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Due diligence needed to protect human rights

A blog from Heidi Hautala

In the beginning of March I received sad and worrying news from Honduras. Berta Cáceres, an internationally acknowledged human rights activist, co-founder of the Council of Indigenous Peoples of Honduras (COPINH), had been murdered. Gunmen had broken into her home and shot her.

Her assassination is an outrageous tragedy, but unfortunately not a surprise. Honduras is a dangerous country for activists. During 2010-2014, over 100 were killed. Another COPINH leader Tomás García was shot dead by a military officer in a protest in 2013. Cáceres herself had received rape and murder threats over her campaigning. The Inter-American Commission for Human Rights had formally called on the Honduran government to apply precautionary measures to protect her. Absence of any kind of security at the time of her murder is a sign of government neglecting the protection of human rights defenders.

Berta's murder highlights several issues of which lack of protection for human rights defenders is one. The other is widespread impunity. Perpetrators of human rights violations against activists are seldom brought to justice. Honduran authorities are keeping Gustavo Castro Soto, the only eyewitness of Bertha's murder and a land and environmental rights activist himself, from leaving to his home country Mexico. His life is also in danger.

Companies lack responsibility over human rights, in this case, the rights of the indigenous peoples. Last year Berta Cáceres was awarded the Goldman Environmental Prize for her battle against Agua Zarca hydro project in Gualcarque river. The project has been implemented without carrying out proper consultation with the area's indigenous Lenca people. The dam would cut off their water supply, and bury their lands that produce livelihood, food and medicines for hundreds of Lenca people. After the International Finance Corporation, the World Bank's private lending arm, and China's Sinohydro pulled out of the project it has been co-funded by the regional development bank Banco Centroamericano de Integración Económica, the Dutch development bank FMO, Finnish Finnfund, and the Voith-Hydro from Germany.

The companies' and financiers' human rights due diligence has clearly been insufficient. There are well established principles for investors. Still it seems that a free, prior and informed consent process has not been carried out in accordance with ILO 160 before the land was taken. Due diligence processes are applied in order to identify, prevent, mitigate and account for how the company addresses the possible adverse human rights impacts of its actions. Finnfund claims to have carried a detailed due diligence process. I call for them to publish the information documented during the process. It is important that we can be assured that projects that violate human rights are not funded with Finnish development

cooperation funds.

The Dutch government reacted immediately by sending an ambassador to Honduras. Finland's minister for development Lenita Toivakka and Finnfund have expressed concern and condemned the murder. This is not enough. It is time to act and put in place clear standards for a transparent and open due diligence process for companies and institutions operating in developing countries.

Governments need to protect human rights defenders. The violence and harassment can and must be prevented. The murder of Berta Cáceres has to be immediately, impartially and independently investigated.

Heidi Hautala, MEP, former minister of international development in Finland

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