

URGENT ACTION

MINE ACTIVISTS BEATEN AND THREATENED

On 28 February, protesters against the Marlin Mine in south-western Guatemala were attacked. One protester, Aniceto López, was taken to the office of the local mayor, where he was allegedly beaten and threatened with death for speaking out against the mine.

On 28 February, 200 members of the communities of San Miguel Ixtahuacán municipality were protesting against the Guatemalan state's failure to suspend extraction activities in the Marlin mine, in the San Miguel Ixtahuacán municipality, in the San Marcos department of south-western Guatemala. Activities have continued at the Marlin Mine, owned by Montana Exploradora de Guatemala, S.A., a wholly-owned subsidiary of Goldcorp, despite the Inter-American Commission on Human Rights (IACHR) ordering for activities to be suspended until the effects of the mine on local indigenous communities are properly assessed.

The protests, organized by the Front in Defense of San Miguel Ixtahuacán (FREDEMI), lasted around 12 hours. When the protesters left, the bus they were travelling in was stopped and the protesters were forced to get off the bus and were beaten and robbed. Some protesters were taken from the group and attacked individually. Miguel Bamacá, who the IACHR has already requested the Guatemalan government protects, and Aniceto López were singled out. Aniceto López was reportedly taken to the office of the local mayor where he was beaten in the face, robbed of his documents and possessions, and threatened with death. Others were seriously injured, such as Fredy González, who was hospitalized due to an injury caused by being hit by a firearm.

Miguel Bámaca and Aniceto López were released later that evening, seriously injured, and are in fear for their safety and the safety of their families. The Ministry of the Interior has already been asked to ensure that the Police protect these individuals.

PLEASE WRITE IMMEDIATELY in Spanish or your own language:

- calling for an independent, thorough and impartial investigation into the threats and attacks of Aniceto López and Miguel Bámaca, with the results made public and those responsible brought to justice;
- urging that the authorities 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 alleged human rights violations as a result of mining operations;
- urging the Guatemalan authorities to comply with the precautionary measures ordered by the Inter-American Commission on Human Rights to suspend activities in the Marlin mine.

PLEASE SEND APPEALS BEFORE 14 APRIL 2011 TO:

Attorney General

Licda. Claudia Paz y paz Bailey
Fiscal General de la República y Jefa
del Ministerio Público,
8ª Avenida 10-67, Zona 1,
Antiguo Edificio del Banco de los
Trabajadores,
Ciudad de Guatemala,
GUATEMALA
Fax +502 24119124

Salutation: Dear Attorney General /
Estimada Sra. Fiscal General

Minister of the Interior

Lic. Carlos Menocal
Ministro de Gobernación
6ª Avenida 13-71, Zona 1,
Ciudad de Guatemala,
GUATEMALA
Fax: +502 2413 8658
Salutation: Dear Minister / Estimado Sr.
Ministro

And copies to:

UDEFEGUA
1 Calle 7-45 zona 1,
Oficina 2-b,
Ciudad de Guatemala,
GUATEMALA

Also send copies to diplomatic representatives accredited to your country. Check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The request for precautionary measures from the Inter-American Commission on Human Rights (IACHR) on 20 May 2010 asked that the Guatemalan government suspend operation of the Marlin mine, owned by Montana Exploradora de Guatemala, S.A., a wholly-owned subsidiary of Goldcorp, and implement measures to prevent environmental contamination until the IACHR reaches a final decision on the petition presented by the communities to the IACHR. The IACHR also requested that the Guatemalan government take any necessary measures to guarantee the life and physical integrity of the members of the 18 Indigenous communities.

The UN Special Rapporteur on the situation of human rights and fundamental freedoms of Indigenous People (<http://www2.ohchr.org/english/issues/indigenous/rapporteur/>) visited Guatemala from 14-18 June 2010 in order to analyze the application of the principles of consultation with Indigenous Peoples in Guatemala, in particular with relation to extractive industries, and with a special focus on the situation of Indigenous Peoples living near to the mining operations in San Miguel Ixtahuacán and Sipacapa. At the end of his visit, the Special Rapporteur stated that he had received allegations that on many occasions the Guatemalan government had granted licenses for the exploitation of natural resources in Indigenous territories without the necessary consultations with local Indigenous Peoples. He added that he had received testimonies alleging that there had been harassment and attacks against community leaders, and that the testimonies imply that the security forces and private companies could be behind such incidents.

On 23 June 2010, the Guatemalan government announced that they would comply with the IACHR request to suspend the mining company's operations, but added the next day that this would take some time as legal and administrative processes would have to be followed. The mining company's operations continue to date.

The defence of human rights is a legitimate activity, fundamental for the advancement of human rights for all. The authorities in Guatemala have demonstrated an unjustified delay in adopting and implementing a Programme of Protection for human rights defenders at risk and a Protocol of Investigation for cases of abuses against them. It is essential that the Guatemalan authorities take seriously their responsibility to ensure that human rights defenders are effectively protected so that they can carry out their work safely and free from fear, as established in the Declaration on Human Rights Defenders adopted by the Organization of the United Nations in 1998. (see: Public Statement Index Number: AMR 34/005/2010 and open letter to the President of Guatemala Index Number: AMR 34/004/2010: <http://www.amnesty.org/en/library/info/AMR34/005/2010/es> and <http://www.amnesty.org/en/library/info/AMR34/004/2010/es>)

The Front for the Defence of San Miguel is an alliance of diverse communities and organizations that resist the extractive work of the Marlin Mine. The Front aims to carry out legal and resistance actions around the mining activity in San Miguel Ixtahuacán. The Front represents the people that presented the petition to the IACHR.

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