



PUBLIC STATEMENT

Index: AMR 37/6335/2017

Honduras: justice still in jeopardy in Berta Cáceres murder case

The preliminary hearing for four of the eight people accused of involvement in the killing of the Lenca human rights defender Berta Cáceres was scheduled for 24 May at the Criminal Court in Tegucigalpa. The hearing marks the formal start of the prosecution of these four people.

The hearing was originally scheduled for 19 April this year but was postponed at the request of the lawyers of the accused and the legal representatives of the defender's family, on the grounds that the public prosecutor had not made all the evidence for the prosecution available. The hearing was rescheduled for 28 April but was again postponed due to the unavailability of the required information.

The hearing has now been postponed again, this time until 7 June, because the public prosecutor did not make the evidence - which the representatives of the families need to exercise their right to truth, justice and reparation and which the lawyers of the accused need to exercise their right of defence - available with enough advance notice in accordance with the standards of due process. According to the International Advisory Group of Experts (GAIPE), the public prosecutor should have made all the evidence available with sufficient notice given that it is impossible to review such a large amount of information and prepare adequately for the hearing if it is made available just a few days before the hearing.

In addition to concerns about due process and the right to justice, truth and reparation for the family of the human rights defender Berta Cáceres, there is uncertainty about whether the Honduran Public Prosecutor has made any progress in identifying the intellectual authors of the killing; about which Amnesty International has been repeatedly inquiring for months.

On 18 May 2017, the Inter-American Human Rights Commission convened a working meeting in Tegucigalpa to review compliance with the precautionary measures granted to the family of Berta Cáceres and the Civic Council of Popular and Indigenous Organizations of Honduras (Consejo Cívico de Organizaciones Populares e Indígenas de Honduras – COPINH). However, representatives of the public prosecutor, which is in charge of the investigation into the assassination of the human rights defender and attacks against several COPINH members which provided the grounds for the precautionary measures, did not attend this meeting.

Impunity for attacks against human rights defenders continues to be one of the major challenges facing Honduras. The Honduran authorities must conduct a serious, impartial and thorough investigation to identify all those materially and intellectually responsible for the killing of Berta Cáceres, and if there is enough admissible evidence against them, bring them

before the courts for a fair trial that observes due process.

The authorities responsible for the investigation must also adhere to international human rights standards and respect, protect and guarantee the right to due process of the accused, as well as the right of the human rights defender's family to justice, truth and reparation. Amnesty International calls on the authorities to ensure that the evidence is made available so that the parties involved in the case can exercise their rights and so that a thorough and impartial investigation into the killing can take place.