

Rights Action  
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## “Cynicism and Arrogance” of Goldcorp, Other Mining Companies and the Guatemalan Authorities

Below:

An opinion piece from a major Guatemalan newspaper about the on-going arrogance and aggression of **Goldcorp Inc.**, and other mining companies, and the connivance of the Guatemalan judiciary and political branches of government. The general population continues to get screwed, over and over and over, and continues to peacefully resist the harms and violations and defend their lands, water sources, forests and local development.

- What to do?: see below.
- Please re-post and re-publish this information

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### Cynicism and Arrogance

By Magali Rey Rosa, April 11, 2014, Prensa Libre

[http://www.prensalibre.com/opinion/Cinismo-desfachatez\\_0\\_1118288200.html](http://www.prensalibre.com/opinion/Cinismo-desfachatez_0_1118288200.html)

(Translated for Rights Action by Rosalind Gil. Spanish version below.)

If I am tired, frustrated and outraged by new acts of violence and abuse on the part of the Government of Guatemala and the mining sector, I can only imagine how the victims of these abuses must feel.

Just a few weeks ago, the Mayan Mam People’s Council filed an appeal to the Constitutional Court (CC) regarding the San José III mining license that has been granted to Montana Explotadora (**Goldcorp Inc.**). The licence covers 25 square kilometres of their territory.

Indigenous leaders also filed an appeal to the court regarding the “Eluvia” licence that the Ministry of Energy and Mines (MEM) granted to Entre Mares (**Goldcorp Inc.!**) in the municipality of Cabricán, Quetzaltenango.

A few days ago, there was another hearing before the Court in which the Sipakapense Mayan People’s Council sought cancellation of the “Chocoyos” license, also granted to Entre Mares (**Goldcorp Inc.!!**).

In all these cases, inhabitants of territories occupied by Canadian mining interests carried out consultations in good faith to inform the Government that they did not want mining in their territory.

Perhaps the most critical case at this time is the La Puya case, in which, for the last two years, local community members have been taking turns to block the mine [owned by American company **KCA Associates**, formerly owned by Canadian company **Radius Gold**]. On Wednesday, tension was extremely high in San José del Golfo. A spokesperson for Exmingua [subsidiary of KCA Associates] said that they would enter the mining installation, no matter what.

This resistance movement has been absolutely peaceful and has not obstructed any vehicles but on Wednesday [April 9], 75 members of the National Civil Police arrived on the scene. The purpose of their

presence has not been revealed. It was announced that they were there on tour but no destination was mentioned.

**What do all these cases have in common?** 1. Despite all the promises from mining companies, people reject metal mining. 2. The government and those who should ensure justice have closed their ears to the outcry of the people. 3. The cases have the same lawyer, Jorge Asencio Aguirre. In the April 8 Constitutional Court hearing, this lawyer said the following to the magistrates: “This court must understand clearly that ILO No. 169 cannot be used as an instrument to perpetuate poverty in this country,” and he cited a 2009 encyclical from Pope Benedict XVI: “Ideologies that deny the usefulness of development, for example, those that claim to hold off progress for native communities in many places, on the pretext that they are defending indigenous lifestyle, without providing them with the advantages of modern life; this idea of a world without development amounts to a lack of confidence in Man and in God.”

In a “normal” country, the cynicism and brazen arrogance of this lawyer would be seen as astonishing. But not in this country. The lawyer representing the mining interests is about as concerned for the poor and the development of Guatemala as the (dis) Honour Tribunal of the Lawyers Association of Guatemala is for justice. Or as the Nominations Commission is for choosing the best person to be Attorney General.

All this is being played out to an astonished public that, no longer surprised by what they see, has given up hope. But nonetheless they continue, peacefully, to seek justice from its institutions. I pay homage to those who defend our country from mining abuses - Yassmin Barrios and Claudia Paz y Paz, the last holdout of courage and decency left in this country.

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## **Cinismo y Desfachatez**

By Magali Rey Rosa, Prensa Libre, April 11, 2014

[http://www.prensalibre.com/opinion/Cinismo-desfachatez\\_0\\_1118288200.html](http://www.prensalibre.com/opinion/Cinismo-desfachatez_0_1118288200.html)

Si yo estoy harta, frustrada e indignada por tantas nuevas violaciones y abusos cometidos por el Gobierno de Guatemala y el sector minero, puedo imaginar cómo se sienten las víctimas de los atropellos. Solo en las últimas semanas, el Consejo del Pueblo Maya Mam llegó ante la Corte de Constitucionalidad (CC) por el caso de la licencia minera San José III, otorgada a Montana Explotadora (**Goldcorp**), que abarca 25 mil kilómetros cuadrados de su territorio. También acudieron a la CC las autoridades indígenas por la licencia “Eluvia” que el MEM otorgó a la empresa Entre Mares (**Goldcorp!**) en el municipio de Cabricán, Quetzaltenango.

En días pasados se realizó otra vista pública ante la Corte, pues el Consejo del Pueblo Maya Sipakapense solicitó la cancelación de la licencia “Chocoyos”, otorgada también a Entre Mares (**Goldcorp!**). En todos estos casos, los habitantes de los territorios ocupados por la minera canadiense han realizado consultas de buena fe para que el Gobierno sepa que no quieren minería en sus territorios.

Tal vez el caso más crítico, en estos momentos, es el de La Puya, donde los vecinos llevan más de dos años haciendo turnos para impedir la entrada a la mina. El miércoles hubo extraordinaria tensión en San José del Golfo, pues la vocera de Exmingua [**de la compañía Americana KCA**] dijo que entrarían a las instalaciones a como diera lugar. Ese movimiento de resistencia ha sido absolutamente pacífico y no obstaculiza ningún paso vehicular, pero el miércoles llegaron al lugar unos 75 miembros de la Policía Nacional Civil, todavía no se sabe a qué, aunque hoy se asegura que iban de turismo, pero no se sabe a dónde.

**¿Qué tienen en común estos casos?** 1. Que la gente rechaza la minería metálica, a pesar de todas las promesas de los mineros. 2. Que el gobierno y quienes deberían velar por la justicia son sordos ante el clamor del pueblo, y 3. Que tienen al mismo abogado.

El Lic. Jorge Asencio Aguirre, en la vista pública del 8 de abril, dijo a los magistrados de la CC: “Esta corte, por lo tanto, tiene que tener claro que el Convenio 169 no puede constituirse como un instrumento que sirva para perpetuar la pobreza de este país”, y citó una encíclica de Benedicto 16 (2009): “Las ideologías que niegan la utilidad misma del desarrollo, aquellas que por ejemplo pretenden evitar el progreso de las comunidades nativas de muchos lugares, so pretexto de defender el modo de vida sin los beneficios que la era moderna proporciona, esta idea de un mundo sin desarrollo, expresa desconfianza en el hombre y en Dios”.

El cinismo y la desfachatez del Lic. Asencio asombrarían en un país “normal”. Acá no. El abogado de las mineras está tan preocupado por los pobres y el desarrollo de Guatemala como el Tribunal de (des)Honor del Colegio de Abogados lo está por la justicia. O, como la Comisión de Postulación lo está por elegir a la mejor persona para fiscal general.

Todo esto sucede ante la mirada atónita de un pueblo que ya no tiene capacidad de asombro ni esperanza alguna, pero que busca —pacíficamente— justicia ante sus instituciones. Yo rindo homenaje a quienes defienden nuestra patria de los abusos mineros, a Yassmin Barrios y Claudia Paz y Paz, última reserva de valentía y decencia que tiene nuestro país.

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### **Tax-Deductible Donations (Canada & U.S.)**

To support civil society groups in Guatemala - including community groups involved in this Tahoe / Goldcorp related struggle - working courageously for human rights, justice, the environment and community controlled development, 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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**"Gold Fever"** examines the economic and political systems that reinforce the continued exploitation of the world's poor for the benefit of the super-rich. The film tells the story of the decade-long conflict set off by the construction of Goldcorp Inc's massive “Marlin Mine” in the rural community of San Miguel Ixtahuacan, Guatemala. "Gold Fever" has screened at festivals and movie theaters in hundreds of communities in 30 countries in Latin America, North America, Europe, Asia and Oceania since its release. It is now available to home viewers worldwide. **Trailer/ More info:** [www.goldfevermovie.com](http://www.goldfevermovie.com)

### **Say No To “Business As Usual”**

The U.S. and Canadian governments, the World Bank and Inter-American Development Bank, and North American companies and investors (including public pension funds like Social Security and the Canada Pension Plan) maintain profitable economic and military relations with the Guatemalan and Honduran elites, turning a blind eye to repression, violence and impunity that are the norm in both countries.

Please send, and keep on sending copies of this information, and your own letters, to your own elected politicians (MPs, Congresspersons, Senators), to your media, and to your own pension and investment funds, asking why our governments, companies and investment firms do nothing about repression and violence, and environmental and health harms associated with North American businesses, while

benefiting from these unjust economic relations with the Guatemalan and Honduran political, military and economic elites.

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- Senate: <http://www.senate.gov/> to get contact for your Senator, and call: 202-224-3121

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