

Rodrigo Tot, Mayan Q'eqchi' community leader from village of Lote 9, wins Goldman Environmental Prize

(View in browser: <http://mailchi.mp/rightsaction/rodrigo-tot-mayan-qeqchi-community-leader-from-village-of-lote-9-wins-goldman-environmental-prize>)



Rodrigo's community "Lote 9" (locally known as Agua Caliente) is next to the community of "Lote 8", on the top of the mountain range above the town of El Estor, in eastern Guatemala. From the late 1970s through to 2011, Canadian mining companies (INCO, Skye Resources, Hudbay Minerals) and the military backed governments in power used repression and divisionary tactics against local communities to try and carry out a nickel mining operation.

In January 2007, Lote 9 escaped the fate of its neighboring village "Lote 8" that was burned entirely to the ground in a number of illegal, violent evictions. During one of the raids, Hudbay/Skye mining company security guards, police and soldiers gang-raped 11 women villagers. In 2012, Rodrigo's sons were attacked, as an act of repression against Rodrigo for his leadership role in defending Lote 9 territory and rights; one son was killed, the other seriously wounded.

Rights Action has taken a number of delegations to visit Lote 9, over the years, and provided emergency response funds to the community on a number of occasions, including after Rodrigo's family was attacked and his son murdered.

The Land Is Forever: Rodrigo Tot Wins Goldman Prize For Land-Title Quest

24 April 2017 / [Sandra Cuffe](#)

(Original, with photos: <https://news.mongabay.com/2017/04/the-land-is-forever-rodrigo-tot-wins-goldman-prize-for-land-title-quest/>)

Rodrigo Tot and his Maya Q'eqchi' community have been working to secure title to their land and protect it from mining interests. Mongabay contributor Sandra Cuffe reports on his work from the disputed lands in Guatemala.



Rodrigo Tot is one of this year's winners of the Goldman Environmental Prize honoring global "grassroots environmental heroes."

He has been working for decades to secure title to his community's lands, which are embroiled in an ongoing dispute with mining interests. Tot has faced threats to his safety as well as the murder of his son in 2012, in what he believes was retaliation for his land-rights work.

LOTE 9, Guatemala — Rodrigo Tot chatted in Q'eqchi' with community members as they gathered at a simple wooden building that doubles as a church and a community meeting hall in order to discuss their land tenure situation. The bumpy, winding road up to the site hadn't seen a vehicle in roughly a month, so Tot and other locals had cleared the fallen trees along the way with machetes, saving the branches for firewood.

It feels like the top of the world in this little corner of eastern Guatemala, where Maya Q'eqchi' communities have been fighting for land rights for decades.

Looking south past the sloping patchwork of subsistence crops and forest dotted with a handful of homes, the plains far below are visible through the haze. The expanding oil palm plantations in the Polochic Valley appear as rectangular extensions of dark green to the west of Lake Izabal. The Fenix nickel mining project installations on this northern side of the lake, on the other hand, are out of sight. But for the local Maya Q'eqchi', they're never really out of mind.

A barefoot little girl skipped up a narrow dirt path to the church, where children, women, and men continued to mill about. Their very presence in this area was a strategic move to safeguard the Lote 9 lands for which they've been seeking a definitive land title. In 2011, some of the more than 60 families of Lote 9 — also often referred to as Agua Caliente Lote 9 — moved to the area, creating a new settlement. They dubbed it M1, after the number on the nearby boundary marker (mojón) at one of the four corners of the Lote 9 polygon.

It could easily be misinterpreted as a conflict or division between the main community they refer to as Lote 9 and the families living in M1, said Tot, a longtime community leader. But it's all one united community, and the decision for some families to relocate was a collective one, he said.

“This group is here because this is the place where the [mining] company wants to come in to extract [nickel],” Tot told Mongabay earlier this month. “This group is here for security, to defend this part of Lote 9.”

This week, Tot is more than 3,000 miles away from home. One of [this year’s winners of the Goldman Environmental Prize honoring global “grassroots environmental heroes,”](#) he is in the United States to receive the award, whose winners were announced today. Six recipients are chosen every year, one from each of six regions of the world, and Tot was chosen as the South & Central America winner.

The winners’ identities were kept under wraps prior to the day of the award ceremony, but the recipients were notified well in advance. Tot was quick to deflect questions about the honor when Mongabay spoke with him earlier this month in Lote 9, redirecting everything back to the issue of land rights in his community and more broadly in the region. It’s something he has been involved in for four decades.

“I always continue with the same thing,” he said of the community’s efforts to secure a definitive land title. “I’ve fought, and I’ll keep fighting.”



Children have access to primary education in the one-room schoolhouses in each of the two settled areas in Lote 9 lands. Education beyond sixth grade requires children to live outside the community, which is not within the means of most families. Photo by Sandra Cuffe for Mongabay.



In 2011, some families moved from the original Lote 9 community to M1 in order to protect that area of Lote 9 lands from mining interests or other incursions. Photo by Sandra Cuffe for Mongabay.

Decades of strife

Rodrigo Tot, who is indigenous Maya Q'eqchi', was born in 1957 in the Baja Verapaz department in Purulhá, roughly 60 miles west of Chichipate, where he now lives and works as a pastor. His parents both died of illness when he was very young and he never really knew them, he said. He and his siblings were raised mainly by aunts and uncles in the area.

When Tot was 12, he and an older brother came to Chichipate in search of both work and a relative who had come to the area years earlier. At the time, locals could grow subsistence crops on the large estate of a landowner in Chichipate. That all came to an end when Tot was 19.

“Seeing that there was no work here, nowhere to sow crops, people had to look for where to plant, on national lands,” Tot said. A group of 64 Maya Q'eqchi', some of them with families, settled on Lote 9, one of 16 numbered lots in the departments of Izabal and Alta Verapaz that were demarcated way back in the late 19th century. The Lote 9 community they settled is roughly 10 miles from Chichipate, but it's accessible by vehicle only at a snail's pace due to the road conditions. Many residents hike in and out on foot.



Lote 9 community members dig roadside ditches to prepare for the rainy season. No one else maintains the bumpy rock and dirt access roads. Photo by Sandra Cuffe for Mongabay.

“I was young at the time, and I joined the group of people who had nowhere to farm,” Tot said. “We were the ones who started out.”

It was a dangerous time to be organizing and fighting for land rights — or for anything at all. An armed conflict had begun in 1960, and quasi-feudal land relations, inequality, and state violence were all factors in the rise of guerrilla forces battling state military forces. The latter often equated indigenous civilians with potential guerrilla combatants and wiped out entire Mayan villages. A United Nations-sponsored truth commission established following the 1990 peace accords would later conclude that agents of the state carried out acts of genocide in four regions of the country.

One of the first massacres occurred in Panzós, a village only 15 miles west of Chichipate. On May 29, 1978, several hundred Maya Q’eqchi’ men, women, and children held a march for land rights and to demand the whereabouts of community leaders abducted by soldiers. The army responded by opening fire on the crowd gathered in the Panzós central plaza. Different reports place the death toll between several dozen and well over 100.

A campaign of terror ensued, with more than 300 cases of extrajudicial executions and disappearances by state military and paramilitary forces in the region between 1978 and 1982, according to the UN-sponsored truth commission’s report.

The truth commission later determined that another entity was involved in killings and disappearances in the area alongside the army and paramilitaries: EXMIBAL, a mining company. In the 1960s, a military dictatorship granted the company nickel mining rights in the area, between Chichipate and the town of El Estor. According to the companies that have owned the mining project, company landholdings partially overlap with Lote 9 lands. High-profile members of an ad-hoc commission created in Guatemala City in 1970 to investigate the mining concessions granted to EXMIBAL were attacked and killed.



The Fenix ferro-nickel mining project operated for a few years in the late 1970s. The Solway Group, the Russian conglomerate that now owns the project, started up operations again in 2014. Photo by Sandra Cuffe for Mongabay.

In 1980, Venancio Asij, the first leader of the Lote 9 group, disappeared. Unlike the leader of neighboring Lote 8 whose body was reportedly seen floating down a river after he was detained when he went into town for copies of land documentation, Asij was never seen again. Despite the atrocities, the families of Lote 9, Lote 8, and other Maya Q'eqchi' communities continued to demand recognition of their land rights in the ensuing decades.

Now 49, Ignacio Tiul remembers first coming to Lote 9 lands as a child with his father. The initial group took steps to legalize their land rights early on, and in 1985, they were granted a provisional land title and began making payments to the government for the land. As of 2002, the same year Tot was given a formal community leadership role, Lote 9 residents had paid in full.

"We have already paid for the land," Tiul told Mongabay, sitting with other community leaders and members in the one-room elementary school in Lote 9. Tiul is now in his second term as community

mayor. “What my father did, I’m now protecting it,” he said, speaking in Q’eqchi’, as most adults in the area of his age and older speak little to no Spanish.

Residents may have paid for Lote 9, but they still lack a definitive land title. Successive mining companies have claimed ownership of part of Lote 9 lands, as well as the lands of several other Maya Q’eqchi’ communities in the area. Majority owned by a Canadian company, EXMIBAL’s nickel mine operated for a few years in the late 1970s before closing. It was not abandoned, however, and the Fenix mining project continued to play a role in land conflicts as it and EXMIBAL, now called CGN (for Compañía Guatemalteca de Níquel), changed hands a few times. Now owned by the Solway Group, a Russian conglomerate, the Fenix mine restarted operations in 2014.

“We have never approached the [mining] company” to ask for anything, said Tiul, who shares a similar vision with Tot and works closely with him. The mine isn’t in the community’s interests, he said, adding that work at the project is unstable and temporary. “The land is forever,” he said.



Ignacio Tiul, Lote 9’s community mayor, says mining jobs are temporary, but the land is forever. Photo by Sandra Cuffe for Mongabay.

Despite multiple email and telephone requests for comment over a period of several days, neither CGN nor the Solway Group responded by the time of publication.

Neither company includes information on land holdings or conflicts on their respective websites, though the Solway Group does highlight contributions to community development in the area. “As a responsible employer and neighbor, Solway invests in the development of social infrastructure in its areas of

operation in Guatemala. Building effective communications and providing support to local communities help to achieve this,” [the Solway Group website states](#).

The community efforts to obtain a definitive land title to Lote 9 have been fraught with obstacles, including the disappearance of official documentation critical to the titling process. To deal with these hurdles, they’ve had help from the Defensoría Q’eqchi’, a Q’eqchi’ rights group based in El Estor.

“The pages in which the indigenous community of Agua Caliente Lote 9 was registered had been cut out of the registry,” Defensoría Q’eqchi’ executive director Robin Macloni told Mongabay. “That’s where the whole litigation process began.”

Using jurisprudence on collective indigenous land rights from other countries, the community and Defensoría Q’eqchi’ filed a lawsuit against the government to force it to take action to ensure the community’s collective land rights. The court ordered the executive branch of government take the measures necessary to advance the land titling process, including the restoration of the removed documentation. The case made its way all the way to the Constitutional Court, the highest court in the country. In 2011, the court ordered the executive branch of government take the measures necessary to advance the land titling process, including the restoration of the removed documentation. The pages were replaced, but they were blank, said Macloni. It wasn’t until last year that they were restored with their original content, he said.

Tot played a key role during the lawsuit, often acting as a liaison between Lote 9 residents, the Defensoría Q’eqchi’, and court proceedings. He also traveled to the United States to address the Inter-American Commission on Human Rights, which is currently considering a formal petition presented by the community, with the assistance of the Defensoría Q’eqchi’ and the US-based Indian Law Resource Center. Due to threats he received and an attack against his sons, the Commission also issued precautionary measures for Tot, but the police only came by a few times and then stopped, according to Tot.

Like community leaders and many others in the region, Macloni believes pressure from the mining company is to blame for the obstacles and delays in titling community lands in the area. Lote 8 and other communities affected by company property claims were subject to a series of violent evictions in 2006 and 2007.

“The subsoil that contains the most nickel is precisely between Agua Caliente Lote 9 and Lote 8. That’s why they wanted to forcibly remove the community of Las Nubes,” Macloni said. “The subsoil that contains the most nickel is precisely under that community.”

Las Nubes residents and other Maya Q’eqchi’ were protesting a possible eviction and other land rights issues on September 27, 2009, in the vicinity of the Fenix mining project. Several Las Nubes residents were attacked. German Chub was shot and paralyzed from the waist down. Adolfo Ich Chamán, a local teacher and outspoken community leader, was beaten, shot, and killed. The survivors and other witnesses [allege the mine’s private security forces were responsible](#) for the attacks. Mynor Padilla, a former military coronel who was the head of mine security at the time, was charged with homicide and assault, but was [acquitted earlier this month](#). Related civil lawsuits are ongoing in Canada, however.

Personal tragedy

Tot knows the spotlight that accompanies the Goldman prize could come with repercussions for his safety, but he seemed unfazed. He already knows loss, he said. In 2011, Lote 9 both won its case in the Constitutional Court and made the strategic move to settle and defend the M1 area. The following year, in 2012, Tot's son Edin Leonel Tot Sub was killed in what appeared to be a targeted attack.



Edin Leonel Tot Sub, one of Rodrigo Tot's sons, was shot multiple times and killed in October 2012. A photograph of him hangs in his widow's home. Photo by Sandra Cuffe for Mongabay.

Wilfrido Tot Sub was there when his brother was killed. On October 1, 2012, they boarded the 1 a.m. bus to Guatemala City and settled in to get some sleep. Unbeknownst to them, multiple armed assailants boarded at different points along the way, including the departure point, El Estor. Nothing was amiss until they were getting close to the capital.

Suddenly, a gunman stood up, yelled, "this is a robbery," and said they'd shoot anyone who moved, Wilfrido Tot Sub told Mongabay. Nothing more was said, and no one moved, but the assailants immediately began shooting at the two brothers and no one else, he said. Wilfrido threw himself onto the floor, under a seat, and assumed his brother did the same but didn't see him.

“I played dead, because they came over to touch me here,” he said, pointing to the side of his neck. He then heard them say, “the asshole’s dead.” Roughly ten minutes later, the assailants told the bus driver, “this is where we get off,” and disembarked. No one was robbed.

Wilfrido suffered one gunshot to the chest and had to undergo surgery. His brother, Edin Leonel Tot Sub received multiple gunshots to the torso and died instantly. He was 29 years old at the time and had three young children.

Wilfrido’s scars are still visible. A long, curved incision line from collarbone to collarbone is lined with short marks from the stitches. He lifts up his shirt to show the others on his upper abdomen and shoulder. The doctors told him they couldn’t safely remove the bullet. He felt some discomfort when he was in a hammock with his little daughter laying on his chest over the bullet, but it hasn’t otherwise bothered him, he said. What does bother him is that the case remains unsolved.

“To date, there’s been nothing. It’s as though an animal had died,” he said. “Here in Guatemala we’re really [screwed] in cases like these, of killings. They’re not investigated.”

Wilfrido is firmly convinced that he and his brother were shot because of their father’s leadership in the battle for Lote 9’s land rights, and he’s not alone. Despite it all, he’s happy his father is being honored after years of suffering and struggling. “He deserves it,” said Wilfrido. “He’s fighting for a community.”



Wilfrido Tot Sub, one of Rodrigo Tot’s sons, was shot in October 2012. His brother Edin Leonel Tot Sub was killed in the same attack. Photo by Sandra Cuffe for Mongabay.

The prize

Tot was selected in recognition of his work that led to the Constitutional Court ruling and for protecting Lote 9 from nickel mining, according to Goldman Environmental Prize program officer Ryan Mack.

“We hope to raise international awareness about Don Rodrigo’s work and connect him to networks who will help the Agua Caliente community’s pursuit of land titles and projects,” Mack told Mongabay via email. “In many cases Goldman Prize winners are able to leverage the honor to advance their work.”

Other Latin American prizewinners, however, have been killed in recent years. Honduran activist Berta Cáceres was the recipient of the Goldman prize in 2015 and was gunned down in her home in March 2016. Isidro Baldenegro López, a Mexican indigenous Tarahumara community leader and 2005 Goldman prize winner, was killed this past January. As a whole, Latin America is the most dangerous region of the world for environmentalists, [according to Global Witness](#), a London-based NGO that documents killings and attacks.

Tot’s safety is a priority for the Goldman foundation, Mack said. “When activists take on the massive burden of protecting our environment, the international community must protect their right to continue this important work without fear of persecution or attack,” he said.

“The fact that environmentalists are increasingly under threat is a reflection of what’s happening in the world right now, where activists fighting very powerful interests are being targeted. Our goal is to give environmental activists a bigger platform for their work and give them the credibility they need to continue their campaigns,” Mack said.



Goldman Environmental Prize winner Rodrigo Tot recalls the 2012 shooting that killed one of his sons and wounded another. Photo by Sandra Cuffe for Mongabay.

The way Macloni sees it, Tot winning the Goldman prize is about more than an individual or even any one community. "It vindicates not just Agua Caliente Lote 9, but also the other struggles," he said. Tot himself feels much the same way. He hopes the news of the Lote 9 community's fight for land rights will encourage and inspire other communities.

Back up in Lote 9 lands, there was no shortage of ideas or plans for the community's future. Locals want children to have a chance to study past sixth grade. They want to plant fruit tree seedlings and a diverse mix of subsistence and market crops. They want a community truck system to take harvests to market instead of having to hike down the mountain with a sack of pineapples on their backs. They want to keep fixing up their roads to make it all possible.

There's one goal above all others, though, and that's securing a definitive land title. It was on the lips of every single person who spoke at meetings in both Lote 9 and M1, where residents gathered to share their story with Mongabay.

"We arrived **here** many years ago and we've now grown old," said Rosa Cac, a Lote 9 community member. "I hope that my children can stay and take care of the land."

Banner image: Maya Q'eqchi' community leader Rodrigo Tot is one of this year's recipients of the Goldman Environmental Prize. Photo by Sandra Cuffe for Mongabay.

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