

Stop the criminalisation of Guatemalan indigenous human rights defender María Choc

Maria could spend 7 years in jail, for crimes she did not commit

By Lazar Konforti, June 1, 2022, lazar.konforti@gmail.com

<https://mailchi.mp/rightsaction/stop-criminalisation-of-guatemalan-indigenous-defender-mara-choc>

Maria Choc is sister-in-law of Adolfo Ich, a land and rights defender killed in 2009 while denouncing mining related harms and violations. She is sister of Angelica Choc, widow of Adolfo Ich, now leading justice struggles in Guatemala and Canada for the death of her husband. And, Maria is the sister of Ramiro Choc, who spent 6 years in jail as a political prisoner – criminalized on malicious charges for his land and rights defense work.

Stop the criminalisation of Guatemalan indigenous human rights defender María Choc

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PhD Candidate, Department of Geography & Planning, University of Toronto

Maria Choc has been a friend and colleague of mine for just over a decade. She is a Q'eqchi' human rights defender from El Estor, Guatemala. The Q'eqchi' people are one of 23 different indigenous nations that inhabit modern-day Guatemala and are spread throughout the country's northern regions.

María and I have spent countless hours on the road together, visiting various rural indigenous communities in the course of my work as an independent filmmaker and later PhD student at the University of Toronto in Canada.

Unfortunately, María may spend the better part of the next decade doing something altogether different: sitting behind bars.



Maria could spend 7 years in jail, for crimes she did not commit. She stands accused of providing translation and conducting human rights and women's empowerment workshops in a small indigenous community involved in a land dispute.

Well, not quite.

Officially, María is accused of usurpation, kidnapping, and issuing threats, for which she faces up to seven years in prison. She did none of those things, of course. Allow me to explain ...

I met María in 2012 when I first visited northern Guatemala. I was there to film a short independent documentary about land conflicts in the region. The film, https://youtu.be/rQ0B3yp_J1I, covers the dispute between Q'eqchi' communities in the Polochic river valley and two extractive industries: the Compañía Guatemalteca de Níquel (CGN) nickel mine (then owned by Canadian giant Hudbay Minerals), and the sugarcane company Chabil Utzaj (a subsidiary of Grupo Pellas, makers of Flor de Caña brand rum).

I was introduced to María by Rights Action, a non-profit organisation supporting human rights in Central America, who had already been working with her for some time.

Thus began a long and fruitful collaboration. María became my go-to person during filming. She set up visits to communities, interviews with leaders, and translated my Spanish into the indigenous Q'eqchi' language and vice-versa.

María acted not only as a translator but also as a cultural interpreter, helping me navigate delicate situations and stay out of trouble. She even provided Spanish voiceover translation in the final cut of the film, in which she also appears, discussing the threats faced by Q'eqchi' communities.

I returned to Guatemala a few years later as a PhD candidate at the University of Toronto to conduct research for my doctoral dissertation. My research project, funded in part by a grant from the Social Sciences and Humanities Research Council of Canada (SSHRC), aimed to shed light on the complex histories of indigenous dispossession and agricultural production in the Polochic valley.

A consummate professional

I immediately got in touch with María. She had done such a great job on the documentary that I wanted to hire her as a Spanish-Q'eqchi' interpreter for the duration of my fieldwork.

Between 2015 and 2019, we visited 19 communities, meeting with leaders and participating in community assemblies. We conducted ethnographic interviews in eight of those and carried out detailed surveys in four.

As always, María was much more than a mere translator. She was more of a guide or advisor, helping me know what questions I needed to ask, how to ask them, and when to stop probing. At community assemblies and in individual interviews, people heard my voice but only understood my words through María's. If people took a liking to me, it was because of María.

She is a consummate professional who understands the local political, economic, and cultural context and is able to bridge the gap between the worlds of academia and grassroots communities. I have worked with other translators, and I

speak from experience when I say that this research project couldn't have happened without María. For this, she has my eternal gratitude.

María of course plied her trade elsewhere as well, putting her experience, knowledge, and skill to work linking NGOs, journalists, lawyers, and others with grassroots communities.

Chab'il Ch'och'

The charges she faces today stem directly from this work. María eventually became a resource person for the community of Chab'il Ch'och' in the municipality of Livingston. The community was embroiled in a land dispute with a cattle ranch. The families of Chab'il Ch'och' claim the ranch was established on their ancestral territory, of which they had been dispossessed in the 1980s.



CASO: → **CHAB'IL CH'OCH'**

María Choc fue detenida luego de que la empresa Lisbal, S.A. fuera denunciada por los hechos ocurridos en el desalojo de Chab'il Ch'och' en 2017.

Desde 2018, en el juicio contra María Choc se han cometido muchas **irregularidades** como **restricciones a medios de comunicación** para dar a conocer el caso.

FOTOGRAFÍA: FESTIVALES SOLIDARIOS

RUDA

Due to the present owners' suspected links to corruption networks, community members hoped that the property could be legally expropriated and redistributed to Q'eqchi' families. They eventually decided to occupy the ranch as a way of pressuring authorities to act.

María liaised between community leaders and non-Q'eqchi'-speaking outsiders, including lawyers, journalists, researchers, and anti-corruption activists. She also organised workshops in the community to inform people about their legal rights and helped set up and organise a women's committee so that women's issues could be discussed and addressed.

Then, in January 2018, María was arrested and charged with usurpation, kidnapping, and issuing threats. Essentially, she is being accused of leading the occupation even though her role in the community was limited to translation, liaising, human rights education, and women's empowerment workshops.

“Criminalisation”: The legal system used as a tool of repression

Such trumped up charges are not uncommon in Guatemala. “Criminalisation” is a tactic whereby unfounded charges are brought against key actors involved in a social conflict. Charges may lead to preventative detention (i.e. jail awaiting trial), burden the accused with legal costs and psychological distress, or both. These trials can take years due to the low capacity (and corruption) of the Guatemalan justice system.

Criminalisation can thus immobilise or incapacitate a key actor – a community leader, journalist, lawyer, etc. – involved in a social conflict and essentially take them out of the equation.

As a Spanish-Q'eqchi' speaker, able interpreter, experienced liaison, and human rights educator, María was identified as a key asset for the community of Chab'il Ch'och' in their struggle against powerful interests. This is the reason she is being criminalised.

The exploitative global economic model, called “development”

Lands traditionally held by Q'eqchi' communities have come under threat in recent years from agro-industrial plantations (oil palm, sugarcane, rubber, etc.), mining, and dams, all of which generally benefit from state backing as part of a top-down “development” logic that dismisses the indigenous inhabitants of the lands in question.

Illicit actors, including some with links to political figures, also seek remote properties throughout northern Guatemala for narcotrafficking and money laundering purposes.

“Lisbal S.A.” company, with possible links to former Guatemalan president Otto Pérez Molina

The ranch claimed by the community of Chab’il Ch’och’ is owned by a shell company (“Lisbal S.A.”) and eye-witness testimonies link the ranch to former Guatemalan president Otto Pérez Molina – currently on trial for corruption – and his associates.

It’s difficult to prove with certainty that the ranch was a money-laundering front, but it would not be unusual since the lightly regulated and largely cash-based cattle ranching industry is commonly used for such purposes.

At the end of the day, whomever is behind that ranch deemed María a threat.

On June 1st, 2022, four and a half years after her initial arrest, following numerous delays and potentially deliberate stalling to prolong her precarious and stressful situation, María Choc will head into what could be the third hearing of her trial. Another hearing date is already set for June 15.

#LibertadParaMaría

María Cuc Choc es **defensora de derechos humanos** y **lideresa** y **traductora Maya-Q'eqchi'**. Está acusada de **delitos de detención ilegal, amenazas y usurpación agravada**. Las denuncias fueron presentadas por la empresa **Lisbal S.A.**

04 AÑOS DETENIDA

10 OCASIONES SE LE HA CANCELADO LA AUDIENCIA

RUDA

4 years criminalized. 10 hearings cancelled.

Maria's trial is about punishing her

It is imperative to understand that this trial, and the Guatemalan justice system as a whole, is not about justice. It is about punishing María Choc for daring to provide support to an indigenous community fighting for their ancestral territorial rights. Her true crime is standing up for the rights of indigenous people in a country that has a long history of dispossessing, exploiting, killing, and otherwise abusing them – a country still ruled by a network of corporate and political elites that continue to do so to this very day.

For more information:

- Maritimes-Guatemala Breaking The Silence Network, providing human rights accompaniment to Maria, during her trial, and publishing regular updates. Contact : Lisa Rankin, btscoordinator@gmail.com, https://twitter.com/BTS_MG, <https://breakingthesilenceblog.com/>
- Rights Action, providing regular funds to Maria and her support team, since 2018, as they fight these malicious criminal charges. Contact: Grahame Russell, info@rightsaction.org. To make tax-deductible donations in the US and Canada: <https://rightsaction.org/donate>.

Film about Chab'il Ch'och'

In this film, by Lazar Konforti, María does voice-over translation, and her brother Ramiro Choc, who recently died, appears on screen: <https://youtu.be/ITxkSkkTfFg>

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