

GUATEMALA: Canadian Mining company forcibly evicts exploited-impoverished Mayan-Q'eqchií communities

BELOW:

- 10-minute video clip & blog-spot photo essay about forced evictions
- Urgent action from CONIC concerning forced evictions
- Article about the history of nickel mining in Guatemala and about North American investments, including the CPP (Canada Pension Plan), in this nickel mining.

? Do you know where your investments are?

Please re-distribute this info far n wide. To get on-off this elist: [info@rightsaction.org](mailto:info@rightsaction.org). To get involved in education, fund-raising and activism work related to these issues: [info@rightsaction.org](mailto:info@rightsaction.org).

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QuickTime 10-minute clip of the forced evictions:  
<http://www.rightsaction.org/video/elestor>

Photo essays on the forced evictions:  
<http://mimundo-jamesrodriguez.blogspot.com>

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MINING INDUSTRY NEW YEARÍS RESOLUTION: EVICT MORE POOR, EXPLOITED PEOPLE AROUND THE PLANET

GUATEMALA: CANADIAN SKYE RESOURCES MINING COMPANY FORCIBLY EVICTS Q'EQ'CHI MAYAN COMMUNITIES

CONIC (National Campesino and Indigenous Coordination, a Rights Action partner group) announces to the people of Guatemala and the international community that:

1. On January 8, 2007, the GAR (private police forces) and the armed forces violently evicted 80 Q'eq'chi families from the community of La Pista and 228 families from La Union, in the region of El Estor, Izabal.
2. At 10AM on January 9, the community of La RevoluciÙn, also in El Estor, Izabal, was evicted, affecting 175 Q'eq'chi families occupying some 1800 hectares (40 caballerías).
3. The evictions took place in the absence of a public prosecutor and without a court order. The eviction was carried out by 650 soldiers and police, accompanied by a private gray, white and blue helicopter, which flew low over the communities in order to intimidate the inhabitants.

4. The evicted families lost 18 homes which were burned and destroyed by chainsaws in hands of individuals hired by the Guatemala Nickel Company (wholly owned subsidiary of Skye Resources Inc.), which claims to own the land on which these families live.

5. We are also concerned about the fate of the 80 families of the community of La Paz in the region of Panzos, Alta Verapaz, which the Guatemala Nickel Company also claims as its property. However, these families have begun negotiations with COSIRSA, and possess documents that will help further the process. The police have been on the scene since 10AM today, entering homes and surrounding the community. Once again, they do not have a court order, which makes this an extrajudicial eviction.

This is the GANA Government's policy in the face of demands from the Mayan and campesino communities, favouring transnational companies like Skye Resources/ CGN which keep plundering our country's natural resources, leaving behind only poverty, hunger and unemployment for the Mayan peoples.

This is how we began 2007 – with violent evictions – despite the government's propaganda to the contrary.

WE DEMAND that the government stop these evictions and make reparations to the affected communities for the damage caused.

WE URGE THE MAYAN AND CAMPESINO COMMUNITIES to rise up in struggle and resistance to defend our lands and our lives. Resistance and defense of our rights is legitimate.

TO THE MAYAN AND CAMPESINO ORGANIZATIONS AND THE PEOPLE'S MOVEMENT IN GENERAL, we appeal for your solidarity with the families affected by these evictions. Let us all rise up together in our struggles.

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\*\*\* DO YOU KNOW WHERE YOUR INVESTMENTS ARE? \*\*\*

YOUR CPP CONTRIBUTIONS: FOLLOW THE MONEY TRAIL TO EXPLOITATION IN GUATEMALA, By Victoria Henderson, December 2006 (Queen's University, Kingston ON, Canada)

If you were to follow the money trail of your Canada Pension Plan (CPP) contributions it would lead you, among other disturbing places, to a remote municipality on the northwest shores of Lake Izabal, Guatemala, where a Vancouver-based mining company, indirectly funded by our pension plan, is capitalizing on the exploitation of indigenous land and culture.

Skye Resources (TSX:SKR) holds an exploratory mining license for 300-square-kilometres of land in the municipality of El Estor. According to indigenous elders in the region, Skye is far from the irresponsible mining company it claims itself to be. Contrary to the image Skye has branded for its shareholders and investors, many Q'eqchi Maya say the company has fallen flat on its promises of corporate social responsibility.

The struggle between Skye and indigenous communities in El Estor should be cause for concern among Queen's University students, faculty, and staff. Act for the Earth, a peace, ecology and human rights group headquartered in Toronto, reports that CPP currently holds shares worth more than \$130-million in INCO, which is both a key shareholder in Skye Resources and the previous owner of the El Estor mine.

Repackaged as the Fenix Project and managed by Skye's wholly owned Guatemalan subsidiary, Compañía Guatemalteca de Níquel (CGN), the El Estor mine is expected to produce up to twenty-five million pounds of ferro-nickel per year by 2008, and up to fifty-million pounds per year thereafter. Not surprisingly, the rebirth of INCO's Guatemalan albatross is opposed by many Q'eqchi Maya, who remember all too well the environmental and human rights abuses that tarnished Canada's last mining experiment in El Estor.

INCO's history in El Estor is riddled with counts of military collusion and murder. Guatemala's Comisión de Esclarecimiento Histórico or Truth Commission, which was responsible for documenting abuses committed during the country's 36-year civil war, implicates INCO's Guatemalan subsidiary, EXMIBAL, in a number of cases, including:

Case 9401 (1978) in which military commissioners and EXMIBAL employees executed four persons, one of whom was a mine worker, in Santa María Cahaboncito;

Case 1145 (1981) in which members of the judicial police traveling in an EXMIBAL vehicle abducted a community leader from El Estor who was later found murdered; and

Case 100 (1971), which documents the murder of a Guatemalan Congressman vocally opposed to the concession of a mining license to EXMIBAL. (Cases are available for review in English on the website of the American Association for the Advancement of Science.)

Recently, I had the opportunity to visit the Fenix Project site and speak with the Skye/CGN community relations team, as well as to meet, in private interviews and public meetings, with members of local indigenous communities. Much of the information I was given by Skye/

CGN was refuted by the Q'eqchi Maya with whom I spoke. Discrepancies between the parties centered on four main issues: property rights, environmental protection, social services, and community relations.

Property rights are a messy issue at best in Guatemala. The situation is complicated not only by missing or altered documentation, but also by the fact that land transactions involving Maya peoples are often conducted under pressure and in Spanish, which problematizes the extent to which monolingual Maya speakers might be bound by the rule of informed consent.

One of the central land disputes in El Estor involves Q'eqchi Maya from the community of Chichipate. According to CGN plant manager Roberto Dala, Skye Resources donated a portion of company lands to the Chichipate community.

Notwithstanding the fact that there are legal and ethical implications surrounding whether land originally stolen from the Maya may be rightfully re-gifted at a later date, there is a question of contemporary property title. The elders of Chichipate maintain that they have held individual title to lands in the area for more than thirty years. "This is what hurts us the most," one Chichipate elder told me referring to Skye/CGN, "that they say they are the owners of our land. They walk all over us."

On its website, Skye acknowledges that it has entered into an agreement with the Guatemalan government to survey and document land holdings in the region. No mention is made of the company's apparent conflict of interest in this endeavour. In response to a frequently asked question over land tenure, Skye's website states that Fenix Project activity will be limited until the surveys are complete and agreement with the communities can be reached.

Despite this assurance to investors, however, the company has proceeded with exploratory drilling on contested lands. Further, Skye has reclaimed property previously leased to indigenous villages for subsistence farming.

The affected villages argue that they have not been fairly compensated and say they have no other alternatives for food security.

"I have been working this land since I was a young boy," an elderly gentleman from Cahaboncito told a public meeting on mining held in El Estor this summer. "I am getting old. I now have grey hair... And we still have not achieved the dream of controlling our own land." The gentleman went on to explain that Skye/CGN no longer permits locals to collect firewood from the mountains or to cultivate maize in the fields. This despite reports that large tracts of land owned by Skye have recently been leased to Guatemalan elites for large-scale cattle ranching. "It is not only the suffering of an individual," the gentleman concluded, "it is also the suffering of a community."

Land disputes in El Estor are informed by fundamentally opposed worldviews.

During my meeting with CGN officials I was repeatedly told that land exploited by the Fenix Project will be returned to its inatural condition.

Defended by volumes of statistical projections, this impassive understanding is fully at odds with Maya cosmovision, which understands land not only as a source of sustenance but also as a source of spirituality. Referring to Skye's proposed earth-recovery strategy, a Q'eqchi Maya woman told me: "For us, it is just not acceptable that the company scrapes away the earth, removes the nickel, and then puts the earth back again as if nothing had happened."

Skye has vowed to respect Maya cosmovision. However, it remains unclear how large-scale mining can be reconciled with traditional environmental knowledge. Moreover, there remain serious concerns in El Estor about the extent to which mining may damage crops and pollute vital water sources.

Given the precedent set by INCO thirty years ago, few would dare suggest that the Q'eqchi Maya do not have legitimate cause for concern. Questions over how INCO directed its Guatemalan subsidiary EXMIBAL to dispose of toxic tailings from the mine, for example, remain unanswered.

Skye/CGN positions itself as a socially responsible mining company. Officials state that the company's social works project, code-named Raxche ("green tree of hope" in Q'eqchi), is mandated to improve health and education for residents of the municipality. Many locals, however, are skeptical, suggesting that Raxche is more of a marketing vehicle for the mining company than it is a catalyst for sustainable community development.

In questioning Chichipate elders about the types of social services provided to their community under the rubric of Raxche, I was told that the only thing Skye/CGN has done is to supply paint for the local basketball court — on the proviso that the backboards display the CGN logo. At least one member of the municipality expressed the view that Raxche is nothing more than a means to divide the indigenous population, with those supporting the Fenix Project being the only ones to benefit from Skye/CGN's social services.

The sincerity of Skye's community relations policy in El Estor is open to debate. Certainly, the CGN officials with whom I spoke insisted that all efforts are being made to engage Q'eqchi Maya in positive dialogue. Skye has made similar claims, vowing on its website to provide "open and transparent communication on all issues and concerns related to the Fenix Project." Yet, by all accounts, Skye/CGN appears to be engaged in a highly confrontational and culturally insensitive community relations policy.

The Maya elders with whom I spoke questioned why it should be the case that 'community' information sessions are held on Skye/CGN property. This issue is highly problematic: not only because it is extremely difficult for members of remote communities to secure transportation to the mine site, but also because it lends itself to the notion of a turf war in which home-court advantage goes to Skye/CGN by default.

Equally disconcerting are the company's marketing materials, which feature full-colour posters of smiling Maya children in traditional dress and a tagline that reads: 'Our highest priority, our future.' Skye/CGN's appropriation of indigenous cultural identity to promote a project to which many Maya are opposed is both tactless and indefensible.

In its 2006 Progress Report on Community Engagement, Skye stresses that it has 'repeatedly reviewed and revised its approach to building relationships with key communities.' The irony is that 'key' communities may be those beyond El Estor. Rumours abound that Skye/CGN is progressively isolating local resistance by courting labourers from outside of the municipality.

Locals have told me that the company is actively recruiting workers from as far away as Coban - workers who have no territorial or familial links to the municipality and who, therefore, are less likely to oppose the Fenix Project.

Underwriting all of these issues for the Q'eqchi Maya in El Estor is a concern, shared by many in the global south, that 'irresponsible' mining, even if it were to adhere to a set of best practices, operates within an economic structure that disproportionately benefits northern companies and their home economies to the continued detriment of those communities whose resources we exploit.

At a minimum, we should call on the Canadian government to stop using our pension plan to invest in companies that fail to secure the approval of those members of host communities who have the most to lose by our presence.

Moreover, we should demand accountability from other investment bodies (including private pension plans, mutual funds, and banks), many of which contribute to abusive mining practices but are not required to publicly disclose their investments.

[Victoria Henderson is an MA Candidate in the Department of Geography at Queen's. In August 2006, she joined colleagues from the University of Northern British Columbia on a delegation to El Estor. The delegation was led by Rights Action, a community development, environmental and human rights organization with offices in Canada, the United States, and Guatemala.]

WHAT YOU CAN DO:

- Write a letter to your local Member of Parliament protesting the investment of Canada Pension Plan funds in resource extraction.
- Contact Skye Resources and demand that the company revamp its community relations policy, refrain from inventing or exaggerating its role in providing local communities with property and social services, and reconsider what it will take to come clean on its promise to respect Maya cosmovision.
- Consider joining a delegation to observe first-hand how north-south issues play out in places like El Estor -- [info@rightsaction.org](mailto:info@rightsaction.org) / [www.rightsaction.org](http://www.rightsaction.org)

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With copies to your own politicians and to: Better Business Bureau, Vancouver, [inquiries@bbbvan.org](mailto:inquiries@bbbvan.org); Business and Human Rights Resource Centre, [contact@business-humanrights.org](mailto:contact@business-humanrights.org); INCO nickel company, General Inquiries, [inco@inco.com](mailto:inco@inco.com); INCO, Investor Relations, [investor@inco.com](mailto:investor@inco.com); INCO, Media Relations, [media@inco.com](mailto:media@inco.com).

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