

<p>via fax: 011 502 2221 4423  <b>Lic. Álvaro Colom</b>          President of the Republic</p>	<p>via fax: 011 502 2411 9326  <b>Lic. María Encarnación Mejía de Contreras</b>          Interim Attorney General of Guatemala</p>	<p>via fax: 011 502 7760 8087  <b>Lic. Rudy Castillo Ramirez</b>          Human Rights Office of San Marcos, Guatemala</p>
<p>via fax: 011 502 2424 1717  <b>Dr. Sergio Fernanco Morales Alvarado</b>          Human Rights Ombudsman, Guatemala</p>	<p>via fax: 011 502 2334 0119  <b>Sra. Ruth del Valle</b>          President of Presidential Commission          for Human Rights, Guatemala</p>	<p>via fax: 011 502 242 3050  <b>Dr. Luis Alberto Ferraté Felice</b>          Minister of Environment and Natural Resources</p>

October 26, 2010

Dear Madams and Sirs:

We applaud President Colom's announcement on June 25 that, in accordance with precautionary measure MC-260-07 issued by the Inter-American Commission on Human Rights (IACHR), the Guatemalan government would suspend operations of the Goldcorp Marlin Mine in Sipacapa and San Miguel Ixtahuacán in San Marcos Department. However, we are quite concerned because the order to close the mine still has not been implemented.

On September 21, Goldcorp took advantage of this hesitation and dumped untested and unauthorized drainage water from the tailings ponds into a local river, prompting the Ministry of the Environment and Natural Resources to open a penal suit against the company.

The purpose of the precautionary measures is to suspend mining operations and prevent communities from imminent harm. The studies conducted by Physicians for Human Rights and the University of Michigan, in addition to the study published by E-Tech International, provide ample evidence that there is reason to be concerned for the health of the communities surrounding the mine. Furthermore, the Procurador General de la Nación has recommended mine suspension. The rationale that the government is waiting to complete an administrative process before suspending mine operations is not appropriate. The time to act is now.

We have faxed several letters of concern and protest to Guatemalan officials since the mining operations began with a \$45 million loan to Canadian-based Glamis Gold from the World Bank in 2005. Goldcorp acquired Marlin when bought Glamis Gold in 2006. 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. We wrote to you July 14 about the shooting of **Diodora Antonia Hernández Cinto** of San Miguel Ixtahuacán, who is part of the resistance movement protesting the mine.

To reduce tensions and protect community members, we strongly urge that you:

- Implement the order from IACHR to suspend all mining operations at Marlin Mine
- guarantee the safety of community members defending their land by opposing the Marlin Mine;
- carry out a thorough investigation of threats, assaults, and assassinations of community members opposing the mine;
- hold Montana/Goldcorp responsible for any acts of intimidation, threats, and assassinations ordered by or carried out by company employees.

Sincerely,

Brian J. Stefan Szittai, Coordinator

cc: Romeo Augusto Rodríguez Menéndez, Minister of Energy and Mines ~ via email  
 San Marcos, Attorney General's Office ~ via email  
 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  
 Dinah Shelton, US member of the Inter-American Commission on Human Rights ~ via fax: 202-458-3992  
 Brett Hamsik, Guatemala Desk, US State Dept ~ via fax: 202-647-2597  
 US Senators Brown & Voinovich and US Representatives Bocchieri, Fudge, Kaptur, Kucinich, LaTourette, Latta, Ryan, Space, Sutton, Wilson ~ via email

GHRC/7/9/10\_Guatemala

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