

COPINH AND RIO BLANCO ILLEGALLY EXCLUDED FROM THE GUALCARQUE FRAUD CASE

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BERTA CÁCERES CAUSE

The Gualcarque Fraud case has reached the stage of oral argument in the public trial. The community of Río Blanco, represented by COPINH, is the direct victim of the acts of corruption that established the Agua Zarca project but have been excluded from the proceedings.

This exclusion was decreed by the Court of Appeals on Corruption Matters following the filing of an appeal for protection as a last resort to enforce the right to participation. Lawyer Victor Fernández declared in the press conference last Monday the following: "It is urgent that the Constitutional Court resolve this appeal, justice cannot be delayed in resolving a situation like this, it would be a serious violation of rights."

In 2010, COPINH filed a complaint against 51 projects that had illegally obtained concessions and licenses. The Agua Zarca Hydroelectric Project, owned by the Atala Zablah family, was one of these. In 2019, the Mission Against Corruption (MACCIH), presented its case showing corruption in the "renewable" energy generation sector as evidenced by the illegalities surrounding the Agua Zarca project.

The Gualcarque Fraud case involves 16 officials from ENEE, SERNA, and local mayoral offices, who acted fraudulently to impose the hydroelectric project.

"David Castillo and the Atala Zablah family, for their own financial benefit, formed a criminal structure that committed countless crimes, from fraud and corruption for the supposed generation of "renewable" energy, to serious violations of the rights of the Río Blanco community, to the murder of Berta Cáceres and other aggressions that continue today," explains the communiqué published by COPINH last Monday September 28th. ■



DAVID CASTILLO MUST REMAIN IN PRISON DURING HIS TRIAL.

Chamber I of the National Sentencing Court rejected the request for the release of David Castillo filed by his legal defense. The court stated that due to the delays caused by the stalling maneuvers of his defense, the period of pre-trial detention should be extended for a term of 8 months and 23 days starting September 2, 2020.

The hearing established that the actions of lawyers Juan Sánchez Cantillano and Ritza Antúnez unduly delayed the judicial process. In other words, it is their own fault that Castillo will remain in prison despite the expiration of his pretrial detention.

COPINH has denounced that the purpose of these stalling maneuvers is impunity in this case and has urged lawyers Juan Sanchez Cantillano, a lawyer used by the Atala Zablah family to imprison Berta Cáceres in 2013, and Ritza Antúnez, a defender of military personnel involved in organized crime, to abstain from such practices. ■

CELEBRATING THE ABILITY TO BROADCAST THE TRIAL IN THE CASE OF THE MURDER OF BERTA CÁCERES

Honduran and international society is closely following the search for justice for Berta Cáceres and the Lenca people. Broadcasting the hearings through the judiciary's social media has been well received in these times of extreme limitations due to the COVID health crisis. It is an action in accordance with the obligation to make trials public.

The broadcasting of the hearings live on Facebook Live has also been recognized favorably by human rights organizations, experts in judicial matters, as well as international

institutions, since it guarantees publicity and allows Honduran and international society to observe the process first-hand.

Despite the benefits of the live broadcast, David Castillo's legal defense has been strongly opposed to them. Their argument is based on the fact that their image is exposed and that this puts them at risk. However, they have ignored the fact that after each hearing, Castillo's legal defense appears in the national media, giving statements about the proceedings. In their desperation, lawyers Sanchez and Antunez contradict each other.

The criminal structure that David Castillo and the Atala

Zablah family are part of and which is defended with mediocrity by lawyers Sanchez and Antunez, is in fact the source of danger for the victims and those who defend indigenous territories in Honduras. ■

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HONDURAN AND INTERNATIONAL SOCIETY IS CLOSELY FOLLOWING THE SEARCH FOR JUSTICE FOR BERTA CÁCERES AND THE LENCA PEOPLE.

TWO PROCEEDINGS, ONE CASE.

The judicial proceedings regarding Fraud on the Gualcarque and against David Castillo for the murder of Berta Cáceres are part of the same search for justice. They show different facets of the same criminal structure whose objective has been to enrich itself through the dispossession and death of the Lenca indigenous communities and the defrauding of the State of Honduras.

These proceedings demonstrate that the Atala Zablah family's Agua Zarca project has been mired in crimes from the very beginning. The Honduran justice system has the obligation to punish all those responsible for these crimes regardless of their economic power. ■



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