

Dr. Ramiro Alejandro Contreras Escobar, Executive Director  
Comisión Presidencial por la Paz y los Derechos Humanos (COPADEH)  
Presidential Commission for Peace and Human Rights  
13 calle 15-38, zona 13  
Ciudad de Guatemala, GUATEMALA

July 24, 2023

Dear Dr. Contreras:

We are concerned about the unjust criminalization of Indigenous Poqomchi' leader Sofía Tot Ac who was arrested on June 19, 2022 in Purulhá, Baja Verapaz Department. Police arrested her based on a warrant issued on August 27, 2021 by the Court for Crimes against the Environment and Natural Resources of San Pedro Carchá, Alta Verapaz Department. Released on bond, Sofía Tot Ac is scheduled for court proceedings on the charge of usurpation later this month.

During the COVID health pandemic, Sofía Tot Ac began visiting the campesino community of San Juan de las Tres Cascadas, which is located on the Finca Chiquiwital farm, located in Purulhá, Alta Verapaz. She has helped the families to manage food, medicine, and legal matters. Carlos Moino and Marleny de Moino, owners of the Monte Bello restaurant, accuse Sofía Tot Ac of encroaching on areas of the Monte Bello coffee plantation, which is also located on the Finca Chiquiwital. The campesino families claim communal ownership of the land that they farm.


Sofía Tot Ac, age 53, is a representative of the Poqomchi' people before the Departmental Development Council of Alta Verapaz and Baja Verapaz. She is a coordinator with the Mayan Peoples' Council of the Achi', Q'eqchi', Poqomchi, and Kaqchikel communities. She is the founder of the Motherhood Home in Salama, Baja Verapaz. She is also the coordinator of social outreach for the Catholic church in Purulhá.

The well-respected social leader has long suffered persecution for her defense of Indigenous lands and waterways. She organized resistance to mineral extraction at Cerro Mocohan in Purulhá. From 2011 to 2013 she was active in the successful organizing campaigns to stop the construction of five hydroelectric plants in the buffer zone of the Sierras de Las Minas. "The persecution has been great because wherever I go someone follows me. There is no peace in the house anymore. Cars without license plates arrive to intimidate me in front of my house."

We strongly urge that authorities

- initiate a registry investigation of the Finca Chiquiwital to determine whether the farm has historically belonged to local campesino families as communal land
- create a Special Prosecutor's Office against Usurpation
- drop the false charge of usurpation against Sofía Tot Ac and terminate all criminal proceedings

Sincerely,

  
Brian J. Stefan Szittai  
Co-coordinators

  
Christine Stonebraker Martínez

copies: Licda. María Consuelo Porras Argueta, Attorney General / Fiscal General de la República ~ via email  
Lic. José Alejandro Córdoba, Procurador de Derechos Humanos/Human Rights Ombudsman ~ via email  
Alfonso José Quiñónez Lemus, Ambassador of Guatemala to the US ~ email, US mail  
IACHR: Esmeralda Arosemena de Troitiño, Rapporteur for Guatemala, Inter-American Commission on Human Rights ~ via email and US mail  
OACNUDH: Mika Kanervavuori, Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos en Guatemala (OACNUDH) ~ via email  
US State Department: William Popp, US Ambassador to Guatemala ~ via email  
US State Department: Guatemala Desk Officers in Washington, DC: Doug Choi, Moises Mendoza ~ via email  
US Senators Brown & Vance ~ via email  
US Representatives Beatty, Brown, Johnson, Jordan, Joyce, Kaptur, Latta, Miller, Sykes ~ via email

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