

THE "GOLDCORP 5" ON TRIAL

The Defense Front of San Miguel Ixtahuacan (FREDEMI)

CALLS ON INTERNATIONAL PRESENCE AND SOLIDARITY TO OBSERVE & DENOUNCE

The Criminalization of 5 Maya Mam Villagers, Whose "Crime" is Resisting and Defending Their Indigenous, Human & Land Rights

Violated by the Guatemalan State & by Goldcorp Inc (operating an open-pit, cyanide-leach mine in their territories)

Come to a Criminal Arraignment Hearing

WHEN: Monday September 7th 2009, 8h30

WHERE: Tribunals of San Marcos (Central Park), San Marcos, Guatemala

FOR MORE INFORMATION

- en espanol, 5551-6272, frente.defensa.miguelense@gmail.com
- francois.guindon@gmail.com, Francois Guindon of Rights Action, 011 [502] 4014-7804

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BACKGROUND

September 3, 2009

GUATEMALA - GOLDCORP Inc. & the on-going "criminalization of indigenous struggle for land and human rights"

BELOW: An article by Francois Guindon (Rights Action, in Guatemala) about criminal charges laid against Mayan Mam villagers due to their activism in defense of their land and human rights

SPEAKING TOURS IN CENTRAL & EASTERN CANADA, AND NORTH-EAST USA

In October, activists with Rights Action will be on speaking tours in Ontario, Quebec and eastern Canada (and parts of north-east USA), showing slides and short documentaries and speaking

- about the on-going pro-democracy, anti-coup movement in Honduras, and
- about indigenous and community resistance to Goldcorp Inc.'s open-pit, cyanide leach mines in Guatemala and Honduras.

Karen Spring will be travelling in Ontario; Francois Guindon will be travelling in Quebec and eastern Canada; Grahame Russell will be in the north-east USA. For more information: info@rightsaction.org.

Please re-distribute this information all around

To get on/ off Rights Action's email list:

<http://www.rightsaction.org/lists/?p=subscribe&id=3/>

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MAYAN MAM CAMPESINOS FILE COMPLAINT AGAINST GOLDCORP, TO DEFEND WATER

By François Guindon (Rights Action)

In May 2009, Goldcorp Inc. (via its wholly owned subsidiary in Guatemala "Montana Exploradora") claims that they "legally" bought land in the community of Saqmuj, part of the villages of Ágel and San José Nueva Esperanza, in the municipality of San Miguel Ixtahuacán (department of San Marcos, Guatemala). This is where Goldcorp operates its "Marlin" mine.

The community of Saqmuj is challenging this alleged purchase. As in the past, according to testimonies, Goldcorp and the Guatemalan State did not properly inform Saqmuj community members of their intentions to mine for gold and did not get community consent, to acquire land.

LACK OF PRIOR INFORMATION

Goldcorp claims they have been informing local communities as they have expanded the "Marlin" mine over the last 6 years. None of the community members we talked to were aware of this most recent expansion and initiation of exploration in Saqmuj.

In Saqmuj, Florencio found out that his neighbors sold their land to the company when one day his land was fenced in. He talked to the neighbors, asked what happened and why they never told the rest of the community that they had an agreement with Goldcorp.

Florencio told me that this is not the way that decisions are taken in the community.

When decisions affect the entire community, decisions are discussed and then taken collectively.

Many people argue that the so-called land sales should be voided because they were made without community consultation or consent, thus in violation of indigenous collective ownership over their territories.

The land in question was owned by 6 individuals and 11 houses are still there. According to Florencio, families that sold their land would have to evacuate their houses by December. The land allegedly bought by Goldcorp is approximately of 100 "cuerdas" (1 "cuerda" is about 20 meters x 20 meters).

When approached by Goldcorp (Montana) five or six years ago, Florencio refused to sell his land of 124 "cuerdas" to the company. He was offered 4000 Qtz per cuerda, which represents almost half a million of Quetzales (US\$60,000). He says: "these people are coming here to buy our land but just to get gold; they don't want to live here. On the other hand, I live here and don't want to sell them my land to these people... they don't tell us anything anyway, they don't share information with us."

WATER, SOURCE OF STRUGGLE

In June 2009, Goldcorp (Montana) started exploration in Saqmuj. They were draining water near a well located on Florencio's lot. This spring is the only source of potable water for approximately 60 people from Saqmuj.

Florencio told me that community members became worried when they saw the drilling machinery working, using a large amount of water (in the drilling process) they were pumping in from somewhere else that was later drained out in a tube, near Florencio's well. The color of the water coming out the tube was a milky white. Community members asked many times if this white water contaminated. The only answer was "no".

Community leaders from Saqmuj called for support and accompaniment from ADISMI (a local NGO – Association for Integral Development, San Miguel Ixtahuacán) and people from nearby villages.

ADISMI and neighbors responded, coming to support and to investigate the water issue: was the used water polluted or not? Were the community members aware of the expansion of Goldcorp's mine?

On June 11th, the local priest (Father Erik Gruloos) visited Saqmuj, knowing that tensions were growing again between community members and the company.

Goldcorp claims Father Erik led a group of villagers who carried rocks and sticks, and some with pistols. According to testimonies, the campesinos and neighbors were worried and angry, but nobody was armed with pistols.

Tensions grew between the community members of Saqmuj and Goldcorp, as they got no answers to their questions. The machinery workers apparently had no clue and were "just doing our job".

A manager from Goldcorp (Montana) visited Saqmuj and was asked questions: "Will our water well be affected (quality and quantity)? How come we were not properly informed? Will we have to leave our land if there is gold there? The community doesn't want mining on these lands - will you leave us alone?"

The mine manager tried to convince the communities that there was no water contamination; that they legally bought the land; that they were only doing exploration work and that they would leave afterwards if no minerals were to be found.

At the end, he admitted that they were using chemicals mixed with the water that came out of the tube. Apparently, a worker told Saqmuj community members it was better not to drink this water, which was dumped near their well.

The community members grew more and more suspicious as various meetings were held in Saqmuj, in local churches, in the municipal offices of San Miguel Ixtahuacán, etc. As time went by, it became clear for the community that Goldcorp (Montana), along with its exploration machinery, had to leave.

No more exploration in Saqmuj was their idea.

In order to document every meeting, as a matter of public and community transparency, and to protect themselves against false accusations, Marcos of ADISMI filmed the whole process of mediation, as the tension mounted. In many cases, managers didn't want the meetings to be filmed.

In a meeting held in a church in Ágel, we can clearly see an angry manager trying to take Marcos' camera away from him, the manager being held back by his own bodyguard.

On Thursday June 11th, the community successfully got Montana's General Manager, Marco Meneses, to sign an agreement to take the drilling rig out of Saqmuj on the following day, at 9:00 am. Or at least this is what they expected.

The note signed by Marco Meneses reads: "11/06/09 – Yo, Marco Meneses, me presentaré en este lugar a las 09:00 hrs a dar respuesta a las inquietudes planteadas en los Corales en fecha 12/06/09 de sí o no se retiran ustedes continuarán con su propósito." (I, Marco Meneses, will come here at 9am, June 12, to respond to worries presented by community members and whether or not to withdraw, or will continue with our work.)

The vaguely worded note was also signed by Alan Ovalle, Bernadino Romirez, Joel Diaz Arana, Guadalupe Reeines and Andres Hernandez.

Clearly, the neighbors of Saqmuj were fooled by this note, thinking that Montana would take the machinery out the next day. They had high expectations. On Friday, June 12th, nobody from Montana showed up to remove the machinery. Apparently, they had no intention of removing the machinery as "promised". Around noon, unknown individuals set the drilling machinery and a pickup on fire.

Contrary to what Goldcorp (Montana) publicly claims, nobody present that day (June 11) had guns or pistols. This is yet another frivolous accusation by the company. The only people with weapons were the 45 soldiers and 20 police officers that came the previous days.

I was told by three different individuals that both the members of the Guatemalan Army and the National Civil Police (PNC) said to community members that they had the right to defend their water source.

CRIMINALIZATION OF STRUGGLE OF INDIGENOUS & HUMAN RIGHTS

On numerous occasions, mine-affected community members have filed in court complaints related to mining-caused harms – to no avail. Meanwhile, in a country where 98% of all crimes go un-punished, Goldcorp knows it can count on Guatemala authorities to use the legal system as a mechanism of repression against people and communities that oppose its mining interests.

Instead of addressing the underlying problems (health and environmental harms and human rights violations), people and communities are forced to fight trumped up and frivolous charges, while the company keeps on mining.

"GOLDCORP 5 – 2009"

Once again, Goldcorp (Montana) has again successfully urged the Guatemala

government to file charges against poor Mayan Mam villagers, this time from Saqmu, for what happened on June 11 and June 12. There are criminal charges against Saqmu community members. Their names: Vicente Yoc, Jesus Perez, Jacinto Hernandez, Florencio Yoc, Angel Jacobo Lopez, Maximiliano Hernandez and Gregoria Crisanta Perez.

Gregoria Crisanta Perez – is one of the “Goldcorp 8 – 2008” – she has two sets of criminal charges against her.

“GOLDCORP 8 – 2008”

In mid-2008, we – and other groups – reported on how Goldcorp urged the Guatemala government to file criminal charges against poor 8 Maya Mam women (including Gregoria Crisanta Perez), who were resisting Goldcorp’s forced entry onto and harming of their properties, water sources and homes. See the YouTube documentary “8 Mayan Women”: http://www.rightsaction.org/articles/Eight_Women_112608.html

“GOLDCORP 7 – 2007”

In early-2007, we – and other groups – reported on how Goldcorp urged the Guatemala government to file criminal charges against poor 7 Maya Mam men, who had gone to Goldcorp’s company offices at the mine site in San Miguel Ixtahuacan to negotiate a solution to the growing list of mining-caused harms, including: cracked houses, under-priced and forced land sales, dust contamination, drying of water sources, etc. While charges against 5 of the Goldcorp 7 – 2007 have been dropped, they are still open against 2 of them.

NO LEGAL REMEDY

Like so many struggles of this nature around the world, there is no legal remedy, in the short term, for the people and communities being harmed by Goldcorp's mining operation. Goldcorp operates with impunity and no fear of legal challenge in Guatemala or Canada.

MONEY & POLITICAL PRESSURE TALK: CALL ON YOUR INVESTORS & POLITICIANS

It is up to North American investors – large and small – and Canadian and Guatemala politicians to bring pressure on Goldcorp to suspend its mining operation in Guatemala and help create the political space necessary to create a dialogue and begin to resolve the long list of harms and violations.

We urge people to contact their own politician (in Canada and the USA) to denounce this abusive corporate activity, and to contact their own investor and/or pension fund and ask if they are invested in Goldcorp. If so, inform your pension fund and/or investor of the growing list of harms and violations that Goldcorp is causing and contributing to, and ask your investor/ pension fund manager to contact Goldcorp directly with your concerns and/ or divest from the company.

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BACKGROUND INFO

Go to www.rightsaction.org / info@rightsaction for extensive background info about Goldcorp caused and related harms and violations at its gold mines in Guatemala and Honduras.

NAMES AND ADDRESSES BELOW

Send your messages to people, below ... BUT ... be sure to write first to your own politicians and investors and/or pension fund managers.

GOLDCORP Inc.

Chuck Jeannes, President & CEO
Goldcorp Inc.

666 Burrard Street, Suite 3400

Vancouver, B.C. V6C 2X8

Main: (604) 696-3000

Direct: 604-696-3076

Chuck.Jeannes@goldcorp.com

Kim Keras, executive assistant, Kim.Keras@goldcorp.com

Tim Miller, Goldcorp - Central America, Tim.Miller@montana.com.gt

Dina Aloï, Goldcorp - VP of Corporate Social Responsibility, Dina.Aloi@goldcorp.com

David Deisley, Goldcorp - legal counsel, david.deisley@goldcorp.com

Jeff Wilhoit, Goldcorp - investor relations, Jeff.Wilhoit@goldcorp.com

BOARD OF DIRECTORS, Goldcorp - Directors@Goldcorp.com

GUATEMALA CITY

Jim Schenck, jamess@montana.com.gt

Lisa Wade, lisa.wade@montana.com.gt

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CANADIAN OFFICIALS

Michaëlle Jean, Governor General of Canada
Rideau Hall, 1 Sussex Drive, Ottawa, ON, K1A-0A1

info@gg.ca, t: (613) 993-8200, t: 800 465-6890

CANADIAN Minister of International Cooperation

Bev Oda

509-S Centre Block, House of Commons

Ottawa, ON, K1A 0A6

Oda.B@parl.gc.ca

CANADIAN Minister of Foreign Affairs

Lawrence Cannon

509-S Centre Block, House of Commons

Ottawa, ON, K1A 0A6

CANADIAN Embassy in Guatemala

Ambassador Leeann McKechnie

leeann.mckechnie@international.gc.ca

Karin Reinecke, Assistant to the Ambassador

karin.reinecke@international.gc.ca

13 Calle 8-44 Zone 10, Edificio Edyma Plaza

Ciudad de Guatemala

T: (502) 2363-4348

E: gtmla@international.gc.ca

Bob Rae, RaeB@parl.gc.ca

Larry Bagnell, bagnell.l@parl.gc.ca

stockwell day, days@parl.gc.ca

Peter Julian, julian.p@parl.gc.ca
Peter mckay, Mckayj@parl.gc.ca

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CANADA PENSION PLAN Investment Board

csr@cppib.ca, 416-868-4075, Toll Free: 1-866-557-9510

Babak Abbaszadeh
Director, Stakeholder Relations
CPP Investment Board
1 Queen Street East, Suite 2600
Toronto, ON M5C 2W5
Toll free: 1 (866) 557-9510
(416) 868-6612
babak@cppib.ca

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FOR MORE INFORMATION about and/or how to get involved in efforts in the USA and Canada, to hold Goldcorp Inc, investors in Goldcorp (like the Canada Pension Plan, and numerous pension funds across North America) and other global companies and investors accountable for the harms and violations caused by their companies:
info@rightsaction.org, www.rightsaction.org

TO DONATE FUNDS to indigenous and campesino groups resisting the harms and violations of mining &, hydro-electric dams, make tax deductible donations to "rights action" and mail to:

- UNITED STATES: Box 50887, Washington DC, 20091-0887
- CANADA: 552-351 Queen St. E, Toronto ON, M5A-1T8
- CREDIT-CARD DONATIONS: <http://rightsaction.org/contributions.htm>

Upon request, Rights Action can provide a proposal of which community organizations resisting the harms and violations caused by mining in Guatemala and Honduras we are working with and channeling your funds to.

JOIN our listserv: <http://www.rightsaction.org/lists/?p=subscribe&id=3>

JOIN our quarterly newsletter list: info@rightsaction.org

CREATE YOUR OWN email list and re-distribute this and other information

DAILY NEWS: Watch, listen to and read: www.democracynow.org/

www.upsidedownworld.org/ / www.dominionpaper.ca

READ: Eduardo Galeano's "Open Veins of Latin America"; Howard Zinn's "A People's History of the United States"; Naomi Klein's "The Shock Doctrine"; Paolo Freire's "Pedagogy of the Oppressed"

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