

More than 40 organizations condemn the criminalization of indigenous human rights defender Sofia Tot Ac in Guatemala

September 21, 2022

We are writing to urge the Guatemalan judicial system to immediately cease the criminalization of indigenous human rights defender Sofia Tot Ac. We also write to express our solidarity with communities in Alta and Baja Verapaz who exercise the legitimate defense of their human and territorial rights.

Tot Ac was arrested on June 19, 2022 on charges of aggravated theft and aggravated usurpation of protected areas. She already had a hearing scheduled for June 20th. There was no reason to suspect she would not arrive, meaning this arrest was solely to intimidate her. Tot Ac was released on June 21st for a bail of 7,000 quetzales (approximately \$900). She continues to face charges and her next hearing is currently scheduled for October 6.

Tot Ac holds several important leadership positions in Purulhá and Baja Verapaz. She is a coordinator with the Achi', Q'eqchi', Poqomchi, and Kaqchikel Mayan Peoples' Council. She is the founder of the Motherhood Home in Salama, Baja Verapaz. She is the coordinator of Social Outreach for the Catholic Church in the Parish of Purulhá. She is a representative of the Q'eqchi' People in the State and Regional Development Council.

Tot Ac holds several other leadership positions, and her arrest was in retaliation for her human rights work. The government has moved forward multiple hydroelectric and mining projects in Purulhá without informing or consulting local indigenous populations. The government must not move forward with these projects without the informed consent of the local population.

The judicial system has repeatedly sided with wealthy individuals claiming to own land, opposed the land rights of indigenous communities in the area, and ignored violence against indigenous people organizing for their land rights in the area.

For example on July 20, 2018, land rights organizer Adolfo Ichich Chom was murdered on the San Rafael plantation. On March 12, 2022 community leader Catarino Garcia was murdered in retaliation for his land rights organizing on the Chiquihual plantation. Despite multiple witnesses and significant evidence there have been no arrests in relation to these murders.

Instead of investigating these murders, the judicial system has ordered multiple evictions of communities and dozens of arrest warrants against indigenous people organizing for their legitimate land rights in the San Rafael and Chiquihual plantations.

Instead of studying and resolving land conflicts, the government has criminalized indigenous land defenders before even determining the legitimate owners of land. Indigenous people organizing for their legitimate land rights are frequently charged with the alleged crimes of theft and usurpation. The creation of an usurpation

prosecutor's office in 2021 shows the government's intention to criminalize land rights activists instead of resolving land conflicts. It is important to remember that the Peace Accords signed in 1996 officially recognized that lack of access to land was a fundamental cause of the decades long internal armed conflict and genocide. The government's current actions are exacerbating these same conditions and provoking widespread hunger, extreme poverty, violence and forced migration.

We urge the State of Guatemala to guarantee the rights of indigenous and peasant communities, as well as the right to defend human rights in their territory. We urge the Guatemalan judicial system to immediately cease criminalization of indigenous human rights defender Sofia Tot Ac.

ActionAid USA

American Friends Service Committee

Americans for Indian Opportunity

Asociacion de agricultura Ancestral Maya Q'eqchi.

Asociación de Mujeres Ambientalistas de El Salvador, AMAES

Bufete para Pueblos Indígenas

Casa Latina

Center for Gender & Refugee Studies

Centro Comunitario de Trabajadores

Chicago Religious Leadership Network on Latin America, CRLN

Committee in Solidarity with the People of El Salvador//Comite en Solidaridad con el Pueblo de El Salvador (CISPES)

Colectivo Agro-Ecológico de la Facultad de Agronomía -CAEFA-

Colectivo Madreselva

Comité de Unidad Campesina

Community Alliance for Global Justice

Cultural Survival

Denver Justice and Peace Committee - DJPC

Festivales solidarios

Friends of Latin America

Guatemala Human Rights Commission/USA

Guatemala Solidarity Project

Guatemalanetz Bern

Hope Border Institute

IFCLA (Interfaith Committee on Latin America)

Iglesia Episcopal de Guatemala

InterReligious Task Force on Central America

Latin America Working Group (LAWG)

Maryknoll Office for Global Concerns

Migrant Roots Media

Mining Injustice Solidarity Network

Network in Solidarity with the People of Guatemala (NISGUA)

OSSGUA (Oberlin Students in Solidarity with Guatemala)

Pax Christi USA

Plataforma Agraria

Protection International Mesoamérica

Red de Guatemala Zurich, Suiza (Switzerland)

Rights Action

School of the Americas Watch

The Human Rights Defenders Project -HRDP-

Unidad de Protección a Defensoras y Defensores de Derechos Humanos -Guatemala (UDEFEHUA)

Witness at the Border

350MoCo