



PUBLIC STATEMENT

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Honduras: Berta Cáceres' family left without legal representation in court

On Friday 19 October, the National Criminal Court, based in the Supreme Court of Justice, declared that the lawyers representing Berta Cáceres' children and Gustavo Castro, the only witness to her killing, had abandoned the trial. Consequently, the Court ordered that representation of the human rights defender's family and of the witness should be taken over by the Public Prosecutor's Office.

Lawyers for the family and the witness did not attend the initial court hearing on the grounds that they considered it unlawful as a decision was still pending on an *amparo* petition they had lodged precisely to prevent the trial from going ahead.

Throughout the investigation of the killing of Berta Cáceres on 2 March 2016, the family of human rights defender and Gustavo Castro have repeatedly stated that the Honduran Public Prosecutor's Office has failed to ensure they had genuine and full access to the case file or the evidence. They also brought this to the attention of the Court. However, to date, the Court has taken no action to ensure that the Public Prosecutor's Office fulfils its obligation to give the lawyers access to the information they have requested.

Faced with this situation, the lawyers lodged a petition calling for the judges hearing the case to be recused on grounds of bias. As a result of the petition, the trial, which had been due to start on 17 September, was suspended.

Amnesty International believes that the Court's decision to impose representation by the Public Prosecutor's Office on the victims is a breach of the right to due process and therefore impacts on the right to access to justice, truth and reparation. Victims' representation cannot be put in the hands of an institution that they have repeatedly said is responsible for violating their rights.

According to the lawyers, the Public Prosecutor's Office has neither ensured they had genuine and full access to the case file and the evidence nor fulfilled its obligation to identify those suspected of being behind the killing of the human rights defender.

Amnesty International reiterates that Honduras has an obligation to initiate a thorough and independent investigation into the killing of the prominent human rights defender. The organization also again highlights the duty of the Honduran authorities to bring to justice, in proceedings that are consistent with fair trial guarantees, both those who committed this crime and those who ordered and planned it.

Amnesty International also stresses that the judicial proceedings must guarantee the right of the family of Berta Cáceres and of other victims to justice, truth and reparation.