

via Fax: 011 502 2334-0119 Ruth del Valle Cóbar President of the Presidential Commission on Human Rights, Guatemala	via Fax: 011 502 2413 8658 Lic. Carlos Menocal Minister of the Interior of Guatemala
via Fax: 011 502 2411 9124 Licda. Maria Encarnación Mejía García de Contreras Attorney General of Guatemala	

July 27, 2010

Dear Madams and Sir:

We are gravely concerned about the threats and attacks against indigenous activists in Agel, San Miguel Ixtahuacán municipality, San Marcos Department, who are protesting the effects of mining operations in their community. **Deodora Hernández** is a grassroots activist who has spoken out to defend her community's water supply from contamination by mining operations. On July 7, she was shot in the eye at close range by two armed men who entered her home. She survived but was seriously wounded.

From June 14-18, the UN Special Rapporteur for Human Rights of Indigenous Peoples visited San Miguel Ixtahuacán to investigate whether, as required by law, the indigenous communities had been consulted before mining permits were issued by the government. On June 12 and 15, **Carmen Mejía**, an activist with ADISMI, one of the principal organizations that requested the visit by the Special Rapporteur, received death threats via text messages to her mobile phone. During the Special Rapporteur's visit, Carmen Mejía spoke in a public meeting about the human rights violations connected to the mine. On June 18 she received another threatening text message.

These Indigenous Mayan communities in the San Marcos department should already be under protection because on May 20, the Inter-American Commission on Human Rights (IACHR) granted them protective measures, requesting that the Guatemalan government safeguard their lives and safety and suspend operation of the Marlin mine, owned by Montana Exploradora de Guatemala, S.A., a wholly-owned subsidiary of Goldcorp of Canada. On June 23 the Guatemalan government announced that they would comply, but added the next day that this would take time. The mining company's operations continue to date.

We strongly urge that you take immediate action to protect the lives and safety of these communities and the indigenous leaders who are active in protecting their land, their culture and their human rights.

- We call for an independent, thorough and impartial investigation into the shooting of Deodora Hernández and the threats against Carmen Mejía; make the results public and bring those responsible to justice;
- We urge 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 human rights violations as a result of mining operations in the area;
- We ask that you urgently establish local offices in the municipality of San Miguel Ixtahuacán of the Comisión Presidencial Coordinadora de la Política del Ejecutivo en Materia de Derechos Humanos (COPREDEH), which works to resolve conflicts and promote respect for human rights.

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: 011-502-2332-4993
 Brett Hamsak, Guatemala Desk, US State Dept ~ via fax: (202) 647-2597
 Dinah Shelton, US member of the Inter-American Commission on Human Rights~ via fax: (202) 458-3650
 Amanda Martin, Director Guatemalan Human Rights Commission-USA ~ via fax: (202) 526-4611
 US Senators Brown & Voinovich and US Representatives Bocchieri, Fudge, Kaptur, Kucinich, LaTourette, Latta, Ryan, Space, Sutton, Wilson ~ via email

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