

Ambassador Hugo Eduardo Beteta
Embassy of Guatemala
2220 R St. NW.
Washington, DC 20008

August 11, 2025

Dear Ambassador Beteta:

We urge that your government respect the Indigenous Xinka people's decision to deny consent for El Escobal mine. On May 8, the Xinka Parliament released their decision to deny consent for the reopening of the Escobal silver mine in the municipality of San Rafael Las Flores, Santa Rosa Department, following a seven year consultation process with the Ministry of Energy and Mines (MEM).

In September 2018, the Constitutional Court (CC) ordered the suspension of the Escobal mine's operations and a consultation with the Xinka People, in accordance with the International Labor Organization (ILO) and international standards. The CC acknowledged that the Guatemalan State violated the Xinka People's right to a free, prior, and informed consultation regarding projects that impact their territory by granting licenses for mining exploration and exploitation to Minera San Rafael (a mining company and subsidiary of Pan American Silver) without consulting the Xinka People or acknowledging their existence in the affected municipalities.


Throughout the consultation process, the Xinka people continued to face injustices. Following the CC's ruling in 2018, the MEM was supposed to organize the consultation process in coordination with the Xinka Parliament, yet they stalled the process for almost two years. The Ministry of the Interior created further obstacles in the process by refusing to formally accredit the 59 representatives elected by the Xinka. Meanwhile, the Xinka people continued to endure prejudicial violence, including the assassination of community leader Noé Gómez Barrera in Jutiapa on October 28, 2023 (cf our letter 11 JAN 2024).

After thoroughly reviewing the projected cultural, environmental, and social impacts of reopening the Escobal mine, the Xinka People have chosen to deny consent for the mine's reopening. The decision presented by the Xinka Parliament additionally stressed the failure of the Guatemalan government in protecting their rights to a healthy environment, water, language, identity, culture, and territory.

We strongly urge that the Guatemalan government:

- affirm the Xinka people's right to free, prior and informed consent regarding the Escobal mine
- respect the decision of the Xinka people and revoke the mining license for El Escobal
- ensure the compliance of Pan American Silver and the complete closure of El Escobal
- establish permanent protective measures for Guatemala's indigenous communities, including the Xinka people, in line with international human rights standards

Sincerely,


Brian J. Stefan Szittai
Co-coordinators


Christine Stonebraker Martinez

copies: Brent Bergeron, Senior Vice-President for Corporate Affairs and Sustainability, Pan American Silver Corp ~ via email
Julio Roberto Luna Aroche, Director General de Minería, Ministerio de Energía y Minas (MEM)/ General Director for Mining, Ministry of Energy and Mining ~ via email
Lic. José Alejandro Córdova Herrera, Ombudsman for Human Rights (PDH) ~ via email
IACHR: Andrea Pochak (Rapporteur for Guatemala) and Arif Bulkan (Rights of Indigenous Peoples), Inter-American Commission on Human Rights ~ via email and US mail
OACNUDH: Mika Kanervavuori, Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos en Guatemala (UN) ~ via email
US State Department: Tobin John Bradley (US Ambassador to Guatemala) and Guatemala Desk Officers in Washington, DC ~ via email
US Senators Husted and Moreno and US Representatives Beatty, Brown, Jordan, Joyce, Kaptur, Latta, Miller, Rulli, Sykes ~ via email

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