

## Berta Cáceres assassination: 'Material authors' found guilty. No justice, yet, for 'intellectual authors' – Honduran economic and political elites who planned and paid for her killing

<https://mailchi.mp/rightsaction/berta-caceres-assassination-material-authors-found-guilty-no-justice-yet-for-intellectual-authors>

### Below

- Article by Nina Lakhani, The Guardian
- Statement by SOA Watch (School of the Americas Watch)

\*\*\*\*\*

### Seven men were found guilty of murdering Honduran environmentalist in 2016, but many questions are unanswered

By [Nina Lakhani](#), 1 Dec 2018

[https://www.theguardian.com/world/2018/dec/01/berta-caceres-honduras-questions-killing?CMP=Share\\_AndroidApp\\_Facebook&fbclid=IwAR12NTkncEz2WaZckBW1HYD\\_SZBFuir6YAduTLD94Dn4J2zPUkCN0diR0vQ](https://www.theguardian.com/world/2018/dec/01/berta-caceres-honduras-questions-killing?CMP=Share_AndroidApp_Facebook&fbclid=IwAR12NTkncEz2WaZckBW1HYD_SZBFuir6YAduTLD94Dn4J2zPUkCN0diR0vQ)



Douglas Bustillo, top left, and Mariano Diaz Chavez, top right, Oscar Aroldo Torres Velazquez, bottom left, and Henry Javier Hernandez Rodriguez, bottom right, found guilty of assassination of Berta Cáceres, attempted assassination of Gustavo Castro.

Photograph: Fernando Antonio/AP

Berta Cáceres spent the final hours of her life [being tailed by contract killers](#). On 2 March 2016, at least four men were following the Honduran activist in the town of La Esperanza. They shadowed her as she went to the training centre where her organization – the Council of Popular and Indigenous Organizations of [Honduras](#) (Copinh) – was hosting an alternative energy workshop; they followed her to her mother's house, to her favourite restaurant – and finally to her home at around 9.30 that night.

Cáceres was scared, and asked Gustavo Castro, a Mexican environmentalist and old friend, to stay with her. They sat talking on the porch for a while, before heading inside to rest.

Just after 11.30pm, at least two men broke into the house. “Who’s there?” shouted Cáceres, before Elvin Rapalo shot her three times with a .38 revolver. He stamped on her torso to stop her fighting back. A second gunman, Oscar Torres, shot at Castro, and blood gushed from his left ear. Castro played dead, and heard what sounded like a walkie talkie, probably in the hands of Henry Hernandez, a former special forces sergeant who led the team of killers. The gunmen fled to a waiting getaway car driven by Edilson Duarte Meza.

When they had gone, Cáceres called out to her friend, who cradled her in his arms as she lay dying. “Don’t go, Berta,” he begged. It was just before a quarter to midnight when the former Goldman Prize winner took her last breath.

On Thursday, a court in Tegucigalpa [convicted the four men of murdering Cáceres](#), and the attempted murder of Castro, but many questions over her death remain unanswered.

The trial was mired by allegations of negligence and cover-ups, but the verdict was clear: the killers were paid to shoot Cáceres, and the order came from executives at DESA, a company building an internationally backed hydroelectric project on a river considered sacred by the indigenous Lenca people. Cáceres had led opposition to the Agua Zarca dam and the protests were causing costly delays, so an elaborate plan was drawn up to kill her.

Surveillance, planning and logistics were handled by three men: Sergio Ramón Rodríguez, DESA’s communities and environment manager, who managed a network of paid informants; Douglas Bustillo, the company’s former security chief and a US-trained ex-army lieutenant; and Mariano Díaz, a decorated US trained special forces major who at the time of the murder was under investigation for drug trafficking and kidnap. Even though they were not there at Cáceres’s death, they were found guilty of her murder. They were cleared of Castro’s attempted murder. An eighth man, Emerson Duarte Meza was found not guilty on all counts.

The killing prompted outrage around the world, coming when Honduras was already the most dangerous place in the world to defend land and environmental rights. That inglorious ranking was rooted in the 2009 coup that ushered in a pro-business government who sanctioned scores of renewable energy projects, mines, and biofuel plantations, in rural communities without consultation.

At least 49 mega-projects were destined for Lenca territories, and Cáceres led multiple campaigns to stop land-grabs. But it was opposition to Agua Zarca on the river Gualcarque which triggered the worst repression.

Over the course of 2013, the surrounding area was militarized, Berta and other Copinh leaders were offered money to support the dam, and a local leader was shot dead by a soldier. Work was suspended and protests died down – but then DESA launched a modified plan, work resumed in late 2015 – and so did the protests.

That was when the order to kill her was made. Cáceres was closely monitored, and the information shared on WhatsApp groups including company shareholders, managers and security personnel.

Company president David Castillo, [a former intelligence officer](#), is accused of [[being one of the masterminds of]] the murder and faces trial separately. He and DESA have denied any wrongdoing.

Phone messages extracted from Cáceres' phone by DESA's international legal team suggest she had developed a friendly relationship with Castillo during the construction lull. In those friendly chats, he obtained details of her personal plans he then shared with colleagues.

And despite Thursday's guilty verdicts, many questions remain unanswered.

- The court was shown a WhatsApp message sent by DESA's financial manager Daniel Atala regarding criminal charges against Cáceres and two other COPINH leaders. "I've spent a lot of money and political capital to get those three arrest warrants," he wrote. Which politicians made that happen?
- The court also heard that after the murder, Atala messaged Rodríguez, saying: "Relax... don't panic... Pedro [Atala, his uncle and shareholder] spoke to the security minister who said it was a crime of passion... We just need to keep working as normal." Why did a minister give such reassurances? Neither Daniel nor Pedro Atala has commented publicly on the case, and both declined an interview request.
- Why did the court deny a request by Cáceres family lawyers to call Atala, DESA shareholders, and senior police officers as witnesses?
- In June 2016, [the Guardian revealed that Cáceres was on a military hitlist](#), which included several activists who had already been murdered. Four of the men charged with the murder have military links, so why was any wider role played by the armed forces never been investigated?
- The court ruled that as a member of the armed forces, Díaz had a legal obligation to stop the planned crime. Why was the .38 revolver found at his house not sent for ballistics tests?

Thursday's verdict brought a measure of justice, but despite the international indignation over Cáceres's murder, the bloodshed has continued in Honduras. On Thursday, Reynaldo Reyes Moreno, a community leader battling against an internationally financed solar project in southern Honduras [was killed](#).

Ending such murders, means ending impunity for those behind the crimes, said Laura Zúñiga, Cáceres' youngest daughter. "Our battle for dignity, truth, and justice does not end here. We will keep fighting – just like [Berta Cáceres](#) did."

(This article was amended on 3 December 2018 because an earlier version referred to a 38mm revolver, when a .38 revolver was meant. This has been corrected.)

\*\*\*\*\*

## **First Seven Found Guilty in the Murder of Berta Cáceres**

School of the Americas Watch statement

On Thursday, November 29th, [a Honduran court found Douglas Bustillo, Mariano Diaz Chavez, Henry Hernández, Elvin Rapalo, Oscar Torres, Edilson Duarte, and Sergio Rodriguez guilty](#) of the murder of Honduran Indigenous and social movement leader Berta Cáceres. The court found, as COPINH and those close to Berta have believed since her assassination, that Berta was murdered for her opposition to the Agua Zarca Hydroelectric Project which the DESA company sought to build on the sacred Gualcarque River. The court indicated that DESA executives planned the murder, believing that Berta's absence would result in a significant weakening of the movement against the dam.

Those found guilty include four contracted hitmen -- one is a former military sharpshooter that led them to Berta's home. These four hitmen were also found guilty of the attempted murder of Mexican environmentalist Gustavo Castro who was visiting Berta Cáceres and her organization COPINH at the time of the murder.

Two U.S. military School of the Americas trained former military officials, one of whom was an active military official and the other who had previously served as head of security for DESA, were also found guilty, as was the DESA company's Environmental and Social Manager. These three played different intermediate level roles, including providing logistics, coordinating with the hitmen, and coordinating and paying informants to report on Berta's movements, respectively.

However, it was glaringly obvious that the intellectual authors — those who made the decision to murder Berta and paid for it — have yet to face trial.

Berta's family, COPINH, Gustavo Castro, and their legal teams issued a [joint statement](#) that:

*'The verdict that was just released DOES NOT satisfy our demands for justice as victims in the assassination of Berta Cáceres and the attempted murder of Gustavo Castro.... the structures and people who gave the money for these criminals to assassinate Berta Cáceres are still free and able to continue carrying out crimes like this one with impunity.... the impunity that the masterminds of this crime continue to enjoy is part of the plot of corruption and violence that sustains the model of extraction that plunders our peoples.'*

The entire judicial process since Berta's murder has been plagued with irregularities and secrecy, many of which serve to protect the highest level intellectual authors of the murder. Last week's conviction was based in large part on phone evidence, including several phones seized during the May 2016 raids. However, government prosecutors did not bother to even examine the information on computers, cameras, and other electronic devices seized during the raids.

In particular, there has been a notable lack of investigation related to US-trained military official Mariano Diaz, who was on a promotion track after serving in Iraq and the Sahara. Officials were not able to extract information from his phone, and did not even attempt to analyze the computer and other electronics seized from his home, nor the gun also found in his home.

The lawyers for Berta's family proposed expert analysis of evidence that the government had ignored, which was approved by the court shortly before the trial began. However, not long after, the court removed the lawyers for the victims, meaning that none of this analysis was included in the trial. Furthermore, while his phone line had been tapped prior to the murder due to an unrelated investigation open against him for drug trafficking and kidnapping, it is not clear if conversations with others beyond those already arrested have been examined.

Moreover, the government's star witness, a phone analysis expert, identified a second number she reported was used by Mariano Díaz to coordinate preparation for the murder but the phone records for this number were not analyzed in her study nor introduced as evidence in the case.

The legal team for Berta's family had proposed an expert in criminal networks to analyze the phone information, which was rejected by the court. However, this expert provided a summary of his analysis

at a parallel public event, identifying numerous phone numbers that could be related to the murder, which government prosecutors have failed to investigate.

In many ways, the trial raised more questions than answers as phone messages suggest a broader criminal structure that has yet to be held accountable. Journalist Nina Lakhani addresses some of these questions in an [extensive article on the trial](#).

Perhaps the clearest sign that justice has yet to be reached for Berta Cáceres is that DESA's concession of the Gualcarque River continues to be active. Despite legal motions filed by COPINH, the concession has yet to be cancelled in spite of the clear violation of ILO Convention 169 that Berta spent the last years of her life speaking out against.

Furthermore, COPINH leader Francisco Javier Sanchez, Coordinator of the Rio Blanco Indigenous Council, who was a target of DESA's network of informants just as Berta was, is currently facing serious death threats for his continued leadership defending the Lenca people's ancestral land near the Gualcarque River.

Until there is justice at the highest levels for Berta and so many other victims in Honduras -- especially the dozens of people killed in the brutal post-electoral murders during demonstrations against the electoral fraud that took place one year ago -- the criminal structures that run Honduras will continue to do so, and thousands upon thousands will continue to flee north towards the US.

The US must also be held to account for the role it has played in training, financing, and propping up the Honduran regime as it privatizes and plunders the country.

SOA Watch, 225 E 26th St, Suite 7, Tucson, AZ 85713

\*\*\*\*\*

### More info

- COPINH, [www.copinh.org](http://www.copinh.org) // <https://bertavivecopinhsgue.copinh.org/> // [copinhonduras.blogspot.com](http://copinhonduras.blogspot.com) // <http://copinghenglish.blogspot.com/> // FB: Copinh Intibucá // TW: @COPINHHONDURAS
- Rights Action, Grahame Russell, [grahame@rightsaction.org](mailto:grahame@rightsaction.org), [www.rightsaction.org](http://www.rightsaction.org)

\*\*\*\*\*

### Background

- "Berta Cáceres: Who She Is & What She Lived For", by Grahame Russell, March 2, 2018, <https://mailchi.mp/rightsaction/bertha-caceres-who-she-is-what-she-lived-for>
- "Murder of Berta Cáceres part of calculated plot: report", by [Kavitha Chekuru](#), Al Jazeera, <http://www.aljazeera.com/news/2017/10/murder-bertha-caceres-part-calculated-plot-report-171031175751919.html>
- Fault Lines 25 minute video "Honduras – Blood and the Water", <https://www.youtube.com/watch?v=5Dbphren7E4>

\*\*\*\*\*

| [Tax-Deductible Donations](#) (Canada & U.S.)

To support the family of Berta Caceres, security and justice struggles, [make check payable to "Rights Action" and mail to:](#)

U.S.: Box 50887, Washington DC, 20091-0887

Canada: (Box 552) 351 Queen St. E, Toronto ON, M5A-1T8

Credit-Card Donations: <http://rightsaction.org/donate/>

Donations of stock? Write to: [info@rightsaction.org](mailto:info@rightsaction.org)

\*\*\*\*\*

Please re-post and publish this information

More info: [info@rightsaction.org](mailto:info@rightsaction.org)

Subscribe to e-Newsletter: [www.rightsaction.org](http://www.rightsaction.org)

Facebook: [www.facebook.com/RightsAction.org](http://www.facebook.com/RightsAction.org)

Twitter: <https://twitter.com/RightsAction>, @RightsAction

\*\*\*\*\*