

Rights Action – September 19, 2012

GUATEMALA – MORE REPRESSION LINKED TO CANADIAN MINING COMPANY INTERESTS

- Canadians: please write to your members of parliament and the Canadian embassy in Guatemala {see below}
- Please make tax-charitable donations (in Canada and the US) for community organizations in Guatemala working for development, environmental and human rights defense {see below}

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AS PREDICTED, THE UNWANTED, UNLICENSED MINING INTERESTS OF TAHOE RESOURCES (AND GOLDCORP), HAVE LED TO REPRESSION AND VIOLENCE IN SAN RAFAEL LAS FLORES, GUATEMALA

In June, Rights Action published statements (included below) from the Committee in Defense of Life and the Catholic church in San Rafael Las Flores (department of Santa Rosa, Guatemala), where Tahoe Resources (www.tahoeresourcesinc.com) and Goldcorp Inc. (www.goldcorp.com) are pushing ahead with yet another gold and silver mine, though they don't have a complete mining license, though the local population have not been able to hold a public consultation process, and though the local population have peacefully and loudly protested they don't want this kind of "development" project in their community.

Through the mid-2000s, Goldcorp-affiliated companies began to develop this investment in San Rafael Las Flores, with no consultation with or permission from the local communities. Until 2008, Kevin MacArthur was President and CEO of Goldcorp Inc. (overseeing operations of the infamous "Marlin" mine in western Guatemala). Then, Tahoe Resources was founded and incorporated by MacArthur, who is CEO and President. Tahoe then took over this project from Goldcorp, that in turn retains a 40% interest in Tahoe Resources. [ps – furthermore, the CPP (Canada Pension Plan) invests \$26 million in Tahoe Resources, and \$177 million in Goldcorp.]

In August, we published information (<http://rightsaction.org/action-content/tahoe-resources-goldcorp-inc-guatemala-and-criminalization-community-human-rights-and>) about a tactic of repression being pursued by Tahoe Resources (and used by Goldcorp in Guatemala and Honduras), that of the "criminalization of community defenders" – ie, having the local authorities file trumped up criminal charges against community members who are in opposition to the unwanted and likely illegal incursion of Tahoe / Goldcorp onto community lands.

Now, Tahoe / Goldcorp has contracted a private company to install electrical wires and transmission towers, to bring energy to the mine site, even as community members organized against the mine, questioning the legality of it, demanding respect for their

right to a binding consultation, even as Tahoe / Goldcorp do not have a full and complete license.

In Guatemala, where the legal and democratic institutions are weak at best and corrupted at worst, the authorities have paid no attention to formal complaints and petitions filed by San Rafael community members, leaving them with no recourse beyond that of protesting. Now, predictably, violence and repression have broken out.

On September 18, the electrical company was accompanied by 80 Guatemalan police, a contingent of anti-riot troops and 30 more private security guards, who broke up the protest of the local citizenry.

According to the Guatemalan organization Madre Selva: it was a peaceful protest, and the local citizens never entered the mine site property; community members – including elderly and young, men and women - were attacked and evicted (from their peaceful, legal protest) by private security guards and national police forces using rubber bullets and tear gas; soldiers were present as well, standing inside the mining company fences; and, now, there are at least 30 community members detained, including 7 women. (Colectivo Madre Selva, colectivomadreselva@gmail.com)

THIS REPRESSION AND VIOLENCE ARE A "CANADIAN" PROBLEM

Given the fundamental lack of democracy and rule of law in Guatemala, that global companies and investors take advantage of and benefit from, if Canadian citizens and the Canadian government do nothing to hold our companies accountable for harms and violations they contribute to and/or benefit from in Guatemala, then assuredly repression and violence will be used – as in this case, once again - so as to allow mining operations to proceed.

Please send copies of this information, and your own letters, to your member of parliament and the Canadian embassy in Guatemala, and to your own media and the companies themselves. The Canadian government should demand the immediate release of all citizens detained during this peaceful protest.

CONTACT your Member of Parliament:

<http://www2.parl.gc.ca/Parlinfo/Compilations/HouseOfCommons/MemberByPostalCode.aspx?Menu=HOC>, and

the Canadian Embassy in Guatemala

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13 Calle 8-44 Zone 10, Edificio Edyma Plaza, Ciudad de Guatemala
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Please contact Rights Action, to learn more about these issues and to get involved in medium and long-term work, in Canada, to hold our companies fully accountable for

the harms and violations they are contributing to and benefiting in countries like Guatemala around the world.

Thank-you.

Grahame Russell
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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)

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 ex-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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**COMMUNIQUE OF THE DIOCESE OF SANTA ROSA DE LIMA
IN RESPONSE TO THE RECENT PUBLICATIONS
AGAINST CODIDENA, ENVIRONMENTAL ASSOCIATIONS AND CERTAIN
MUNICIPALITIES
OF THE DEPARTMENT OF SANTA ROSA**

Brothers and sisters of the Diocese of Santa Rosa de Lima and of our beloved Guatemala, receive a greeting of peace and goodness.

Our country is passing through a difficult time of violence, lack of jobs, food crisis, problems in areas of health and education, narcotraffic, human trafficking, etc.. The Catholic Church has always offered its presence in dealing with these issues and proposed alternatives that accompany the people in the search for justice and peace.

A fundamental part of our mission is to preach the Gospel which shows the true face of God and which does not desire that anybody lose their dignity. An evangelization that likewise places the emphasis on justice as Jesus demonstrated throughout his life and which, in the end, led him to the cross.

Likewise, there are many projects which the Catholic Church offers to the communities where needed—projects covering health, education, human rights, support for farmers, assistance to the sick, to the elderly, to those with special needs, to children and youth. With hard and untiring work we move forward resolving problems together and finding new paths which bring dignity to human life.

Recently, and stemming from the presence of the Minera San Rafael [Tahoe Resources' mining company] in our territory, we have been victims—along with some environmental associations and one municipality of Santa Rosa—of defamation, comments made with harmful intent, and false accusations which seek to divide the communities and spur confrontation between Church and society when, in reality we have attempted to walk together in promoting humanity.

We are being accused of not wanting development for the people when we are making evident the desire to seek the truth and show it with all realism. We use pacific means and are accused of causing revolts and destroying the peace. We make use of the right of all citizens to free expression, and they don't want us to express ourselves. We accompany the people in their right to information, and we are told that it is not our role in life to do so. Sadly, we see how some persons make use of the media, investing a great deal of money to defame and divide.

As the Church in Santa Rosa we defend life and truth, justice and peace, which are clear and precise commandments from God for God's people. We will continue working in the construction of the Reign of God, in defense of human dignity and the environment. We will not allow ourselves to be intimidated by unfounded comments which seek to destabilize society in order to profit, instead of seeking justice and development for all.

We encourage the Catholic communities, and all men and women of good faith, to seek always the truth and not to allow ourselves to be deceived by currents of disinformation that do harm to our country. We thank the people who work each day to

build peace and who seek a human development that is respectful of the natural environment.

With all the priests of the Diocese we declare our concern for the growing social conflicts which are destabilizing more than one parish in our diocese. At the same time, we come together in prayer for those who seek to divide us, hoping that they change their hearts and be more considerate of life and their people.

God bless everyone.
Diocese of Santa Rosa de Lima
August 14, 2012

TO MAKE TAX-DEDUCTIBLE DONATIONS (in Canada and the U.S.)

for grassroots organizations in Guatemala working for community development, the environment, human rights and justice, make check payable to "Rights Action" and mail to:

UNITED STATES: Box 50887, Washington DC, 20091-0887
CANADA: (Box 552) 351 Queen St. E, Toronto ON, M5A-1T8

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<http://www.rightsaction.org/tax-deductible-donations>

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