publications/eccj/2018eccj-position-paper-mhrdd-final_june2018.pdf)



Community members  
from Rio Blanco.  
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In January 2019, a month before the third anniversary of the murder of Berta Cáceres, an alliance of over 200 European organisations, trade unions and social movements, campaigning in favour of corporate accountability rules for companies launched a petition entitled ‘rights for people, rules for corporations’, demanding an end to corporate privileges in existing trade and investment agreements, and calling on the EU and Member States to support the achievement of a UN binding treaty and binding legislation on a national level to hold transnational corporations to account for human rights violations, and end corporate impunity – the same impunity that led to the murder of Berta Cáceres.

The EU and its Member States must enshrine in their laws the duties of corporations to respect human rights and the environment throughout their operations worldwide, and people affected by corporate human rights violations must have access to justice. Making European companies liable for human rights abuses in their operations anywhere in the world could finally put an end to the murder of environmental activists, and having a system in place allowing the victims of human rights violations access to justice would ensure that people like Berta Cáceres’ family have recourse to justice, and the truth.

## IMPUNITY AND HUMAN RIGHTS VIOLATIONS CONTINUE

While corporate impunity is left unchecked, human rights and environmental activists continue to be killed protecting nature and human rights in Honduras and worldwide. As recently as December 2018, Honduran community leader Reynaldo Reyes Moreno was killed battling against an internationally financed solar project in the south of the country. In the case of Agua Zarca, five people have been assassinated since Berta Cáceres.

People speaking out for justice continue to be silenced: on 18 February 2019, Honduran member of Congress María Luisa Borjas was condemned to two years in prison for the crime of slander constituting defamation, after having indicated during a press conference that a prominent Honduran businessman was the mastermind behind Berta Cáceres’ death.<sup>33</sup>

Ending these human rights abuses means ending impunity for those behind the crimes, said Laura Zúñiga, the youngest daughter of Berta Cáceres.<sup>34</sup> “Our battle for dignity, truth, and justice does not end here. We will keep fighting – just like Berta Cáceres did.”

<sup>33</sup> <http://www.latribuna.hn/2019/02/18/condenan-a-dos-anos-y-ocho-meses-a-maria-luisa-borjas>  
<sup>34</sup> <https://www.theguardian.com/world/2018/dec/01/berta-caceres-honduras-questions-killing>



Berta Cáceres on the banks of the Gualcarque River.  
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Berta Cáceres with COPINH and Rio Blanco  
community members honoring colleagues  
killed during the two-year struggle.  
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# DEATH BY IMPUNITY:

BERTA CÁ CERES  
AND AGUA ZARCA

friends of the earth international  
MARCH | 2019

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