

IRTF

InterReligious Task Force on Central America

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Ambassador Hugo Eduardo Beteta
Embassy of Guatemala
2220 R St. NW.
Washington, DC 20008

September 15, 2025

Dear Ambassador Beteta:

We are writing to express our concern over the false criminalization of Indigenous community leader **Esteban Toc Tzay**. He became the third Indigenous leader to be arrested for participating in the national strike during the 2023 presidential election season. The well-known and respected community leader is the former deputy mayor of the Kaqchikel Indigenous Municipality of Sololá in Sololá Department. While driving on the mountaintop Summit of Alaska (which divides Sololá and Totonicapán) on August 23, police arrested him while he was in route to receive medical treatment for his chronic kidney failure. Authorities subsequently transferred him to the Quetzaltenango justice center.

While the Public Ministry and Attorney General Maria Consuelo Porras have refused to comment on the reasons for his arrest, Indigenous authorities believe it may be in retaliation for his role in helping to organize protests during the 2023 National Strike. Protests were occurring throughout Guatemala with the aim of ensuring free and fair elections. Protesters also denounced corruption at high levels and filed a legal complaint demanding the resignation of Porras. (It is worth noting that the US government also sanctioned Attorney General Porras under allegations of corruption).

The charges against Esteban Toc Tzay are believed to be linked to those against two other Indigenous leaders who were visibly active in the 2023 national strike: Héctor Cháclan and Luis Pacheco, Indigenous authorities with the 48 Cantones of Totonicapán. They were arrested in April and remain in pretrial detention (cf our letter May 4, 2025). EstebanToc Tzoy is being criminally charged with sedition, terrorism, obstruction of criminal proceedings, criminal association, and obstruction of justice. Although EstebanToc Tzoy was released from pretrial detention and placed under house arrest on September 6, he remains indicted with criminal charges, lacking any evidential foundation.

We are deeply concerned about the abuse of the legal system to bring arbitrary charges of terrorism in order to punish Indigenous leaders and other community organizers fighting for justice. Additionally, the criminalization of EstebanToc Tzoy and other Indigenous leaders who participate in protests is a threat to legitimate exercises of the right to peaceful assembly.

We urge that authorities:

- (1) drop the false charges against Esteban Toc Tzoy and release him from the conditions of house arrest
- (2) if the judicial proceedings do continue, ensure that due process and integrity are followed
- (3) follow the guidance of the United Nations Human Rights Committee, which has stated that anti-terrorism laws must not be used to criminalize the legitimate exercise of the rights to freedom of association and peaceful assembly.

Sincerely,



Brian J. Stefan Szittai
Co-coordinators



Christine Stonebraker Martinez

copies:

Lic. José Alejandro Córdova Herrera, Ombudsman for Human Rights (PDH) ~ via email

IACHR: Andrea Pochak (Rapporteur for Guatemala) and Arif Bulkan (Rights of Indigenous Peoples), Inter-American Commission on Human Rights ~ via email

OACNUDH: Mika Kanervavuori, Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos en Guatemala (UN) ~ via email

US State Department: Tobin John Bradley (US Ambassador to Guatemala) and Guatemala Desk Officers in Washington, DC ~ via email

US Senators from Ohio (Husted and Moreno) and US Representatives from Ohio (Beatty, Brown, Jordan, Joyce, Kaptur, Latta, Miller, Rulli, Sykes) ~ via email

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