

Indigenous women leading the defense of human rights from abuses related to mega-projects: Impacting corporate behavior — overcoming silencing practices

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Résumé de l'article

Face à l'extrême violence, certaines organisations de mouvements sociaux dirigées par des femmes autochtones qui défendent les droits humains dans le cadre d'abus commis en lien avec des mégaprojets ont obtenu des changements favorables dans les pratiques des entreprises (succès). Dans le contexte majoritairement patriarcal, capitaliste et raciste de l'Amérique latine, qu'est-ce qui explique le succès (ou non) des mobilisations menées par les femmes autochtones auprès des acteurs les plus politiquement et économiquement puissants du monde ? Ma thèse de doctorat est consacrée à répondre à cette question. Dans cet article, je vous propose un très bref aperçu de cette étude. Ainsi, j'apporte quelques précisions sur mon modèle de recherche afin d'introduire ensuite le cadre théorique *acción trezada* qui en ressort. À la lumière de ce cadre et du cas de la dirigeante lenca Berta Cáceres au Honduras, j'aborde ensuite les aspects d'une dynamique de forces où la criminalisation en tant que pratique de silence est utilisée contre les mobilisations menées par les femmes autochtones défenseuses des droits humains, et comment elles la surmontent.

INDIGENOUS WOMEN LEADING THE DEFENSE OF HUMAN RIGHTS FROM ABUSES RELATED TO MEGA-PROJECTS: IMPACTING CORPORATE BEHAVIOR — OVERCOMING SILENCING PRACTICES

*Nancy R. Tapias Torrado**

In the face of extreme violence, some Indigenous women-led social movement organizations that defend human rights in the context of abuses committed in connection to mega-projects have achieved favorable changes in corporate practices (success). In the predominantly patriarchal, capitalist and racist context of Latin America, what explains the success (or not) of Indigenous women-led mobilizations regarding the most politically and economically powerful actors in the world? My doctoral study is dedicated to responding to this question. In this article, I offer a very brief overview of that study. Thus, I provide some details about my research model in order to then introduce the *acción trezada* theoretical framework that emerges from it. In light of that framework and the case of Lenca leader Berta Cáceres in Honduras, I next discuss aspects of a dynamic of forces where criminalization as a silencing practice is used against mobilizations led by Indigenous women human rights defenders, and how they are overcoming it.

Face à l'extrême violence, certaines organisations de mouvements sociaux dirigées par des femmes autochtones qui défendent les droits humains dans le cadre d'abus commis en lien avec des mégaprojets ont obtenu des changements favorables dans les pratiques des entreprises (succès). Dans le contexte majoritairement patriarcal, capitaliste et raciste de l'Amérique latine, qu'est-ce qui explique le succès (ou non) des mobilisations menées par les femmes autochtones auprès des acteurs les plus politiquement et économiquement puissants du monde ? Ma thèse de doctorat est consacrée à répondre à cette question. Dans cet article, je vous propose un très bref aperçu de cette étude. Ainsi, j'apporte quelques précisions sur mon modèle de recherche afin d'introduire ensuite le cadre théorique *acción trezada* qui en ressort. À la lumière de ce cadre et du cas de la dirigeante lenca Berta Cáceres au Honduras, j'aborde ensuite les aspects d'une dynamique de forces où la criminalisation en tant que pratique de silence est utilisée contre les mobilisations menées par les femmes autochtones défenseuses des droits humains, et comment elles la surmontent.

De cara a una violencia extrema, algunas organizaciones de movimientos sociales lideradas por mujeres Indígenas que defienden los derechos humanos frente a los abusos cometidos en relación con megaproyectos han logrado cambios favorables en las prácticas empresariales (éxito). En el contexto predominantemente patriarcal, capitalista y racista de América Latina, ¿qué explica el éxito (o no) de las movilizaciones lideradas por mujeres Indígenas frente a los actores política y económicamente más poderosos del mundo? Mi estudio doctoral está dedicado a responder a esta pregunta. En este artículo, ofrezco una breve descripción general de ese estudio. Así, proporciono algunos detalles sobre mi modelo de investigación para luego presentar el marco teórico de la acción trezada que se desprende de él. A la luz de este marco y del caso de la líder Lenca Berta Cáceres en Honduras, a continuación analizo algunos aspectos de esa dinámica de fuerzas, y discuto cómo la criminalización, como práctica silenciadora, es utilizada contra las movilizaciones lideradas por mujeres Indígenas defensoras de derechos humanos, y cómo ellas logran superarla.

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In our *cosmovisions*, we are human beings who emerged from the earth, the water and the corn. We, the Lenca people, are ancestral guardians of the rivers. Which are also protected by the spirits of the young girls, who teach us that giving our lives in various ways for the defense of rivers is also giving our lives for the well-being of humanity and the planet... Mother earth –militarized, fenced-in, poisoned, a place where human rights are systematically violated- demands that we take action... Let us come together and, with hope, let us continue defending and caring for the earth, its blood and spirits...¹

After more than a decade working with and for human rights defenders (HRDs) in the Americas,² I had the urge to broaden my analytical and methodological tools to better understand and respond to the very worrying situation of HRDs in the Americas. I was very concerned about the high number of attacks against those leading the defense of territory, dignity and rights in relation to mega-projects in the region. I was particularly moved and worried by the situation of Indigenous women human rights defenders (IWHRDs). Throughout my human rights work, I observed that Indigenous women’s leadership was becoming more visible but, as they became more vocal and visible, they were also more repressed and attacked.

Three out of every four killings of human rights defenders in the world take place in the Americas.³ In most of these cases, these leaders are challenging the abuses committed in the context of mega-projects, mostly defending Indigenous rights and territories.⁴ By human rights defenders, I mean a person or a group of people who, individually or collectively, take action to stop human rights violations or advance the effective enjoyment of these rights.⁵ Article 1 of the United Nations (UN) *Declaration on HRDs* establishes that the defense of human rights is a right in itself,⁶ not only a

¹ Extract from the acceptance speech of Indigenous Lenca leader and human rights defender Berta Cáceres: Goldman Environmental Prize, “Berta Cáceres acceptance speech, 2015 Goldman Prize ceremony” (22 April 2015), online (video): *YouTube* <www.youtube.com/watch?v=AR1kwx8b0ms>.

² After several years of work related to the human rights situation in Colombia, I worked in the Americas Programme of the International Secretariat of Amnesty International (London, UK). I was the Researcher on the Situation of Human Rights Defenders in the Americas for almost a decade, until early 2015.

³ OAS, Press Release, 2017/167, “UN Human Rights Office, Inter-American Commission Launch Joint Action Plan on Protection of Human Rights Defenders in the Americas” (25 October 2017), online: <www.oas.org/en/iachr/media_center/PReleases/2017/167.asp>.

⁴ *Ibid.*; UN Special Rapporteur on Human Rights Defenders, Doc A/HRC/19/55 (2011), para 71, 73.

⁵ HRDs are defined by what they do and what they stand for, and their actions should fall within the scope of human rights, whatever form they take. Who they are and what they do need to be understood within specific contexts and circumstances (Eguren and Patel, 2015); *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*, UNGAOR, 53rd Sess, Doc A/RES/53/144 (1998) 1 [*Declaration on Human Rights Defenders; Declaration on HRDs*]; OHCHR, “Fact Sheet No.29: Human Rights Defenders: Protecting the Right to Defend Human Rights” (2004), online (pdf): <www.ohchr.org/Documents/Publications/FactSheet29en.pdf>; OAS, Inter-American Commission on Human Rights, *Second Report on the Situation of Human Rights Defenders in the Americas*, OR OEA/Ser.L/V/II/Doc.66 (2012) at 1; Luis Enrique Eguren Fernández & Champa Patel, “Towards Developing a Critical and Ethical Approach for Better Recognising and Protecting Human Rights Defenders” (2015) 19:7 Intl JHR 896.

⁶ *Declaration on Human Rights Defenders, ibid.*

legitimate and honorable activity.⁷ Thus, as a human right, it implies responsibilities for State and non-state actors, including economic actors.⁸ By mega-projects, I mean large-scale, extractive, development, and investment projects.⁹

Mega-projects should bring progress to the affected communities but, although some have made some contributions, they have too often led to further human rights violations, social conflict and environmental destruction.¹⁰ The high number of attacks against those defending the human rights of communities affected by mega-projects has further compounded these issues.¹¹ The murder of Berta Cáceres is part of

⁷ *Report of the Special Rapporteur on the situation of human rights defenders*, Margaret Sekaggya, HRCOR, 25th Sess, UN Doc A/HRC/25/55/Add.2 (2014) 1.

⁸ The UN Guiding Principles on Business and Human Rights emphasize that the responsibility to respect human rights must be met with due diligence. It comprises, among others, "...the duty of companies to ensure that their activities do not infringe the rights of third parties, including human rights defenders". Corporations also have the responsibility to take positive measures such as the explicit recognition of the legitimacy of HRDs' actions and to adopt a policy statement at the most senior level on HRDs as a way to embed the company's responsibility to respect the rights of HRDs. *Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises*, John Ruggie, HRCOR, 17th Sess, UN Doc A/HRC/17/31 (2011) 1; OHCHR, "Comentario a la Declaración sobre el derecho y el deber de los individuos, los grupos y las instituciones de promover y proteger los derechos humanos y las libertades fundamentales universalmente reconocidos" (2016) at 20, online (pdf): <www.ohchr.org/Documents/Issues/Defenders/ComentDeclDDH_WEB.pdf>; *Situation of human rights defenders: Note by the Secretary-General*, UNGAOR, 71st Sess, UN Doc A/71/281 (2016) 1.

⁹ Mega-projects usually have a major impact and, in principle, are designed to benefit many people. These projects commonly involve substantial resources, time, size and risks. Their magnitude should be considered in context. Paul K. Gellert & Barbara D. Lynch, "Mega-Projects as Displacements" (2003) 55:175 Intl Soc Science J 15; OAS, Inter-American Commission on Human Rights, *Indigenous Peoples, Communities of African Descent*, OR OEA/Ser.L/V/II/Doc.47/15 (2016) at 1.

¹⁰ Mega-projects are generally announced as initiatives for development and progress. However, for many people and communities, they have meant the opposite. A general pattern of overstated benefits and understated costs (including social and environmental costs) has been established. In fact, several communities have already opted for a resounding NO to the presence of these types of projects in their territories, based on the many negative experiences of their impacts and destruction. Yet, there are other communities or portions of them who have "benefited" in some ways from these types of projects. The concept of "benefits" requires a thorough analysis. For now, it is important to note that one thing is the promised "benefit" and another its materialization. Also, "benefits" is a word with different meanings. Based on the cases I study, the word "benefits" was, for example, used to talk about monetary compensations for "individual owners" of "land plots". It was also used to talk about job creation and the provision of some essential services – which the State has never provided to neglected communities, failing its international human rights obligations (e.g. lack of schools and health centres). Bent Flyvbjerg, "Machiavellian Megaprojects" (2005) 37:1 Antipode 18; OAS, *supra* note 9.

¹¹ Amnesty International, "Transforming Pain Into Hope: Human Rights Defenders in the Americas" (2012) at 33, online (pdf): <www.amnesty.org/download/Documents/20000/amr010062012en.pdf>; Amnesty International, "Defending Human Rights in the Americas: Necessary, Legitimate and Dangerous" (2014) at 19-20, online (pdf): <www.amnesty.org/download/Documents/amr0100032014english.pdf>; Front Line Defenders, "Annual Report on Human Rights Defenders at Risk in 2017" (2017), online (pdf): <www.frontlinedefenders.org/sites/default/files/annual_report_digital.pdf>; Front Line Defenders, "Global Analysis 2018" (2018), online (pdf): <www.frontlinedefenders.org/sites/default/files/global_analysis_2018.pdf>. Business & Human Rights Resource Centre, "Attacks on Defenders in the Area of Business and Human Rights" (2018), online: <old.business-humanrights.org/en/key-findings-from-the-database-of-attacks-on-human-rights-

the alarming situation faced by those leading the defense of human rights in Latin America. Moreover, the killing of human rights defenders is only one of the many types of attacks against them in reprisal for their legitimate actions. Between 2015 and 2020, the “business, civic freedoms and HRDs portal” of the Business and Human Rights Resource Centre (BHRRC) registered 2,809 attacks against those defending human rights from corporations’ abuses. About one third of those attacks were assassinations; all the others were different types of human rights violations, such as attempted assassinations, death threats, intimidation, arbitrary detentions, abductions and sexual abuse. About fifty percent of all those attacks took place in Latin America, mainly in Brazil, Colombia, Honduras, Guatemala and Mexico. Seventy percent of them were attacks against Indigenous leaders, environmental defenders and human rights groups defending communities’ lands, territories and the environment. Most of the attacks concerned the following economic sectors: mining, renewable energy and agroindustry.¹² Furthermore, women human rights defenders have made significant efforts to make attacks with a gender component visible. This includes those that are not so visible to the public (e.g., domestic violence) and those that are naturalized in many societies (e.g., sexual harassment and sexual baiting).¹³

Yet even in the face of extreme violence, several of the human rights mobilizations led by Indigenous women have had very important impacts.¹⁴ Therefore, inspired by those impacts and urged by the alarming situation human rights defenders face, I developed my doctoral study: “Indigenous women leading the defense of human rights from the abuses by mega-projects, in the face of extreme violence.” In this article, I only offer a very brief overview of that study. Thus, first, I give some details about my motivation and research model. Second, I briefly present the *acción trezada* theoretical framework that emerged from my investigation. Third, in light of that framework, I glimpse into the case of Lenca leader Berta Cáceres in Honduras, one of several cases I studied, to reflect on criminalization as one of the many silencing practices affecting mobilizations led by Indigenous women. My analysis, however, does not stop in the victimization of these leaders and their organizations. In line with the framework I develop, I also discuss how they are overcoming such silencing practices. The article ends with some concluding remarks.

defenders-feb-2017>; *Situation of human rights defenders: Note by the Secretary-General*, UNGAOR, 71st Sess, UN Doc A/71/281 (2016).

¹² Business & Human Rights Resource Centre, “Human Rights Defenders & Civic Freedoms Programme”, online: <www.business-humanrights.org/en/from-us/human-rights-defenders-database>.

¹³ Asia Pacific Forum on Women, Law and Development, “Claiming Rights, Claiming Justice: A Guidebook on Women Human Rights Defenders” (2007) at 66-68, online (pdf): <www.ishr.ch/sites/default/files/article/files/whrd_guidebook.pdf>; Nancy R. Tapias Torrado, “Situación de las lideresas y defensoras de derechos humanos: análisis desde una perspectiva de género e interseccional” (2019), online (pdf): *Instituto Colombo-Aleman para la Paz* <www.instituto-capaz.org/wp-content/uploads/2019/06/Policy-Brief-4-2019-V2.pdf>.

¹⁴ From interviews and conversations during fieldwork, I was able to identify several impacts and achievements by IWHRDs-led mobilizations. They are part of a continuum of success, which is not necessarily progressive or linear. Thus, while acknowledging the importance of a success continuum, the thesis focuses exclusively on changes to corporate behaviour resulting from mobilizations led by IWHRDs.

I. Motivation and research model

There are numerous reports and documents by national and international non-governmental organizations and intergovernmental institutions that specifically focus on the situation of HRDs, some of which are cited in this article. In these reports, the urgency of the situation faced by these defenders of rights, including Indigenous women leaders confronting the abuses committed in the context of mega-projects, is convincingly substantiated. However, even within so many reports and documents, only a few are on the specific topic of Indigenous women human rights defenders overcoming silencing practices and impacting corporate behavior. The absence of such a focus is due to two main factors. First, the main focus has mainly been on their victimization (i.e., the attacks against these women leaders and the States' failure to protect them). Very rarely, their agency, capacity or leadership are these studies' central focus. Second, there is chronic invisibility of Indigenous women's role and diversity as leaders and agents of change,¹⁵ which has contributed to further exacerbating their difficult human rights situation.¹⁶ There is also extensive literature on business and human rights¹⁷ and is a well-established literature on social movements, some of it dedicated to social movements' influence on corporate practices.¹⁸ However, the systematic study of the agency and impact of Indigenous women-led movements on corporate practice has been absent until now. My doctoral study, and this brief overview, are a contribution in that regard. They are also a contribution as there is a need to learn from the experiences of Indigenous women-led mobilizations in order to better respond to their demands and situation and better collaborate with them.

In the face of extreme violence, some Indigenous women human rights defenders have achieved remarkable success with their mobilizations. As Berta Cáceres

¹⁵ International Indigenous Women's Forum, "Mairin Iwanka Raya: Indigenous Women Stand Against Violence" (2006), online (pdf): <fimi-iiwf.org/wp-content/uploads/2020/07/Mairin-Iwanka-Raya-ENG.pdf>; Comisión Económica para América Latina y el Caribe, "Mujeres indígenas en América Latina: dinámicas demográficas y sociales en el marco de los derechos humanos" (2013), online (pdf): <www.cepal.org/sites/default/files/publication/files/4100/S2013792_es.pdf>; Amnesty International, "Indigenous Peoples' Long Struggle to Defend Their Rights in the Americas" (2014), online (pdf): <www.amnesty.org/download/Documents/4000/amr010022014en.pdf>.

¹⁶ OAS, Inter-American Commission on Human Rights, *Indigenous Women and their Human Rights in the Americas*, OR OEA/Ser.L/V/II/Doc.44/17 (2017) at 1.

¹⁷ Academic studies on business and human rights have mainly focused on the limitations of legal standards. The role of civil society, including IWHRDs, has been overlooked. Leigh A Payne & Gabriel Pereira, "Corporate Complicity in Human Rights Violations" (2016) 12 Annual Rev of L and Soc Science 63; César Rodríguez-Garavito, *Empresas y derechos humanos en el siglo XXI: La actividad corporativa bajo la lupa, entre las regulaciones internacionales y la acción de la sociedad civil* (Buenos Aires: Siglo veintiuno editores, 2018).

¹⁸ Michael Biggs & Kenneth T Andrews, "Protest Campaigns and Movement Success: Desegregating the US South in the Early 1960s" (2015) 80:2 American Sociological Rev 416; Lorenzo Bosi, Marco Giugni & Katrin Uba, *The Consequences of Social Movements* (Cambridge: Cambridge University Press, 2016); Marco Giugni, Doug McAdam & Charles Tilly, *How Social Movements Matter* (Minneapolis: University of Minnesota Press, 1999); Brayden G. King & Nicholas A. Pearce, "The Contentiousness of Markets: Politics, Social Movements and Institutional Change in Markets" (2010) 36 Annual Rev of Sociology 249; Joseph Luders, "The Economics of Movement Success: Business Responses to Civil Rights Mobilization" (2006) 111:4 American J of Sociology 963; Frances Fox Piven & Richard Cloward, *Poor People's Movements: Why They Succeed, How They Fail* (New York: Pantheon Books, 1979).

explained and I confirmed in my study, they are mobilizing in dominant capitalist, racist and patriarchal contexts.¹⁹ Thus, it is extraordinary that these defenders are Indigenous women standing up against powerful companies abusing their families and communities' rights. These Indigenous women-led social movement organizations are defending the rights of the most neglected communities and are impacting the decisions of the most powerful actors in the world. Drawing on the metaphor of David against Goliath that Ganz used to explain the exceptional success of the United Farm Workers in obtaining legal guarantees for farmworkers' rights in California in 1977,²⁰ I argue that Indigenous women-led social movement organizations are not defying just any "Goliath." They are fighting the most politically and economically powerful actors in the world, who sometimes act with illegal actors' support (e.g., organized crime or hitmen).²¹ Additionally, IWHRDs-led social movement organizations are not just any apparently powerless groups, like "David." They are Indigenous organizations of neglected communities, led by Indigenous women in "racist, capitalist and patriarchal depredatory" contexts.²² Thus, we could easily assume that Indigenous women lack the power and resources to lead organizations, mobilize neglected communities and win their human rights demands. Nonetheless, in minimally favorable contexts and without effective protection and support, some Indigenous women-led mobilizations have sometimes had a significant impact, generating positive changes in corporate practice. These moments of success are remarkable because of who these Indigenous women are and what they do both individually and collectively in defense of their rights, in a context of extreme violence and overlapping asymmetric power relationships that shape their experience within and beyond their families, organizations and communities. Therein lies the puzzle of my investigation: what explains that in certain situations (and not in others), against all odds, in the face of extreme violence, with few resources or power, transformative actions led by IWHRDs do occur and produce *success*.

I define success as a favorable change in corporate practice. For example, corporations fully stop or withdraw their participation in mega-projects that have been advanced on the basis of human rights abuses, such as those lacking affected Indigenous communities' free, prior and informed consultation and consent (FPIC). Thus, the central research question I aim to answer with my doctoral investigation is: what can explain the *success* (or not) of Indigenous women-led mobilizations over the most politically and economically powerful actors in the world?

To respond to this question, I use a multi-level qualitative comparative case study research methodology.²³ It includes analyses of (1) a variation within a country,

¹⁹ Goldman Environmental Prize, *supra* note 1.

²⁰ Marshall Ganz, *Why David Sometimes Wins: Leadership, Organization, and Strategy in the California Farm Worker Movement* (Oxford: Oxford University Press, 2009).

²¹ The investigation on the killing of Lenca Indigenous leader Berta Cáceres in Honduras is emblematic in this regard. It shows the links among State and legal and illegal non-state actors to commit the crime. Roxanna Altholz et al, *Dam Violence: The Plan That Killed Berta Cáceres* (Grupo Asesor Internacional de Personas Expertas, 2017), online: <www.gaipse.net/wp-content/uploads/2017/10/Exec-Summ-Dam-Violencia-EN-FINAL.pdf>; Nina Lakhani, *Who Killed Berta Cáceres? Damns, Death Squads, and an Indigenous Defender's Battle for the Planet* (London, UK: Verso Books, 2020).

²² Goldman Environmental Prize, *supra* note 1.

²³ Bosi, Giugni & Uba, *supra* note 18.

specifically a paired comparison of cases of success and non-success of Lenca Indigenous women-led social movement organizations contesting the abuses of hydroelectric dam projects in Honduras; (2) a within-case variation over time through the study of a Binni'za women-led social movement organization mobilizing against the human rights violations connected to wind farm projects in Mexico, with successful and unsuccessful outcomes at different moments;²⁴ and (3) a small-N cross-national comparison of Indigenous women-led social movement organizations defending human rights from the abuses by mega-projects in Colombia, Ecuador and Peru.²⁵ Additionally, a qualitative comparative analysis that also uses a Boolean minimization process is carried out with all the cases studied in-depth to test further and refine the findings of the study.²⁶ To develop this multi-level research design, I use a combination of qualitative methods.²⁷ Very importantly, by developing this multi-level qualitative comparative analysis, I do not intend to generalize my findings. Rather, recognizing some common aspects and the heterogeneity of experiences and the diversity among Indigenous peoples and Indigenous women, I only aimed to generate a theoretical framework to contribute to better understand these types of cases.

In the next section, I provide a brief overview of the theoretical framework that emerged from the application of this research design. In the following section,

²⁴ The Binni'za are commonly known as the Zapotec people in Spanish.

²⁵ Each of these cases is explained in detail in my doctoral investigation. I dedicate the empirical chapters of my thesis to each of the comparative analyses. I am currently discussing the possibility of publishing the thesis as a book, and to avoid hampering that process, I only provide a general overview in this article.

²⁶ After perusing over 3,000 entries of relevant information (e.g. urgent actions, human rights reports, public statements, case features), I identified a "universe" of 24 cases of interest. The seven cases I selected to study in-depth for the comparative analyses are part of the original database I built for this study ("universe of cases"). These are cases in the Americas that were active between 2008 and 2018 (even if they started before or continued after).

²⁷ The study's methodological orientation recognizes that this investigation comes from my practice of human rights and aims to return to it in a useful manner. For this, I draw on sociological praxis and public sociology. Given the focus and scope of this study, I use two methods in the field: varying intensities of fieldwork in Honduras, Mexico, Colombia and other places, while based in Canada, using multi-sited ethnography and life-history sociology. For the analysis, I use two methods: process tracing and qualitative comparative analyses. Orlando Fals Borda, *El problema de como investigar la realidad para transformarla por la praxis* (Columbia: Tercer mundo, 1978); Michael Burawoy, "Southern Windmill: the Life and Work of Edward Webster" (2010) 72/72 Transformation 1; César Rodríguez-Garavito, "Amphibious Sociology: Dilemmas and Possibilities of Public Sociology in a Multimedia World" (2014) 62:2 Current Sociology 156; George E. Marcus, "Ethnography in/of the World System: The Emergence of Multi-Sited Ethnography" (1995) 24 Annual Rev of Anthropology 95; George E. Marcus, *Multi-Sited Ethnography: Notes and Queries* (Farnham, UK: Ashgate Publishing, 2011); Gordon Marshall, "Life-History" in John Scott & Gordon Marshall, eds, *Dictionary of Sociology*, 3rd ed (Oxford: Oxford University Press, 2015), online: <www.encyclopedia.com/social-sciences/dictionaries-thesauruses-pictures-and-press-releases/life-history>; Ivor Goodson, "The Story of Life History: Origins of the Life History Method in Sociology" (2001) 1:2 Identity: Intl J of Theory & Research 129; Alexander L. George & Andrew Bennett, "Processing Tracing in Case Study Research" (1997), online (pdf): <www.uzh.ch/cmsssl/suz/dam/jcr:00000000-5103-bee3-0000-000059b16b9d/05.19.bennett_george.pdf>; Alexander L. George & Andrew Bennett, *Case Studies and Theory Development in the Social Sciences* (Cambridge, MA: MIT Press, 2005); John Stuart Mill, *A System of Logic Ratiocinative and Inductive: Being a Connected View of the Principles of Evidence, and the Methods of Scientific Investigation* (London, UK: John W. Parker, 1843); Charles C. Ragin, *The Comparative Method: Moving Beyond Qualitative and Quantitative Strategies* (Oakland: University of California Press, 2014).

I focus on some aspects of the case of Lenca leader Berta Cáceres to discuss criminalization as a silencing practice. This case is one of the two cases I study in the first comparative analysis and, although all the cases I study in my thesis are emblematic in the region, this is particularly paradigmatic. Berta Cáceres was known to the world as “the activist who twisted the arm of the World Bank and China”.²⁸ Both the World Bank and Sinohydro, a Chinese company and the largest hydroelectric dam builder in the world, decided not to continue participating in the development of the Agua Zarca hydroelectric dam project (Agua Zarca) in Honduras. This was one of the many impacts of the mobilization Berta Cáceres led. She co-founded and led the Council of Popular and Indigenous Organizations of Honduras (COPINH) for more than two decades. In April 2015, Berta Cáceres received the Goldman Prize (also known as the “green Nobel”) in recognition of her achievements defending the Lenca people from abuses committed in connection to mega-projects in their territory. A year later, and after numerous attacks, she was killed in reprisal for her human rights actions. Those who murdered her may have thought they would silence her this way, but they never imagined that her voice and impact would outlive her.

II. *Acción trenzada*

To explain the impact Indigenous women-led mobilizations challenging the human rights abuses committed in connection to mega-projects in Latin America have (or not) on corporate practices, I develop the theoretical framework *Acción trenzada* (*braided action*). It is a metaphor and a theory that draws on the knowledge and experience of Indigenous women-led mobilizations in the Americas and legal, intersectional and sociological studies. I adapt the Archimedes’ Lever analogy proposed by Payne, Pereira and Bernal-Bermúdez in the book *Transitional Justice and Corporate Accountability from Below: Deploying Archimedes’ Lever*.²⁹ The Archimedes’ Lever model was originally developed to study accountability efforts regarding economic actors’ participation in past atrocities. However, I use it to study contemporary cases of human rights violations involving corporate actors. On the one hand, I found this model very illuminating, as Indigenous women-led mobilizations’ impact on corporate practice in the context of mega-projects in Latin America had not been previously studied in a systematic manner. On the other, it is a comprehensive model of a reality that continues. Corporate actors’ involvement in grave human rights violations is not only a matter of past atrocities; it is a legacy of the past that remains a pressing issue.

The Archimedes’ Lever model acknowledges a dynamic of forces in the context of imbalanced power relationships, which includes silencing practices such as criminalization and the mobilization actions to overcome them. Thus, I adapt this model

²⁸ Alejandra Martins, “Honduras: matan a Berta Cáceres, la activista que le torció la mano al Banco Mundial y a China”, *BBC Mundo* (24 April 2015) online: BBC Mundo: <https://www.bbc.com/mundo/noticias/2015/04/150423_honduras_berta_caceres_am#orb-banner>.

²⁹ Leigh A. Payne, Gabriel Pereira & Laura Bernal-Bermúdez, *Transitional Justice and Corporate Accountability from Below: Deploying Archimedes’ Lever* (Cambridge: Cambridge University Press, 2020).

because it helps to show how Indigenous women-led organizations face so many disadvantages, challenges, oppressions and a history of discrimination and violence, and how they use a minimally favorable context and the tools available to *harness* a mobilization's power and produce a change. Very importantly, it helps me show that the mobilization force comes from the territory, and braids the power of external actions to it.

The metaphor of the *braid of action* builds upon Indigenous women's knowledge and experience and the concept of human rights defenders mentioned in the introduction. For many Indigenous peoples in Latin America, *braids* in their hair, clothes, textiles, and other handmade objects are a distinctive characteristic of their culture.³⁰ The *Sutsüin Jieyuu Wayüü* (Wayuu Women's Force -FMW) organization in Colombia uses ropes to explain their mobilization process.³¹ It is a fundamental part of their culture. Wayuu leader Karmen Ramírez explains: "We use ropes to knit our hammocks, and our *mochilas* [...] One rope represents one individual; it can be easily broken. Three united ropes forming one braid cannot be broken [...] It represents a national process of Indigenous women [...] defending the territory."³² Thus, a *braid* can be tough and *resistant*. But, as a Colombian leader explains, "to resist is not the same as to endure."³³ Indeed, Indigenous women human rights defenders effectively and continuously deal with multiple resistances, but their struggles go beyond it. Their mobilizations are not only processes of resistance; they are transformative. Indigenous women challenge the dominant power inside and outside their communities, voicing and struggling for their communities' demands. These women reaffirm their collective and individual subjectivity, presence and existence, identity, dignity and rights. They build a strong power to defend human rights, and they do so with their *actions*. With a tough *braid of action*, Indigenous women-led mobilizations can pull down a lever to lift human rights and achieve success.

The original Archimedes' Lever model includes the following essential parts: the weight to be lifted, the force applied to lift the weight, the force that aims keep it down, and the placement of the fulcrum.³⁴ Theoretically, fulcrum means context, and it is a conditioning factor. The closer the fulcrum is to the weight that needs to be lifted, the less pressure is needed to lift it up. In my adaptation of the Archimedes' Lever model, the fulcrum is slightly closer to the weight to be lifted but very near the middle. Hence, it is

³⁰ The metaphor of the braid has been used by several Indigenous cultures in the Americas to talk about their power. For example, it has been used to speak of power and healing by braiding "science, spirit, and story". It has also been used to talk about the implementation of the UN *Declaration on the Rights of Indigenous Peoples* by braiding "international, domestic and Indigenous laws". Robin Wall Kimmerer, *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge and the Teaching of Plants* (Minneapolis: Milkweed Editions, 2013); John Borrows et al., *Braiding Legal Orders: Implementing the United Nations Declaration of the Rights of Indigenous Peoples* (Waterloo: CIGI Press, 2019).

³¹ FMW is the social movement organization I study in Colombia. These women have long struggled against many human rights violations in the context of the armed conflict and in relation to the largest open-pit coal mine in Latin America.

³² A *mochila* is a traditional handbag that is distinctive of the Wayuu culture. Miguel Iván Ramírez Boscán, "Hilos de Resistencia – Fuerza de Mujeres Wayuu" (26 February 2013), online (video): [YouTube <www.youtube.com/watch?v=xFwomZIEA9I>](https://www.youtube.com/watch?v=xFwomZIEA9I).

³³ Goldman Environmental Prize, "Francia Márquez: 2018 Goldman Prize recipient South and Central America" (2018), online: www.goldmanprize.org/recipient/francia-marquez.

³⁴ Payne, Pereira & Bernal-Bermúdez, *supra* note 29.

a minimally favorable context. On the one hand, the cases of IWHRDs-led organizations struggling against the abuses committed in connection to mega-projects occur in a dominant racist, patriarchal and capitalist context. In such a context, prevalent neoliberal policies have favored corporate power, promoting mega-projects even in protected areas inhabited by Indigenous peoples. On the other hand, the current context is not the same as it was before (e.g., in colonial times). As a result of social struggles, democratic and human rights frameworks (e.g., norms and policies) have been advanced, opening important opportunities for mobilizing in defense of rights.

Therefore, in my adaptation of that model, human rights are to be lifted; thus, the weight is created by the violations that have been committed in connection with mega-project (e.g., the lack of FPIC). Veto players seek to keep the weight down,³⁵ as human rights abuses benefit their interests. Indigenous women-led mobilizations aim to lift human rights, to stop the situation of abuse. The fulcrum gives them an opportunity to do that, but it does not do the work for them. The *braid of action* — a unique “weapon of the weak”³⁶ for Indigenous peoples — is an essential tool needed to lift human rights. Lashing the *braid* to the lever can pull it down and produce a favorable change.

The *braid of action* combines the presence of four crucial factors (*strands*).³⁷ Three emerge from the capacity of the movement: transforming the power in the territory into mobilization power, Indigenous women’s effective leadership and human rights framing. The fourth is reacting to an external factor: a grave human rights violation, usually severe repression, overtly involving a corporation. These four *strands* interwoven in a tough *braid of action* are capable of *harnessing* a strong mobilization power, achieving success over more materially powerful corporate forces. However, if some of the *strands* are weak or *frayed*, the *braid* cannot achieve this success.

It is then a dynamic model. The four *strands* overlap and, operating with their own mechanisms, gather strength.³⁸ A tough *braid* can *harness* a strong mobilization power. However, in that dynamic of forces, while the mobilization may build power, veto players also use their power to advance the mega-project. Veto power can be exerted by State and non-state actors, including the companies interested in developing mega-projects. Veto power can be used to resist change. Even in a minimally favorable context, veto players use their power to resist the mobilizations that may alter their advantageous situation. This power can be exerted in diverse forms,³⁹ one of which is the criminalization of Indigenous women leaders and their organizations. In some

³⁵ In essence, veto players are the alliances of State and corporate actors, and others supporting them, sometimes even illegal actors, with vested interests in the mega-project.

³⁶ James C Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven: Yale University Press, 1985).

³⁷ As this is a brief overview, I only mention the four strands, which are thoroughly developed and studied in the thesis.

³⁸ The four strands, their mechanisms and dynamics are explained in detail in the thesis. They build upon the lessons learned in the cases studied in-depth and analytical sociology. Peter Hedström & Richard Swedberg, *Social Mechanisms: An Analytical Approach to Social Theory* (Cambridge: Cambridge University Press, 1998); Peter Hedström & Peter Bearman, *The Oxford Handbook of Analytical Sociology* (Oxford: Oxford University Press, 2011).

³⁹ Payne, Pereira & Bernal-Bermúdez, *supra* note 29.

cases, State and corporate actors are direct aggressors while, in others, they use others or even involve illegal actors (e.g., hitmen).

In this vein, acknowledging such a dynamic of forces in the context of imbalanced power relationships, I recognize the extreme violence and many challenges that Indigenous women leaders face. However, this study also treats these leaders as more than victims of a struggle over rights. It considers them protagonists. It highlights what they are up against, but also how they have overcome violence and other challenges to, at times, achieve success. In the next section, based on the model briefly introduced here, I share a few aspects of that dynamic of forces. Drawing on the case of COPINH and Berta Cáceres, I focus on criminalization as a silencing action affecting Indigenous women leaders, the groups they lead and how they overcome it.

III. Overcoming silencing practices — criminalization

In a moment when the sustainability of the world is a principal concern, the call for taking action for “the well-being of humanity and the planet”⁴⁰ is not only legitimate but necessary.⁴¹ Thus, those who struggle for these causes should not only be supported but praised for having the courage to raise their voices. Instead, they have been criminalized, persecuted and attacked. A year after Berta Cáceres made that call to the world, she was killed in her home in Intibucá, Honduras.

Honduras is a dangerous place to defend human rights. Between 2009 and 2017, over 120 defenders of the land and territory were killed in Honduras.⁴² Between 2016 and 2017, 1232 attacks against women human rights defenders were registered,⁴³ 444 of which were attacks against women defenders of the territory, the environment, and Indigenous peoples’ rights. These attacks include, among others, six killings and numerous cases of intimidation, death threats, domestic violence, and sexual violence. In most of these cases, the aggressors are unknown. When known, they mostly are from the police, the community, the corporations, the social movement, the family/partner, or the military.⁴⁴

Hitmen, a military officer (active until his arrest), and high-ranking employees of Desarrollo Energéticos S.A. (DESA), owner of the Agua Zarca hydroelectric dam

⁴⁰ Goldman Environmental Prize, *supra* note 1.

⁴¹ This section includes part of the argument I presented in the paper, “The problem of not being heard now and being silenced forever: the criminalization of Indigenous women leading the defence of human rights in relation to mega-projects in Latin-America. A case in Honduras”, *infra*. In 2020, the International Conference of the Canadian Association of Latin American and Caribbean Studies (CALACS) awarded it the 2020 CALACS Graduate Essay Prize. CALACS, “CALACS 2020 Graduate Essay Prize Winner” (2020), online: <can-latam.org/article/2020/05/calacs-2020-graduate-essay-prize-winner>.

⁴² Global Witness, “Honduras: The Deadliest Country in the World for Environmental Activism” (2017), online (pdf): <www.globalwitness.org/en/campaigns/environmental-activists/honduras-deadliest-country-world-environmental-activism>.

⁴³ Red Nacional de Defensoras de Honduras, “Informe sobre la situación de defensoras” (2018), online (pdf): <im-defensoras.org/wp-content/uploads/2018/05/Informe-de-Agresiones-a-defensoras-2016-2017.pdf>.

⁴⁴ *Ibid* at 40.

project, participated in Berta Cáceres' murder.⁴⁵ The attack that ended Berta's life was the consolidation of many other previous ones. There was a dynamic of forces in the context of imbalanced power relationships in this case. While Berta Cáceres and the COPINH had been mobilizing to challenge the abuses committed in relation to the Agua Zarca project, the veto players were also using their force to try to silence them, break their mobilization process and advance the mega-project. Criminalization was continuously used against the COPINH.

Social organizations sometimes englobe all attacks against social leaders as being part of a general trend to criminalize the defense of human rights. In international human rights law, criminalization refers to the misuse of the justice system (i.e., administrative, civil, or criminal law) to prosecute human rights defenders in reprisal for legitimate activities.⁴⁶ In this case, both interpretations are applicable. The many different attacks against Berta Cáceres and other leaders of COPINH were all attempts to silence them. They were all part of a dynamic where veto players attempted in many ways to stop their mobilization process and deter others from defending human rights.

When DESA arrived in the Lenca territory with the Agua Zarca project, many local communities were already organized as part of COPINH. They already knew the power of their organization. In 1994, Berta Cáceres and COPINH, together with other Indigenous and tribal peoples and organizations, mobilized in the first pilgrimage for "life, liberty, and justice." About 4,000 Indigenous people walked to Tegucigalpa. The mobilization had several impacts, such as the ratification of the Indigenous and Tribal Peoples Convention of the International Labour Organization;⁴⁷ the creation of two Indigenous municipalities;⁴⁸ the granting of several communal legal titles; the suspension of lumber mills' operations;⁴⁹ the establishment of the Prosecutor's Office on Ethnic Groups and the Cultural Patrimony of the Nation (FEEPC). There was also a structural transformation as Indigenous peoples became more visible and recognized in Honduras. The context (the fulcrum, as above explained) became more favorable and more hopeful, opening opportunities for human rights struggles.

COPINH was also at the forefront of the anti-coup mobilization in 2009. They campaigned against the illegal regime, the human rights violations committed at the time and the arbitrary measures that followed it, including those favoring neoliberal

⁴⁵ In December 2019, the criminal investigation into Berta Cáceres' murder resulted in seven men sentenced to 30 to 50 years of imprisonment. Among them is DESA's Manager of Social, Environment, and Communications Affairs; DESA's Head of Security; a Major in the military who was on active duty until his arrest; and hitmen. At the time of writing, DESA's Executive Director was detained and facing a criminal investigation for his participation as an intellectual actor. Berta's family and COPINH have insisted on the need to investigate all those involved in the crime.

⁴⁶ OAS, Inter-American Commission on Human Rights, *Criminalization of the Work of Human Rights Defenders*, OR OEA/Ser.L/V/II/Doc.49/15 (2015) at 1.

⁴⁷ *International Labour Organization Convention concerning Indigenous and Tribal Peoples in Independent Countries No 169*, 27 June 1989, 1650 UNTS 383 (entered into force 5 September 1991) [ILO Convention 169].

⁴⁸ San Francisco de Opalaca and San Marcos de Caiquín.

⁴⁹ Previously, in 1993, after a protest of more than 1,500 people against a lumber mill in Yamaranguila, Intibucá, they managed to get some forest areas protected from logging.

policies and corporate interests. In 2010, COPINH mobilized in front of the National Congress and denounced the 40 concessions approved without the FPIC of affected communities, including Agua Zarca.⁵⁰ As a result of their insistence, in August 2011, President Lobo agreed with COPINH not to carry out any hydroelectric dam projects in the Lenca territory without first approving them in *cabildos abiertos* (town meetings) according to *ILO Convention 169*, and with the participation of COPINH.⁵¹ This agreement was never implemented.

When the presence of the Agua Zarca project in the Lenca territory was evident, the affected communities that were part of COPINH took further actions to protect their rights. The project had been imposed in their territory without their FPIC. Thus, on 1 April 2013, they started to block an access road to the site where the project was being constructed. They established a permanent presence at *El Roblón*, located next to a big old oak tree. About 300 Lenca people (children, elderly, women, and men) built a tent and put up COPINH's colorful flags. This site became a prominent place for strengthening their mobilization, community assemblies, and practicing their spirituality and culture. However, many acts of intimidation, threats, persecution, and attacks against the COPINH local leaders also took place in reprisal for their legitimate actions.⁵²

At the end of April 2013, the tense dynamic increased as the military was active in the area. On 17 May 2013, a permanent military and police presence was installed on the DESA premises. The criminalization of the Lenca leaders intensified. On 24 May 2013, Berta Cáceres was detained and accused of carrying an unlicensed gun in the back of the pickup truck she was driving. She always claimed the gun had been planted by the military officers when they searched the car. Three months later, DESA accused Berta Cáceres and two other COPINH leaders of usurpation, coercion and continued damages against the company. Facing imprisonment for these unfounded charges, Berta was forced into hiding.⁵³ During the proceedings, "DESA's lawyers went as far as to call on the Honduran State to 'act with all resources at its disposal to persecute, punish and neutralize' the actions of COPINH."⁵⁴ A few months later, after a global solidarity campaign and their legal representatives' actions, all charges were dropped.

The *El Roblón* blockade and other actions continued. Lenca leader Tomás García explained: "We have to defend our forest, rivers, and lands; if not, who

⁵⁰ Consejo Cívico de Organizaciones Populares e Indígenas de Honduras, "NO al saqueo de nuestros ríos, agua, territorios y vida, llamamos al derecho de autodefensa con autonomía!" (2010), online: <www.copinh.org/2010/09/no-al-saqueo-de-nuestros-rios-agua-territorios-y-vida-llamamos-al-derecho-de-autodefensa-con-autonomia>.

⁵¹ *ILO Convention 169*, *supra* note 47; Claudia Korol, *Las revoluciones de Berta* (Buenos Aires: América Libre, 2018) at 154-58.

⁵² Consejo Cívico de Organizaciones Populares e Indígenas de Honduras, "Comunicados urgentes: ¡A siete días la lucha sigue!" (2013), online: <www.copinh.org/2013/04/copinh-comunicados-urgentes-a-siete-dias-la-lucha-sigue>; Copinh Intibuca, "COPINH toma de carreteras en Rio Blanco" (10 April 2013), online (video): *YouTube* <www.youtube.com/watch?v=Bf9vJyrF894>.

⁵³ Amnesty International, "Defending Humans Rights in Honduras is a Crime" (22 November 2013), online: <www.amnesty.org/en/latest/news/2013/11/honduras-human-rights-defenders-under-threat>; Amnesty International, "Urgent Action 244/13: Indigenous Leaders Face Unjust Charges" (12 September 2013), online (pdf): <www.amnestyusa.org/files/uaa24413.pdf>.

⁵⁴ Global Witness, *supra* note 42 at 16.

would do it? If we do not do it, nobody will defend our [territory]. And from there, we get everything.”⁵⁵ On 15 July 2013, García was killed and his 17-year-old son was seriously wounded. They were marching with many other members of COPINH towards the premises of DESA when one of the soldiers guarding the company shot directly at them.⁵⁶ Following such a severe attack, COPINH redoubled its mobilization actions. They reaffirmed their presence in a territory the Lenca people have inhabited for centuries and, raising their voices further, made all the abuses they were enduring even more visible. Their voices were joined by many others in the country and abroad, bringing further attention to a situation that required the State and corporate actors to stop participating as they were committing grave violations of human rights. “The denunciations encouraged dozens of representatives of Honduras and foreign organizations working to defend human rights to visit, as well as local, national and international press who documented and denounced the situation. This was significant and of great weight for the community. On the one hand, the problem was made visible and, on the other, this made them feel [...] like they had strong support.”⁵⁷

When facing baseless criminal proceedings, Berta Cáceres and the COPINH also reaffirmed their mobilization and voice. They never kept quiet. Berta said: “We decided to sustain the struggle and intensify national and international activities to complain. I feel very accompanied; I do not feel alone. They have been unable to impose neither fear nor terror. We remain firm. I feel safe, dignified, and strong”.⁵⁸ Berta and the COPINH felt solidarity from national and international organizations, as did the veto players who could not silence them. Neither the State nor corporate actors could escape the case’s visibility.

DESA initially contracted the Chinese company Sinohydro to construct Agua Zarca and had secured the World Bank’s financial support. At the end of 2013, after increased campaigning by COPINH and their network of support, Sinohydro withdrew from the project. The Chinese company later explained: “Right from the very beginning of our mobilization, it was noticed that there were serious conflicts of interest between the Employer of the Project, i.e., DESA, and the local communities, which were treated as unpredictable and uncontrollable by the Contractor.”⁵⁹ Later, the World Bank stated that it “has never invested in the Agua Zarca project. Several years ago, an investee fund of our private sector arm, IFC [International Finance Corporation], considered financing

⁵⁵ OCOTE Films, “El Roble parte 2” (25 July 2013), online (video): *Vimeo* <www.vimeo.com/71001725>.

⁵⁶ DESA paid the soldier’s legal defence. On 10 December 2015, the soldier was found guilty of the homicide and sentenced to prison. The attack against the child remains unpunished.

⁵⁷ Centro de estudio para la Democracia & Consejo Cívico de Organizaciones Populares e Indígenas de Honduras, “Río Blanco: la reconstrucción histórica de la lucha por la defensa del Río Gualcarque” (2016) at 25, online (pdf): <www.cespad.org.hn/wp-content/uploads/2017/02/Rio-Blanco-Final.pdf>.

⁵⁸ Korol, *supra* note 51 at 176-77.

⁵⁹ Sinohydro Group, “Response to Report by Rights Action About Alleged Violence & Intimidation Against Lenca Indigenous Communities Related to the Constructions of Agua Zarca Dam, Honduras” (2013), online: *Business & Human Rights Resource Centre* <www.business-humanrights.org/en/latest-news/sinohydro-group-response-to-report-by-rights-action-about-alleged-violence-intimidation-against-lenca-indigenous-communities-related-to-the-constructions-of-agua-zarca-dam-honduras/>.

the project. However, no investment was ever made.”⁶⁰ Such powerful economic actors’ decision not to participate in the Agua Zarca project was a significant change in their corporate practice. However, Berta Cáceres’ and the COPINH’s actions were further repressed.

During the mobilizations against Agua Zarca that followed, authorities and corporate representatives acted to diminish the leadership of Berta and the mobilization power COPINH had managed to create from the territory. On 20 February 2016, Berta Cáceres publicly denounced that she and many other members of COPINH had been threatened, harassed, and criminalized by employees of DESA, employees of the Mayor’s office and active members of the ruling National Party.⁶¹ A few days before her killing, she also denounced that four members of COPINH had been killed in reprisal for their campaigning against the abuses committed in connection with the Agua Zarca project. In the last few weeks before her killing, she managed to file 33 complaints about the most recent death threats against her, but none of them were investigated.⁶² She should have been protected by the State the night she was killed. By then, she had valid State protection measures and the support and recognition of national and international networks and organizations. She also had precautionary measures granted by the Inter-American Commission of Human Rights. Yet, that night she was only accompanied by a fellow Mexican human rights defender, Gustavo Castro, with whom she had been preparing a workshop for Lenca communities for the day after. He was wounded but survived the attack.

In November 2014, when a journalist asked Berta Cáceres if she feared for her life, she said: “Honduras is not an easy country, there is brutal violence [...] the most real and present danger is losing one’s life and being physically and emotionally attacked. All this in addition to a negative media campaign against female leaders, because it is not the same to be a woman as to be a man in this role [...], but fear will not paralyze us, and the Lenca people will succeed.”⁶³ Indeed, even after her killing, Berta Cáceres and the COPINH were never silenced. Her voice has continued to resonate in Honduras and beyond.

Those who killed Lenca leader Berta Cáceres may have thought they would silence her and stop the COPINH’s mobilization this way, but they never imagined that her impact would lead to something even more durable and profound. In 2017, a year after her killing, the Netherlands Development Finance Institution (FMO) and the Finnish Fund for Industrial Cooperation (Finnfund) also ended their participation in the Agua Zarca hydroelectric dam project. Furthermore, she inspired many people worldwide and dozens of Indigenous women leaders to defend their territories, dignity and rights.

⁶⁰ World Bank, “World Bank Group Fact Sheet: Honduras and Indigenous People” (11 May 2016), online: <www.worldbank.org/en/topic/indigenouspeoples/brief/honduras-and-indigenous-people>.

⁶¹ TeleSUR TV, “Berta Cáceres había denunciado que había recibido amenazas” (3 March 2016), online (video): *YouTube* <www.youtube.com/watch?v=HiF9aXxsBo>.

⁶² Ariel Torres Funes Frente, “El sistema que asesinó a Berta Cáceres”, *El Pulso* (2 March 2017), online: <www.elpulso.hn/2017/03/02/el-sistema-que-asesino-a-berta-caceres13>.

⁶³ Rompeviento TV, “Frente a esta serie de asesinatos ¿tienes temor por tu vida?” (2014), online (video): <rompeviento.tv/RompevientoTv/?p=7310>.

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Despite a more hopeful framework of human rights norms and democratic institutions, human rights abuses persist. Human rights defenders continue to be targeted and attacked in Honduras and other Latin American countries. But, as violence and abuses persist, so do mobilizations led by Indigenous women who sometimes manage to generate positive impacts on corporate behavior.

In a context of violence and imbalanced power relationships, in a dynamic of forces with those who wanted to impose Agua Zarca, Berta Cáceres and COPINH managed to impact and overcome silencing practices. They were often confronted with the problem of not being heard *now* and being silenced *forever*. But they managed to overcome these obstacles every time, raising their voices further and gaining greater visibility and support. They insisted with great courage and continue to do so. Berta Cáceres “never let fear paralyze the struggle,” and she now is “the eternal general coordinator of COPINH.”⁶⁴ At the same time, COPINH, now led by Bertha Zúñiga Cáceres, her daughter, continues to advance human rights claims.

Moreover, the voice of Berta Cáceres continues to resonate across the Americas, where many Indigenous women are facing and overcoming similar situations. Berta Cáceres and COPINH *braided* their *actions* and achieved important impacts favoring communities’ claims, including some changes in corporate practice. They managed to overcome the silence that veto players wanted to impose on them, despite the very high costs for them, their loved ones and organization. Together with COPINH, Berta Cáceres *braided action* and their tough *braid* allowed them to *harness* a strong mobilization force that persists.

⁶⁴ Fieldwork notes.