

Don't Renew International Nickel Company's (INCO) Mining Concession in Guatemala!

In August 1965, INCO acquired a 40-year mining license from the Guatemalan government, which was then headed by military dictator Carlos Arana (known also as the "Jackal"), in an area of nearly 400 km² in the township of El Estor. During the late sixties and seventies, INCO constructed an open pit nickel mine, smelting plant and office and housing complexes, commencing production in 1978.

Now, in 2004 with the concession's expiration at hand, the International Nickel Company is trying to renew mining operations in Guatemala (via its subsidiary EXMIBAL) that were previously harmful to the development needs of mainly Mayan-Q'eqchi' communities.

After perusing the 1999 United Nation's Guatemala Truth Commission report (CEH), it is important to note the following references to INCO's Guatemalan subsidiary, EXMIBAL, wherein the company is linked to serious human rights violations and collusion with repressive military, paramilitary and police forces.

Case 1149, occurred on May 26, 1978 where a group of peasant farmers from the El Estor village of Chichipate were fired upon by men riding in an EXMIBAL truck and other vehicles; two villagers, José Ché Pop and Miguel Sub, were wounded in the incident, which the Commission classifies as an attack on the civilian population.

Case 9401, occurred in June 1978 in the village of Santa María Cahaboncito where military commissioners and EXMIBAL employees executed four persons, including Francisco Salan Ical, identified as an EXMIBAL worker. The Commission has classified this violation as an arbitrary execution.

Case 1145, occurred in 1981 when members of the Judicial Police traveling in an EXMIBAL vehicle abducted catechist and community leader, Pablo Bac Caal, from his home in Chichipate, El Estor, and was later found murdered. The Commission classifies this violation as an arbitrary execution.

Illustrative Case 100, occurred in January 1971 where Congressman Oscar Adolfo Mijangos López was murdered in cold blood after having been threatened with death for his opposition to the repressive political actions of Colonel Carlos Arana Osorio, de facto head of state who took office in June 1970. Mijangos López, along with Julio Camey Herrera, Alfonso Paíz Bauer and Rodolfo Piedra Santa were vocal leaders in the movement to oppose granting the EXMIBAL mine concession. Camey Herrera was murdered in late 1970 and Paíz Bauer was wounded in an attempt on his life in the same year. Piedra Santa was forced into exile in 1971 due to his colleagues' deaths and threats on his own life. The EXMIBAL concession under discussion was granted in February 1971. The Commission concluded that these crimes were violations committed with the state's complicity as reprisals for opposition to Arana Osorio's policies, especially the granting of the EXMIBAL mining concession.

Mr. Scott Hand, Chairman and Chief Executive Officer
INCO Limited
145 King St W., #1500
Toronto, ON, Canada, M5H-4B7

Dear Mr. hand,

I am deeply concerned about the renewal of the INCO mining concession in El Estor, Guatemala, after recently being presented information that connects INCO's subsidiary, EXMIBAL, with documented and serious human rights abuses that occurred during Guatemala's internal armed conflict.

Among the documented cases are:

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I urge you to:

1. Fund and support a fully independent investigation of the human rights abuses that occurred while INCO was operating in Guatemala (1965-1982), and compensate the victims of that abuse, as revealed by that study.
2. Fund and support a fully independent investigation of the health and environmental damage caused during the El Estor mine and plant operation as well as in its abandoned state, and make the necessary reparations and clean up.
3. Publicly adhere to the Guatemalan and international laws including, not exclusively, Covenant 169 of the International Labor Organization, that protect the rights of the indigenous peoples who live on lands that have been licensed to INCO for mining, and therefore respect the rights of those communities which are threatened by renewed mining.
4. Assure broad based community participation in decision-making processes such as approval of the aforementioned investigations and plans for development.

Name _____ Date _____ Address _____