

via fax: 011 502 2239 0090

**Excmo. Sr. Otto Fernando Pérez Molina**  
President of Guatemala

via fax: 011 502 2411 8168

**Sra. Claudia Paz y Paz Bailey**  
Attorney General of Guatemala

April 3, 2013

Dear Sir and Madam:

We are deeply concerned about the kidnapping of four Xinca indigenous leaders of Santa Maria Xalapá in Jalapa Department: **Encarnación Marcos, Rigoberto Aguilar, Rodolfo López, and Roberto González** and the subsequent death of **Encarnación Marcos**.

On March 17, they acted as observers at a community-organized consultation in the El Volcancito hamlet of San Rafael Las Flores Municipality concerning a mining project in the area. As they were driving toward Mataquescuintla at approximately 9:15 p.m., two trucks stopped their vehicle, and two heavily armed men wearing balaclavas forced them into the trucks. Aguilar and López were released during the night; Aguilar had been beaten.

In the early morning of March 18, Encarnación Marcos was found dead, with his hands tied, in a ditch close to the village of Las Brisas in Mataquescuintla Municipality. There were indications that he had been strangled. He had worked as secretary of the Indigenous Parliament of Santa Maria Xalapán for almost two years and was also involved in a commission established in 2012 to investigate the historical land rights of indigenous peoples and campesino communities.

Roberto González, who is Mayor of Santa Maria Xalapán and President of the Parliament, was found alive on March 18 in Chimaltenango near Guatemala City.

Because we are seriously concerned for the safety of these leaders, we **strongly urge** that you

- provide all necessary protection to these three Xinca leaders in accordance with their wishes;
- carry out an independent, thorough, and impartial investigation into the killing of Encarnación Marcos and the kidnapping of Rigoberto Aguilar, Rodolfo López, and Roberto González, make the results public and bring those responsible to justice.

Sincerely,

Brian J. Stefan Szittai  
Coordinator

CC: UDEGEGUA ~ via email  
Francisco Villagran de Leon, Guatemalan Ambassador to the US ~ via fax: 202 745 1908  
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Siobhan Sheils, Guatemala Desk, US State Dept ~ via fax: 202-647-2597  
Christopher Johnson, Diplomacy Officer for Central America, US State Dept. ~ via email  
US Senators Brown & Portman ~ via email  
US Representatives Fudge, Gibbs, Johnson, Joyce, Kaptur, Latta, Renacci, Ryan ~ via email

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**The following people hereby urge you to take action on this matter as indicated in this letter:**