

Rights Action
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US-based KCA mining company is uses children to create conflict in La Puya community that is opposed to mining

By Rosario Suarez

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GUATEMALA: "BLUE HELMETS" ORGANIZED BY COMPANIES FOR CONFLICT, NOT FOR PEACE

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The image alone is disturbing enough. Children, all under 18 years old, wearing blue helmets. According to the United Nations Children's Convention they should not be sent to places where there is conflict.





[These children are supposedly involved in a “pro-mining” protest. The American mining company KCA (Kappes, Cassidy & Associates) is deliberately using children to divide and create conflict in rural, Guatemala community. (Photos courtesy of [Centro de Medios Independientes](#) en Guatemala)]

Their helmets look like those used by the UN Peacekeepers, but only because of the color of their hats. But a closer look reveals that the helmets the kind used for protection to work in mines. The same Children’s Convention states clearly that no one should hire children to work. Nor can they be used as political or military targets.

Yet at 8 am, November 12, more than 30 children wearing blue helmets were among the 70 people on their way to the EXMINGUA, S.A. mine in San José del Golfo and San Pedro Ayumpac. The mining operation is run by the US company Kappes, Cassidy & Associates (KCA), who purchased it from Radius Gold of Canada four months ago. Like the other mine workers, they marched on the road to the mining project.

For the last 8 months since March 2nd, men and women from the communities surrounding the project have been holding a peaceful permanent vigil to block the entrance to the mine in the intersection known as La Puya, between the two nearby towns. The peaceful struggle in La Puya was sparked by the very simple action of one single woman in a country where people and their movements have a history long experience resisting abuse of power.

On March 2nd, as Estela, 29 years old, was traveling to work in her old work truck down the road between and San Pedro del Golfo and San Pedro Ayuampac, she saw that in the gates of the mining project there hugh were machines and workers ready to go into the grounds of the

mining project. She blocked them by placing her car in front of the gate, preventing the machines and workers to go in. Then, she proceeded to call neighbors and family in her community to tell them what was happening. They came, little by little, as they found and have not left the site since.

The men and women in the vigils are homemakers who were never involved in politics before, agricultural producers, workers in transportation and other services and some small business men and women. They are in the range of 18 to 72 years old. They live in either San Pedro de Ayampuc or San José del Golfo and its surrounding neighborhoods. They explained to Escribana that they have organized themselves as a community for the first time, as they did not even know each other before and that becoming a community is their main achievement.

They also explained that they sit in La Puya taking turns day after day, and their nights, because what is at stake is the future of their children, their lands, their water and their communities.

Located only 27 kms. outside of Guatemala City, the protesters of the municipalities affected by the project have faced multiple forms of intimidation that go from death threats and even shooting.

The most recent one took place on November 12 when supposed workers of the mine wearing blue helmets, arrived with megaphones, banners and even tools, to physically force opening the closed gate to the mine fields. The women from the communities in resistance created a peaceful human barrier that stopped the “workers” from passing.



Photo courtesy of [Centro de Medios Independientes](#) en Guatemala

Hours of tension were followed by verbal insults by the blue helmets who were blocking the passing of cars and trying to force their way through the entrance. But after failing to get through, the blue helmets waited for help.

Two former Guatemalan military, who work for the mining company, arrived soon after. One was Cornel Mario Ricardo Figueroa Archila, EXMINGUA manager, and Selvin Morales, former director of the Ministry of Mining and Energy during the Alvaro Colon government between 2006-2010. Meanwhile, a helicopter began flying overhead to further intimidate the protesters, who later identified it as belonging to the company EXMINGUA.

To support the protesters, delegations of social movements, human rights and feminist organizations began arriving in the area of La Puya along with people from other communities resisting illegal mining projects in Guatemala. Invited by the community leaders of the resistance, more than 600 supporters gathered there by 2:00 p.m.

As the tension continued to build, fueled also by the insults and threats of the blue helmets and others trying to force their way to the entrance, a delegation of officials arrived to try to mediate and prevent further aggression by the mining company. These included the Ombudsperson of Human Rights (PDH – Procuraduría de los Derechos Humanos), a representative of the Coordinating Commission for Human Rights Policy of the President (COPREDEH), and the National Police (PNC). According to community sources, they remained as observers in their failure to mediate. By 4:00 p.m., as more and more people and organizations gathered in support of the community, the mining company group left, promising to return.

The incidents on November 12 were just one example of the recent escalation of the forms of intimidation used by the company in their efforts to stop the community resistance. But the protesters are determined to continue their struggle against a gold and silver mining project that was approved and started with no consultation or approval from the nearby communities who fear extensive harm to their environment and livelihoods.

When [Escribana](#) and [PetaterasMesoamericanas](#) went to La Puya last September 29th on a Fact Finding Mission, they were able to document the many types and examples of human rights violations and intimidations by EXMINGUA, S.A. Community leaders in La Puya told the delegation story after story of criminalization of their peaceful protest by mining officials who have talked to people in the churches, schools,

community activities and in the media that the protesters are “terrorists.” Delegates also heard testimonies of the persecution of resisters both at La Puya and in their homes, including death threats over the phone, and abusive treatment by police and mining authorities, etc.

One dramatic example is the case of [Yolanda Oqueli](#), a young community organizer in La Puya, last June 13th she was shot with a gun fired by unidentified men riding a motorcycle as she was leaving the protest site to head home for the night. The three shots left her half dead on the road and eventually she was taken to a hospital in critical condition. After two months of surgery and treatment, Yolanda returned to her community and the next day to the La Puya protest site, which happened to be the day of the latest intimidation by the company.

Community resistance leaders have also documented the use and abuse of state institutions such as the Public Ministry, the National Police and the Ministries of Defense, of Mining and Energy, of the Environment and Natural Resources, to favor the interests of the EXMINGUA company over national and international law that guarantees the rights of people to be consulted and to protect their territories and livelihoods.

An earlier example of abuse took place at 1 am on May 8, 2012 with the storming into La Puya at 1:00 of a convoy of more than 20 military trucks filled with National Police, following a similar number of company trucks. The military claimed to be acting in their role of the protection of company workers and equipment and proceeded to close the street access so that other concerned villagers who saw at a distance what was happening could not come to the intersection site. The community peacefully claimed their rights and expressed their solidarity with their neighbors and families who were in La Puya that night, breaking calmly through the police blockage. Eventually the police and company were forced to leave.

The incident on November 12th in the escalation of intimidating actions by EXMINGUA now include the use of children in the conflict, a strategy that needs to be denounced and repudiated at all levels to prevent further threats by the mining company and government complicity when they fail to prosecute such actions.

BACKGROUND ARTICLES:

- THEY SHOT MY FRIEND YOLANDA, by Grahame Russell,
<http://rightsaction.org/action-content/rights-action-fund-raising-newsletter-jul-2012>
- LETTER OF APOLOGY, by Emilie Smith,
<http://rightsaction.org/action-content/letter-apology-yoli-oqueli>
- GUATEMALA: PEACEFUL RESISTANCE IN THE FACE OF VIOLENCE, by Dawn Paley,
<http://upsidedownworld.org/main/guatemala-archives-33/3934-guatemala-peaceful-resistance-in-the-face-of-violence>

WHAT TO DO?

WRITE TO: KCA mining company & your own elected officials

The US and Canadian governments – and our North American resource extraction companies – maintain full and profitable economic and military relations with the Guatemalan elites, turning a blind eye to repression, violence and impunity that are the norm in Guatemala. Please send copies of this information, and your own letters of complaint, directly to the KCA mining company, with copies to your own elected politicians (MPs, Congresspersons, Senators), demanding that KCA stop any and all actions of repression and community divisions and that KCA renounce its mining interests, at this mine, as it does not have the social licence or the prior and informed consent of the local population that is clearly opposed to this mining operation.

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DONATE (TAX-DEDUCTIBLE in Canada and the U.S.)

Since early in 2012, Rights Action has been sending humanitarian and emergency relief funds to the people of San Jose del Golfo/ San Pedro Ayumpac, for their work in protection of the environment, community development and their human rights. Please make checks 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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