



Bulletin #2
Second day of trial of
ABELINO CHUB CAAL

On Tuesday, April 22, 2019, the High Risk Court “A” in Guatemala City heard the second day of trial against Maya Q’eqchi’ land defender Abelino Chub Caal. Before his arrest and detention on February 4, 2017, Abelino was a community worker and technician with the Guillermo Toriello Foundation accompanying Q’eqchi communities in the municipalities of La Tinta, Panzos and El Estor in the departments of Izabal and Alta Verapaz in northeastern Guatemala. He worked to help build the capacity of the communities that were in the process of recuperating their land through processes with state institutions like the Land Fund, the Presidential Commission for Human Rights (COPREDEH), the National Protected Areas Council (CONAP) and the Secretary for Agrarian Affairs.



Abelino is being prosecuted by the Guatemalan State and banana and palm oil companies Inversiones Cobra (Cobra Investments) y and CXI from El Estor, Izabal, that have accused him of having led a mobilization on August 7, 2016 into the Plan Grande farm, or *finca*, and setting fire to palm oil trees. As a result, he is being tried for land occupation, arson and criminal conspiracy.

During the April 23 hearing, seven people gave their declarations, including Abelino. Three criminal investigators who work at the Morales, Izabal Public Prosecutor’s Office presenting their reports regarding pictures they took that were used to identify the area that the company claims was invaded. The pictures were taken October 12, 2016 and April 1, 2017. The investigators confirmed that they traveled to the site in a small plane together with the manager and legal representative of the company, who pointed out to them the area they said had been invaded.

The Public Prosecutor’s Office and private prosecution renounced 13 proposed witnesses, reporting that had not been able to locate them at the addresses on file and because many had changed their place of work.

An employee of the Guillermo Toriello Foundation testified about Abelino’s work at the organization. She noted that he had participated in “Dialogue





Roundtables” with state authorities about the land conflict in the Polochic. Abelino accompanied communities who were doing the paperwork to obtain title to the land to these meetings. Oscar Caal, a teacher and Abelino’s work colleague, testified that he was with Abelino for a four-day Trociare workshop until Friday, August 5, 2016 in Panajachel and that following the workshop, he saw Abelino take a bus home. Abelino lives hours away from where the alleged crime on August 7 took place.

Abelino Chub voluntarily gave his testimony to the court. He explained that employees for the banana and palm oil companies approached him and asked him to negotiate with the Plan Grande Q’eqchi community on their behalf. Abelino attested that the company Community Relations Manager, Manuel Garcia, tried to bribe him in exchange of doing paperwork with the community. “They offered me money, a vacation, a bank loan, but I refused,” he said. He noted that even if he took the bribe, he wouldn’t be able to convince the community to abandon their territory.



Abelino’s powerful testimony shed light on the situation he has faced for the past 26 months while being arbitrarily detained instead of let out on bail to await his trial. “I told my parents, I don’t regret going to jail for helping communities. I’m innocent. I haven’t done anything illegal. I want the truth to prevail and I demand my immediate freedom. Give me back my freedom,” he said.

“They are criminalizing me for denouncing the State’s violent treatment of helpless, oppressed and marginalized communities in Q’eqchi’ territory,” he

said.

He went on to add, “I love life, humanity, the earth. I am not some kind of criminal. I confront corruption in rural communities and they criminalize me for not cheating poor families to favor companies.”

Abelino Chub finished by stressing that his work is supporting communities that have been historically settled in the Sierra de las Minas biosphere and that he hasn’t organized people to illegally occupy lands. Tomorrow, April 24, beginning at 8:30am, four expert witnesses are expected to provide their reports, which will be followed by the conclusions.

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Stand with Abelino in the struggle for his freedom! **#AbelinoInocente #LibertadAbelino**