OPEN LETTER

Human rights abuses and environmental concerns surrounding the construction of the hydroelectric plant "Los Planes" in Honduras

Dear Mr. Ing. Mag. Geppert!

According to information on your homepage, "Geppert Hydropower" supplies Pelton turbines to the hydropower plant "Los Planes" in Honduras (Tela, Atlántida).

Given that this project is associated with severe human rights abuse, we call on you to act in accordance with ethical standards and strongly urge you to

- Immediately halt the delivery of turbines
- Carry out a thorough human rights risk assessment and
- Subsequently terminate all current contracts with the Honduran company "Hidroeléctrica Centrales El Progreso" (Hidrocep).

As a turbine supplier for "Los Planes", Geppert Hydropower plays an essential part in the implementation of a hydropower project with a wrongful permit and the construction of which has already caused enormous environmental damage. The drinking water supply of about 20,000 people at the lower reaches of the Rio Mezapa was and remains significantly affected.

Human rights due diligence, as enshrined in the UN Guiding Principles on Business and Human Rights, sets the standard for business action, both on a national and international level. It also sets out the responsibility of Geppert Hydropower to ensure respect for human rights throughout your entire business operations, including business partners. This means carrying out human rights risk and impact assessments, preventing risks and in cases where it is not possible to prevent severe human rights abuses in connection with your business activities, ending or not entering into contracts.

This is particularly important for deliveries to a country like Honduras, which is internationally known for corruption, a lack of enforcement of the rule of law and severe human rights abuses – especially in relation to the implementation of energy projects. The most well-known example, of which you are certainly aware, is the murder in March 2016 of the Honduran human rights defender and environmental activist Berta Cáceres for her resistance against the AguaZarca hydropower plant. See the report of the independent
Background

The construction of the "Los Planes" hydropower plant began in 2016, initiated by the Company Hidroeléctrica Centrales El Progreso (Hidrocep). On 12 May 2016, the "network of communities for the protection of the natural resources of the Cordillera Nombre de Dios" filed a complaint against the project. To date, the Honduran judiciary has not responded. Although the majority rejecting the plan at a public community assembly, the then mayor Mario Fuentes unlawfully granted a building permit. [https://www.ila-web.de/ausgaben/415/es-gibt-keine-konzessionohne-korruption](https://www.ila-web.de/ausgaben/415/es-gibt-keine-konzessionohne-korruption)

The organisation "Broad movement for justice and dignity" (Movimiento Amplio por la Dignidad y la Justicia - MADJ) reported several incidents to the authorities in 2016, including surveillance, threats and harassment, especially against the lawyer Martín Fernández Guzmán, the coordinator of the organization. MADJ represents communities in cases relating to agricultural and environmental law.

Environmental damage and violation of the right to clean drinking water

The communities affected by "Los Planes" found that with commencement of the construction works in 2016, hundreds of trees were cut down and that the artificial stabilization measures of the construction company were unable to stop the resulting erosion on the steep mountain slopes (see left). As the construction work continued, mud started accumulating in the drinking water of communities located downstream. The drinking water of about 20,000 people became unusable. Laboratory tests revealed that it was contaminated with toxic mud, waste and bacteria (see right).

In February 2018, the Inter-American Human Rights Commission (CIDH) called on the Honduran state, having failed to fulfil its duty, to implement special protective measures for five of the communities affected by the Hydroelectric plant Los Planes due to
severe health hazards. According to MADJ, the quality of the water has not improved much to date. 


**Attempted murder of an environmental prosecutor**

In January 2017, prosecutor Randy Mejía from the local environmental agency visited the project site and compiled a report on the damage. Authorities then ordered a construction stop. That same evening, Mejía was the victim of an assassination attempt. He survived and left the country with his family.


Given the severity of the situation, communities from the Pajuiles area erected a blockade camp in March 2017 along the access road leading to the construction site. Only company supply and construction vehicles were and continue to be blocked.

**Breach of agreements reached in a dialogue with the operating company**

In August 2017, with the support of the UN High Commissioner for Human rights a dialogue between the affected communities, the state agencies and the company Hidrocep was initiated and an agreement reached. Hidrocep however did not keep to the agreed construction stop and those protesting the power plant continue to suffer threats and violent assaults against the newly built protest camp.

![Image of Michael Forst, United Nations Special Rapporteur](image)


**Excessive violence and assaults**
On 4 August, about 20 men attacked Martín Fernández, lawyer for the MADJ (see picture below), and Oskar Martínez, an environmental activist belonging to the blockade camp, and severely injured both. Although the names of the perpetrators were known, it was not them but 17 human rights defenders belonging to the blockade camp in Pajuiles that were charged in court: https://amerika21.de/2017/08/182124/angriff-protestcamp-honduras

During an unlawful and violent eviction of the camp by military police and special task forces of the Honduran military on 10 August 2017, even residents who were not involved suffered due to tear gas cartridges being thrown into the neighborhood and one highly-pregnant woman was wrongly held in police custody until the next morning. On 3 May 2018, environmental activists in Pajuiles suffered renewed militarized violence. The owner of the operator Hidrocep, Jason Hawit, accompanied machines and materials to the construction site. He was escorted by the Honduran military and police. Again, police used tear gas against the peaceful protesters who were in the camp: https://truthout.org/articles/us-trained-special-forces-joined-police-crackdown-on-damprotesters-in-honduras/

Violation of the right to life – extrajudicial execution of an activist opposing the power plant

In January 2018, one of the activists in the protest camp in Pajuiles, Geovanny Diaz Carcamo, was dragged out of his house by men in police uniforms at dawn and executed on the nearby state highway with several shots. Diaz had also participated in political protests after the elections at the beginning of the year. The way his execution was carried out however, suggests a targeted elimination of a selected environmental activist. https://www.theguardian.com/environment/2018/may/02/honduran-dam-protesters-facetrail-in-ongoing-crackdown-against-defenders
“Danger to life and limb” for the MADJ’s lawyers – the state is failing to fulfil its duties to protect

Honduras is one of the most dangerous countries for human rights defenders, especially for those campaigning for land and environmental rights. The lawyer Martín Fernández from the organization MADJ was awarded special protective measures by the Inter-American Commission on Human Rights in 2013, however the Honduran government has so far failed to implement these. The permanent threat to his life and his physical integrity has recently also been a cause for concern for foreign diplomats and who expressed this in conversations with the Honduran government.

We, the undersigned organizations, groups and individuals, therefore urgently call on you, to take seriously your human rights responsibilities as a business and to draw consequences from the untenable situation in relation to “Los Planes”.

A copy of this open letter, along with relevant press information, will also be sent to Dr. Gerhard Doujak, head of the department I.7 (Human Rights, International Humanitarian Law, National Group Affairs) in the Federal Ministry for European and international affairs.

Please do not hesitate to contact Andrea Lammers at the German-Austrian network HondurasDelegation should you have any questions: elsal@oeku-buero.de 0049 - 89 - 448 59 45.

We kindly ask you to inform us on any steps you have taken.

With kind regards,

HondurasDelegation Germany – Austria
Information Group Latin America (IGLA), Vienna
Ökumenisches Büro für Frieden und Gerechtigkeit e.V., Munich
Petra Bayr, SPÖ
Ulrike Lunacek, Vice president of the European Parliament a.D.
Monika Vana, Member of the European Parliament
attac Austria
Finance & Trade Watch, Vienna
GegenStrömung – CounterCurrent
Society for Threatened People Austria
GLOBAL 2000 - Friends of the Earth Austria
Guatemala Solidarity Austria
Network Social Responsibility, Vienna
Austrian Latin America-Institute
Reporters without Borders Austria
RiverWatch
Südwind
Via Campesina Austria
Welthaus – Katholische Aktion Vienna