

Rights Action  
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December 5, 2013

## Help Build Pressure to Get Tahoe Resources (40% controlled by Goldcorp Inc) Out of Guatemala

Below:

- On-line letter writing campaign to get Tahoe Resources (40% owned by Goldcorp Inc) out of Guatemala
- 2 NISGUA reports on Tahoe's illegal and repressive mining operations:
  - [Tahoe Resources / Goldcorp Inc.'s Strategy Is To Demonize and Then 'Criminalize' Citizens Who Oppose Their "Escobal" Mine](#) in Guatemala
  - Another Municipality Consultation Says No To Mining & Guatemalan Constitutional Court Hears Case Related To Tahoe Resources [Goldcorp Inc.]

Goldcorp Inc. retains a 40% ownership control over Tahoe Resources. Tahoe Resources was founded by Kevin MacArthur, its CEO, after he stepped down from being the CEO of Goldcorp. MacArthur oversaw the development of Goldcorp's most profitable mine worldwide, the "Marlin Mine", that since 2004 has caused widely documented health and environmental harms, human rights violations and repression in Mayan Mam territories in western Guatemala.

- The award winning film "Gold Fever" addresses Goldcorp's open pit, cyanide leaching mine in Guatemala. View trailer / Screening the film / More information:  
[www.goldfeverfilm.com](http://www.goldfeverfilm.com)

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Petition:

### Tell Tahoe Resources To Pack Its Bags And Leave Guatemala!

To Sign: [http://org2.salsalabs.com/o/6497/p/dia/action3/common/public/?action\\_KEY=15609](http://org2.salsalabs.com/o/6497/p/dia/action3/common/public/?action_KEY=15609)

Join community-based organizations in southeastern Guatemala in calling on Tahoe Resources to stop developing its Escobal silver mine. Tahoe is 40% owned by Goldcorp Inc. and threatens to follow its legacy in Guatemala: trampling community rights while raking in enormous profits.

Here is some evidence:

- Tahoe failed to obtain community support for the mine before starting construction.
- Twelve community votes have been held to date, during which tens of thousands of people have voted against the Escobal mine, due to concern over the environmental and social impacts.
- The Escobal project has already generated significant violence and hardship.
- The company's former security manager is currently under arrest and awaiting trial for allegedly ordering an armed attack against peaceful protesters on April 27th. Six people



were hospitalized of which two were seriously wounded.

- In early 2013, international organizations called for full and impartial investigations into violence around the mine site including the shooting of mine security guards, and the kidnapping of four Xinka indigenous leaders while returning from a community consultation on the project. One of the four was later found murdered
- Since September 2012, some 70 people have faced unfounded criminal charges and endured hardship and distress from drawn out legal processes.
- The process of granting Tahoe's exploitation license ignored some 250 formal community complaints. In July, a Guatemalan court found that the Ministry of Energy and Mines violated due process with regard to one such complaint, and ordered the Ministry to adequately address the concerns presented, specifically the project's public health and the environmental impacts. Guatemalan organizations believe this decision invalidates the company's license, yet the company is now ramping up production.



Tahoe knows better. Tahoe is closely related to Goldcorp. In addition to holding 40% of Tahoe's shares, most of its directors are current or former Goldcorp executives, like President and CEO Kevin McArthur.

Goldcorp's Marlin mine has been the subject of repeated international attention for violent repression against mine opposition and concerns over community health, the environment and lack of respect for the self-determination of indigenous communities. International human rights bodies have called for its suspension.



Nonetheless, Goldcorp, like Tahoe Resources, has forged ahead seeking big profits at the expense of community wellbeing.

### **Put People First And Stand With Communities Calling For Respect!**

Upon completion of this action, NISGUA will compile the letters to send to the US and Canadian Embassy, along with Tahoe's public investors, such as: Canadian Pension Plan and California State Teachers Retirement System.

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October 7, 2013

### **Report Reveals Company Strategy To Criminalize Opposition To Escobal Mine**

<http://nisgua.blogspot.com/2013/10/report-reveals-company-strategy-to.html>

"In order to suffer what we have suffered, we must be committed. We have to imagine ourselves like pencils; if we aren't worn down, then we aren't doing our part"

- Community leader from Jalapa arrested in September for protesting against Tahoe Resources' Escobal silver mine

Just over one year ago, on September 17, 2012, 31 people were arrested during a peaceful protest against Tahoe Resources' Escobal project in San Rafael Las Flores, Santa Rosa.

26 community members, many active in the local Catholic parishes, were charged with terrorism and arson, accusations that were finally thrown out more than six months later when a judge ruled there was insufficient evidence to proceed to trial.

While the use of the justice system to stymie popular opposition to large-scale development projects has become increasingly common throughout Guatemala, the role of the [global resource extraction] companies in promoting the criminalization of community leaders has been less well understood.

However, an incident report authored by [Alberto Rotondo, former security manager for Tahoe Resources currently facing trial for an armed attack against protesters](#), offers a glimpse at the internal policies of [Tahoe/ Goldcorp's] wholly-owned Guatemalan subsidiary, Minera San Rafael, and insight into their strategy to address community opposition.

The report outlines the company's investigation of local institutions and communities it believes are responsible for mobilizing the population against the mine. The intelligence gathered by Rotondo and his team includes names, individual cell phones numbers and family relationships. The July 2012 report highlights the Catholic Church as the key institution responsible for communities' "anti-mining" agenda and was presented to the Guatemalan Public Prosecutor as evidence in a separate investigation of explosives stolen in November 2012.

In the report, Rotondo [Tahoe / Goldcorp's head of security] recommends, "The initiation of legal actions as these events warrant against all people named in the above paragraphs and others involved." He goes on to urge the implementation of "a strategic legal and public media communications campaign to prove the involvement of the groups responsible for these actions, especially the involvement of the Catholic Church so that the authorities are forced to take legal action against them."

Since Rotondo wrote the report in mid 2012, there have been more than 60 legal processes initiated against community members in connection with their opposition to Tahoe's Escobal silver mine. The majority of the charges have been dismissed due to a lack of evidence and the remaining accusations, while still outstanding, have failed to move past the investigation stage.

The impacts of criminalization on communities, families and individuals, however, have left their mark. In late September 2013, victims of criminalization and violence stemming from the presence of the mine gathered to share their experiences and seek out resources to confront ongoing persecution. Many of those gathered shared personal stories of violence suffered at the

hands of national police and private security guards during [violent evictions of peaceful protests against the mine](#).

Immediately following these evictions, they indicated that the trauma continued. Many community members were transferred to a Guatemala City prison where they suffered intimidation and fear, in addition to hunger and physical injury. In the case of those arrested in September 2012, their hearing was canceled three times before the process was officially closed, aggravating the considerable psychological trauma already suffered by the accused.

“During the eviction and in prison, I suffered beatings, insults and humiliation, but I am here with my head held high. I am not facing this with fear, but with courage. I am committed to this struggle and it doesn't end here. It is just beginning.” - Community leader from Jalapa arrested in September, who shared her traumatizing experience in one of Guatemala City's maximum security prisons.

During the gathering, community members expressed the joys and sorrows of their struggle in defense of territory and the right to self-determination. Leaders from [Nueva Santa Rosa, Santa Rosa de Lima](#) and Mataquescuintla shared a sense of accomplishment felt after successfully organizing community referenda in all three municipalities, in which the populations resoundingly rejected mining in their territories. As a result, even while criminal prosecution for their opposition to Tahoe's project is an ongoing threat, community leaders remain committed to their struggle against the mine.

“I am leaving here feeling better than when I came. I know that I am not alone.” - Community leader and victim of violence from San Rafael Las Flores, Santa Rosa reflects on the outcome of the September gathering.

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**Another Municipality Consultation Says No To Mining & Guatemalan Constitutional Court Hears Case Related To Tahoe Resources [Goldcorp Inc.] Mining License**

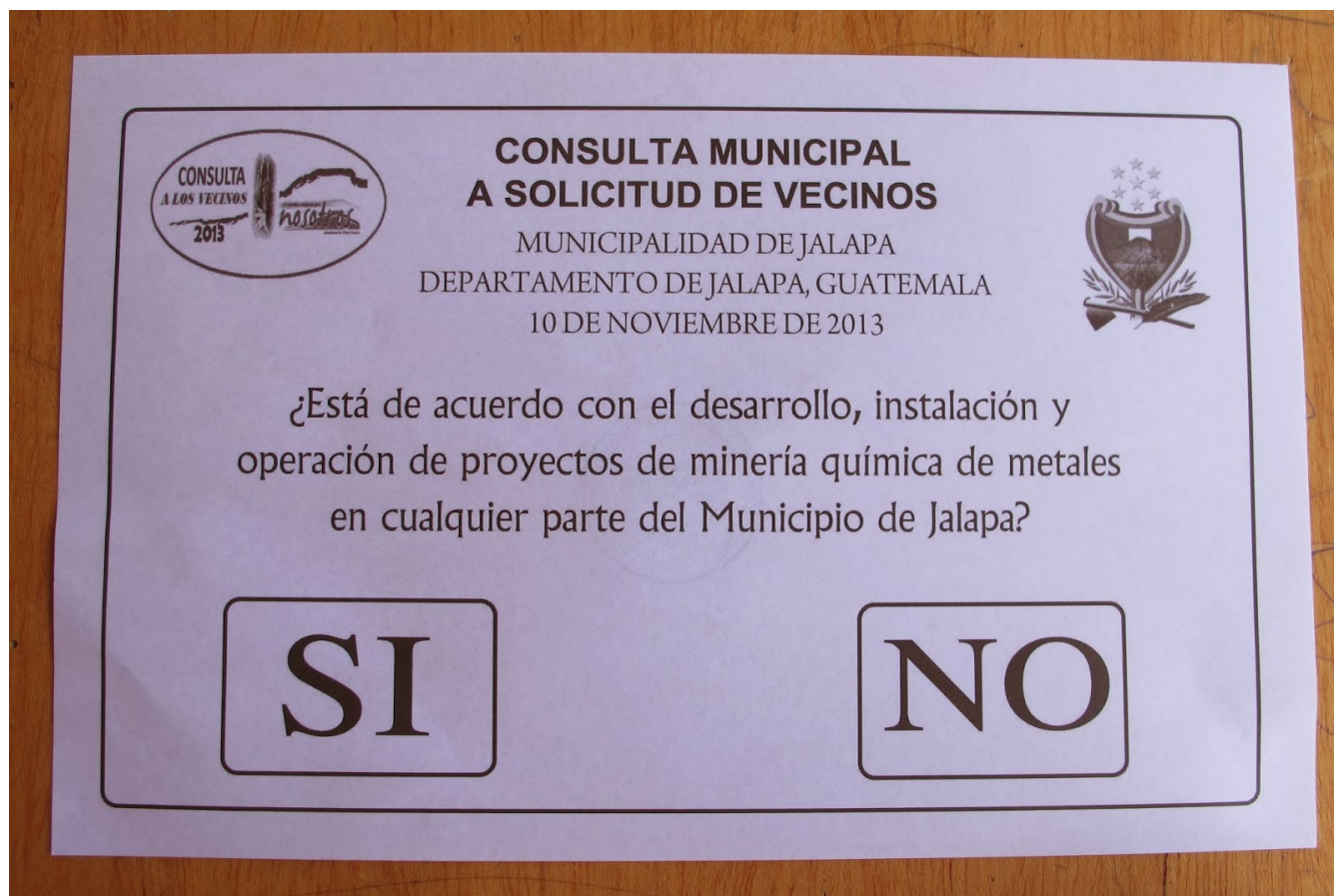
November 19, 2013, <http://nisgua.blogspot.ca/2013/11/jalapa-says-no-to-mining-guatemalan.html>



Jalapa has said NO to mining. Photo: Xinka Parliament

On Sunday, November 10, in a community consultation in the municipality of Jalapa, 23,152 people said NO to chemical metal mining.

Members of Santa María Xalapán and other indigenous Xinka communities in Jalapa requested the popular vote in order to address the threat of environmental and social impacts from the nearby Escobal silver mine, owned by Tahoe Resources. Nearly 24,000 people participated in the vote. Over 98% of all participants voted against mining while 1.71% voted in favor.



Do you agree with the development, installation and operation of chemical metal mining in any part of the municipality of Jalapa? YES or NO. Photo: CPR Urbana

In 2011, other municipalities surrounding the Escobal mine began holding municipal-level popular votes on the issue of mining. Casillas, Nueva Santa Rosa and Santa Rosa Lima were the first to hold votes in the department of Santa Rosa. In 2012, Matasquintla in the department of Jalapa also held a consultation. All four votes resulted in the overwhelming rejection of mining on their territory.

This year, the municipality of San Rafael Las Flores, where the Escobal mine is located, planned to hold a municipal wide consultation but their request was denied. Instead, individual communities in the municipality organized community-level consultations. Eight of San Rafael Las Flores' 26 communities completed popular votes when the process was cut short due to a government declared state of siege in May. The community consultation earlier this month in Jalapa marks the first popular vote surrounding the Escobal mine since the state of siege.



Participants in the community consultation show off their inked fingers, a sign of their vote. Photo: CPR Urbana

Meanwhile, in a separate process of legitimate opposition to mining, Quelin Jiménez continues to defend his legal right to have his voice heard. Jiménez, along with over 200 other complainants, filed legal complaints against Tahoe Resources regarding potential social and environmental impacts from the company's Escobal project. While individual legal complaints are less utilized than the community consultation process to express opposition to mining projects, they are protected under Guatemala's mining law.

The Ministry of Energy and Mines (MEM) ignored community opposition to the Escobal mine and rejected the 200+ complaints in April of this year, just before granting Tahoe Resources the mining license necessary to move forward with production. Jiménez, with legal support from the Center for Environmental and Social Legal Action (CALAS), appealed MEM's rejection of his complaint, citing lack of due process. The appeal was upheld in July, which CALAS interpreted to mean the suspension of Tahoe Resources' license. However, Minera San Rafael, Tahoe's Guatemalan subsidiary, put forward another legal appeal against the decision, sending Jiménez' case to Guatemala's Constitutional Court.

Hundreds of supporters from the legitimate resistance to the Escobal mine traveled in to Guatemala City to attend the Constitutional Court hearing this past November 5. Jiménez, before a packed room, defended his legal right to self-determination. He reflected on the process saying, "We hope the court respects our rights, that justice be fulfilled, not just for me but for all the communities."

A community member in the attendance also commented on the hearing, "They think they can take the law in their own hands but there is rule of law in Guatemala and it must be respected... We are demanding our rights be respected."

CALAS and Jiménez currently await notification from the Constitutional Court regarding its resolution.

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NISGUA ([www.nisgua.org](http://www.nisgua.org)) has accompanied communities in opposition to the Tahoe Resources Escobal mine since 2011.

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### **Gold Fever:**

Arrange a screening of award winning documentary film. Trailer and more info:

<http://www.goldfevermovie.com/>

### **Photo-essay: Goldcorp's Endless 'Gold Fever' in Guatemala:**

<http://rightsaction.org/action-content/photo-essay-goldcorps-endless-mine-guatemala-creating-endless-division-and-harm>

### **Write to Tahoe and Goldcorp & Say No To "Business As Usual":**

The U.S. and Canadian governments, and North American resource extraction companies and investors (including public pension funds like the Canada Pension Plan) maintain profitable economic and military relations with the Guatemalan elites, turning a blind eye to health and environmental harms, repression and other violations linked to mining operations.

Send copies of this information to Tahoe and Goldcorp, and to your elected politicians (MPs, Congresspersons, Senators), to your media, and to your own pension and investment funds.

Invite them to a screening of Gold Fever.

Ask why our governments, companies and investment firms do nothing about repression and violence, and environmental and health harms associated with mining and other resource extraction businesses, while promoting and benefiting from these very economic relations with the Guatemalan political, military and economic elites.

Contact:

- Member Of Parliament: <http://www2.parl.gc.ca/Parlinfo/Compilations/HouseOfCommons/MemberByPostalCode.aspx?Menu=HOC>
- Congress: <http://www.house.gov/> to get info for your member of Congress, and call: 202-224-3121
- Senate: <http://www.senate.gov/> to get contact for your Senator, and call: 202-224-3121

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### **Tax-Deductible Donations**

To support the community development, human rights and environmental defense work of community based groups in mining affected communities, 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)

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