

via fax: 011 502 7760 4350 <b>District Attorney</b> San Marcos, Guatemala	via fax 011 502 2334 0119 <b>Lic. Ruth del Valle Cobar</b> President of the Presidential Commission on Human Rights, Guatemala
---	--

June 24, 2009

Dear Sir and Madam:

We are extremely concerned about the situation currently unfolding in the Montaña Exploradora "Coral Project" in the community of Agel, part of the municipality of San Miguel Ixtahuacán, San Marcos Department, where the gold and silver Marlin mine is located.

We have faxed several letters of concern and protest to Guatemalan officials since the mining operations began with a \$45 million loan from the World Bank in 2005. Local residents' concerns about the impacts are: environmental (deforestation, water poisoning from cyanide, air contamination), human health (respiratory problems, skin disease, hair loss, eye problems) and social (community division and social breakdown). Protesters have also suffered direct repression.

Goldcorp, which owns Montaña Exploradora, has brought legal charges against seven community members opposed to the mine, one of whom is facing an arrest warrant. We are concerned that the legal charges have been filed in response to the individuals' participation in opposing the Marlin mine and defending community rights. While we do not condone violence on either side, we know that the recent conflict in Agel is part of a larger pattern of community opposition to the mining operations. Since June 2005, community pleas to reject mining activities through democratic community referenda have been swiftly dismissed by Goldcorp. Communities feel threatened and intimidated to sell their collectively-held land and see this as a coercive process of land appropriation.

This is not the first instance of the criminalization of human rights defenders. Goldcorp has filed legal charges against community leaders, including charges against seven Maya Mam indigenous men in 2007 for protesting coercive land appropriate strategies and again in 2008 against eight Maya Mam indigenous women for their acts of opposition to the company's presence on their land.

Tensions brought about by the mining operations have escalated and community leaders are receiving death threats, including at least five text messages sent since June 15 to Javier de Leon of the San Miguel Ixtahuacán community group ADISMI.

We strongly urge you to:

- immediately cease all intimidation and repression of community protest against mining activities;
- immediately drop all legal charges against community members;
- suspend mining operations in Guatemala because of existing and continuing social conflicts caused by the presence of the mine;
- respect community rights to grant or deny their free, prior, and informed consent and community referenda.

Sincerely,

Brian J. Stefan Szittai, Coordinator

cc: Francisco Villagran de Leon, Guatemalan Ambassador to the US ~ via fax: 202 745 1908  
Stephen McFarland, US Ambassador to Guatemala ~ via fax: 011-502-2334-8477  
Paolo Carozza, US member of the Inter-American Commission on Human Rights~ via fax: (202)458-3992  
Skye Justice, Guatemala Desk, US State Dept ~ via fax: 202-647-2597  
Robert B. Zoellick, President of the World Bank ~ via fax  
Charles Jeannes, President and CEO of Goldcorp ~ via fax  
US Senators Brown & Voinovich and US Representatives Boccieri, Fudge, Kaptur, Kucinich, LaTourette, Latta, Ryan, Sutton, Wilson, Space ~ via email

6/22/09/NISGUA

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