

via fax: 011 502 2239 0090 Sr. Otto Fernando Pérez Molina President of Guatemala	via US mail Sr. Erick Archila Dehesa Minister of Energy and Mines, Guatemala
via US mail Ing. Fernando Hugo Castellanos Barquin General Director of Mining, Guatemala	via US mail Sra. Marcia Roxana Sóbenes García Minister of the Environment and Natural Resources, Guatemala

February 14, 2013

Dear Sirs:

We are deeply concerned for the well-being of the **people of San Rafael Las Flores, Santa Rosa Department**, who, for two years, have been peacefully protesting to halt the licensing of the Escobal silver mining project owned by the Canadian company Tahoe Resources (40% owned by Goldcorp). On January 11 violence erupted in the area near the mine. Three people were killed, including two members of the company's private security group. In response to the violence, Tahoe Resources publicly reiterated its confidence that the Ministry of Energy and Mines will grant their license, stating "[t]he Guatemalan President and the Guatemalan Ministry of Energy and Mines (MEM) have reassured us that the license is forthcoming."

Those living close to the mine are concerned that the possible use of toxic chemicals could lead to the pollution of water used for their crops. International human rights obligations require Guatemala to consult populations that could be affected by a mining project and require the consent of affected indigenous peoples. Communities near the Tahoe project, including indigenous Xinka peoples, have not been consulted.

Public referenda have shown that neighboring communities are opposed to the mine. In December 2011 seventeen local development councils and community mayors wrote to MEM requesting the refusal of the extraction license (cf our letter of Dec 14 2011). Currently there are over 200 pending complaints against the project, each of which, according to Guatemalan law, must be resolved by MEM before granting a license.

Based on these facts, we **strongly urge** that you

- carefully examine the environmental and human rights impacts of the Tahoe Resources mining project ;
- include meaningful consultation with those potentially affected by the mine;
- withhold an exploitation (extraction) license until concerns about contamination have been adequately addressed and affected indigenous communities have given their free, prior and informed consent to licensing the mine.

Sincerely,

Brian J. Stefan Szittai
Coordinator

copies: Francisco Villagran de Leon, Guatemalan Ambassador to the US ~ via fax: 202 745 1908
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Dinah Shelton, Rapporteur for Guatemala, Inter-American Commission on Human Rights~ via fax: (202)458-3992
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Christopher Johnson, Diplomacy Officer for Central America, US State Dept. ~ via email
US Senators Brown & Portman ~ via email
US Representatives Fudge, Gibbs, Johnson, Joyce, Kaptur, Latta, Renacci, Ryan ~ via email

GHRC-USA_ Guatemala

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