

Brief: 'Canada Honduras Delegation for Justice, Land and Life'

April 21, 2016

First Nations women leaders from BC, Quebec and Nova Scotia, lawyers, solidarity activists and a videojournalist travelled to Honduras from April 12-19 to attend the International Peoples' Gathering "Berta Cáceres Lives" that was organized in the wake of the murder of Indigenous leader Berta Cáceres' and attempted murder of Mexican activist Gustavo Castro on March 2, followed closely by Berta's colleague Nelson Garcia's murder on March 15. From April 16-18, they visited Berta's family, the area affected by Aura Minerals' San Andrés open-pit gold mine, and the Head of Mission for the Canadian Embassy in Honduras.

Between 2010 and 2014, over 100 people fighting for land and a healthy environment have been murdered in Honduras, with many more threatened or criminalized. The impunity rate for crimes in Honduras is between 80% and 96%, depending on the source. Despite the prevailing climate of fear, violence and impunity, the Canadian government struck a free trade agreement with Honduras in recent years and provided technical assistance to a new mining code that provides little protections for people and the environment, while it favours companies.

International Gathering and April 15 Attack

- Groups from an estimated 22 countries participated in the international gathering.
- A key issue addressed during the first two days of the International Gathering in Tegucigalpa, the Honduran capital, was the lack of any real progress in the criminal investigation into the March 2, 2016 assassination of Berta Cáceres and attempted assassination of Gustavo Castro as a result of endemic corruption and impunity in Honduran institutions since the 2009 military-backed coup.
- The investigation into Berta's murder and the attempted murder of Gustavo has been plagued with irregularities. Among other things, no forensic expert was present for the autopsy on Berta's body despite the insistence of her family; Honduran authorities were quick to claim that her murder was a crime of passion, despite consistent and well-documented threats against her in connection with her outspoken opposition to the Agua Zarca dam project and other mega-projects that have been initiated in Lenca communities without their free, prior and informed consent; rather than investigating the possible involvement of the company, Desarrollos Energéticos S.A. (DESA), and related actors investigators focused on trying to blame COPINH during the first two weeks; COPINH has also denounced Honduran officials as incapable and unwilling to undertake a full and impartial investigation, outing one official for close ties to the hydroelectric company and citing bias in the General Attorney's office, particularly given prior attempts to legally persecute Berta on baseless charges.
- On the third day of the international gathering, a caravan of hundreds of people, including many international observers, drove to the area affected by the Agua

Zarca hydroelectric dam project, which members of COPINH and local Lenca Indigenous communities have been protesting. It is owned by Desarrollos Energéticos S.A. (DESA), a Honduran firm with foreign financing.

- During the commemoration of Berta's life and work at the Gualcarque River in the municipality of San Francisco de Ojuera, Santa Barbara on April 15, the presence of international observers did not hinder dozens of armed men from trying to intimidate the caravan, making derisive comments about Berta's assassination, yelling threats against particular members of COPINH, and attacking caravan participants with machetes, rocks and fists, injuring about ten.
- Despite significant police and military presence, security forces did not try to open the road for some time and ran away when the attack took place, without making any arrests and leaving caravan participants highly vulnerable. The behaviour of Honduran security forces make them complicit in the intimidation and violent acts of the armed group who are believed to be paramilitaries.
- The attack on the International Gathering is indicative of the sorts of ongoing threats and violence that Berta faced and that COPINH continues to face on a regular basis in response to their struggle to assert their Indigenous rights.
- Amnesty International observed just during the short time between Berta Cáceres' and Nelson García's murders how members of COPINH, members of community radio station, people calling for justice for Berta Cáceres, and at least one of Berta's daughters were questioned, followed and photographed in menacing ways.

Related Recommendations:

1. Out of concern for the safety of Berta's family and members of COPINH, including leadership and grassroots communities, we call on the Canadian government to publicly and using other available channels to urge that the Honduran authorities to fully implement the precautionary measures issued for Berta's family and COPINH by the Inter American Commission on Human Rights (IACHR) and to demilitarize Lenca territory.
2. We are worried that the murder of Berta Cáceres and the attempted murder of Gustavo Castro could wind up in impunity like so many other political assassinations since the 2009 military-backed coup. We call on the Canadian government to publicly and using other available channels to urge Honduran authorities to agree to an independent international investigation that leads to the prosecution of both the material and intellectual authors of the murder in cooperation with the IACHR.
3. We are also deeply troubled by the way in which COPINH is being criminalized for protesting this and other mega-projects. We call on the Canadian government to publicly and using other available channels to urge the Honduran government to revoke the Energy Development Company's concession for the Agua Zarca project, given that it was granted without the Lenca peoples' free, prior and informed consent; and to suspend, review and annul all other hydroelectric and mining concessions on Lenca territory granted without the Lenca people's free, prior and informed consent.

4. The Canadian government should suspend security assistance to Honduras until it has demonstrated through concrete actions and results that it respects human rights, protects human rights defenders, and upholds the rule of law. It should also permanently end bilateral and multilateral development aid that supports projects that have been undertaken in violation of the right to free, prior and informed consent of affected Indigenous communities.

Aura Minerals' San Andrés Mine and Canadian Interests in Honduras

- The Azacualpa Environmental Committee has been denouncing criminalization of dissent in their communities, the ongoing threat they face from the expansion of Aura Minerals' San Andrés mine into their 200-year old cemetery and other unfulfilled commitments in signed agreements with the company.
- On April 17, the Canadian delegation was traveling on a public road near the city of Santa Rosa de Copan, invited and accompanied by community members interested in showing them the mine-affected area.
- At around 9am, the delegation and accompanying truck of community members were detained at an isolated spot on the dirt road by Honduran police, who told us that Aura Minerals company employees had set up an armed road block, up ahead, and that we could not go any further.
- The delegation spent three hours in discussions with increasing numbers of Honduran military and police, eventually including the regional police chief and head of the army. Conversations grew tense between community members and Aura Minerals company employees who were illegally blocking road. As national and international pressure built, the police and military eventually received new directions and told company employees and their supporters to dismantle the road-block. Our delegation, accompanied by police and military, was then able to proceed along the road to the community.
- Once the delegation got a few hundred meters beyond the point where the road-block had been, villagers started honking their horns, clapping and cheering.
- The delegation was able to drive up to Aura Mineral's large open-pit, cyanide leaching gold mine, tailings pond and processing plant where a few hundred more community members had been waiting since 9:00am. We were able to have a 2-hour, open air meeting with them at the edge of the open-pit and their community graveyard, and were able to depart peacefully.

Related Recommendations:

1. We are deeply concerned about the safety of the Azacualpa Environmental Committee following the delegation's departure. We call on the Canadian Embassy to keep monitoring this situation and to be ready to respond, including to use public pressure and other available channels to advocate for the lives and wellbeing of the committee and other residents in the area as requested.
2. We are worried that Aura Minerals will continue to disregard local community concerns about their local cemetery, possible community relocation and other broken commitments, as has taken place in connection with many other Canadian mining conflicts around the world. We call on the Canadian

government to immediately put in place effective mechanisms to ensure justice and remedy for the victims of mining abuses in connection with Canadian companies operating abroad. The Canadian Embassy should urgently discontinue any and all public support to Aura Minerals.

3. We know this case is just the tip of the iceberg, particularly since the Canadian government lobbied – starting immediately after the military-backed coup – and provided financial support for a new mining law that passed in Honduras in 2013 that lifted a six year moratorium on new mining projects and that provides little protections for people and the environment. Furthermore, since the coup, Canada pacted a free trade agreement with Honduras. It is deeply troubling to us that the Canadian government would seek to bolster economic and political relationship with Honduras in the highly corrupt and repressive post-coup context with levels of impunity soaring. As such, it is urgent that an investigation be undertaken into the Canadian government's role in Honduras during and since the 2009 military-backed coup.

Delegation Participants

- Bev Sellars, Counsellor and Former Chief Xat'sull/Soda Creek First Nation, Central British Columbia and Chair, First Nations Women Advocating Responsible Mining
- Mary Hannaburg, member of the Mohawk Nation and executive member of Quebec Native Women
- Catherine Martin is a member of the Millbrook First Nation in Truro, Nova Scotia and the Nancy Rowell Jackman Chair in Women's Studies (Nancy's Chair) at Mount Saint Vincent University.
- Catherine Morris, Adjunct Professor in the Faculty of Law at the University of Victoria and Research Director for Lawyers Rights Watch Canada
- Maggie Padlewska is a videojournalist and founder of the online video series, One Year One World
- Amelia Orellana is a translator and the Urgent Actions Coordinator for the Comité pour les droits humains en Amérique latine (CDHAL)
- Grahame Russell is a non-practising Canadian lawyer, adjunct professor at the U. of Northern British Columbia, author and director of Rights Action
- Karen Spring is the Honduras-based coordinator for the Honduras Solidarity Network (HSN). She has been living and working in Honduras since 2009.
- Raul Valdivia is a Honduran translator based in Tegucigalpa who has led delegations in Honduras since 2009.

Delegation Sponsors

BC Teachers' Federation – Canadian Labour Congress (CLC) – Canadian Union of Public Employees (CUPE) – Confédération des syndicats nationaux (CSN) – Conseil Central du Montréal Métropolitain – Council of Canadians – Development and Peace – Development and Peace, Employees Union – Le Groupe de recherche sur les espaces publics et les innovations politiques (GREPIP), Université du Québec à Montréal (UQAM) – Inter Pares – KAIROS: Canadian Ecumenical Justice Initiatives – Maritimes-Guatemala Breaking the Silence Network – MiningWatch Canada – Ontario Secondary School Teachers Federation (OSSTF) – Public Service Alliance of Canada – Syndicat des employé-e-s professionnel-e-s et de bureau Unité FTQ – UNIFOR – United Church of Canada – United Steelworkers

Additional Organizing Support

Americas Policy Group – Amnesty International – Common Frontiers – Comité pour les droits humains en Amérique latine (CDHAL) – Lawyers Rights Watch Canada – Nobel Women's Initiative – Québec Native Women – Rights Action – Union of BC Indian Chiefs