

via fax: 011 502 2411 8168 Estimada Fiscal Thelma Aldana Hernández Attorney General of Guatemala	via fax: 011 502 2413 8658 Estimado Sr. Ministro Héctor Mauricio López Bonilla Minister of the Interior of Guatemala
---	---

April 14, 2015

Dear Attorney General and Minister of the Interior:

We are very concerned about the continued unjust detention of environmental rights defenders **Sotero Adalberto Villatoro, Francisco Juan Pedro** and **Arturo Pablo Juan** of Santa Cruz Barillas municipality in Huehuetenango Department. They are leaders in the organized resistance to a hydroelectric dam project initiated without prior consultation of the local indigenous peoples (in violation of international law). Accusations of threats, illegal detention, illicit association, plagiarism and abduction are being made by Hidro Santa Cruz, a Guatemalan subsidiary of the Spanish company Hidralia Energy. Community and indigenous groups affirm that these arrests were carried out strategically in order to silence protests and organizing against the dam. The UN High Commissioner for Human Rights has condemned the jailing of environmental defenders from Santa Cruz Barillas.

Here is some background in the case:

- April 23, 2013: an employee of Hidro Santa Cruz brought unsubstantiated criminal accusations against the three defendants
- October 2013: the defendants organized a community assembly to initiate a dialogue with Hidro Santa Cruz workers to avoid clashes with the local population; agreements were signed to respect nonviolence and collective decisions
- November 25, 2013: Hidro Santa Cruz became a joint plaintiff in the case.
- January 23, 2015: The First Instance Criminal Court of Santa Eulalia municipality ordered the pre-trial detention of the three men but overturned that order later the same day.
- January-February 2015: Hidro Santa Cruz made a constitutional challenge, arguing to hold the men in preventative detention
- February 26, 2015: Pre-trial detention of the three men was ordered by the Seventh Chamber of the Huehuetenango Court of Appeals on Criminal Drug Activities and Crimes against the Environment
- March 3, 2015: without notification, they were transferred from Huehuetenango to the remand prison in Guatemala City
- March 6, 2015: a court hearing challenging their preventative detention was postponed
- April 8, 2015: The Criminal Chamber of the Supreme Court decided to upgrade the case to a high-impact judicial criminal proceeding

Since 2008 Sotero Adalberto Villatoro, Francisco Juan Pedro and Arturo Pablo Juan have defended natural resources in their area and mediated conflicts. We believe that they are being detained as a result of their nonviolent work in defense of environmental and indigenous rights. Therefore, we **strongly urge** that you

- release Sotero Adalberto Villatoro, Francisco Juan Pedro and Arturo Pablo Juan and drop the charges against them;
- ensure that the treatment of these men while they remain in detention adheres to the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (UN General Assembly 1988);
- guarantee that human rights defenders are able to carry out their legitimate activities without fear of reprisals and free of restrictions, including judicial harassment.

Sincerely,

Brian J. Stefan Szittai
 Co-Coordinator

copies: José Julio Alejandro Ligorria Carballido, Guatemalan Ambassador to the US ~ via fax: 202 745 1908
 Todd D. Robinson, US Ambassador to Guatemala ~ via fax: 011-502-2331-2348
 José Francisco Villagrán de León, Permanent Representative of Guatemala to the United Nations Office in Geneva ~ via fax 011 41 22 733 14 29
 James Cavallaro, Rapporteur for Guatemala, Inter-American Commission on Human Rights ~ via fax: 202 458 3650
 Rose-Marie Belle Antoine, Rapporteur on the Rights of Indigenous Peoples, Inter-American Commission on Human Rights ~ via fax: 202 458 3650
 Caitlyn Kennel, Guatemala Desk, US State Dept ~ via email
 Christopher Johnson, Diplomacy Officer for Central America, US State Dept. ~ via email
 US Senators Brown & Portman and US Representatives Fudge, Gibbs, Johnson, Jordan, Joyce, Kaptur, Latta, Renacci, Ryan ~ via email

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