

Rights Action – July 5, 2011  
Honduras - Urgent Action

## **HONDURAS – COMMUNITY LEADERS ARRESTED ON TRUMPED UP CHARGES, FOR PROTECTING FORESTS FROM ILLEGAL LOGGERS LINKED TO GOLDCORP Inc.**

**WHAT TO DO:** see below

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- Rights Action's Facebook group: <http://www.facebook.com/pages/Rights-Action/176850879028427?ref=ts>

### **FOR MORE INFORMATION:**

Annie Bird, [annie@rightsaction.org](mailto:annie@rightsaction.org)  
Grahame Russell, [info@rightsaction.org](mailto:info@rightsaction.org) [in Guatemala]  
Karen Spring, [spring.kj@gmail.com](mailto:spring.kj@gmail.com) [in Honduras]

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## **HONDURAS – COMMUNITY LEADERS ARRESTED ON TRUMPED UP CHARGES, FOR PROTECTING FORESTS FROM ILLEGAL LOGGERS LINKED TO GOLDCORP Inc.**

(By Annie Bird, July 5, 2011)

Early this morning, July 5, Carlos Amador, a local teacher who holds the position of Secretary of the Valle de Siria Environmental Committee, and Marlon Hernandez, a teacher who holds the position of President of the Community Committee of El Terrero were arrested as they walked to work.

(Since 2004, Rights Action has supported and worked with the Valle de Siria Environmental Committee)

A total of eighteen arrest warrants have been issued against community human rights defenders and environmentalists from the Valle de Siria Environmental Committee and the Community Committee of El Terrero, apparently in the interest of facilitating access to gold deposits for the Goldcorp Inc gold mining company.

### **ABUSE OF THE LEGAL SYSTEM AS A TOOL OF REPRESSION**

The community leaders have been charged with Obstruction of a Management Plan by judge Ingrid Quiroz in the Talanga Court. They were given conditional release until their trial scheduled to begin August 2.

The President and a Representative of the Valle de Siria Environmental Committee, Martin Erato and Marco Tulio Martinez, also are subject to arrest warrants, as are most members of the Community Committee (Patronato) of El Terrero.

During the day, members of the communities affected by Goldcorp Inc's concession poured into Talanga in a show of support, including six more Community Committee members with arrest warrants who voluntarily presented themselves before the judge.

#### CRIMINALIZATION OF HUMAN RIGHTS DEFENDERS

This process is clearly a case of criminalization of human rights defenders, yet another example of how the Honduran justice system is engaged in flagrant violations of fundamental rights and due process.

The Public Prosecutor requested the arrest without having first undertaken sufficient investigation into the land rights of the two groups in conflict. Today leaders of the five communities affected are presenting fraud charges against the family who created a false title to the land in conflict.

#### PROTECTING DRINKING WATER FOR 20,000 PEOPLE

The arrests stem from a conflict over a forested mountain known as Cerro La Terracita in the municipality of El Porvenir, department of Francisco Morazan, Honduras, an area communally owned for 250 years.

(Goldcorp Inc began operating its "San Martin" in the neighboring municipality. Goldcorp has a concession, illegally gotten according to many Honduras, to mine in El Porvenir as well, but never were able to operate their mine there due to the peaceful opposition of the local population).

On April 7, 2010, lumberers attempted to enter the communal forests, and were blocked by area residents who hold title over the land. Approximately 800 hectares of forests protect the spring that is the source of drinking water for between 15,000 and 20,000 people, inhabitants of the villages of Pueblo Nuevo, Guayovillas, Pedronal, Terrero, and Escanito. For many years the communities have been requesting that the Institute for Environmental Conservation declare the area a protected area.

The mountain forms part of a 1,870 hectare communal land title pertaining to the villages, a title that dates back to the early 1800s. However, since the Canadian gold company Goldcorp obtained its concession to the subsoil mineral rights in the mountain, residents of El Porvenir report that Goldcorp developed close ties to a family originally from the villages, the Raudales Urrutia family, who have for many years lived in Tegucigalpa and the town center of El Porvenir.

According to reports, approximately three years ago the Raudales Urrtia family, through fraudulent processes, obtained an illegitimate title over the land and obtained a permit for a management plan from the Institute for Forestry Development. Area residents report that the intention of the permit is to clear cut the forest. This would then facilitate exploitation later by Goldcorp since environmental permits would be easier to obtain for the already deforested mountain.

#### GOLDCORP LINKED TO PRIVATELY ARMED GROUP AND POLICE REPRESSION

Since the Raudales Urrtia family began asserting ownership over the communal lands, they have maintained a private security force of six or seven heavily armed guards in the town of El Porvenir, who enter the villages heavily armed in vehicles with the obvious

intention of intimidating and terrifying the population to facilitate appropriation of the lands.

On April 13, 2010, 15 heavily armed police arrived at the middle school where Carlos Amador, a teacher and 7-year member of the Valle de Siria Environmental Committee, works. They approached the school with guns raised in attack position. When they were unable to find Carlos, the police next went to his house which they also approached with raised guns and interrogated his two minor daughters as to his whereabouts, and left a citation to appear before police investigators.

Carlos Amador responded to the citation, but instead of asking questions related to the conflict over the La Terracita forest, the district attorney questioned him about the work of the Environmental Committee, asking questions like, "who are the leaders of the committee", "where do they live", "when does the committee meet", etc.

The conflict in La Terracita began shortly after Goldcorp's March 18, 2010 announcement to the press that its mine Closure Plan had been approved. Goldcorp, having completed exploitation of their first tract, the Palo Alto y Tajo la Rosa concessions, is anxious to begin exploitation of neighboring concessions, such as La Terracita.

On request, Rights Action can provide substantial documentation and film links of serious health and environmental harms caused by Goldcorp's open-pit, cyanide heap leach mine.

#### GOLDCORP IMPUNITY HAD BEEN CHALLENGED BY PRESIDENT ZELAYA'S GOVERNMENT

The controversial closure plan was rejected by neighbors as it did not take adequate measures to clean up the heavy metals, such as cyanide, arsenic and mercury, among others, which have been demonstrated to exceed internationally established standards in Valle de Siria water system, and in the bodies of the residents.

The Closure Plan had not been accepted by the administration of then President Manuel Zelaya, which in April of 2009 created an inter-institutional commission to examine the plan and the impact of Goldcorp's operations in the region.

This measure followed a moratorium that banned the exploitation of mining concessions using certain techniques, such as those employed by Goldcorp, that the Zelaya administration enacted through a presidential decree in 2007.

Challenged by mining companies, in a 2008 ruling by the Supreme Court supported the Presidential Decree, finding sections of the 1998 General Mining Law, approved in the havoc following Hurricane Mitch, to be unconstitutional. This highly unpopular law had ushered in a fire sale of mining concessions in the late 1990s, early 2000s.

A new and fair mining law is seriously needed to define the all the procedures and guidelines that mining companies must follow if they want to exploit concessions they hold.

On April 27, 2009 President Manuel Zelaya proposed a mining law that banned open pit mining and the use of certain heavy metals, such as cyanide, in the refining process. This law would have made impossible expansion plans by mining companies, such as Goldcorp.

## ... AND THEN THE MILITARY COUP OCCURRED

All discussions of the type of fair-minded mining law reforms that were needed came to a crashing halt, the day after the June 28, 2009 military coup ousted President Zelaya's government.

Though many expected the military backed coup regime to pass their own version of a new mining law – one that would be expected to greatly favour international companies and investors, to date this has not happened. It is possible that the interests that back a new mining law may be waiting for the ratification of the Canada – Honduras free trade agreement, expected to be enacted any day.

## ABUSE OF THE LEGAL SYSTEM FOR THE WEALTHY AND POWERFUL / IMPUNITY FOR THE POOR AND DISPOSSESSED

Ever since Goldcorp acquired its 'concession', and particularly since it began mining operations in 2000, and health and environmental harms began to be documented, a myriad of legal actions have been presented against mining interests in Honduras, yet virtually only the constitutional challenge has been ruled upon.

The Environmental Committee alone has advanced at least 25 legal actions related to Goldcorp's operation.

In 2000, criminal contamination charges resulted in arrest warrants against a Canadian Simon Ridgeway, legal representative for Entre Mares, the local company that owns the San Martin mine, a company now subsidiary to Goldcorp. The arrest warrant was never carried out, and in a similar way the investigation or prosecution of many other charges has never advanced.

## CONDITIONAL RELEASE

Carlos Amador and Marlon Hernandez are thankfully released. This is due in no small part to a huge national and international response to these illegal detentions.

However, the trumped up charges are pending against them, and 16 other local community members.

Stay tuned, Keep educated, Stay involved.

Thank-you / Gracias a la vida

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## **WHAT TO DO:**

### **TO MAKE TAX-DEDUCTIBLE DONATIONS**

for the Valle de Siria Environmental Defense Committee, and other community-based organizations working for the re-founding of Honduras, for community-controlled development, environmental justice, human rights & justice in Honduras, make check payable 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>  
DONATIONS OF STOCK: [info@rightsaction.org](mailto:info@rightsaction.org)

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**SPEAKERS:**

Contact us to plan educational presentations in your community, school, place of worship, home ([info@rightsaction.org](mailto:info@rightsaction.org))

**EDUCATIONAL DELEGATIONS TO CENTRAL AMERICA:**

Form your own group and/ or join one of our educational delegation-seminars to learn first hand about community development, human rights and environmental struggles ([info@rightsaction.org](mailto:info@rightsaction.org))

**CREATE YOUR OWN**

email and mail lists and re-distribute our information

**RECOMMENDED DAILY NEWS:**

[www.democracynow.org](http://www.democracynow.org) / [www.upsidedownworld.org](http://www.upsidedownworld.org) / [www.dominionpaper.ca](http://www.dominionpaper.ca)

**RECOMMENDED BOOKS:**

Eduardo Galeano's "Open Veins of Latin America"; Howard Zinn's "A People's History of the United States"; James Loewen's "Lies My Teacher Told Me"; Naomi Klein's "The Shock Doctrine"; Paolo Freire's "Pedagogy of the Oppressed"; Dr Seuss's "Horton Hears A Who"

**FOR MORE INFORMATION:**

Annie Bird, [annie@rightsaction.org](mailto:annie@rightsaction.org)

Grahame Russell, [info@rightsaction.org](mailto:info@rightsaction.org)

Karen Spring, [spring.kj@gmail.com](mailto:spring.kj@gmail.com)