The Symbol of Berta Cáceres Continues to Expose Criminal Coup Regime and its Deadly Extractive Formula for Honduras

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When she was shot dead in her home on March 3, renowned indigenous and environmental activist Berta Cáceres had been carrying out a vocal yet pacifist advocacy campaign against a multi-million-dollar hydroelectric project (Agua Zarca). Since then, the number of members of the Civic Council of Popular and Indigenous Organizations (COPINH, the organization Berta co-founded 23 years ago to defend indigenous and environmental rights and demand greater political inclusion) who have been murdered has tragically continued to grow.¹ On March 16, COPINH Director Nelson Garcia was killed at gunpoint as he was walking home. Most recently, on July 6, Lesbia Yaneth Urquía was fatally assaulted in broad daylight. Urquía had joined COPINH after the coup against democratically elected President Manuel Zelaya in 2009, and was a prominent figure in the fight against the hydroelectric dam Aurora I, located in the municipality of San José, La Paz.² The sham investigation carried out internally has so far spared the intellectual authors behind Cáceres’ death. A similar output can be expected regarding the most recent murders as well, as the government remains deaf to the numerous calls for the formation of an independent group of experts to investigate such politicized crimes.

Berta has become a beacon of hope in the fight against the unfair path of economic development that successive conservative Presidents Roberto Micheletti (2009-2010), Pepe Lobo (2009-2013), and Juan Orlando Hernández (2013-present) have chosen to embrace – with consistent support from Washington. Her symbol also highlights the omnipresent political violence used to repress popular movements in Honduras, which has long been denounced by human rights bodies, including the Council on Hemispheric Affairs (COHA).³ Rights Actions, an NGO focused on denouncing political repression and enviro-destruction in Central America has been one of those at the forefront of such advocacy campaigns in Canada and the United States.⁴ According to its 2013 report, during the latest electoral process (2012-2013) the Libertad y Refundación (LIBRE, the Liberty and Refoundation Party), a coalition of left-leaning organizations – including one led by ousted President Zelaya – “suffered more killings and armed attacks than all other political parties combined.”⁵ After Berta’s death, exposure of the dismal situation in Honduras has undoubtedly increased international pressure both on President Hernández’s post-coup administration and U.S. authorities. Ongoing advocacy campaigns in the United States and the European Union have recently taken important steps toward the modifications of these countries’ legal frameworks. If enacted, these changes would cut military funding and demand human rights accountability.⁶ These evolutions could contribute to the reinforcement and legitimization of the popular movements which have been fighting for democracy and social justice in Honduras.

The recent developments in the “Berta Cáceres case,” along with the mobilization and legislative initiatives they have prompted, are of particular significance for the future of the Honduran people, and constitute a turning point in their history. In a country which
has suffered far more than its fair share of injustice, hope that the situation will improve seems to be reviving.

**Justice for Berta Cáceres, a Rally Cry**

The indignation and determination of the Honduran people are vivid, and inspired a wave of international solidarity on June 15. In more than 20 countries throughout North America, South America, and Europe, thousands took to the streets with banners emblazoned “Justice for Berta.” In Tegucigalpa, Honduras, COPINH led yet another peaceful march of the Lenca people on the presidential house. The procession started in the *Universidad Autónoma Nacional de Honduras* (Honduran National Autonomous University), where student, LGBT+, and women’s movements expressed their solidarity with COPINH, their claims for an inclusive education, and demand for the integration of marginalized groups. For once, no violent repression initiated by the authorities was reported on that day, as many eyes were set on Honduras.

In Washington, dozens of people, joined by Tomás Gómez, current General Coordinator of COPINH, gathered in front of the Honduran Consulate. Protesters then entered the Inter-American Development Bank (IADB) – which is currently funding the Agua Zarca Project – and eventually gathered in front of the U.S. Department of Treasury to demand the end of U.S. military aid to Honduras. The day before the gathering, an historical step towards that end had been taken: on June 14, a Bill entitled *Berta Cáceres Human Rights Act in Honduras* (full title: To suspend United States security assistance with Honduras until such time as human rights violations by Honduran security forces cease and their perpetrators are brought to justice) was introduced to the U.S. Congress by Rep. Henry C. Johnson (D-GA). In an interview with the author in front of the IADB in Washington on June 15, Gómez described both the mobilization and the *Berta Cáceres Human Rights Act* as a “severe blow to the [Honduran] government, but also to private companies, who after all are at the forefront of the attacks on the Lenca territory.”

Three fundamental demands make up the backbone of the international campaign “Justice for Berta Cáceres”:

1. For the investigation on Berta Cáceres’ murder to be entrusted to an independent group of experts from the Inter-American Court on Human Rights (IACHR),
2. For the immediate and definitive abandonment of the Agua Zarca project, along with any other so-called development projects which adversely affect communities whose lands have been ceded without their free, prior and informed consent,
3. For the immediate suspension of U.S. security and military aid to the criminal post-coup regime in Honduras, as long as this adequately addresses the dismal situation of violence and impunity.

These demand stem from heated public pressure, both in Honduras and abroad, and their legitimacy is rooted in a multitude of grievances that go well beyond the isolated instances of injustice. Rather, the campaign points to the structural ills of the post-coup regime in Honduras – the institutionalisation of domination and exploitation throughout its judicial, military, and socio-economic spheres – and calls for international consensus in terms of action.

**The Epitome of Impunity: A Sham Investigation of Berta’s Assassination**

Since day one, opacity and bias seem to have characterized the investigation led by the
Honduran authorities. In a press release on April 5, Senior Campaigner for Global Witness Billy Kyte stated: “an independent investigation is essential given the flaws and political interference in Honduras’ judicial system.”

Mexican activist Gustavo Castro, who remains the sole witness and was himself injured during the March 3 attack in Cáceres’ home, claimed the very murder scene was tampered with. In an interview with the news agency NACLA, he described the conditions under which he was questioned in the hours following Cáceres’ death as a clear indication of the reluctance of officials to recognize his status as a target of the attack. Instead, the Honduran police unbelievably kept attributing the murder to a failed attempt at burglary. Only days after the murder did officials first visit the office of the Agua Zarca dam builder, Honduran private company Desarrollos Energéticos S.A. (DESA) – against whom Berta had logged 33 complaints for death threats. After months of opaque investigative procedures, the special prosecutor for crimes against life (FEDCV), the criminal investigations agency (Atic), and the military police (PMOP) launched the “Jaguar Operation” on May 2. This bold operation – reportedly aimed at arresting the culprits of Cáceres’ murder – contrasted with the disinclination for investigation that Honduran authorities had so far shown. Under growing international scrutiny, the Public Ministry immediately trumpeted the results of the 10 raids carried out throughout the country, as part of a “comprehensive and thorough investigation based on technical and scientific methods.” Interestingly enough, the five individuals arrested are directly linked not only to DESA, but also to the Honduran armed forces. Taking into consideration the growing reliance of the government on the army, as part of President Hernández’s strategy to address violence in the country, the picture becomes even more concerning. The current security minister, Julián Pacheco Tinoco, happens to be an active army general, appointed in 2014 “with the commitment to clean-up the police force.”

Hernández’s administration is undoubtedly committed to a double standard. As reported by Alexandre Main in an op-ed titled An Anti-Corruption Charade in Honduras: “In 2014, [Hernández’s] party dissolved a widely respected independent police reform commission without enacting its recommendations.” Such blatant collusion between criminal private interests linked with DESA, and active members of the Honduran army – which is itself intermingled with an outrageously corrupt administration – ascertains that the current sham investigation on Cáceres’ murder is not designed to serve justice. It seems, rather, that the Jaguar Operation was a strategy to protect the masterminds behind Berta Cáceres’ murder.

**Advocating for an Independent Investigation by the Regional Human Rights System**

Fears that the investigation would fail to provide justice have been expressed by the family and lawyers of Berta. Interviewed by the Guardian right after the “Jaguar Operation,” her daughter Laura declared: “If it wasn’t for our struggle and the international pressure for justice, my mother’s murder would already be extinct. We have woken up to this news but it doesn’t change our demands for an international investigation.” Her call is echoed by a number of human rights organizations and experts on Latin America, along with 62 Members of the U.S. Congress, among many others. As underlined by Nobel Peace Prize winner and ex Costa-Rican President Óscar Arias Sánchez in his open letter to the Honduran President: “in the Inter-American system, only the IACHR has the mandate and capacity to create a commission of independent investigators.” The IACHR derives its mandate from the Charter of the Organization of the American States (OAS), and the American Convention on Human Rights, and is therefore competent in Honduras. The country has indeed recognized the IACHR’s jurisdiction, and has been reintegrated into the OAS in 2011 after its suspension related to the coup in 2009. Composed of independent experts elected by the General Assembly, the
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The Commission could provide expertise and technical assistance with the objective of ensuring the investigations are carried out according to the highest international standards. In the long term, the Interdisciplinary Group of Independent Experts (GIEI) would also provide policy recommendations to address the structural causes of human rights violations – a daunting challenge when it comes to Honduras. A GIEI can only be formed, however, with the consent of the state, as exemplified most recently in Mexico after the infamous Ayotzinapa disappearances were uncovered. Despite the confidence President Hernández seems to display in his stubborn refusal to agree on the formation of a GIEI, there is no denying the fact that his leverage to perpetuate impunity has been sharply and constantly diminishing since Berta’s assassination. Window dressing measures, such as the Jaguar Operation or the firing of a handful of high ranked police officials in April, may not be sufficient to allay the growing international outrage over the appalling reality in Honduras. Only continuous international pressure will force the current regime into accepting the entry of the IACHR’s experts. Such an acknowledgement would mark an important defeat of impunity in the region, as well as further reinforce the legitimacy of the regional human rights system.

Has Anything Changed? The Dire Need to End U.S. Military Aid to Honduras

Undoubtedly, Washington’s position is essential in tilting the balance – either towards impunity, or accountability. The Berta Cáceres Human Rights in Honduras Act is a response not only to one particular crime, but to the overall abysmal situation of human rights in Honduras. The historic bill introduced on June 14 is modelled on legislation passed in the 1990s to cut back U.S military support to dictatorships in Central America. At the time, the reducing of U.S. support after years of funding authoritarian regimes in war-torn countries came as too little, too late and was somewhat undermined by covert aid. The assassination of Berta Cáceres sheds light on the obscure practices of the Honduran regime, as well as the U.S. share of responsibility implied in continuing to provide military aid after the coup.

A long-time ally of the post-coup administration, the United States is the largest bilateral donor to Honduras. Currently encompassed in the Northern Triangle’s Alliance for Prosperity Plan (APP, a five-year joint regional plan created and implemented by the United States, Guatemala, Honduras and El Salvador starting in November 2014), U.S. funding to Honduras is mainly oriented towards military financing and training (which represent as much as 60 percent of the APP budget planned for 2017). Such orientation of the funds has sparked much criticism, including from U.S. politicians. Although the APP ostensibly includes conditions requiring beneficiaries to progress on addressing human rights abuses and corruption, the conditions of their implementation have remained opaque. Serious doubts regarding the situation in Honduras had already been explicitly expressed even before Berta’s death. In August 2015, 21 Democratic Representatives sent a letter to U.S. Secretary of State John Kerry to demand the freezing of assistance to law enforcement and state security forces in Honduras, citing “assassinations and intimidation of opposition leaders, land activists and peaceful demonstrators.”

Continued U.S. military funding is even less acceptable considering the blurred line between the national army and private security companies (PSCs) in Honduras. According to the United Nations High Commissioner on Human Rights (UNHCHR), a number of unregistered PSCs are operating in a legal grey area, with most “reportedly owned by former high-ranking police or military officers who control the security sector in the country.” PSCs are, without a doubt, involved in the criminalization of environmental defenders. Tomás Gómez declared that “a group of about 20 individuals has been contracted by DESA, with the
The complicity of the Honduran state, to intimidate COPINH members. They aim at sparking off violence in peaceful demonstrations, along with their intimidation tactics and death threats."

The already fragile legitimacy of U.S. military support to Honduras was put under harsher scrutiny when *The Guardian* released the controversial testimony of First Sergeant Cruz (designated under a pseudonym for safety reasons) who deserted an elite unit of the Honduran army. In the June 21 article, Cruz describes inhumane practices of different units of the military – practices that bring back memories of the darkest episodes of Honduran history. They include disposing of human remains in the Tocoa River, or the installation of a “torture room” in the town of Bonito Oriental. He told *The Guardian*: “I didn’t see anyone but there was fresh blood, a hammer, nails, a chain and pliers in the room.” Cruz also revealed that Berta Cáceres name appeared on the hitlist of the military police unit in the Inter-Institutional Security Force (Fusina).

Fusina was created in 2014 by President Hernández and is made up of members of the police, military, Attorney General’s Office, and intelligence agencies. This inter-agency task force led by the military happens to be among the forces that receive direct U.S. funds and training. Fusina’s training by U.S. Marines had already been under scrutiny in the April 2015 letter to Secretary Kerry. Democratic Representatives expressed “concerns” about how “a team of 300 U.S. military and civilian personnel, including Marines and the FBI, conducted ‘rapid response’ training with 500 Fusina agents, using U.S. helicopters and planes, despite allegations regarding the agency’s repeated involvement in human-rights violations.”

On the day following the publication of *The Guardian*’s article, Honduran Defense Minister Samuel Reyes held a press conference to discredit and reject the story, which he said “contains elements that apparently seek to damage the image of the government of Honduras and the armed forces.” While some US government authorities seek further verification of the Guardian’s report, the account buttresses a plethora of voices that have long been calling for the suspension of U.S. military aid to Honduras. In light of such collusion between PSCs, the army, and high-ranking officials within the government, the stonewalling by Washington can be regarded as complicity and must urgently be corrected by cutting all U.S. military aid to Honduras.

**Exposing the Roots of the Oppressive Extractive Model of Development**

Although the security forces are the enforcement arm of the current regime, the economic model implemented in Honduras is at the core of Berta’s fight – which after her death has intensified rather than vanished. The extractive economic model implemented in Honduras rests on the brutal exploitation of natural resources and has long been the country’s “development path.” It has, however, dramatically accelerated since the U.S. backed coup in 2009: nearly 30 percent of the country’s land has now been earmarked for mining concessions. In an interview with Democracy now! on March 11, Greg Grandin, professor of Latin American history at New York University, asserted that “the coup regime basically threw up Honduras to transnational pillage [...] what was installed after the coup was something like a permanent counterinsurgency on behalf of transnational capital.”

Such policies have deepened the structural inequalities of Honduran society. The legal framework and trade agreements have been shaped to benefit a handful of elite within the country, and the powerful interests of foreign capital – which are primarily, although not solely, from the U.S. and Canada. The wealthiest 10 percent of Hondurans saw their incomes rise by much larger margins in 2010-2011 than in the years before the coup. Meanwhile, from 2010 to 2012, both the poverty and extreme poverty rates increased respectively by 13.2 and 26.3
percent – to reach the staggering levels of 66.5 and 46 percent. The call for justice and rejection of the regime after Berta Cáceres’ death not only gives voice to the indigenous people of Honduras, but also the marginalized and impoverished of this Central American nation.

Another dismal impact of the post-coup regime is the rise in the level of lethal violence that characterizes the acute conflict for land and resources. Since 2009, the Honduran government has approved hundreds of dam projects, overwhelmingly situated on Lenca territory. According to the 2015 Global Witness report On Dangerous Grounds (published on June 20, 2016), Honduras has been found the most dangerous country per capita to be a land, forest and river defender. Throughout Honduras, powerful conglomerates (public and private) regard the rights and lives of the population which inhabits the land – much of which is indigenous – as a mere barrier to their profits. Since Berta’s murder, two independent missions were led in Honduras by the Observatory for the Protection of Human Rights Defenders (FIGH-MOCT). Their reports leave no space for doubt regarding this “structural problem of land access that tends to worsen insofar as the Honduran State continues to encourage concentration, extraction, and agro-industry activities.”

The so-called Zones for Employment and Economic Development (ZEDEs), modelled on the charter cities concept designed by Paul Romer (an economics professor at New York University), epitomize the way in which land grabbing is insidiously enshrined in the Honduran legal framework. It must be noted that the legislation creating the charter cities was forcibly passed by President Hernández’s conservative government, which illegally removed four of the five Supreme Court justices to prevent them from blocking the law. ZEDEs are meant to attract foreign companies to set up operations, including on inhabited territory located in rural areas. As Lauren Carasik, Professor of Law and director of the International Human Rights Clinic at Western New England University points out: “They [the Hondurans living within or near these cities] will lack meaningful legal recourse, for example, if the security forces created by investors are repressive, or the administrators prove to be corrupt.” Given the structural inequalities, corruption and violence which characterize the political and economic structures of Honduras, such legislation virtually legalizes the violation of marginalized groups’ rights to land, health and life – rights for which Berta Cáceres served as an indefatigable defender.

“Berta Did not Die, She Multiplied”

If an impartial investigation on Berta’s death is eventually carried out, the individuals sitting on the dock will likely reach up to the highest spheres of power. To be clear, this alone would not bring an end to the political and social dire straits the country has been experiencing for years, nor would it turn Honduras away from an economic development path relying on extractive industries and mega projects which, given the inexistent regulatory framework, provides fertile ground for the lucrative and dubious practices of international companies. Arguably, bringing justice to Berta Cáceres and the other environmental activists who have lost their lives would be a necessary, albeit insufficient, step in the right direction. International pressure must continue in order to force the Hernández administration into opening the country to the IACHR. Policy makers in the United States must also recognize that U.S. influence has impacted the Honduran people not only by infringing their democratic rights in the direct aftermath of the coup in 2009, but also by contributing to the design and implementation of an economic and social model of plunder. Berta Cáceres’ death awakens a necessary reflection on the extractive model of development, and the lethal conditions under which it is currently implemented – in Honduras and elsewhere.

Given the damning revelations that followed the murders of renowned activists and the acute attention drawn to the situation in Honduras by recent events, the successive
criminal regimes in place since the 2009 coup are under unprecedented scrutiny. Two days after Urquía’s assassination, the Honduran security minister recognized on TV that the State had committed “various mistakes” in its “the obligation to protect [Berta Cáceres].” Although such declarations are to be understood in the government’s strategy of silencing critiques and continuing “business as usual,” they are tangible proof that the foundations of the post-coup order are effectively being shaken.49

*Interview conducted by the author.

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9 Several reports were made by COPINH, whose members where attacked, beaten, detained and robbed by police and army officers while pacifically demonstrating to call for justice for Berta (namely on May 9th). See reports Ibid. 4 and 5.
13 Ibid.
Ibid.
https://www.facebook.com/TN5Estelar/photos/a.330734023616440.77404.326888920667617/1113789491977552/?type=3&theater
17 The men first arrested were: Mariano Díaz Chávez, an active infantry major; Edison Atilio Duarte Meza, a retired infantry captain; Sergio Ramón Rodríguez, employee at DESA, engineer and manager for social and environmental issues; Douglas Geovanny Bustillo, a former lieutenant and Desa’s former deputy head of security. Source: Lakhani, Nina. “Berta Cáceres murder: four men arrested over Honduran activist’s death.” The Guardian. May 2, 2016. Accessed July 7, 2016.
http://www.theguardian.com/world/2016/may/02/berta-caceres-murder-four-men-arrested-honduras
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http://prensagieiaayotzi.wix.com/giei-ayotzinapa
29 Bilateral relations factsheet http://www.state.gov/r/pa/ei/bgn/1922.htm
31 As pointed out by several human rights NGO, including School of the Americas Watch, at a Congressional briefing examining FY2016 State and Foreign Operations Appropriations bill (the author attended the event on May 14, 2016)
33 July 12, 2016 · coha@coha.org · http://www.coha.org


Ibid


Ibid.


Ibid.