

THE SECOND KILLING OF PABLO BAC: DEAFENED BY CANADIAN SILENCE & IMPUNITY IN NICKEL MINING RELATED STRUGGLE IN GUATEMALA

By Grahame Russell, April 2010 (info@rightsaction.org)

FROM THE FATHER ...

In 1981, Pablo Bac, a Mayan Qeqchi man from the community of Chichipate (municipality of El Estor, department of Izabal, Guatemala) was disappeared and killed.

Pablo was defending the rights and well-being of the Mayan Qeqchi people, helping to resist forced evictions by the EXMIBAL nickel mining company, subsidiary of INCO (the Canadian nickel mining giant).

The 1999 United Nations "Truth Commission" concluded this political assassination was committed by Guatemalan soldiers in collusion with EXMIBAL/ INCO. (The UN Truth Commission reported on at least 6 cases of human rights violations, including killings, attributable to EXMIBAL/ INCO in collusion with Guatemala army and/or police.)

... TO THE SON

Twenty-nine years later, on September 28, 2009, his son, Pablo Bac, was shot in the head in an early morning attack on a van that left 5 Mayan Qeqchi men with gunshot wounds.

Pablo lost an eye due to a bullet to his head, and suffered on-going health complications ... until he died on March 27, 2010, mostly likely due to the wound he sustained on September 28, 2009.

(Burial of Pablo Bac (son), March 29, 2010. Photo: El Estor community leader)

There are indications the September 28 attack was related to community resistance to being forcibly evicted from their ancestral lands by the CGN (Guatemalan Nickel Company), a wholly owned subsidiary of the Canadian Hudbay Minerals company.

CGN/ Hudbay are the successors of EXMIBAL/ INCO, trying to mine the same deposit of nickel, trying to evict the same Mayan Qeqchi communities.

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This is a repetitive and sad story of the relentless and basically unchecked drive for investor and corporate profits; of the impunity with which global mining companies often operate; of harms suffered by campesino and indigenous communities that are "in the way."

(As of March 29, 2009, the Canada Pension Plan owns 882,000 shares of Hudbay, worth \$5,000,000.)

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SILENCE & IMPUNITY

Since the 1960s, there has been a constant struggle on the north shore of the great Lake Izabal, in eastern Guatemala: mainly Canadian nickel mining companies versus local Mayan Qeqchi communities.

From INCO, to Skye Resources, to Hudbay Minerals, Canadian companies have “won” these battles; the local Mayan communities have lost these battles. Pablo Bac (son) is probably one more of their victims.

All along, there has been a deafening silence in Canada – from politicians, mining companies and investors through to the media. Though there has been more critical coverage of late, Canadians learn little of these things in the media, or from their politicians.

The silence is buttressed by impunity and legal immunity from prosecution. Canadian companies fear no legal accountability or justice – neither criminal nor civil - for crimes, rights violations and/or environmental degradations committed in places like Guatemala, linked to their mining operations and corporate decision making process.

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HudBay purchased their nickel mining interests from Skye Resources in 2008. Skye Resources was incorporated in 2004 and then bought INCO’s ill-gotten mining concession.

INCO’s mining interests in Guatemala began in the early 1960s, after the oligarchic-military regime (that, along with the US government, overthrew the democratic government of President Arbenz in 1954) sold them, probably illegally, a huge

swathe of land where Mayan Qeqchi communities had been living for hundreds of years.

In the 1970s and early 1980s, there was a wave of repression against the local Mayan Qeqchi communities – killings, beatings, forced evictions and the like - carried out by INCO's subsidiary EXMIBAL in conjunction with the Guatemala military.

In 1981, Guatemalan police, travelling in a vehicle owned by EXMIBAL/ INCO, kidnapped community leader Pablo Bac (father) in El Estor. Pablo's father, Santiago, was eye-witness to the kidnapping.

(2007. Santiago, father of Pablo Bac (father) stands by his grave, in the community of Chichipate. Photo: Rights Action)

Found murdered a day later, Pablo Bac (father) was a community leader and critical of the repression and forced evictions taking place to make way for mining. The UN-backed "truth commission" classified his murder in 1999 as an arbitrary execution.

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In 1981, INCO mothballed their mining operation for over 20 years. In the early 2000s, INCO helped incorporate Skye Resources and then sold Skye its interests in 2004.

From that moment on, all the same problems, crimes and violations – forced evictions, threats, beatings, shootings, killings - have again occurred. (Watch a 10 minute film about 2007 violent evictions:

<http://rightsaction.org/video/elestor/index.htm>. At www.rightsaction.org, find articles and reports.)

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On September 27, 2009, Adolfo Ich – a community leader and teacher – was captured, shot, beaten and killed by security guards in the hire of the CGN/ Hudbay. Despite numerous eyewitnesses, no justice has been done for that killing.

(Angelica, wife of Adolfo Ich, stands by sign: "Adolfo Ich Chaman Assassinated by CGN - "Responsible Mining"". Photo: Francois Guindon, 2009)

On September 28, 2009, the day after Adolfo Ich was detained, shot, beaten and killed, masked men opened fire on a van travelling to an education workshop about Disaster Prevention and Response. Men in the van got out and fled. 5 received bullets wounds, including Pablo Bac. The shooters fled on foot.

Given the state of impunity in Guatemala for mining companies, it is unlikely that these shootings – and now the death of Pablo Bac – will be clarified.

In Canada, no justice will be done for these shootings, killing and death that are linked directly or indirectly to a Canadian company and investors.

Even as some Canadian laws enable and encourage the expansion of the Canadian mining industry around the world, Canadian law also ensures that no criminal and/ or civil law suits can proceed in Canada, if and when Canadian companies are directly or indirectly the cause of repression, killings, human rights violations, environmental destruction, etc.

While there is no direct proof that the shooting of Pablo Bac (son) and the other 4 men was done by or under the orders of the mining company or people in the hire of the company – as in the cases of Pablo Bac (father) in 1981 and Adolfo Ich -, most people in the nickel mining region make direct links between the early morning attack and the company ... because that is how things long have happened in El Estor.

Rights Action and other Central and North American organizations are providing emergency funds and other forms of direct support to the affected communities and families harmed and suffering because of mining.

But, until the deafening silence and political and legal impunity in Canada are broken, these types of killings, sufferings and harms will continue.

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WHAT TO DO - HOW TO SUPPORT MINING AFFECTED COMMUNITIES IN GUATEMALA?

TAX DEDUCTIBLE DONATIONS

Since 2004, Rights Action has been funding and working with community based groups in Guatemala that are educating and organizing to promote community-controlled development and to defend local environments and human rights from the illegal incursions and harms caused by global mining companies. To support these organizations and efforts, make check payable to "Rights Action" and mail to:
UNITED STATES: Box 50887, Washington DC, 20091-0887
CANADA: 552 - 351 Queen St. E, Toronto ON, M5A-1T8
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EDUCATIONAL ACTIVITIES & MATERIALS

SPEAKING TOURS, ONTARIO (CANADA) & EASTERN USA:
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DELEGATION TO HONDURAS, JUNE 26-JULY 4: First anniversary of June 28, 2009 oligarchic-military coup against the elected government (For information: info@rightsaction.org)

NEW BOOK: "CODE Z59.5: There Is Only One People Here", by Grahame Russell. Code Z59.5 is a series of diary excerpts (comments, facts, quotes, etc.) from the 1990s and 2000s,

related to the author's work in Central America, Mexico and North America, in defense of human rights. COST: US\$10/ Cdn\$11, plus shipping. TO ORDER or for more information: Grahame Russell, info@rightsaction.org, 860-352-2448

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RECOMMENDED BOOKS: 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"; Dr Seuss's "Horton Hears A Who"

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