

GOLDCORP Inc. ILLEGALLY DISCHARGES CONTAMINATED WASTE & WATER FROM TAILINGS POND IN GUATEMALA

GUATEMALA GOVERNMENT FILES CRIMINAL CHARGES AGAINST GOLDCORP

BELOW: Articles from Prensa Libre newspaper and Magali Rey Rosa about illegal discharges of contaminated waste products and water into local rivers, by Goldcorp Inc.

NEEDED: Funds for local indigenous Mayan & campesino organizations protecting the environmental and community development, resisting harms and violations caused by this open-pit, cyanide-leaching mine. TO MAKE TAX CHARITABLE DONATIONS IN THE USA & CANADA: see below.

- Please re-distribute this information
- To get on/ off Rights Action's listserv:
<http://visitor.constantcontact.com/d.jsp?m=1103480765269>

* * * * *

THE MINISTER TAKES LEGAL ACTION AGAINST MONTANA

by Alberto Ramirez, Prensa Libre

http://www.prensalibre.com/noticias/justicia/Ministro-presenta-accion-legal-Montana_0_347365300.html

(Translated by Rosalind Gill, for Rights Action)

Luis Ferraté, Minister of the Environment, has presented a criminal accusation to the Public Ministry against Montana Exploradora [Goldcorp Inc], insisting on an investigation into the discharge of residual waters from the tailings pond at the Marlin mine in San Marcos, because it may contaminate the Quivichil river.

The accusation, received by the Ministry on September 28, states that on September 23, the Marlin mine, owned by Montana, a subsidiary of the Canadian company Goldcorp, discharged water from its tailings pond and that this water may cause heavy metal pollution.

Attached to the accusation is a note from the Ministry Environmental Management Unit attesting to the fact that the discharge took place without authorization from the Ministry and that there is no way of knowing if the discharge carried out by the company followed proper procedure.

The Ministry of the Environment has asked the Chancellery to notify the Government of Mexico of the discharge, as the Quivichil river drains into that country.

CONTENT OF THE LIQUID

Rafael Maldonado, Coordinator of the Centre for Legal Environmental and Social Action said that today he will ask the Ministry to broaden the investigation to cover crimes of falsehood and misrepresentation because Montana has stated in paid advertisements that it had received authorization from the Ministry.

He added that after the Constitutional Court's declaration of unconstitutionality in 2008, it was established that Montana could only discharge its tailings pond if it were free of contamination. This would involve previous analysis and authorization by the Ministry of the Environment.

Álvaro Ramazzini, Bishop of the Diocese of San Marcos, is of the opinion that the problem is the fact that nothing is known about the content of the water in the tailings pond and he added that communities have not been provided with any information.

GOLDCORP: THEY WERE NOT NOTIFIED

Mario Marroquín Rivera, Executive Director for Goldcorp in Guatemala, owner of Montana Exploradora, indicated that they had not been officially notified of the accusation by the Ministry of the Environment.

In a paid advertisement, Montana stated that the discharge of water in the Marlin mine was carried out in a transparent manner and that it was monitored and supervised by public regulatory agencies. Montana said that the discharge was mostly made up of rainwater that had accumulated during the winter and had been re-circulated by the industrial water treatment plant.

* * *

MONTANA LIED!

By Magalí Rey Rosa, Prensa Libre, October 1, 2010

(Translated by Rosalind Gill, for Rights Action)

Montana Explotadora in Guatemala, subsidiary of the powerful Canadian company Goldcorp Inc, has just taught us a major lesson in how to lie and deceive and get away with it. Witness Montana's paid advertisement that appeared yesterday: "The discharge of water at the Marlin mine was carried out in the presence of public regulatory agencies".

What really happened is that Montana discharged contaminated water into a stream in the basin of the Cuilco river.

The advertisement assures us that: "Montana met the criteria established by the EIA (environmental impact assessment), including the regulation regarding discharge and re-use of residual waters and waste disposal." The ad also says that "the discharge was carried out in a transparent manner and was monitored and supervised by public regulatory agencies."

This is a lie.

Montana did not previously advise the Ministry of the Environment of the discharge and had no permit for releasing potentially contaminated waters into the river. The Ministry of the Environment (MARN) —the regulatory agency for environmental pollution— could not have properly supervised this discharge. By chance, someone from the Ministry monitoring team was in the area of the mine and he took samples several hours after the discharge had been carried out. "The discharge is mainly made up of excess rain water that accumulates during wintertime in the tailings pond and was re-circulated by the most modern industrial water treatment plant in the region", according to the ad.

The statement omits to say that the tailings pond is in fact a toxic, dangerous, polluting soup. This tailings pond is a storage place for water but, as well, waste rock, all the chemicals used in the process, (cyanide, for example) explosives, oils, grease, combustible materials, anti-coagulants, drainage water from the mine industrial complex, laboratories and other operations and possibly fertilizers and pesticides.

Guatemalans do not know the composition of the rock because this information did not form part of the EIA - any decent EIA would have included this. So we have to speculate that the tailings pond may contain aluminum particles, antimony, arsenic, barium, cadmium, copper, chromium, cobalt, iron, lead, magnesium, mercury, molybdenum, nickel, selenium, thallium, titanium, tungsten, vanadium, zinc and radioactive ingredients such as uranium, thorium and other [metals and heavy metals] which come from the rock itself: sodium magnesium, potassium silicate, sulfites, sulfates, nitrates, ammonium, boron, phosphorus and chlorine.

When these materials mix together and react, very small amounts of them can cause a great deal of harm.

Montana did not advise the MARN and carried out this so-called transparent discharge at night! They did admit that they discharged the water after the work shift was over.

The excuse they provided was that there was too much water in the tailings pond and it was about to burst. How pathetic! The rains did not start just last week. The company should have foreseen this situation and requested permits in good time, so that regulatory agencies could properly supervise this dangerous operation.

But let's be realistic: this is the way mining companies operate.

To date, Montana has been able to have its own way:
it did not carry out a community consultation, and the mine is now operating;
it did not pay the millions of Quetzals it should to the MARN for failing to have permits to import cyanide, and it continues importing cyanide;
it still has not repaired the 140 houses it damaged; and
it has not closed the mine, as the CIDH ordered.

So it will keep on doing what ever it wants with no impediment whatsoever. And then what???

* * *

WHAT TO DO

FUNDS NEEDED

Over the past 7 years, Rights Action has regularly channeled funds to indigenous and campesino organizations in Honduras and Guatemala, and also in El Salvador and Chiapas, that are protecting local environments and promoting community development project, resisting harms and violations caused by North American mining companies. Getting funds to community based groups is a hugely important act of activism and solidarity – they are at the forefront of resisting the harms and violations and promoting global human rights, community controlled development and protection of the environment.

TO MAKE TAX-DEDUCTIBLE DONATIONS, 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

CREDIT-CARD DONATIONS: www.rightsaction.org/contributions.htm

DONATION OF STOCK: info@rightsaction.org

* * *

WRITE TO YOUR MEDIA, POLITICIANS & GOVERNMENT OFFICIALS

Please write your own letters, based on this and other information, to your own politicians and media, denouncing the on-going harms and violations caused by Goldcorp's mine. Demand:

- 1- that the Canadian government, politicians and investors publicly support the suspension of Goldcorp's mine in Guatemala, as ordered by the Inter-American Commission of Human Rights
- 2- a public, comprehensive Canadian/ international inquiry into the harms and violations caused by Goldcorp's mining in Guatemala and Honduras
- 3- compensation and reparations for Mayan and campesino communities and families harmed by gold mining
- 4- the passing of comprehensive criminal and civil law reform in Canada, so as to be able to hold Canadian companies and investors fully accountable in Canada for environmental and health harms and other human rights violations in their operations in other countries

* * *

SPEAKERS: Contact us to plan educational presentations in your community, school, place of worship, home (info@rightsaction.org)

EDUCATIONAL DELEGATIONS TO CENTRAL AMERICA: Form your own group and/ or join one of our educational delegation-seminars to learn first hand about community development, human rights and environmental struggles (info@rightsaction.org)

MORE INFORMATION & QUESTIONS: Grahame Russell, info@rightsaction.org & Annie Bird, annie@rightsaction.org. www.rightsaction.org