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GUATEMALA: INDIGENOUS RESISTANCE TO GOLD MINE GAINS MOMENTUM
By Cyril Mychalejko, <http://upside-downworld.org/>, 8/24/05

Indigenous communities in the western highlands of Guatemala who are organizing against an illegal gold mine in the face of violence and repression are beginning to see the fruits of their labor.

The Canadian/U.S. mining company Glamis Gold operates the World Bank funded project. Construction of the open-pit gold mine is nearly complete, with the company eager to start the drilling.

Local community members claim the World Bank and Glamis Gold violated international law when they failed to consult them and gain their consent for the "Marlin" mine project. But Glamis counters that it consulted with the community, the project has broad support and that international NGO's and a few individuals are solely responsible for orchestrating the "small" opposition to the mine.

"SUPPORT" FOR THE GOLD MINE

Marcelo Etequiel Lopez, a resident of Tres Cruces, Sipacapa said the deception used by the mining company was both very strategic and upsetting.

"That's what hurts the most," said Lopez. "Thank God we have figured out what's going on. Now we are going to defend our rights."

Sipacapa is next to San Miguel, where the open-pit mine is located. Water resources are expected to be taken from the large farming community, and contamination of that water is likely.

Lopez and other residents of Sipacapa decided to conduct community consultations with the intention of voting on a referendum concerning present and future mining in their communities.

Both Glamis and Guatemala's Ministry of Mines immediately filed

lawsuits to stop the consultations once they were announced, only to have Guatemala's Supreme Court remind them that these people have rights. The company then targeted community leaders by filing lawsuits against them for alleged threats and violence against their employees. People in Sipacapa unequivocally rejected the charges, suggesting that this is just another tactic of intimidation and repression.

Glamis and the government blame the consultations on a small group of private individuals and NGO's. Grahame Russell, co-director of Rights Action, said this reveals a lot about how the Guatemalan government and Glamis regard the country's indigenous citizens. Rights action is a community development organization based in Canada [and the U.S.] with an office in Guatemala City.

"I think it has to be fundamentally racist and derogatory towards poor people and in this case mainly indigenous," said Russell. "It's a classic allegation used when people educate and organize themselves. It takes attention from the real issues of poverty, oppression and the fact that they have a different vision for what they want."

One local resident who has been an outspoken opponent of the mine and consequently a target of a recently filed lawsuit by Glamis said, "The World Bank was supposedly created to alleviate poverty in communities and they give money to this mining company. Why don't they give money to alternative development instead?" (He asked that his name not be printed.)

Glamis stated that the consultations are illegal and unconstitutional and that the whole process is "corrupt." Yet NGO's and Guatemalan lawyers contend that the referendum complied with rights established by Guatemala's constitution, the country's municipal codes, as well as International Labor organization Covenant 169, which Guatemala ratified in 1996.

Another concern of Glamis' was that "suggestions that third parties be permitted to monitor the referendum process for fairness have reportedly been rejected by the referendum organizers."

On June 18, thirteen indigenous communities in Sipacapa voted overwhelmingly to reject mining in their lands. Oxfam issued a press release with the results stating that: 2486 votes against, 35 in favor, 32 abstaining and one blank vote.

According to Sandra Cuffe of Rights Action, the level of participation in the consultations was comparable to that of the last municipal election. Cuffe has been monitoring events in Guatemala since the project's commencement.

Glamis Senior Vice President Charles Jeannes responded to the vote in an interview with Business News Americas by saying, "The private interests went ahead and held something – I don't know what you call it – a referendum or non-binding, non-sanctioned vote if you will."

Jeannes' (and Glamis') disconnect with reality, or outright dishonesty, has plagued this project from the outset. Seventy-five national and international observers of the consultations and voting disagree with Jeannes' assessment. (So much for Glamis' concern of a lack of third party monitors.) They concluded in a communiqué that the consultations "unfolded normally in all of the communities, according to traditional indigenous customs ... [and that local residents] freely and democratically participated in the consultation process, expressing their decisions regarding mining activity."

Yet Jeannes remarkably insisted to Business News Americas that the open-pit gold mine remains popular and "the majority of the residents in the vicinity of the mine support our activity."

TRUTH AND CONSEQUENCES

The consultations in Sipacapa dealt a thunderous blow to Glamis' project, even though opposition to the mine is not unanimous. This is especially the case in the divided community of San Miguel, where the mine is located and

where local residents have been given some jobs. But all signs point to changing tides.

According to Cuffe, a month after the vote in Sipacapa the community of San Miguel announced that they would also have consultations regarding mining activities in their municipality.

Russell, who works with Cuffe, said these consultations are empowering the communities.

"They are taking it upon themselves to educate themselves, debating the issues and voting. [But] the importance goes deeper," said Russell. "They are voting to take political control over their lives, something that's never happened in the country."

Then on Monday many of the claims made by local residents of malfeasance (if not criminal activity) on the part of Glamis and the World Bank was validated—by the World Bank. The Financial Times (FT) received a draft copy of the World Bank's Compliance Adviser Ombudsman's response to a formal complaint filed by the Guatemalan NGO Madre Selva regarding the mining project. The FT reported that the Ombudsman "charges that the bank failed adequately to consult the local community or properly evaluate the environmental and humanitarian impact of the mine." The article even mentions the results of Sipacapa's "illegal" referendum in which 98 percent of the residents rejected mining.

IT'S NOT OVER YET

The World Bank's report is a positive step. (Someone was honest enough to leak this report, which according to news reports was supposed to be confidential.) But one of the concerns with the World Bank's oversight procedures, as well as putting too much hope behind international law (like ILO 169), is that there are no tangible enforcement mechanisms. "Impunity is the norm in how the global community works," said Russell.

However, the conditions in Guatemala might make it possible for this global

fiasco to be an exception to the rule. Indigenous communities in Sipacapa continue to meet on a regular basis in their organizing efforts against the mine and San Miguel is readying itself for its own referendum with popularity for the mine dwindling. In addition, more people are becoming aware of the situation as a result of solidarity work by activists, NGO's and others. It is absolutely necessary for global civil society to engage itself in this struggle on an even greater level given the remaining obstacles.

The Guatemalan government showed it is not afraid to use violence to protect Glamis' interests when in January the military killed a protestor and injured dozens of others. Glamis can be expected to continue with its lies and repressive tactics, while the Canadian government is Glamis' biggest cheerleader. The only thing that can be expected from the U.S. government is a possible false allegation that Fidel Castro and Hugo Chavez are somehow behind the opposition to the mine. The vast majority of the international mainstream press still has not found this story "newsworthy" enough to report on thoroughly, refusing to stray from its role as chief enabler of global impunity. Yet despite these obstacles, this mine can still be shut down.

[Cyril Mychalejko is the assistant editor of www.UpsideDownWorld.org, an online magazine about activism and politics in Latin America. He recently traveled to Guatemala.]

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