

Mark Rutte
Primer Ministro de los Países Bajos
La Haya

Mette Gonggrijp
Embajadora holandesa en Honduras
E-mail: mette.gonggrijp@minbuza.nl

Bert Koenders
Ministro de Relaciones Exteriores
E-mail: r@minbuza.nl

Lilianne Ploumen
Ministra de Comercio y Cooperación:
E-mail: m@minbuza.nl

FMO
Mr. Nanno Kleiterp
CEO
Anna van Saksenlaan 71
2593 HW The Hague
Netherlands
E-mail: n.kleiterp@fmo.nl

Albert van Leeuwen
Senior Environmental Specialist, energy department
Postbus 93060
2509 GRAVENHAGE
Netherlands
E-mail: a.van.leeuwen@fmo.nl

Juha Petri Sipilä
Primer Ministro Finlandia
E-mail:

Finnfund
Jaakko Kangasniemi
President and CEO
Tel. 00358 40 577 7676
E-mail:

Frank Walter Steinmeier
Ministro del Exterior de Alemania
Platz der Republik 1
11011 Berlin
Tel. 0049 30 227-79408
Fax 0049 30 227-76659
E-mail: frank-walter.steinmeier@bundestag.de

Siemens AG

Josef Käser
CEO
E-mail: joe.kaeser@siemens.com

Tobias Atzler
Governance & Markets, Investor Relations
Wittelsbacherplatz 2
80333 Muenchen, Germany
Tel.: +49 89 636-33693
Mobile: +49 172 8452583
E-mail: tobias.atzler@siemens.com

Jan Rabe
Sustainability Director; via:
Tel.: +49 89 636-42241
E-mail: ralf.pfitzner@siemens.com

Voith Hydro
Uwe Wehnhardt
Vorsitzender der Geschäftsführung
E-mail: uwe.wehnhardt@voith.com

Lars Rosumek
Pressechef
E-mail: lars.rosumek@voith.com

Dear ladies and gentlemen,

Today we turn to you (in representation of Center for Research and Documentation Chile-Latin America) for the following reasons:

We are deeply shocked by the murder of Berta Cáceres just before midnight of March 2, 2016.

Berta Cáceres was an indigenous leader, human rights and environmental defender. She was one of the founding members of the Civic Council of Popular and Indigenous Organizations of Honduras (COPINH) and has been awarded with the Goldman Environmental Prize in 2015, among other international awards. Her murder represents an irreparable damage to the legitimate defense of human rights in Honduras and in the entire world. It is also proof of the fact that the measures taken by the Honduran State for the protection of human rights defenders are insufficient in general and even more in the case of Berta Cáceres, as the Inter-American Commission on Human Rights (IACHR) had requested Precautionary Measures for her in 2009.

From the year 2012 onwards, the communities in Rio Blanco were facing the unexpected arrival of machinery and technical equipment and requested the support of COPINH. It was the start of the operations by the company DESA for the construction of the hydroelectric project Agua Zarca. Along with 40 other concessions of hydroelectric dams, the Agua Zarca project was approved by national legislation in September 2010, despite its direct violation of the right to free, prior and informed consultation according to Convention 169 of the ILO and the Honduran constitution. The installation of the project on the other side of the river along with the new concept in 2015 does not

change anything at the fundamental level.

For the Lenca communities, the Agua Zarca project represents a threat in any case, because in their world view, the free-flowing Gualcarque River has a special cultural and spiritual significance. For lack of respect for the rights of the Lenca people, the failure to comply with Convention 169 and the negative impacts of the project on their livelihoods, Berta organized and led a peaceful opposition to the project as the coordinator of COPINH.

As a consequence of this opposition, Berta, along with other Lenca leaders, has been the target of threats and intimidation. The State of Honduras even tried to criminalize Berta for illegal possession of weapons. The case was dismissed in favor of her in February 2014. In November 2013, another leader of COPINH, Tomas Garcia, was killed and his son Alan Garcia was seriously wounded during a peaceful protest by a soldier. These crimes were followed by three murders of opponents of the Agua Zarca project. In the beginning of 2016, DESA began a campaign of delegitimization and defamation against Bertha and COPINH culminating in a statement in which they wrote:

"Hydropower Agua Zarca is informing the public opinion about the constant lies that the activist of COPINH, Mrs. Berta Cáceres, who defines herself as a fighter for the environment and the rights of indigenous people, constantly manipulates information to cast a bad light on the project." In a press release issued on Friday, March 4, 2016, the UN Special Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli-Corpuz said about the crime against the leader "that it is likely to be linked to her work in defense of the human rights of the indigenous Lenca people."

The Agua Zarca project is financed by the Dutch Development Bank, FMO, the Finnish Fund for development funding, Finnfund and the Central American Bank for Economic Integration, CABEL. The German company Voith Hydro invested in the project with the participation of Siemens. Both the funding institutions as well as the private enterprise have received alerts about the violation of human rights around the implementation of the project. It is noteworthy that both the Chinese company Sinohydro and the International Finance Corporation (IFC) suspended its funding to the project. In the case of Sinohydro, they cited conflicts between the company DESA and local communities as the reason for its decision to withdraw from project.

The State of Honduras has received a variety of recommendations over recent years in the framework of its international obligations. The most recent include the Universal Periodic Review (UPR), the final declaration of the UN Special United Rapporteur on the Rights of Indigenous Peoples, and chapter 2 of the annual report by the Inter-American Commission on Human Rights. We note that during the UPR, the Netherlands made a recommendation to the State of Honduras, asking for the implementation of the Guiding Principles on Business and Human Rights of the United Nations and ILO Convention 169.

Analyzing all this, we conclude that the Government of Honduras, its security forces and its judicial system, do neither have the will nor capacity for a permanent and impartial investigation into Berta's assassination.

Therefore, we demand from the Honduran state:

- A profound investigation by an Independent International Commission
- To protect the physical and moral integrity of the only witness and survivor of the crime, Gustavo Castro Soto, and a safe conduct out of the country
- A clarification of why it has not complied with the Precautionary Measures to Berta Cáceres, ordered in 2009.

- We call on the Honduran institutions to fulfill their duty to ensure the protection of all people who defend human rights in their country and the proper implementation of the Protection of Human Rights Defenders Law in force in Honduras, to assure that something similar won't happen again.

Therefore, we demand from the governments of the Netherlands, Finland and Germany:

- To take all measures to ensure that the investigation of the case is both impartial and effective.
- To demonstrate publicly that they have taken all possible steps to ensure that neither their funds nor international cooperation banks, nor private companies that have their headquarters in their territory, have violated the human rights of the local population affected by the hydroelectric project Agua Zarca.

Therefore, we demand from FMO, Finnfund, CABEI and Siemens-Voith Hydro

- That the transnational corporations and banks involved in the project are withdrawing immediately from the dam project Agua Zarca.
- That FMO, Finnfund, CABEI and Siemens-Voith Hydro publicly demonstrate that they have taken all necessary steps to prevent human rights violations by the local company DESA and have fully implemented the principles of due diligence and the obligation to respect the rights of the Lenca population.

Therefore, we demand from the diplomatic corps and the group of the 16:

- Instead of the press release of March 4, they should demand the establishment of an Independent International Commission from the Honduran government and give financial and logistical contribution to it, so that it can thoroughly investigate this crime in the search for the material and intellectual authors.

Sincerely,