

Rights Action  
April 8, 2013

## **BULLETS & BREAK-IN, AFTER KIDNAPPINGS & MURDER, LINKED TO TAHOE/GOLDCORP IN GUATEMALA**

- Armed men fired bullets at not-for-profit organization, and broke into home of lawyer challenging the legality of mining license granted to Tahoe/Goldcorp.
- Tahoe/Goldcorp accused of operating an illegal armed group carrying out illegal actions against the civilian population.

By Grahame Russell, Rights Action, [info@rightsaction.org](mailto:info@rightsaction.org)

*"We have given photographs to the Vice Minister of the Interior in which the mine's [owned by Tahoe Resources/ Goldcorp Inc] private security forces are carrying out illegal actions against the civilian population, jointly with members of the National Civilian Police. ... We request investigation of this criminal group."*  
(Yuri Melini, director of CALAS)

In 2005, Goldcorp Inc. began operating the "Marlin" gold mine in the indigenous Mam region of western Guatemala. This now infamous mine has been characterized by a wide range of health harms (to human and animal life), environmental destruction and contaminations, and other human rights violations, including killings and shootings. (Just released, a full length film, "Gold Fever", that focuses considerable attention on Goldcorp's Marlin mine: [www.goldfeverthemovie.com](http://www.goldfeverthemovie.com))

The CEO of Goldcorp at the time was Kevin MacArthur, who stepped down in 2008, at which time he founded a new company – Tahoe Resources, an American/Canadian company – and Goldcorp retained a 40% ownership of Tahoe.

Since 2008, MacArthur, with Goldcorp's backing, has been pushing ahead with yet another harmful and controversial mining operation that is widely opposed by the local population, and also fully supported by the Guatemala government that is headed by former army general Otto Perez Molina, an alleged intellectual and material author of the genocide and State repression in the 1980s and 90s.

### **KIDNAPPINGS AND MURDER**

On March 27, 2013, we reported on the kidnapping of four indigenous Xinca men, and the murder of one of them – Exaltacion Marcos Ucelo, men who had been peacefully observing a democratic and public community consultation that voted 'no' to Tahoe/Goldcorp's gold and silver mining interests in the municipality of San Rafael Las Flores, department of Santa Rosa, Guatemala. (<http://rightsaction.org/action-content/goldcorp-tahoe-resources-linked-assassination-exaltacion-marcos-ucelo>)

On April 5, we reported on how, despite the unresolved kidnapping and murder, the Guatemalan government gave the go-ahead mining license to Tahoe/Goldcorp, who quickly celebrated the good news to shareholders and investors.

The government gave this license despite every singly community consultation in the region saying 'no' to this type of large-scale development project, despite not having the "social license" and despite the worsening levels of repression and threat at the local level. (<http://rightsaction.org/action-content/tahoe-celebrates-mining-license-soon-after-kidnapping-four-men-and-murder-one-them>)

## **BULLETS AND BREAKINS**

Almost at the same time that Tahoe/Goldcorp was celebrating their license, armed men fired bullets into the offices of CALAS (Center for Legal, Environmental and Social Action) while its director, Yuri Melini, was inside; and unknown criminals broke into the home of Rafael Maldonado, a lawyer with CALAS, tossing the place, robbing nothing, and leaving a file about the Tahoe mining interest in plain view.

## **PLAZA PUBLICA REPORTS:**

CALAS SUFFERS ATTACK HOURS AFTER MINING PERMIT WAS APPROVED [FOR TAHOE RESOURCES/GOLDCORP INC] (<http://www.plazapublica.com.gt/content/atentan-contra-calas-horas-despues-de-aprobacion-de-licencia-minera>)

Yesterday afternoon (April 3), shortly after the license was given [to Tahoe Resources/Goldcorp Inc.] for the exploitation of gold and silver in the San Rafael mine in San Rafael Las Flores, Santa Rosa, three shots were fired against the Center for Legal, Environmental and Social Action (CALAS) while its director Yuri Melini was inside the office.

Shortly after this attack, at 10.30 PM, a lawyer from this same environmental organization, Rafael Maldonado, discovered the forcible entry of his home. In a press conference today Maldonado indicated that the doors were forced opened, and that all of his file-drawers and closets had been visibly rummaged through. He added that they left the file of the San Rafael Mine case on the very top of the mess.

*"It was a direct message from the mining company, because we have participated in the entire legal process against the mine and are accompanying the consultations that are taking place in the communities" stated Maldonado.*

Melini accused the mining company and the government for these incidents. The director of CALAS stated that the Office of the Prosecution should investigate these occurrences and the criminal organization that operates in San Rafael.

*"We have given photographs to the Vice Minister of the Interior in which the mine's private security forces, from inside the mine, are carrying out illegal actions against the civilian population, jointly with members of the National Civilian Police. We also request the investigation of this criminal group. This type of action is precisely of the competence of the CICIG (International Commission against Impunity in Guatemala)", explained Melini.*

Claudia Samayoa, in representation of the Convergence for Human Rights, connected these incidents to the kidnapping from three weeks ago, in which four XINCA leaders were kidnapped and one of them was murdered, as well as the existence of an armed organization that operates in San Rafael Las Flores.

*"The Government is allowing an armed group to exist in the area. The incidents that occurred last night and yesterday seem to comprise a strategy to put an end to the work of defenders; and are a telltale sign that this is not an act of common crime. These are acts of political persecution", she stated.*

## **APPEALS FOR LEGAL PROTECTION AGAINST THE EXPLOITATION LICENSE WILL BE PRESENTED**

This information was made public today in a press conference, in which Rafael Maldonado indicated that they will present an Appeal for Legal protection (an Amparo) before

the Constitutional Court against the exploitation license for gold and silver in the Oasis mine of the San Rafael Mining Company, a subsidiary of the Canadian company, Tahoe Resources.

Yesterday the Minister of Energy and Mining, Erick Archila, also announced the approval of another exploitation license of Niquegua Montúfar, in Los Amates, Izabal. This license is granted to the Guatemalan Nickel Company (CGN) that is currently authorized by a different exploitation license to extract nickel in El Estor, Izabal.

Representatives of the Communities of San Rafael indicated that the mining company has already been denounced because of environmental contamination. In response to these accusations, the San Rafael Mining company communications coordinator, Andrés Dávila, indicated that they will make no statements at this time: "We will not make any comments until the authorities investigate what happened."

\*\*\*\*\*

### **THIS IS HOW MINING WORKS IN GUATEMALA**

The violence and repression occurring in and around Tahoe/Goldcorp's "Escobal" mine is normal, predictable. There has been similar repression at: Goldcorp's "Marlin" gold mine; Hudbay Mineral's "Fenix" nickel mine; and at Radius Gold/KCA's gold and silver mine. No justice has been done in Guatemala for any of the health harms, environmental destruction and contaminations, and other human rights violations, including killings and shootings, occurring regularly at the various mining operations.

### **ACTION NEEDED IN CANADA / USA**

This relentless push for mining expansion is coming from Canada and the U.S., not from Guatemala. All the fundamental decisions are being taken by North American companies, investors and governments. The vast majority of profits flow to the companies, shareholders and investors, while all the environmental and health harms, repression and other human rights violations occur against the local populations in Guatemala.

This relentless and harmful push to expand will only be slowed down, or curtailed when Canadians and Americans successfully hold their governments, companies and investors to account. Please write your own letters, and send copies of this information, to your own elected politicians (MPs, Congresspersons, Senators) - and to other government officials, your local media, etc. - to remind them that this state of repression, threat and impunity are substantially our problems, and that it simply will not end until Canadian and American politicians and officials take concrete diplomatic, political and legal steps to put an end to the repression linked to the unwanted and often-times violent expansion of Canadian and American mining company operations in Guatemala.

... And then keep on writing them, again and again.

[Grahame Russell is a non-practicing Canadian lawyer, author, adjunct professor at the University of Northern British Columbia and, since 1995, co-director of Rights Action ([info@rightsaction.org](mailto:info@rightsaction.org), [www.rightsaction.org](http://www.rightsaction.org), [www.facebook.com/rightsaction.org](http://www.facebook.com/rightsaction.org))

\*\*\*\*\*

### **CANADA PENSION PLAN**

As of March 31, 2012, the CPP has \$297,000,000 invested in Goldcorp, \$9,000,000 in Tahoe.

[http://www.cppib.ca/files/F2012\\_-\\_YE/Publicly-Traded\\_Equity\\_Holdings\\_-\\_CDN\\_-\\_March\\_31\\_2012\\_-\\_Eng.pdf](http://www.cppib.ca/files/F2012_-_YE/Publicly-Traded_Equity_Holdings_-_CDN_-_March_31_2012_-_Eng.pdf)

Email: [pac@cppib.ca](mailto:pac@cppib.ca); tel: 416-868-4075; Toll Free: 1-866-557-9510

Toronto Office: One Queen Street East, Suite 2500 , Toronto , Ontario M5C 2W5 , Canada

Do you know what companies your public pension fund and private funds are invested in? Ask!

## **TAHOE RESOURCES**

Main Phone: (775) 825-8574 (Reno, Nevada, USA)

<http://www.tahoeresourcesinc.com/contact-us/investors@tahoeresourcesinc.com>

Canada: Royal Centre, 1055 West Georgia St, Suite 1500, Vancouver, BC, V6E 4N7

US: 5190 Neil Rd, Suite 460, Reno, Nevada 89502

"Kevin McArthur, President, Chief Executive Officer and Director. McArthur is the founder of Tahoe Resources as well as its President and CEO. He is an experienced mining executive with more than 30 years in the industry in operational and senior management roles. Prior to forming Tahoe, Mr. McArthur was President and CEO of Goldcorp Inc. until his retirement at the end of 2008. This followed his 18 years at Glamis Gold Ltd., where he served as President and Chief Executive Officer from 1998 until its acquisition by Goldcorp in November, 2006."

## **GOLDCORP**

666 Burrard Street, Suite 3400, Vancouver, BC, V6C 2X8

(604) 696-3000; 604-696-3076

3201 – 130 Adelaide Street West, Toronto, ON Canada M5H 3P5

(416) 865-0326

"Charles A. Jeannes, President & Chief Executive Officer. Jeannes was appointed President and CEO of Goldcorp in December 2008. Mr. Jeannes previously held the role of Executive Vice President, Corporate Development from November 2006 until December 31, 2008. Mr. Jeannes was former Executive Vice President, Administration, General Counsel and Secretary of Glamis Gold from 1999 until its merger with Goldcorp in November 2006."

- Chuck Jeannes, President & CEO, [Chuck.Jeannes@goldcorp.com](mailto:Chuck.Jeannes@goldcorp.com)
- Kim Keras, executive assistant, [Kim.Keras@goldcorp.com](mailto:Kim.Keras@goldcorp.com)
- Tim Miller, VP Operations in Central America, [Tim.Miller@montana.com.gt](mailto:Tim.Miller@montana.com.gt)
- Brent Bergeron, Corp Social Responsibility, [brent.bergeron@goldcorp.com](mailto:brent.bergeron@goldcorp.com)
- Dina Aloï, VP Corporate Social Responsibility, [Dina.Aloi@goldcorp.com](mailto:Dina.Aloi@goldcorp.com)
- Ben Lee, [benjamin.lee@goldcorp.com](mailto:benjamin.lee@goldcorp.com), Legal Counsel
- Jeff Wilhoit, Investor Relations, [Jeff.Wilhoit@goldcorp.com](mailto:Jeff.Wilhoit@goldcorp.com)
- Christine Marks, [media@goldcorp.com](mailto:media@goldcorp.com)
- Board of Directors, [Directors@Goldcorp.com](mailto:Directors@Goldcorp.com)
- Code of Conduct, [ethics.help@goldcorp.com](mailto:ethics.help@goldcorp.com)
- Human resources, [hr@goldcorp.com](mailto:hr@goldcorp.com)

\*\*\*\*\*

## **FUNDS NEEDED**

Rights Action funds work in each of regions affected and harmed by North American mining companies, supporting community development, environmental protection and human rights promotion work ... as well as emergency support funds when needed.

We recently sent emergency relief funds to the surviving family of the murdered Exaltacion Marcos Ucelo.

**TO MAKE TAX-DEDUCTIBLE DONATIONS (in Canada and the U.S.)** in support of community organizations in Guatemala and Honduras, 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

CREDIT-CARD DONATIONS can be made (in Canada and U.S.):

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

- be a monthly credit card donor ( Canada and U.S. )
- to donate stock, contact: [info@rightsaction.org](mailto:info@rightsaction.org)

**COMMENTS / QUESTIONS:**

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

- Get on/off Rights Action's listserv: [www.rightsaction.org](http://www.rightsaction.org)
- Follow Rights Action on facebook: [www.facebook.com/RightsAction.org](http://www.facebook.com/RightsAction.org)
- Please re-post and re-publish this information