Civil Society Organizations Concerned that Obstacles in Trial of Those Accused of Honduran Activist Berta Cáceres’ Murder Put Justice for Berta at Risk

The signatory organizations are deeply concerned by Honduran court decisions that limit the victims’ rights to participate in the trial for the 2016 murder of indigenous environmental activist Berta Cáceres. On October 19th, the judges overseeing the trial of the men accused of murdering Berta Cáceres removed all three teams of lawyers representing the victims, Berta Caceres’ family and Gustavo Castro, who was wounded in same incident, from participation in the case.

In the U.S. penal system, the move would be akin to barring the defense lawyers from a trial. Honduran law offers victims the right to representation through private counsel who are called “private prosecutors.” On September 17, the private prosecutors had requested the recusal of the judges based on a complaint that described bias in the judges’ decision to limit the scope of the evidence to be reviewed to such a degree that it could result in impunity. Based on this, the victims’ lawyers had notified the court that they could not attend a hearing scheduled for October 19th because the judges were still subject to an unresolved recusal, which is currently being examined by the Supreme Court.

“This fraudulent decision by the court leaves us the victims completely defenseless, because, for two years and a half, the Public Prosecutor’s Office has demonstrated its inability and unwillingness to follow correct judicial process... it shows a commitment by the authorities to maintain in total impunity the criminal structure responsible for the systematic attacks against COPINH and the murder of Berta Cáceres,” expressed COPINH in a statement.

Currently, five of the accused are scheduled to be released from preventative detention on November 2. On October 15, the victims’ lawyers requested that in addition to murder, the crime with which the accused are currently charged, that they also be charged with “illicit association.”

We urge the Honduran judiciary to ensure full representation of the victim’s family and COPINH in the trial process. We urge the Public Ministry to ensure an independent, impartial, and

October 24, 2018
transparent process that addresses the intellectual as well as material authors of this terrible crime and ensures justice for Berta.

Signed,

Alianza Americas
Amazon Watch
Amnesty International
Central American Legal Assistance
Central American Resource Center (CARECEN) - DC
Central American Resource Center (CARECEN) - Northern California
Committee in Solidarity with the People of El Salvador (CISPES)
Confederación Unitaria de Trabajadores de Honduras (CUTH)
Congregation of Our Lady of Charity of the Good Shepherd, US Provinces
COPAL
CRECEN
Federación Sindical Agrícola (FESTAGRO), Honduras
Florida Immigrant Coalition
Guatemala Human Rights Commission (GHRC)
International Labor Rights Forum (ILRF)
Just Associates (JASS)
Latin America Working Group Education Fund (LAWGEF)
Maryknoll Office for Global Concerns
National Advocacy Center of the Sisters of the Good Shepherd
Oxfam America
Presbyterian Peace Fellowship
Quixote Center
Red Contra La Violencia Antisindical - Honduras
Robert F. Kennedy Human Rights
Sisters of Mercy of the Americas - Justice Team, Washington, DC
Sindicato de Trabajadores de la Agroindustria y Similares (STAS)
United Methodist Church, General Board of Church and Society
Washington Office on Latin America (WOLA)