

## **HUBBAY MINERALS IMPUNITY WATCH**

Rights Action, February 8, 2011

### **A MAYAN-QEQCHI COMMUNITY IS RE-FILLING THE EMPTY SPACES WITH COURAGE & DIGNITY, ... & FEAR OF MORE REPRESSION ON BEHALF OF A CANADIAN NICKEL COMPANY**

Back from a fact-finding trip in Guatemala to Mayan-Qeqchi communities harmed by Canadian nickel mining companies (namely HudBay Minerals) and Mayan-Mam communities harmed by the Canadian gold mine company Goldcorp Inc., Grahame Russell (Rights Action) files this 2nd report.

1<sup>st</sup> report - "Even The Cows Are Being Killed By Goldcorp's Mine in Guatemala":

[http://rightsaction.org/articles/Mine\\_kills\\_cows\\_020511.html](http://rightsaction.org/articles/Mine_kills_cows_020511.html)

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### **A MAYAN-QEQCHI COMMUNITY IS RE-FILLING THE EMPTY SPACES WITH COURAGE & DIGNITY, ... & FEAR OF MORE REPRESSION ON BEHALF OF A CANADIAN NICKEL COMPANY**

By Grahame Russell, January 2011, [info@rightsaction.org](mailto:info@rightsaction.org)

In the remote Mayan Qeqchi [kek-chi] community of Lote 8, high in the mountains on the north side of Lake Izabal, eastern Guatemala, we stand in thick brush, in the empty space where the home of Amelia Cac Tiul used to be.



(Photo: U.Guelph & U.Saskatchewan seminar-delegation, January 26, 2011. Amelia Cac Tiul & Margarita Caal Caal, of Lote 8)

We have hiked in here to listen as Amelia explained how her home was burned to the ground on January 9, 2007, along with every single home in the Lote 8 community – 100 homes in all. And she speaks of how she was gang raped on January 17, along with 10 other Lote 8 women, by security guards hired by HudBay Minerals (Canadian nickel company), and by Guatemalan police and soldiers.



(Photo: U.Guelph & U.Saskatchewan, January 26, 2011. Charred remains of one of numerous Lote 8 homes)

#### JANUARY 9, 2007

This illegal forced eviction and destruction of 100 homes was carried out by some 800 soldiers, police and private security guards at the behest of the CGN (Guatemalan Nickel Company), subsidiary of the Canadian nickel mining company HudBay Minerals (then Skye Resources). The private security guards work for HudBay/CGN.

Amelia explained that during the eviction of January 9, the community of 100 families fled further into the mountains and forests. Days later, after sleeping on the ground, in the rain, with no food, the community came back and began to rebuild their huts.

#### JANUARY 17, 2007

On January 17, some 800 soldiers, police and security guards again returned to Lote 8. They again burned the people's homes (temporary lean-tos hastily built over the last week) to the ground, and, this time, the HudBay/CGN security guards, police and soldiers gang-raped 11 women. In the empty space, Amelia pointed to the spot on the ground where she was gang-raped.

I was here leading an educational seminar with 30 students from the universities of Guelph and Saskatchewan (in Canada) who came to learn more about the human rights violations caused directly and indirectly by Canadian nickel mining companies – first INCO, in the 1970s and 80s, then Skye Resources and HudBay Minerals from 2004 forward.



(Photo: U.Guelph & U.Saskatchewan, January 26, 2011. Delegation visit to the Lote 8 community. On this site, the Lote 8 community used to have their school and community center.)

#### UNBROKEN CHAINS

For the impoverished and discriminated Mayan-Qeqchi communities of the El Estor region, it has been unbroken chain of forced evictions, destruction of homes and property, killings and – now – gang rapes.

For the Canadian companies, supported by the Canadian and Guatemalan governments, it has been an unbroken chain of impunity and denials.

And, for the Mayan-Qeqchi communities, it has also been an unbroken chain of dignity, courage and community struggle in defense of their communities, their watersheds and livelihoods, and their rights.

#### RE-FILLING THE EMPTY SPACES

In the empty space, we asked Amelia what she and her husband wanted to do now. The answer was simple – they want to come back and re-build their homes and reclaim their plot of land that had been in her family for over 50 years.

From the home of Amelia, we filed through the brush to four more clearings, where women and men had begun to clear away the brush, to re-occupy the empty spaces. In each clearing, we saw burnt and chain-sawed remains of the huts destroyed in 2007. In each clearing, women told us of their homes and property that had been burned or stolen, of their families and community that had been scattered, and of the rapes.





(Rosa Elbira Coc Ich)

One by one, the families told us they wanted to move back, come what may (venga lo que venga), to rebuild their homes and reclaim their lands.

#### COME WHAT MAY

Are you not afraid, we asked, that you may suffer further repression and evictions on behalf of the mining company? Yes, they answered. Why are you doing this? What options do we have? Where can we go?

Most importantly, they repeated: this is our land. Our parents settled here over 50 years ago. We were born and raised here. It is our right to be here. The company, with its security guards, police and soldiers, committed crimes against us, thinking we would just go away. But where would we go? Where will our children live?

#### DENIAL & IMPUNITY

In El Estor, there are signs that HudBay/CGN is proceeding with preparations to re-start mining for nickel, that was suspended by INCO back in 1981.

The community of Lote 8 is right to be afraid of more repression and evictions. 50 years of nickel mining history in the region show that illegal and forced evictions, property destruction and human rights violations are a constant, covered up by denials and impunity.

Given the almost complete lack of legal accountability mechanisms in Guatemala and Canada, and internationally, and the lack of political and moral will to properly address

and remedy these issues and allegations, it is easy for HudBay Minerals (like Skye Resources and INCO before them) to deny responsibility for the evictions, destruction of homes, property and communities, killings, rapes, etc.

(The 1999 United Nations Truth Commission report (investigating the worst years of Guatemala's State repression and genocide that killed and disappeared at least 250,000 mainly Mayan people in the 1970s, 80s and early 90s) documents 6 cases of human rights violations (including killings and disappearances) committed by INCO's subsidiary, EXMIBAL, in collusion with the Guatemalan military. Though the Canadian government supported the work of the UN Truth Commission, and endorsed its final report, it has given no attention to the explicit references to these violations committed by INCO and the Guatemalan army.)

No justice has been done for any of these evictions and violations, past and present, neither in Guatemala, nor in the Inter-American Human Rights system, nor in Canada.

[As a possible exception to the rule of impunity, at <http://www.chocversushudbay.com/>, you can find information about a precedent setting civil case filed in December 2010 in Canada, against HudBay Minerals, for the September 2009 killing of Adolfo Ich, a Mayan-Qeqchi teacher, father of 4 and community leader.]



(Photo: James Rodríguez, [www.mimundo.org](http://www.mimundo.org). Adolfo Ich in the middle)

#### WHAT TO DO

What is needed is to strengthen the struggle for justice and for the defense of indigenous communities, rights and justice. This struggle must increase in Guatemala and in Canada.

In the measure that this issue does not get more critical attention in Canada and pressure on the company and on the Canadian government, the odds of more evictions, property destruction and violations increase significantly.

Firstly, funds are needed for the communities who have long suffered the abuses and who are leading the work and struggle in defense of their own community development, environment and rights.

Secondly, more international presence is needed in the mining affected communities – short term visiting delegations and journalists, and longer term human rights accompaniment and activists.

#### INVESTIGATORY COMMISSION

Thirdly, more work is needed in Canada to expose what is happening and bring pressure to bear on the Canadian government to establish a high-level, impartial, investigatory commission to carry out a full inquiry into the long history of Canadian mining interests in the El Estor region and into the history of illegal and forced evictions, destruction of property and human rights violations.

On October 19, 2010, Rights Action and the UNBC (University of Northern British Columbia, Prince George) re-submitted a Human Rights Complaint to the Canadian Government Concerning Nickel Mining in Guatemala:

[http://rightsaction.org/articles/Complaint\\_HR\\_&Guate\\_Mining.html](http://rightsaction.org/articles/Complaint_HR_&Guate_Mining.html). To date, the Canadian government continues to ignore its responsibility to investigate. The demands remain the same.

(Grahame Russell is co-director of Rights Action)

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#### **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 HudBay Minerals. Demand:

- That the Canadian Government carry out a full and impartial investigation into these allegations;
- That the Canadian Government notify the appropriate Guatemalan authorities of these extremely serious charges and of the Canadian Government's investigation;
- That, with the community's consent, international accompaniers are provided to ensure that the mining affected communities are not subject to retribution for making these accusations and claims;
- That the findings of the Canadian government's investigation be made known publicly;
- That the investigation provide a complete summary of the human rights violations and property destruction and loss suffered by the Lote 8 community, as well as the other five Mayan Q'eqchi' communities that suffered similar illegal and forced evictions around the same time;
- That the investigation provide conclusions and recommendations with respect to the actions and/or omissions of the Governments of Guatemala and Canada, and the Guatemalan security forces, and with respect to Skye Resources (now HudBay Minerals) and the company's security forces; and
- That the investigation set out what reparations and compensation ought to be paid and made to the victims.

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#### **TAX-DEDUCTIBLE DONATIONS**

To make a tax-deductible donation for Mayan-Qeqchi communities in Guatemala, promoting their own community development and defending their rights and watershed regions, 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: <http://rightsaction.org/contributions.htm>; or go to: [www.rightsaction.org](http://www.rightsaction.org). (Credit card donations can be done anonymously)  
FOR DONATION OF STOCK: contact [info@rightsaction.org](mailto:info@rightsaction.org). (Stock donations can be done anonymously – have your stockbroker contact [info@rightsaction.org](mailto:info@rightsaction.org))

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## **EDUCATION FOR GLOBAL JUSTICE & EQUALITY**

### **SPEAKERS**

On an on-going basis, Annie Bird & Grahame Russell (Rights Action co-directors since 1995) are available for speaking engagements in Canada and USA, showing slides and documentaries, and speaking about:

- the pro-democracy, anti-military coup movement in Honduras, and its implications for the Americas, south, central and north
- indigenous and community resistance to environmental and health harms and other human rights violations caused by gold and nickel mining (Goldcorp Inc. in Guatemala & Honduras; HudBay Minerals in Guatemala; Pacific Rim in El Salvador), hydro-electric dams (the infamous Chixoy dam in Guatemala; the pending Xalala dam in Guatemala) and other mega-“development” businesses
- on-going struggles in Guatemala to achieve justice for the genocide, massacres and disappearances of the 1970s, 80s and 90s
- widespread community-based work and struggle for “another world is possible and necessary”

CONTACT: Grahame Russell ([info@rightsaction.org](mailto:info@rightsaction.org), 860-352-2448); Annie Bird ([annie@rightsaction.org](mailto:annie@rightsaction.org), 202-783-1123)

### **SPEAKING TOURS - IN USA (MARCH-APRIL 2011):**

**“FROM CONQUEST TO COUP - INDIGENOUS & AFRODESCENDENT PEOPLES IN HONDURAS: 519 Years in Resistance to the Conquest, 580 Days (as of January 21, 2011) in Resistance to the Military Coup”**

Rights Action announces two speaking tours of representatives from Honduran Indigenous and Afro-descendent (Garifuna) organizations – Ofraneh & Copinh.

CONTACT: Annie Bird ([annie@rightsaction.org](mailto:annie@rightsaction.org), 202-783-1123)

### **EDUCATIONAL DELEGATIONS - TO HONDURAS (MARCH 19-27 or MAY 14-22):**

**“HONDURAN PEOPLE’S PRO-DEMOCRACY MOVEMENT, in resistance to the post-military coup regime”**

CONTACT: Karen Spring ([spring.kj@gmail.com](mailto:spring.kj@gmail.com)) or Grahame Russell ([info@rightsaction.org](mailto:info@rightsaction.org), 860-352-2448)

### **EDUCATIONAL DELEGATION - TO GUATEMALA (APRIL 17-23):**

**“INDIGENOUS COMMUNITY DEVELOPMENT, ENVIRONMENTAL JUSTICE & HUMAN RIGHTS \*  
versus \* MINING COMPANIES & IMPUNITY”**

CONTACT: Grahame Russell ([info@rightsaction.org](mailto:info@rightsaction.org), 860-352-2448)

**EDUCATIONAL DELEGATION - TO HONDURAS (JUNE 28 – JULY 5):**

The Alliance for Global Justice is organizing a delegation to Honduras. We'll be hosted by the FNRP and led on the ground by Rights Action's Karen Spring.

CONTACT: [AFGJ@AFGJ.org](mailto:AFGJ@AFGJ.org), 202-544-9355 x1

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**STUFF FOR SALE**

**FILM: “All That Glitters Is Not Gold”**

"All That Glitters Isn't Gold" (60 minutes), by Steven Schnoor, documents the stories and resistance of community members residing near and harmed by Goldcorp's "San Martin" open-pit, cyanide-leaching gold mine in Honduras' Siria Valley.

CONTACT: [info@rightsaction.org](mailto:info@rightsaction.org)

**FILM: “THE BUSINESS OF GOLD in Guatemala: Tale of a Conflict Foretold”**

"The Business of Gold in Guatemala" (50 minutes), by Gregory Lassalle, documents the struggle and resistance of the Mayan-Mam people of San Miguel Ixtahuacan against the Canadian company Goldcorp Inc, and the harms and violations caused by its "Marlin" open-pit, cyanide-leaching mine.

CONTACT: [info@rightsaction.org](mailto:info@rightsaction.org)

**BOOKS: “CODE Z59.5: There Is Only One People Here” & “The Never Ending”**

"Code Z59.5" (2010) and "The Never Ending" (1993), by Grahame Russell, are self-published books of diary excerpts (comments, facts, quotes, stories, etc.) from the 1990s and 2000s, related to the author's work in Central America, Mexico and North America, in defense of human rights, in promotion of a caring and just global economic development model.

CONTACT: Grahame Russell ([info@rightsaction.org](mailto:info@rightsaction.org), 860-352-2448)

**BOOKS: “RECOVERING OUR HISTORICAL MEMORY” & “OUR CULTURE IS OUR RESISTANCE”**

"Recovering Our Historical Memory", a photography-based book by Jonathan Moller, is about Guatemalan populations displaced by the conflict. It is a visual testimony to Guatemalans working for truth, memory & justice, and for reconciliation for the victims of the violence.

"Our Culture is Our Resistance", by Jonathan Moller - It is said that the bones of the dead tell no lies. In Guatemala, every clandestine cemetery that is dug up, every bone that is recovered from Mother Earth speaks of the people who were massacred; the bones speak of crimes against humanity, of genocide committed by the Army against the indigenous population. The photographs speak of this and they also show the face of life, hope, redemption, and demands for change.

CONTACT: Katy Troyer ([katytroyer@gmail.com](mailto:katytroyer@gmail.com)) or Jonathan Moller ([jonas@igc.org](mailto:jonas@igc.org))

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