

via fax: 011 502 2476 3175 Alfredo Pokus Yaquian Minister for Energy and Mines of Guatemala	via email: ministro.ambientern@marn.gob.gt Dr. Luis Zurita Tablada Minister for Environment and Natural Resources
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December 14, 2011

Dear Sirs:

We are extremely concerned for the safety of **communities in San Rafael Las Flores Municipality, Santa Rosa Department**, because of impending exploitation of their land by the Minera San Rafael S.A. mine, a subsidiary of Tahoe Resources, Inc., Canada. Guatemala's minister responsible for mining must decide by January 11, 2012 whether to allow the mine to begin extracting metals and minerals. They already have a license to explore the site, but, in breach of Guatemala's obligations under international law, those living next to the mine were not consulted before the license was granted. This license must be renewed after two years, but the license for exploitation, needed for extracting materials from the mine, is granted for 25 years.

The communities and environmental organizations have been unable to see the Environmental Impact Assessment that was reportedly prepared to support the company's application for the exploitation license. Many of those living close to the mine, who make their living by selling crops, are concerned that the possible use of cyanide and other toxic chemicals in the mining process could lead to the pollution of the water used for their crops. On December 1, environmental organization MadreSelva filed a freedom of information request with the Ministry of the Environment and Natural Resources to gain access to this assessment.

On November 29, the Ministry of Energy and Mines (MEM) published an official notice in the official state newspaper, *Diario de Centroamerica*, and the national newspaper, *Nuestro Diario*, announcing the request to approve the exploitation license. Neither of these newspapers is distributed in Santa Rosa Department. The MEM has 30 working days from the publication of the notice to approve the license.

Failure of authorities to protect communities impacted by mining has caused controversy and human rights abuses in other parts of the country. For instance, we have written several times to Guatemalan authorities and to officials of Goldcorp about strong community opposition to the Marlin Mine in San Marcos Department.

We **strongly urge** you to:

- withhold any exploitation license to Tahoe Resources Inc. until there has been full disclosure of relevant information and a meaningful consultation with those potentially affected by the mining;
- ensure that the consultation on this mining project and any future ones allows for a careful examination of the impact on communities affected, includes effective participation of those communities as well as their free, prior and informed consent.

Sincerely,

Brian J. Stefan Szittai
 Coordinator

cc: MADRESELVA ~ via email
 Francisco Villagran de Leon, Guatemalan Ambassador to the US ~ via fax: 202 745 1908
 Stephen McFarland, US Ambassador to Guatemala ~ via fax: 011-502-2331-2348
 Dinah Shelton, US member of the Inter-American Commission on Human Rights ~ via fax: (202)458-3992
 Siobhan Sheils, Guatemala Desk, US State Dept ~ via fax: 202-647-2597
 Christopher Johnson, Diplomacy Officer for Central America, US State Dept. ~ via email
 US Senators Brown & Portman ~ via email
 US Representatives Fudge, Gibbs, Johnson, Kaptur, Kucinich, LaTourette, Latta, Renacci, Ryan, Sutton ~ via email

UA: 352/11 -GUATEMALA

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