

## **Canadian & U.S. Authorities Should Investigate Mining Companies Participating In Corrupted “Structures of Power Within Guatemalan State That Approve Mining Licenses”**

Mining Impunity Delegation, May 19, 2016 – Alert #5

<http://us9.campaign-archive2.com/?u=ea011209a243050dfb66dff59&id=5befabc8fb>

Guatemalan scholar Irmalicia Velásquez Nimatuj’s opinion piece in *El Periódico* [English translation, below] came to our attention the day after we attended the Supreme Court hearing on the requested closure of the El Tambor mine owned by Kappes, Cassidy & Associates (based in Reno, Nevada) - previously owned by Canadian-based Radius Gold that maintains significant financial interests - on the grounds of lack of free, prior, and informed consultation with Indigenous people in the region before the development of the mine and for their lack of compliance with the Constitutional Court’s ruling to cease operations.

*“In Guatemala, the mining business operates in the millionaire corruption that is fomented within and outside the State apparatus, so that licenses are issued for reconnaissance, exploration and exploitation. ... The Attorney General and CICIG should investigate the parallel structures of power within the State apparatus that approve mining licenses in Indigenous territories, fueling more than one thousand conflicts across the country.”* (Irmalicia Velásquez Nimatuj)

We agree with Nimatuj’s assessment of the situation as well as her call for the Attorney General and CICIG (International Commission Investigating Corruption in Guatemala) to investigate the corrupted parallel structures of power within the State apparatus that have approved hundreds of mining licenses across Guatemala since the Peace Accords were signed in 1996.

We argue that Canadian and American authorities should also investigate the engagement (and profit-making) of Canadian and American mining companies within this corrupt Guatemalan state apparatus and mining license process.



*(Women resisting yet another forced eviction – this one in 2014 – of the La Puya encampment at the entrance to KCA’s illegal mine. Photo by James Rodriguez, [www.mimundo.org](http://www.mimundo.org))*

We reproduce the Spanish-language piece in English for wide review and re-distribution.

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## **CACIF is Not More Important than the Communities**

By Irmalicia Velásquez Nimatuj, May 16, 2016

<http://m.elperiodico.com.gt/2016/05/14/opinion/el-cacif-no-esta-por-sobre-las-comunidades/>

In response to the decision of the Constitutional Court to suspend the license to exploit gold and silver in the mines of the San José del Golfo and San Pedro Ayampuc municipalities, for not carrying out the corresponding community consultations, the president of CACIF, José González Campo, told the press: “Guatemala needs employment, it needs investment and these resolutions affect that.”

The president of CACIF is right, the country does need employment and investment, but here, mining is not investment for communities or for the country on a financial level. Mining has only given money to the companies that benefit from Article 63 of the Mining Law that literally gives away our resources, by allowing them to return a miserable one percent. On the contrary, mining has brought poverty, the contamination of water sources, illnesses and a deep social division.

In Guatemala, the mining business operates in the millionaire corruption that is fomented within and outside the State apparatus so that licenses are issued for reconnaissance, exploration and exploitation.

The Attorney General and CICIG (International Commission Investigating Corruption in Guatemala) should investigate the parallel structures of power within the State apparatus that approve licenses in Indigenous territories, fueling more than one thousand conflicts across the country.

Faced with this reality, what type of State would legislate to give away our resources while our Indigenous, ladino and mestizo populations are agonizing in misery, without health care, without education and now without land, while a handful of white men grouped together in CACIF and owners of foreign companies are bathing in gold and silver?

The resistance in La Puya and of the communities against the violations of capitalism is the struggle to uphold the rule of law for all, and not just for corporations. Mining operations and the taking of resources without consultation is a form of ransacking, legitimized by the State, and for that reason it is urgent that we eliminate the judicial framework that impoverishes and confronts us. The State, CACIF and the transnational companies should understand that communities do not fear them and that they must resist with their own lives because human survival is at stake.

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"Wake up. Wake up, humanity. We are out of time." – Berta Cáceres  
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