



## GUATEMALA HUMAN RIGHTS COMMISSION/USA

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### **Seven Guilty of the Murder Berta Caceres: Court Signal Intellectual Authors Still at Large**

Today, a Honduran Criminal Court with National Jurisdiction found an active military officer, hitmen and current and former employees of the DESA hydroelectric company guilty of the murder of indigenous rights defender Berta Caceres. Judges found DESA executives planned the March 2, 2016 murder and indicated that others involved remain at large. Sentencing is scheduled for December 10.

Judges cited evidence that demonstrated DESA's social and environmental manager, Sergio Rodriguez, used a network of paid informants to monitor Berta's movements, while DESA's former security chief, retired military officer Douglas Bustillo, recruited the top-ranking special forces intelligence officer, Major Mariano Diaz, and a criminal cell he managed to carry out the murder. Diaz's associate, former soldier, Henry Hernandez, had previously worked for private security forces employed by the Dinant Corporation, long accused of death squad activities. Hernandez hired street killers that have proliferated in the drug war Edilson Duarte, Oscar Torres, and Elvin Rapalo, to carry out the murder under the direct supervision of Hernandez. Hernandez, Duarte, Torres and Rapalo were also convicted of the attempted murder of Caceres' colleague, Mexican human rights defender Gustavo Castro. Prosecutors had requested conviction of an eighth defendant, Edilson Duarte's twin brother, on concealment charges, but the court found no evidence that he had knowledge of the crime.

Prosecutors presented judges with communications relating to the murder between DESA Security Chief Jorge Avila, DESA Financial Manager Daniel Atala, and DESA President David Castillo. Castillo is currently in detention and expected to face trial for Caceres' murder in 2019. Prosecutors also cited communications relevant to the murder between DESA Board members including Pedro, José Eduardo and Jacobo Atala Zablah.

The Guatemala Human Rights Commission (GHRC-USA) was present in the courtroom throughout the trial, and actively participated in the [Legal Observer Mission](#). While the outcome of the trial reflects the strength of the evidence against the accused, there were concerns about the process, particularly the exclusion of the victims described in [GHRC's preliminary trial observation findings](#).

Berta Caceres' murder was the culmination of a pattern of persecution by DESA against the organization she coordinated, COPINH, and Lenca communities opposed to the hydroelectric project. GHRC accompanies dozens of indigenous communities in Guatemala and Honduras that suffer similar patterns of violence and criminalization by investors seeking access to natural resources rights handed out over the past decade without regard to existing rights of communities.

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