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BERTA CÁCERES
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State of Honduras Remains Endebted for Murder of Berta Cáceres

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This week, more than a year after issuing a guilty verdict, the First Chamber of **the Sentencing Court in Tegucigalpa, Honduras issued the sentence and individualized the convictions of seven people responsible for carrying out the murder of Lenca leader Berta Cáceres Flores and the attempted murder of Mexican environmentalist Gustavo Castro. These included an employee and former employee of the Desarrollos Energéticos S.A. (DESA) company and an active Major and several officers of the Honduran Armed Forces.**

In its judgment, the Court sentenced Sergio Rodríguez and Douglas Bustillo to 30 years and 6 months for their role in the murder while Mariano Díaz was sentenced to 30 years. Henry Hernández, Elvin Rápalo, Óscar Torres and Edilson Duarte were each sentenced to 34 years in prison for their role in the murder of the indigenous right leader and 16 years and 4 months for the attempted murder of Gustavo Castro.

Taking into account the evidence presented during the trial between October 20 and November 29, 2018, the Tribunal found in its sentence that the assassination of Cáceres was planned with the "knowledge and consent of the executives of the DESA company," in response to the opposition that Berta Cáceres led from the Civic Council of Popular and Indigenous Organizations of Honduras (COPINH) against the construction of the Agua Zarca hydroelectric dam, imposed in Lenca territory.

The organizations that make up the Observer Mission recognize that this sentence is a necessary step in the investigation, prosecution and sanction of all intellectual authors of the crime, however, we observe with concern that **the State of Honduras has not advanced in the accusation of all the persons responsible for planning, financing and executing the murder despite the existence of evidence that links them** and that the Court itself has indicated.

The Observer Mission continues to observe the judicial processes linked to the murder of Berta Cáceres. We note with grave concern that to date, the only intellectual author prosecuted for the crime is David Castillo, the general manager of DESA, and that his legal

process has been characterized by a series of delays. There have also been smear campaigns, threats and attacks against the Civic Council of Popular Organizations and Indigenous People of Honduras (COPINH) and the Lenca people during the legal process.

Impunity will continue to exist until progress is made in the identification, prosecution and sanction of all persons involved in the intellectual authorship of the crime. At the same time, as indicated by the Inter-American Commission on Human Rights (IACHR), we urge the authorities to initiate the corresponding process in order to revoke the concession of the Gualcarque River, which remains a source of risk to the life and integrity of the Lenca people and communities organized in COPINH.

About the Observer Mission

The Observer Mission is made up of international and national organizations, experts in human rights, international law and criminal law. Members of the Mission were present as observers during the first trial for the murder of Berta Cáceres. Following its work in this process, the Observation Mission will publish a report with its main findings, including structural deficiencies in the Honduran judicial system that continue to pose limitations and difficulties for the population's access to justice. Read more about the Mission and download our reports at: <https://www.observacionbertacaceres.org/>

Signed:

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Centro de Asistencia Legal Para Pueblos Indígenas (CALPI)
Centro de Investigación y Promoción de los Derechos Humanos (CIPRODEH)
Centro por la Justicia y el Derecho Internacional (CEJIL)
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Guatemala Human Rights Commission (GHRC-USA)
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