



July 11, 2008

Canadian mining corporation Goldcorp Inc. is again trying to arrest Mayan farmers whose communities and rights are being harmed by its "Marlin" gold mine, and death threats are increasing. Please read this urgent action and consider writing to the people and organizations listed below.

To make tax-deductible donations for the community development, environmental and human rights promotion work of these communities, see below.

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DEATH THREATS AND PERSECUTION FOLLOWING POWER DISRUPTION TO GOLDCORP'S "MARLIN" MINE, in SAN MARCOS, GUATEMALA

Rights Action is extremely concerned for the safety of communities in resistance to the Goldcorp Inc. gold and silver mine, the Marlin Project, in municipalities of San Miguel Ixtahuacan and Sipakapa in the department of San Marcos, Guatemala.

They are currently subject to greatly increased death threats, in particular Javier de Leon and Mario Tema. Though both have been subject to constant threats and intimidation, over the past few days the level of threats has increased.

Mario Tema is a community leader in Sipakapa who has been key in coordinating and legally defending the 2005 community consultation that overwhelmingly rejected the presence of the mine in the area. In the past week five people have warned him of a plot to kill him, and mine workers have blamed him for resistance actions in San Miguel Ixtahuacan.

Javier de Leon is a community leader in San Miguel Ixtahuacan who has been active in defending traditional Mam authority structures, and in promoting a community consultation planned to occur in San Miguel Ixtahuacan this year. Javier has been told he has been sentenced to death.

"GOLDCORP 9" – MALICIOUS PROSECUTION

We are also extremely concerned for the safety of Gregoria Crifanta Perez Bamaca, Crifanta Fernandez Perez, Patrocinia Mateo Mejia, Catalina Perez Hernandez, Olga Bamaca Gonzales, Maria Diaz, Crifanta Yoc, Marta Perez, and Fernando Bamaca, all Mam-Mayan villagers of Agel, who are currently subject to arrest warrants that derive from their legitimate defense of their rights, emblematic of the manner in which the Guatemalan justice system has been manipulated to promote the unjust prosecution of

communities seeking to defend their rights from economically and politically influential interests.

In 2004, when the Marlin Project was initiating its presence in San Marcos, mine representatives approached indigenous Mayan farmers asking them to grant right of way for electrical lines to supply energy to the mine's processing plant. Those who signed the right of way did not understand what they were signing, they did not understand that the intention was to install the type of line they ended up installing. The document was written in Spanish, and they were addressed in Spanish, a language some of them minimally understand. In addition, the land which they farm is communal indigenous land, which due to this special status has special rights and guarantees against these kinds of activities, rights which have not been respected by the Guatemalan or Canadian governments, or the transnational corporations with interest in the area, including the World Bank which funded the project.

In 2005, the company came to install high tension energy lines and large posts in their lands. The villagers repeatedly and constantly protested that they did not want the installations in their yards and that they had not agreed to this. The presence of the lines has been a source of constant protest by the villagers as the lines run directly above their homes and represent an imminent threat to their safety and health.

Rather than protecting the fundamental rights of the villagers, the Guatemalan government, on January 9 and 10, 2008, sent riot police to force the entry of electrical workers into the yards of the villagers. When villagers objected to the unwarranted intrusion into their properties, children, women and men were subject to a violent response by the police. The community denounced the actions in the District Attorney's office but has received no response.

Approximately two weeks ago the energy lines were damaged and no longer allowed passage of energy to the mines processing center. The Company is accusing the women of the actions and they have been charged with Aggravated Usurpation. The alterations in the flow of energy have affected the capacity of the mine to operate, and certain operations were suspended July 1.

According to reports in communities surrounding the mine, mine directors or managers have told the employees that the community leaders are responsible for the suspension of work because they give bad advice to the communities, and have suggested that leaders should be attacked or killed, particularly focusing on Javier de Leon, Mario Tema and the Agel villagers.

BACKGROUND – PREVIOUS REPRESSION AND VIOLENCE

Earlier this year, Javier de Leon was subject to a series of threats. In March 2008 the Casa del Pueblo / Town Hall, a traditional Mam authority structure which brings together Mam mayors from all 65 villages that compose San Miguel Ixtahuacan, began planning a community consultation in reference to the Marlin Mine. Javier de Leon was President of the Casa del Pueblo in 2007 and as outgoing president is an advisor this year. Several meetings of the Casa del Pueblo were attended by mine employees.

On March 12, the as Javier walked home after a meeting of the Casa, a motorcyclist attempted to run him down. On March 29 the same person who drove the motorcycle threatened to kill Javier, and then motioned to take a gun from his belt.

On March 30, the second consultation planning meeting held by the Casa, which was again attended by members of the mine security force. In the late afternoon, following that meeting, Maquivel community members report that a car with tinted windows entered the village, stopped a car in which Javier often rides, at which point an occupant of the car pointed a gun to the head of the sixteen year old boy driving the Maquivel truck. The armed man asked if Javier de Leon was in the car, that they were looking for him. The villagers then noted that several armed men were in the car.

These threats are not to be taken lightly.

On March 13, 2005 a Marlin mine security guard killed, in front of multiple witnesses, Alvaro Benigno Sanchez, whose family had actively protested the mine, as he left an evening church service. This murder was never prosecuted.

In January of 2005 Guatemalan Riot Police killed Raul Castro Bocel with gunfire during a protest blocking the passage in the highway of mining equipment in Solola. This extrajudicial execution has never been prosecuted.

In April or May of 2007, Byron Bamaca Perez and his nephew Marco Tulio Vasquez, who worked as cooks for a company. subcontracted to dig the tunnel associated with the mine, disappeared when sent to on an errand for the company. Marco Tulio Vasquez had participated in anti-mining protests prior to employment with the mine. Despite months of inquiries, the company has provided the families with no information as to their whereabouts.

On June 15, 2007 the decapitated body of Pedro Miguel Cinto, an elderly man who lived in front of the mines entrance was found by a child pasturing sheep. His head was found in a neighboring department! He and his family had been active against the mine.

When justice authorities found the man's head they communicated the find through the mining company to the family, an act which was perceived to be a threat and a warning to those who dared to protest the mine.

EARLIER CASE OF MALICIOUS PROSECUTION – “GOLDCORP 7”

In addition to the extreme violence and complete impunity with which it occurs, the company has a history of the use of malicious prosecution to intimidate resistance to the mine.

On January 9, 2007, a group of villagers who live around the mine visited the mine office to request dialog about the extreme harms the communities neighboring the mine suffer as a result of its activities. Entire communities were displaced to make room for the mine, selling land through coercion and deceit. The communities surrounding the mine have had large cracks appear in their concrete blocks homes as a result of the constant explosions that cause the earth to quake. The same explosions raise enormous amounts of dust that cause respiratory problems.

Rather than respond to the request they were escorted from the mine office by company security forces. The security forces then followed them down the road and attacked them a few kilometers away. The men defended themselves as best they

could and escaped what appeared to be a kidnapping attempt. When the villagers heard of what happened, they responded in a protests that lasted 10 days.

While the State took no action against the mine security for the attack on the community representatives, seven of the community representatives were violently arrested in the homes in pre dawn hours on February 13. Though the five of the seven were acquitted and two received sentences they are currently appealing to the Constitutional Court, all were subject to great hardship and personal expense in the process.

The manner in which the District Attorney's office prosecuted this case demonstrates bias in favor of the mining company and discrimination against the indigenous farmers. The charges that five of the seven faced, and four of the five offenses the remaining two faced, were charges considered to be minor offenses, offenses which the Guatemalan justice system encourages the District Attorney to resolve through alternative non judicial mechanisms, such as negotiation, especially when, as in this case, the supposed offenders have no prior record of offenses and there are related special conditions that aggravated the situation.

The attack on the community representatives by mine security that incited the protest was never prosecuted.

Another example of malicious prosecution is the case of the Italian Chemist Flaviano Bianchini, who published a report in late 2006 documenting extremely high levels of contamination in the Tzala River. Following the report he was subject to a series of death threats, and then a lawsuit by Glamis Gold, the then owner of the Montana Exploradora Marlin mine.

In addition to the damages the communities were denouncing during the January 2007 protests, they have suffered the following damages as a result of the mines operation:

- wells and springs have dried up as a result of a drop in the water table resulting from the enormous amounts of water the mine pump to process the gold
- the company is releasing water that has been used with cyanide and arsenic in processing the gold into the air and river systems
- the population surrounding the mine are suffering from strange skin conditions which in other areas affected by gold mine have been the first sign of contamination of their bodies by heavy metals that later provoke even nervous system disorders and other grave illnesses

WHAT TO DO

RIGHTS ACTION

Based in Guatemala, Rights Action (with tax-deductible legal status in Canada and USA) funds and works with community-based Indigenous, development, environment and human rights organizations in Guatemala and Honduras, and also in El Salvador, Oaxaca and Chiapas; and educates about and is involved in activism related to global development, environmental and Indigenous and human rights struggles.

TO MAKE TAX-DEDUCTIBLE DONATIONS for indigenous and community-based organizations that are implementing their own development, human rights and environment projects --- including communities that are resisting harms caused by mining

and carrying out their own, legally binding consultations ---, make check payable to "Rights Action" and mail to:

* UNITED STATES: Box 50887, Washington DC, 20091-0887;

* CANADA: 422 Parliament St, Box 82552, Toronto ON, M5A 4N8.

CREDIT-CARD DONATIONS:

http://www.rightsaction.org/Templates/donations_index.html

HUMAN RIGHTS DELEGATIONS TO MINING-AFFECTED COMMUNITIES: Consider forming your own group and coming on an educational seminar trip to learn more about community and Indigenous resistance to mining and other large-scale "development" projects.

2nd HEMISPHERIC GATHERING AGAINST MILITARIZATION – HONDURAS, OCTOBER 3-5:

Form your own group and come to Honduras for this continental Gathering. !Para callar las armas, hablemos los pueblos! (To quiet weapons, the people must speak!).

www.antimilitarizacion.blogspot.com; info@rightsaction.org. PLACE: La Esperanza, Intibucá, Honduras.

3rd SOCIAL FORUM OF THE AMERICAS – GUATEMALA, OCTOBER 7-12: Form your own group and come to Guatemala. Thousands of people from across the Americas are expected at this gathering to debate and discuss (and enjoy awesome music, art and theater) how Another World Is Possible ... And Necessary. For more info:

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READ: Eduardo Galeano's "Open Veins of Latin America"; Naomi Klein's "The Shock Doctrine"; Paulo Freire's "Pedagogy of the Oppressed".

SMILE: And live to make another world is possible, everyday.