

Rights Action – January 9, 2012

## **GOLDCORP IN GUATEMALA -- Impunity from the Local to the Global**

**BELOW:** Press release, from Mining Watch & CIEL – that the IACHR (Inter-American Commission of Human Rights) has rescinded its “suspension order” of Goldcorp's cyanide-leaching, open-pit / mountain-top removal mine in Guatemala.

As former General Otto Perez Molina – widely alleged to be an intellectual author of the genocide and other human rights violations during the worst years of State repression – gets set to assume the presidency, January 14, 2012, Rights Action laments that with this legal capitulation by the IACHR, Goldcorp continues to act with impunity, before Guatemala law, Canadian law and international law. For more information about the on-going human rights violations and environmental and health harms, contact Rights Action ([info@rightsaction.org](mailto:info@rightsaction.org)) or the groups mentioned below.

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**WHAT TO DO:** see below

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January 5, 2011

## **A WAKE-UP CALL FOR HUMAN RIGHTS DEFENDERS IN THE AMERICAS, NOT INDICATOR OF GOLDCORP'S PERFORMANCE**

**CONTACT:** Jennifer Moore, MiningWatch Canada, 613-569-3439, and Kristen Genovese, Center for International Environmental Law, 202-742-5831

(Ottawa/Washington, D.C.) The Center for International Environmental Law (CIEL) and MiningWatch Canada today expressed deep concern at the political pressure being brought to bear on the Inter-American Commission on Human Rights (IACHR), the western hemisphere's primary organ for protecting human rights. Under substantial pressure from governments, the IACHR decided in late December to modify an earlier order regarding the controversial Marlin mine in Guatemala, the subject of an ongoing human rights complaint. IACHR lifted its recommendation to suspend operations at the mine, while leaving other measures in place.

CIEL and MiningWatch Canada cautioned that the move should not be seen as evidence that the company is acting responsibly or that violations of human rights and threats to community well-being in Guatemala have been addressed. They warned that IACHR's decision, and the political pressure that preceded it, are a wake-up call for organizations and communities concerned about the defense of human rights in the Americas.

“If Goldcorp truly respected human rights as it purports to, it would not be celebrating this decision,” says Kristen Genovese, Senior Attorney at CIEL. “In addition to the IACHR, the International Labour Organization's Committee of Experts and the UN Special Rapporteur on the Rights of Indigenous People have also recommended suspension of mine operations

until local communities are adequately consulted. The company's own Human Rights Assessment of the Marlin mine also recommended that the company halt its land acquisition and mine expansion until consultation takes place. The company is conveniently ignoring these orders, in the same way it supported the Guatemalan government's intransigence in the face of the earlier IACHR suspension order."

This is only the latest example of country's pressuring—and even threatening—IACHR to weaken human rights decisions. Several months ago, under threat that Brazil would revoke its funding, the IACHR backed down from its order to Brazil to halt construction of the controversial Belo Monte dam based on allegations that the right of local indigenous communities to free, prior and informed consent had not been respected.

"Questions need to be asked about what kind of pressure the IACHR was under when it made this decision to modify the order," says Jennifer Moore, Latin America Program Coordinator for MiningWatch Canada. "It is unconvincing that the IACHR would be satisfied with the evidence that the company-sponsored water committee and Guatemalan government have presented. The most recent hydro-geological study lauded by the government does not resolve the question of whether the mine is contaminating the local drinking water and its neutrality has been roundly criticized by local authorities. Furthermore, I'm surprised to see no mention of other independent studies that indicate depletion of surface water supplies, arsenic contamination and possible leakage from the tailings pond."

The modification of the IACHR order does not affect the underlying petition, currently under consideration at the Commission, which alleges that failure of the government to obtain the free, prior, and informed, consent of the communities before developing the Marlin mine. According to the precautionary measures that remain in place, Guatemala has an ongoing obligation to ensure the quality of water sources serving the communities is suitable for domestic and irrigation uses. The modified measures further request that the Government advise the IACHR as to the manner in which it is fulfilling this duty.

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#### **DELEGATION TO GUATEMALA - MARCH 10-17, 2012**

"DAMS, MINING & AFRICAN PALM PRODUCTION - versus - COMMUNITY DEVELOPMENT, ENVIRONMENTAL JUSTICE & HUMAN RIGHTS". Lead by Grahame Russell (Rights Action co-director). Information: [info@rightsaction.org](mailto:info@rightsaction.org)

#### **Rights Action:**

funds and works with community-based organizations implementing their own development, environmental justice, human rights and disaster relief projects  
educates about and is involved in activism aimed at critically understanding and changing unjust north-south, global economic, military and political relationships

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

for indigenous and campesino organizations working for community-controlled development, environmental justice, human rights & justice in Guatemala & Honduras (and also in Chiapas & el Salvador), 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 can be made (anonymously): [www.rightsaction.org](http://www.rightsaction.org)  
In Canada: <https://www.canadahelps.org/DonationDetails.aspx?cookieCheck=true>  
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EDUCATIONAL DELEGATIONS TO GUATEMALA & HONDURAS: Form your own group or join one of our delegations to learn first hand about community development, human rights and environmental struggles

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[www.democracynow.org](http://www.democracynow.org) / <http://therealnews.com/t2/> / [www.upsidedownworld.org](http://www.upsidedownworld.org) / [www.dominionpaper.ca](http://www.dominionpaper.ca)

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"

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