

via fax: 011 502 2221 4423 or 2221 4445 <b>Sr. Jimmy Morales</b> President of Guatemala	via fax: 011 502 2411 8168 or 2411 9210 <b>Lic. Thelma Esperanza Aldana Hernández</b> Attorney General of Guatemala
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February 24, 2017

Dear President Morales and Attorney General Aldana:

We are deeply concerned about the arrest and detention of **Abelino Chub Caal**, an employee of the Guillermo Toriello Foundation and indigenous land rights defender. To our knowledge, he is being detained in the Preventative Center for Men in Guatemala City, more than 200 kilometers from his home.

On February 4, when Abelino Chub Caal was in a local eatery with his family, three police officers detained him, forced him into a police car where officers photographed him with their mobile phones, sent the photos to undisclosed contacts without his consent, and transferred him to a court in Carchá in Alta Verapaz Department. He was unjustly charged with aggravated land grabbing, arson, coercion, illicit association, and belonging to illicit armed groups.

According to the Guillermo Toriello Foundation, the arrest is because of Abelino Chub Caal's work accompanying 29 communities in the Sierra de Santa Cruz, a region in Izabal Department where powerful interests come together, including finca owners (e.g., Murciélago Finca), extraction companies (e.g., Maya Níquel, Compañía Guatemalteca de Níquel (CGN)), and the municipal mayor Rony Mendez Caal. The Constitutional Court has ruled in favor of these communities.

A few days prior to the arrest on February 4, Abelino Chub Caal had participated in a mediation meeting called by the Secretariat of Agricultural Affairs regarding and rights in the community of Nueva Generación del Estor in Sierra de Santa Cruz. As the meeting ended, one of the participants was detained. This effort to intimidate the participants was a blatant violation of the trust needed for a successful mediation. The mediation skills of Abelino Chub Caal proved effective in January 2017 when several police officers were forcefully held by community members in Sierra Santa Cruz; Abelino Chub Caal acted to ensure the officers were released and unharmed, along with all their equipment.

The actions against Abelino Chub Caal are an example of a pattern of criminalization of human rights defenders, which include issuing arrest warrants but executing them only at crucial moments. (The arrest warrant had been issued on October 17, 2016.) Defenders have also been charged with grave criminal offenses that require mandatory pre-trial detention and are transferred to detention centers far removed from their families and community support structures.

We condemn the false accusations and arbitrary detention of Abelino Chub Caal and **strongly urge** that you

- immediately and unconditionally release Abelino Chub Caal;
- allow him immediate access to his family and lawyer;
- carry out an impartial investigation into the false charges and detention of Abelino Chub Caal and bring justice to the perpetrators;
- cease targeting human rights defenders and guarantee that they are able to carry out their legitimate human rights activities without fear of reprisals.

Sincerely,

Brian J. Stefan Szittai  
 Co-Coordinator

and

Christine Stonebraker-Martinez

copies: Gladys Marithza Ruiz de Vielman, Guatemalan Ambassador to the US ~ via fax: 202 745 1908  
 Todd Robinson, US Ambassador to Guatemala ~ via fax: 011 502 2331 2348  
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 Enrique Gil Botero, Rapporteur for Guatemala, Inter-American Commission on Human Rights ~ via fax: 202 458 3992  
 Francisco José Eguiguren Praeli, Rapporteur on the Rights of Indigenous Peoples, Inter-American Commission on Human Rights ~ via fax: 202 458 3650  
 US Senators Brown & Portman and US Representatives Fudge, Gibbs, Johnson, Jordan, Joyce, Kaptur, Latta, Renacci, Ryan ~ via email

Frontline 2/8/2017\_Guatemala

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