

June 17, 2005

GUATEMALA: GLAMIS GOLD Co. LEGAL ACTION AGAINST JUNE 18th COMMUNITY CONSULTATIONS CONCERNING MINING

In response to actual and potential threats (to community development, human rights and the environment) caused by the global mining industry, community consultations will take place on June 18th in Sipacapa, San Marcos, Guatemala, where the US-Canadian mining company Glamis Gold is building a mine operation. The Glamis Gold mining company, fearing this community consultation, presented a legal challenge against the holding of a referendum.

Below:

- BNamericas article: GLAMIS CONSIDERS LEGAL CHALLENGE TO ANTI-MINING REFERENDUM
- LA PRENSA LIBRE ARTICLE (EN ESPANOL): GUATEMALA CONSTITUTIONAL COURT DEFENDS COMMUNITY RIGHT TO HOLD REFERENDUM

Please re-distribute this information widely, as considerable international attention is needed to support the communities' efforts to openly consult and have their views known and respected. Please support the local communities' efforts to participate openly and vigorously in promotion of community-defined development. To get on/ off this elist: info@rightsaction.org

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GLAMIS CONSIDERS LEGAL CHALLENGE TO ANTI-MINING REFERENDUM - GUATEMALA
Published: Thursday, June 16, 2005 17:07 (GMT-0400), BNamericas.com

Glamis Gold (TSX, NYSE: GLG) could make a legal challenge to the outcome of a referendum being held in the Guatemalan municipality of Sipacapa on whether to allow future mining exploration, the company said in a statement. The Nevada-based miner has criticized Sunday's (June 18) referendum, saying it has been organized by a small group of private individuals who pressured the municipality authority into holding it.

Glamis senior VP Charles Jeannes told BNAmericas that although the referendum's outcome is not yet known, the company would consider bringing a legal challenge against the referendum should it be passed.

"I think we or other residents of Sipacapa who don't agree with what's happened would pursue a legal action to have a court say whether or not it's legal," Jeannes said.

Referendum advocates argue the government has awarded mining concessions without involving affected communities in the process. Glamis denies the charges.

CONCESSION INTEREST

Glamis holds one exploration concession in Sipacapa, while a section of its Marlin exploitation concession also lies inside municipal boundaries. Glamis previously carried out some drilling in the Sipacapa section of the Marlin exploitation concession but did not discover any significant mineralization. But the company has not ruled out carrying out further exploration in either of these concession areas. "We're certainly not going to walk away from our investment," he said.

COMMUNITY VOTE

Glamis said the vote will be carried out by a public show of hands and added that it has received reports of locals being intimidated by the organizers. In addition the referendum is contrary to Guatemalan law as the national government – not local municipalities – decide issues of mineral tenure and access, Glamis said.

In an interview with local Guatemalan newspaper Prensa Libre this week, Sipacapa's mayor said the vote would be carried out according to local community customs.

Commenting on this, Jeannes said he believed it is more important to be in compliance with national law. "It's not for us to say what the local

customs are but our view is that it's not in accordance with Guatemalan law," he said. "It's a public vote and there have been many reports to us of threats and intimidation. That doesn't seem a very fair way to hold a vote."

Meanwhile Jeannes said that a number of Glamis employees and representatives will be present for the vote. "We have a lot of employees from Sipacapa. We also have community development team members and there will be folks in town observing what happens, you bet."

Aiden Corkery, BNamericas.com

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HABITANTES DE SIPACAPA TIENEN VÍA LIBRE PARA CONSULTA, Por Sonia Pérez,
Guatemala, viernes 17 de junio de 2005,
<http://www.prensalibre.com/pl/2005/junio/17/116815.html>

Los habitantes de Sipacapa, San Marcos, tienen vía libre para realizar la consulta sobre la actividad minera en el lugar, convocada por el Concejo. Ayer la Corte de Constitucionalidad (CC) revocó la suspensión provisional de la convocatoria a la consulta que está programada para mañana.

La acción fue promovida por María Montenegro de Garoz, quien impugnaba la convocatoria, y un juzgado civil la había amparado provisionalmente, el miércoles recién pasado. El abogado Luis Solares dijo que la negativa de la Corte no era argumento para seguir con la consulta. "Hay otros recursos interpuestos", aseveró.

El Concejo citó a los pobladores mayores de 18 años para que acudan a votar si están de acuerdo o no con la actividad minera en el lugar.

La CC, al resolver, citó el Convenio 169, sobre pueblos indígenas, y el artículo 65 del Código Municipal. En éstos se estipula el derecho que tienen los pueblos indígenas a ser

consultados sobre medidas que les puedan afectar.

Los magistrados Cipriano Soto y Guillermo Ruiz Wong se inhibieron de participar en la discusi n porque, seg n otros magistrados que participaron del pleno, no quer an "tener m s problemas".

LA CONSULTA VA

Magaly Rey Rosa, de la agrupaci n ecologista MadreSelva, expres  satisfacci n por la resoluci n que le da legalidad a la consulta, la cual se efectuar  seg n lo planificado.

El mi rcoles reci n pasado, un grupo de vecinos de Sipacapa, San Marcos, lleg  al Congreso para manifestar su apoyo a la explotaci n minera en la comunidad, y asegur  que no hab a problemas de contaminaci n. Sin embargo, existe otro grupo que se opone a los trabajos de exploraci n minera que realiza la empresa Montana.

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WHAT TO DO ...

To help build awareness and strengthen work for global justice and equality, to provide tax-deductible donations for the community development and environmental work of these community-based organizations, to organize educational and activist oriented events in your own community,

CONTACT:

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PLEASE SEND SHORT LETTERS, IN SUPPORT OF THE COMMUNITY CONSULTATION PROCESS,

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