

August 9, 2009

GUATEMALA: Update on Resistance to Harms & Violations caused by Goldcorp Inc's "Marlin" mine

BELOW:

- COMMUNIQUE: Another possible attempt against 4 community leaders of San Miguel Ixtahuacan
- LETTER: Sent to Goldcorp Inc. by a Canadian citizen

For more information about Goldcorp related community struggles in Honduras & Guatemala: info@rightsaction.org / www.rightsaction.org

- Please re-distribute this information all around.
- To get on/ off Rights Action's email list:
<http://www.rightsaction.org/lists/?p=subscribe&id=3/>

* * *

URGENT: ANOTHER POSSIBLE ATTEMPT AGAINST 4 COMMUNITY LEADERS OF SAN MIGUEL IXTAHUACAN

On Friday July 24th 2009, at approximately 11h15 at night, near the ADISMI offices in Máquivil, a truck apparently tried to run over Javier de León, Anisteo Lopez, Carmen Mejía and Marcos Perez (all members of ADISMI) while they were talking on the edge of the road.

They saw a 20 feet Mercedes Benz truck –white cab, blue bodywork, and red and sky-blue stripes– rush towards them without any head lights. They avoided the truck by little, by a few inches for Javier de León, and it fled in a hurry towards Chilive, downhill.

Anisteo Lopez went with his motorcycle in the same direction and found the truck stopped at a store with the emergency lights on at only 5 minutes away. A friend, Mario Diaz, was passing by the truck in a pickup and people in the back saw an armed man inside the cab. There was another man inside. They weren't able to see the plate number or recognize the man's face.

= = =

This apparent attempt is only one of so many incidents happening daily to community members who are openly questioning the legitimacy of Goldcorp's "Marlin" mine, denouncing the many problems that it has caused and struggling for their right to carry out a legally binding Community Consulta, a right that has been violated by the lack of prior information and consultation process. Verbal threats, intimidations, surveillance monitoring, followings, phone calls and text messages are being registered almost every week, if not sometimes every day in many communities.

According to workers, they are pressured by their superiors to always talk in favor of the mine, even when they see and experiment problematic situation while working. "What happens here stays here."

Just by conversing with community members, mine workers and ex-workers, we were told that at least 4 known workers have died lately probably due to work related incidents and/or contaminations.

= = =

On June 25th, Rights Action was leading a Global Exchange delegation in Guatemala: "YES, ANOTHER WORLD IS POSSIBLE, Free Trade vs. Fair Trade". The delegation was visiting affected communities in San Miguel Ixtahuacán and Sipacapa, talking with ex-mine workers, actual workers and local indigenous campesinos defending their rights that have been violated by the mining operations of Goldcorp.

A few weeks later, we were told by friends living in San José Ixcániche that a part time worker of Goldcorp Inc's subsidiary Montana Exploradora was threatening to burn Rights Action's vehicle, next time we would visit. On July 3rd, another San José Ixcániche's neighbor apparently supported this idea, in a community meeting.

= = =

This apparent attempt against the life of four Human Rights defender happened while the Community Consulta in San Miguel Ixtahuacán may be on the way.

While Goldcorp claims that its operations in Guatemala and Honduras are led in a responsible way, conflictive relationships are increasingly rising between families and communities – to prove this wrong would be very difficult. From their point of view, the problems are coming from the local NGO's such as ADISMI, COPAE and the local Catholic Church's priest: they are dividing local communities and putting people against people. In their view, the problems are coming from groups like Rights Action that, they claim, are carrying out disinformation campaigns ... simply by listening and writing about real people's stories.

* * *

LETTER TO GOLDCORP Inc.

July 30th, 2009

Goldcorp Inc.
Vancouver, BC, Canada

Ms. Dina Aloï:

This letter is in response to your correspondence dated July 7th, 2009. I have a number of questions that I feel need to be addressed after receiving your letter, particularly concerning referendas, as well as the issue of free, prior and informed consent and charges that have been laid against community members.

THE "DEVELOPMENT" DEBATE

I find the term used in your letter, "anti-development", to be particularly disturbing; any of the groups that I have met with in mining-affected communities have professed themselves to be pro-development. These people have many strategies for

development, but their ideas for development do not include large-scale mineral extraction.

Your use of the term "anti-development" seems to be particularly ethnocentric, and based on a North American conception of what kinds of development are most beneficial.

As Goldcorp, a Canadian-owned corporation, is operating in a different country, it seems that a greater level of cultural sensitivity should be employed regarding development philosophies, which does not seem to be happening.

Here in Nova Scotia, development work has a long tradition in communities throughout the province; the Antigonish Movement in the early 1900s helped to push for education and development on people's own terms.

That movement evolved into the Coady Institute at St. Francis Xavier University, where community development practitioners from around the world come to increase their understanding and skills. That understanding of development incorporates economic, environmental, and social sustainability factors, as well as people being the "masters of their own destinies" in regards to development, as Moses Coady once said.

Mining does not constitute community-based development; the communities around San Miguel Ixtáhuacan had highly developed social relations and land use techniques before [Goldcorp's] "Marlin" project, and could have developed more agriculture-based economies, perhaps integrating into the quickly growing Fair Trade movement.

Now we see the consequences of the other side of development, Goldcorp's mining operations: divisions within the communities and little say in how Goldcorp operates within and around the places people live. And, as [with Goldcorp's "San Martin mine] in Honduras, there are indications of negative impacts on health and water accessibility.

Why, with the understanding of development mentioned above that is held by community development leaders around the world, would you call mining "development" that enables long-term economic, social and environmental sustainability?

THE "CONSULTAS" DEBATE

As to the non-democratic nature of referendas that have happened all over San Miguel Ixtahuacan, and Sipakapa, I would like to reference the experience of a friend who has also been to the area, and had attended a community consulta in 2007.

The community in the Municipality of Concepcion Tutuapa had, for weeks, debated the benefits and drawbacks to having mining operations in their area. As is customary, the community came to their conclusions, and decided collectively how they wanted to address the issue; when they voted, each community member voted against mining operations in their municipality.

Many men who had previously traveled to the US for employment were in attendance; even these men, who had to endure the hardships of travelling so far to support their families, could not see the benefits of mining as development.

Their concern for the environment and the maintenance of a fruitful agricultural-based economy for future generations outweighed their acceptance of the short term economic benefits of large scale mining projects.

In regards to community referenda, I would advise you to watch the documentary Sipakapa: No Se Vende (Sipakapa is not for sale). This film documents the referendas in Sipakapa on whether or not to allow [Goldcorp Inc's Guatemalan subsidiary] Montana Exploradora to proceed with mining activities near their communities.

This film in itself shows a well-organized, educated populace, exercising their democratic right (by Guatemalan and international decrees) to refuse development that they did not see as being in the best interest of their communities, not anti-mining rallies organized by anti-development groups.

What does Goldcorp define as an anti-development group? To organize countless consultas over the last number of years, there must be a huge contingent of people who don't want industrial development in their communities – should not the issue of why so many people want to gather and vote Goldcorp out of their communities be addressed, regardless of who these consultas are recognized by?

In your letter to me, as well as the letter to Rights Action that you attached with it, there is the implication that the issues that local populations are being confronted with are problems caused by anti-mining and anti-development groups.

How can you explain that in the numerous referenda held in San Marcos and Huehuetenango the overwhelming response has been to reject mining? Surely it is not simply that these intelligent people have been manipulated into voting against mining?

The letter you enclosed, addressed to Rights Action, ADISMI, the Parish and the Youth Group, was sent in English. It appears that this letter was sent in English, not in Spanish, even though it was addressed to Spanish speakers. Is that the case?

Since this letter was sent as an email to a list used by ADISMI, this letter can only be seen as a means for Goldcorp to communicate with those who know ADISMI.

I see this as a very inappropriate way to communicate and certainly not constructive communication that will resolve a conflictual situation.

What does Goldcorp define as consultation within the communities? Is it democratic, including the views of all community members, or does it only include select "representatives"?

In your letter to me, you note the vast numbers of people you have "consulted" in mining-affected communities; if community-organized consultas are arbitrary and non-binding in your eyes, are your own efforts at "consultation" not seen in the same manner by these communities?

In both the language of international legal conventions and in the language of corporate social responsibility, consultation is not led by the company and includes a presentation of the risks and costs (environmental, health, social, financial) for affected

communities, as well as the benefits. It appears to me that what you speak of as consultation is normally known as public relations.

Does Goldcorp agree that there is a distinction to be made between consultation, as understood above, and the public relations efforts you have carried out?

The newest development in the Marlin mine, the Coral development, seems to be moving along very quickly. Is Goldcorp prepared to bring this development and all other expansion to a halt until free, prior and informed consent has been given by the communities impacted? What consultation process does Goldcorp have in place that is facilitating dialogue between the company and mining-affected citizens, or has Goldcorp been pressuring the government to initiate a consultation process? How will you obtain free, prior and informed consent to continue with the Coral development?

If Goldcorp is willing to go to such lengths to have numerous people charged and prosecuted by the Guatemalan government in a country where only 4% of cases are prosecuted, why is this, a Canadian corporation, not putting the same amount of pressure on the government to hold legal and binding consultas, to show the true wishes of community members?

Your letter has left me with more questions than answers. I find troubling the effort put into laying charges against community members, which may lead to costly and time-consuming court cases and even incarceration of community members. I feel that many of the issues that are facing both affected communities and Goldcorp could be put to rest by ensuring that consultations take place and by stopping any further development until it is clear whether or not the communities are willing to give their consent, rather than by insisting on starting to drill, simply because you were able to purchase one piece of land, and a purchase that is in any event questionable in terms of community traditions around obtaining community consent for land sales.

Is Goldcorp prepared to withdraw charges? Is Goldcorp prepared to halt expansion until affected communities have given their consent?

I hope you will reply to my questions on these matters:

What is Goldcorp's definition of development (and anti-development)?

Why, with the understanding of development mentioned above that is held by community development leaders around the world, would you call mining "development" that enables long-term economic, social and environmental sustainability?

Did Goldcorp send a letter addressed to Spanish speaking groups written in English?

Does Goldcorp agree there is a distinction to be made between consultation, and the public relations efforts the company has carried out?

If Goldcorp believes that the previous referendas held in mining affected communities are arbitrary and non-binding, what efforts are being made to hold these referendas in a manner that would be seen as legal and binding to the company?

Has Goldcorp arranged with the Guatemalan government to initiate a consultation process regarding the Coral project? If not, how does the company plan to obtain free, prior, and informed consent?

Is Goldcorp prepared to halt expansion of the mine until affected communities have given their consent?

Is Goldcorp prepared to withdraw charges?

I believe that your credibility as a socially responsible Canadian corporation is currently somewhat tarnished, but also that Goldcorp has the capacity to respect the will of the people.

I must note that as a stakeholder in the Canada Pension Plan, I feel very urgently that Goldcorp must take quick and decisive actions to correct the damage that has been done to Guatemalan communities.

I look forward to your response, and I sincerely appreciate the time you are taking to inform concerned Canadians of your actions.

Respectfully yours,

Rebecca MacDonald

* * *

TO GET INVOLVED & FOR MORE INFORMATION: info@rightsaction.org,
www.rightsaction.org.

TO DONATE FUNDS TO INDIGENOUS GROUPS RESISTING THE HARMS AND VIOLATIONS OF MINING, MAKE TAX DEDUCTIBLE DONATIONS TO "RIGHTS ACTION" AND MAIL TO:

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

CANADA: 552-351 Queen St. E, Toronto ON, M5A-1T8

CREDIT-CARD DONATIONS: <http://rightsaction.org/contributions.htm>

Upon request, Rights Action can provide a proposal of which organizations and people, in Guatemala, we are working with and channeling your funds to and supporting.