

via fax: 011 502 2411 9124 Licda. Claudia Paz y paz Bailey Attorney General of Guatemala	via fax : 011 502 2413 8658 Lic. Carlos Menocal Minister of the Interior of Guatemala
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March 9, 2011

Dear Madam and Sir:

We are extremely disturbed at the attacks on February 28 against **200 residents of San Miguel Ixtahuacán municipality, San Marcos Department**, who were protesting against the state's failure to suspend extraction activities in the Marlin Mine, owned by Montana Exploradora de Guatemala, S.A., a wholly-owned subsidiary of Canada-based Goldcorp. On June 23, the government promised compliance with the May 20 request of the Inter-American Commission on Human Rights (IACHR) to suspend operation of the mine and to implement measures to prevent environmental contamination until the IACHR reaches a final decision on the petition presented by 18 indigenous communities to the IACHR. However, the mining operations continue (cf our letter of 7/26/10).

The February 28 protests, which lasted about 12 hours, were organized by the Front in Defense of San Miguel Ixtahuacán (FREDEMI), which represents the people who presented the petition to the IACHR. They are an alliance of diverse communities and organizations that carry out legal and other resistance actions concerning the Marlin Mine operations. When the protesters left, their bus was stopped, they were forced off, beaten, and robbed. Some were taken from the group and attacked. Among these were **Miguel Bámaca**, for whom the IACHR has already requested government protection, and **Aniceto López**, who was taken to the local mayor's office and beaten in the face, robbed of his possessions, including his personal documents, and threatened with death. Both seriously injured men were later released. They are in fear for the safety of themselves and their families. The Ministry of the Interior has been asked to ensure that the police protect them. Others who were seriously injured include **Fredy González**, who was hospitalized because of a firearm injury.

In light of the above human rights violations, we again **strongly urge** that you

- carry out an independent, thorough and impartial investigation into the threats and attacks of Aniceto López and Miguel Bámaca, make the results public and bring those responsible to justice;
- take immediate steps to provide appropriate protection to members of the 18 Mayan communities who were granted protective measures by the Inter-American Commission on Human Rights, and to activists working on human rights violations resulting from mining operations;
- comply with the precautionary measures ordered by the Inter-American Commission on Human Rights to suspend activities at the Marlin Mine.

Sincerely,

Brian J. Stefan Szittai
Coordinator

cc: UDEFEGUA ~ via US mail
Francisco Villagran de Leon, Guatemalan Ambassador to the US ~ via fax: 202 745 1908
Stephen McFarland, US Ambassador to Guatemala ~ via fax: 011-502-2334-2348
Dinah Shelton, US member of the Inter-American Commission on Human Rights~ via fax: (202)458-3650
Brett Hamsik, Guatemala Desk, US State Dept ~ via fax: 202-647-2597
US Senators Brown and Portman ~ via email
US Representatives Fudge, Gibbs, Johnson, Kaptur, Kucinich, LaTourette, Latta, Renacci, Ryan, Sutton ~ via email

UA57/11_Guatemala_3rd letter March

The following people hereby urge you to take action on this matter as indicated in this letter: