

via email: aberger@mingob.gob.gt
Sr. Enrique Antonio Degenhart Asturias
Minister of the Interior of Guatemala

via email: fiscalgeneralmp@gmail.com carrecis@mp.gob.gt
Lic. María Consuelo Porras Argueta
Attorney General of Guatemala

August 13, 2019

Dear Minister of the Interior and Attorney General:

We are very disturbed that **Quelvin Jiménez**, lawyer for the Xinca indigenous people in San Rafael las Flores in Santa Rosa Department, continues to be under threat.

On June 23 a group of people, carrying small arms and machetes, disrupted a meeting of the Xinca indigenous people authorities in Jumaytepeque, Santa Rosa Department. They verbally threatened and beat some of the participants. Quelvin reported gunshots and threats against him. He escaped but was stopped by a vehicle from which three people got out and accused him of attacking them. Police took everyone to a municipal police station in Barberena. Hours later they released Quelvin free of charges.

On June 24 neighbors warned Quelvin of a vehicle circling his house. He called the police requesting protection but was told they did not have patrols available.


These incidents follow smear and stigmatization campaigns on social media, judicial harassment, and death threats to Quelvin Jimenez during April and May (cf our letter of May 23). Investigations into these and previous attacks remain pending.

These attacks are a result of controversy related to the Escobal silver mine, owned by Canada- and US-based Tahoe Resources and operated in partnership with Guatemala-based Minera San Rafael, S.A. Since Tahoe Resources began the mega-scale mining project in 2011, local communities have been united in strong opposition because of concerns over environmental damage, including the contamination of water used for their crops. They have made a strong case that the state of Guatemala did not uphold its international human rights obligation to consult (and obtain consent from) local indigenous communities that would be affected by the mine. Their opposition has been shown through 18 community and municipal referenda, multiple legal actions, sits-ins, encampments, and protests. As a result, opposition leaders have suffered multiple human rights abuses committed by employees and contractors of Tahoe, as well as Guatemalan security forces. We have written several letters to officials in Guatemala to protest these abuses. Some have included shootings and killings.

Once more, we **strongly urge** that you

- conduct an independent and impartial investigation into the attacks against Quelvin Jiménez and Xinca indigenous authorities in Santa Rosa, publish the results, and bring those responsible to justice
- enforce the security measures ordered by the Guatemalan Public Prosecutor's office to protect Quelvin's life and integrity.

Sincerely,


Brian J. Stefan Szittai
Co-coordinators


Christine Stonebraker Martinez

copies: Sandra Erica Jovel Polanco, Ambassador of Guatemala to the US ~ via website, email, US mail
Luis E. Arreaga, US Ambassador to Guatemala, in care of human rights officer Rain Bian ~ via email
Steven Kenoyer, Guatemala Desk, US State Department ~ via email
Esmeralda Arosemena de Troitiño, Rapporteur for Guatemala, Inter-American Commission on Human Rights ~ via email
Antonia Urrejola, Rapporteur on the Rights of Indigenous Peoples, Inter-American Commission on Human Rights ~ via email
Amnesty International – Urgent Action Network ~ via contact form and email
US Senators Brown & Portman and US Representatives Beatty, Fudge, Gibbs, Gonzalez, Johnson, Jordan, Joyce, Kaptur, Latta, Ryan ~ via email

07/17/19_UA63update_Guatemala

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