

Rights Action – June 15, 2012

## **GUATEMALA – TAHOE RESOURCES / GOLDCORP v. THE COMMUNITY AND ENVIRONMENT**

Oscar Morales, of Guatemala, will participate in Amnesty International (Canada) Annual General Meeting - <http://www.amnesty.ca/home.php>. Representing the Comité en Defensa de la Vida, Oscar will speak about the community and environmental defense struggle they are involved with, to prevent Tahoe Resources / Goldcorp Inc. from initiating yet one more controversial, harmful mining operation in their home community.

**BELOW:** A statement by the Comité en Defensa de la Vida

**TO SPEAK WITH OSCAR MORALES IN CANADA:** Contact Tara Scurr, of Amnesty International: [TScurr@amnesty.ca](mailto:TScurr@amnesty.ca).

**WHAT TO DO:** see below.

- Please re-post and re-publish this information
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PUBLIC STATEMENT  
June 13, 2012

### **THE COMMITTEE TO DEFEND LIFE [COMITÉ EN DEFENSA DE LA VIDA]**

#### **San Rafael Las Flores, Santa Rosa, Guatemala**

(Translated by [www.rightsaction.org](http://www.rightsaction.org))

In the year 2005, people started to arrive to analyze our lands. These people came in the name of the mining companies "Montana Exploradora" and "Entremares de Guatemala", both of which are extractive companies associated with the "Marlin Mine". It was later known that these people were sent by the Canadian company, GOLDCORP Inc.

By 2007, the Guatemalan State, through the Ministry of Energy and Mines (MEM) granted an exploration license. A transparent and democratic process of public consultation was never carried out with the affected communities. The license granted was first given to "Oasis". They later changed the name to "El Escobal", and presently it is called "San Rafael Mining Company."

All of these companies, tied to or controlled by Goldcorp, began their explorations without ever stating publically what they were doing and what type of activities they planned to carry out in our territory.

On June 8, 2010, Goldcorp sold part of the "El Escobal" mining Project to a new Canadian company – Tahoe Resources Inc. – a Company headed and formed by a high ranking executive of Goldcorp, Kevin McArthur; Goldcorp maintained 40% of the actions with Tahoe.

For the first time, on April 25, 2010, citizens from San Rafael Las Flores, came together to meet as civil society to discuss the issue of mining. In that manner "The Committee to Defend Life" was formed, aided by the Catholic Church and the Madre Selva Collective. The Committee to Defend Life began actions of peaceful resistance against this Canadian company, owned by North

American capital, which plans to extract gold, silver, zinc and lead from our territory. We have filed motions for legal protection against the exploration license; we have carried out peaceful marches in protest; we have participated in Church Services, massively attended by the population, in which all of the participants rejected these mining projects.

The “San Rafael Mining Company” (of Tahoe/Goldcorp) is now requesting the extension of the exploration license obtained in February 2011. To date, they still have not openly and scientifically explained what it is they plan to do and how they plan to do it. They never say the truth.

#### **“MUNICIPAL CONSULTATION OF NEIGHBORS”**

As a committee, we requested the implementation of the “municipal consultation of neighbors”, in accordance with Article 64 of Guatemala’s current Municipal Code. After presenting the request three times, in November 2011, our request was accepted, but the consultation has not been carried out to date.

#### **“CONSULTATION” MANIPULATED BY TAHOE/GOLDCORP**

However, in June 2011, the “San Rafael Mining Company” stated in the Environmental Impact Assessment (E.I.A.) it presented to the Ministry of the Environment and Natural Resources that through citizen participation, the consultation had already been carried out. This company (owned by Tahoe/Goldcorp) also said that the population expressed their desire for mining projects in our territory (Annex 16 of the E.I.A.).

Internationally, Kevin McArthur expressed that the consultation already took place, and that the results were favorable to mining activities. He also said that he is welcome in this territory and that because it is a Ladino population and not an indigenous one, there are no social conflicts provoked by land ownership and mining projects here.

To that statement we respond that no proper, legal consultation, whatsoever, has been carried out and these types of projects are not welcome in our territory.

#### **THE DIGNITY OF “DON CLORO”**

In November of 2011, the San Rafael Mining Company, displaced Mr. Clodoveo de Jesús Rodríguez (known as “Don Cloro”), 78 years old, from a water spring. Tahoe/Goldcorp cut the water ducts and tore down the collection tank he owned, all of which he had owned for more than 60 years, inherited from his father.

Before January 6, 2012, Kevin McArthur said that Don Cloro had been repaid for the damages and that there is no longer any problem there.

However, today the life of Don Cloro continues, living just ten meters away from the San Rafael Mining Company facilities. He refuses to sell his land.

#### **INTIMIDATION / CRIMINALIZATION OF THE STRUGGLE FOR HUMAN RIGHTS**

Because of our peaceful and public resistance, Tahoe/Goldcorp has started to intimidate our leaders and community authorities. Due to a complaint filed by the legal representative of the San Rafael Mining Company (Tahoe/Goldcorp), Mr. Roberto Morales, of the Office of the Public Prosecution (Ministerio Público), summoned seven leaders to their offices, and informed them that they are accused of several crimes. Six of these seven people are over 60 years old (women and men).

Presently, the Office of the Public Prosecution has begun investigation in a legal case against two community leaders. These leaders are representatives of civil society in the board of directors to carry out the Municipal Consultation of Neighbors, as requested November 4, 2011.

Due to our civil resistance and protest, Tahoe/Goldcorp has intimidated us, calling the Armed Forces and the National Civilian Police to repress and intimidate the population. After a protest, a leader was illegally detained for forty minutes. The police only decided to free him after the population went to the place the leader was being held.

As a committee, we have presented more than forty formal legal oppositions to the exploitation license that Tahoe/Goldcorp is presently requesting. We have presented these documents after December 2011. To date, we have not received a response from the Ministry of Energy and Mines.

In February 2012, three environmental engineers from the United States published their scientific analysis of San Rafael Mining Company's E.I.A. They found more than eight inconsistencies that show that the E.I.A. presented is not viable. This information has been presented to the Congress of the Republic of Guatemala, Ministry of Energy and Mines, Ministry of the Environment and Natural Resources, and they have all ignored it.

Another analysis carried out by the Madre Selva Collective has determined that there are problems with the E.I.A., thus the Exploitation License should not be given to the San Rafael Mining Company, in the "El Escobal" project.

**ON THIS DATE, JUNE 13, 2012, THE COMMITTEE TO DEFEND LIFE DECLARES:**

- That there are social problems in our community;
- That there is already evidence of ecological damage in our territory;
- That the municipal consultation that would permit our people to be informed and to express their opinions has not yet been carried out; and
- That we ratify our resistance to this mining Project.

We declare that the problem of our social conflict is due to the arrival of these extractive companies to our territory and not due to our resistance, as Tahoe/Goldcorp assert, when they say that our committee is the problem because we are against "development" and "progress". Presently, the San Rafael Mining Company has received another exploration license called "Juan Bosco". It is clear that they plan to exploit our territory even more.

We demand that the Government of Canada take responsibility for these conflicts that are generated and created due to the arrival of Canadian companies.

Additionally, we know that North American pension funds (for example the "Canadian Pension Plan") invest in extractive companies like Goldcorp and it is very probable that in Tahoe as well. Thus, our problem is being financed in part by these retirement funds, and in the end, these funds grow because of this mining industry.

THE COMMITTEE TO DEFEND LIFE [COMITÉ EN DEFENSA DE LA VIDA]  
San Rafael Las Flores, Santa Rosa, Guatemala

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### **MORE INFORMATION**

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