

URGENT ACTION

SMEAR CAMPAIGN AGAINST ENVIRONMENTAL DEFENDERS

Members of the Centre for Environmental, Social and Legal Action (CALAS) have been the target of a smear campaign after they challenged the license of the San Rafael mining company in court. On 5 July, the Supreme Court of Justice notified it would provisionally suspend the mining company's licence. CALAS members are at risk of further attacks.

A renewed smear campaign against members of the Centre for Environmental, Social and Legal Action (**Centro de Acción Legal, Ambiental y Social de Guatemala, CALAS**) has been launched, calling them "opponents" and "manipulators" after they challenged the license of San Rafael mining company in San Rafael Las Flores, south-western Guatemala. In previous days, people peacefully protesting the company's El Escobal mine in Casillas, San Rafael Las Flores, were tear gassed and dispersed by riot police. On 29 June, paid advertisements in a national and a regional newspaper signed by the suppliers of the San Rafael mining company, used stigmatizing language against the organization. They were addressed to the Magistrates of the Supreme Court of Justice and read: "The suppliers of San Rafael mining company have suffered for several weeks from the blockade promoted by people from Casillas...CALAS' actions are irresponsible because they did not consult with the community that they are putting at risk and that they claim they represent, nor with the San Rafael mining company's workers and their families. The resentment against Casillas neighbours is increasing. They falsely blame San Rafael mining company for the tremors and earthquakes that authorities have already explained are a natural phenomenon...We ask [the Magistrates] to examine their conscience and avoid social confrontation, to not affect our companies nor our employees and their families. Instead, we ask [the Magistrates] to promote social harmony and reject the irresponsible *amparo* (petition to protect fundamental rights) filed by the environmental organization."

On 5 July, the Guatemalan Industrial Association published another paid advertisement in national newspapers saying that "diverse collectives, associations and individuals that do not represent to the Guatemalan Indigenous Peoples, have used the *amparo* with the sole purpose of suspending the projects of national investment and development...The aforementioned actions have had, as a consequence, an increased and manipulative effect of conflict, especially in rural areas". That same day, suppliers and workers of El Escobal mine that were protesting in support of the mine, referred to CALAS director Yuri Melini as "an opponent to their rights" and stated that CALAS "has polluted the minds [of the community] with its lies". The Supreme Court of Justice stated it would provisionally suspend the mining company's license on 5 July. The situation in San Rafael remains highly tense and could facilitate further attacks against CALAS' members.

Please write immediately in Spanish or your own language:

- Urging the Guatemalan authorities to take immediate steps to provide full and appropriate protection to CALAS' members, in consultation with them and in accordance with their wishes;
- Calling on them to publicly recognize the important and legitimate work of CALAS' members and all human rights defenders working on land, territory and environmental issues in Guatemala.

PLEASE SEND APPEALS BEFORE 17 AUGUST 2017 TO:

Minister of Interior

Francisco Manuel Rivas Lara
Ministerio de Gobernación
6 avenida 13-71 zona 1,
Ciudad de Guatemala, Guatemala
Fax: +502 2413 8658
Email: smvasquez@mingob.gob.gt
vrosales@mingob.gob.gt
Twitter: @mingobguate
Salutation: Dear Minister
Estimado Señor Ministro

Presidencial Commission on Human

Rights in Guatemala (COPREDEH)
Sr. Victor Hugo Godoy
2da Avenida 10-50, Zona 9
C.P. 01009
Ciudad de Guatemala, Guatemala
Email: vhgodoy@copredeb.gob.gt
marielos_zambrano@copredeb.gob.gt
Twitter: @copredeb
Salutation: Dear President/ Sr.
Presidente

And copies to:

CALAS
Avenida Mariscal No. 13-59, zona 11
Colonia Mariscal
C.P. 01011
Ciudad de Guatemala, Guatemala
Fax: +502 2473 0813
Email: informacion@calas.org.gt

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR ACISCLO VALLADARES MOLINA, Embassy of Guatemala, 13 Fawcett St SW10 9HN, 020 7351 3042, inglaterra@minex.gob.gt, info@guatemalanembassy.co.uk

Please check with your section office if sending appeals after the above date.

AMNESTY
INTERNATIONAL



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ADDITIONAL INFORMATION

On 2 May 2013, the government of Guatemala declared a state of emergency in and around San Rafael Las Flores, a town some 90 kilometres from the capital, following a series of violent incidents around the mining operation of Minera San Rafael, a subsidiary of the Canada and US-based Tahoe Resources Inc. In January 2013, unknown armed men attacked the mine site resulting in the deaths of two security guards and another person, presumed to be part of the group attacking the site. For more information, see: *Mining in Guatemala: Rights at risk* (<http://www.amnesty.ca/sites/amnesty/files/mining-in-guatemala-rights-at-risk-eng.pdf>).

According to the civil society organization UDEFEGUA, human rights defenders working on issues related to the land and the environment are the main group of activists attacked in Guatemala. According to Amnesty International research, they have been constantly subjected to smear campaigns aimed at stigmatizing and discrediting them in order to force them to stop their legitimate work. This includes being falsely accused and prosecuted as a way of keeping them silent. Although the State of Guatemala has developed guidelines and protection mechanisms for human rights defenders at risk, these have proven to be ineffective. For more information, see the Amnesty International report *"We are defending the land with our blood": Defenders of the land, territory and environment in Honduras and Guatemala* (<https://www.amnesty.org/en/documents/amr01/4562/2016/en/>) and *Americas: State protection mechanisms for Human Rights Defenders* (<https://www.amnesty.org/en/documents/amr01/6211/2017/en/>).

Members of CALAS have reported acts of intimidation and harassment against them, including violent attacks, for many years. On the night of 3 April 2017, unidentified people situated in front of the house of human rights defender and Legal Director for CALAS, Rafael Maldonado, in Guatemala City, shot at a car nearby. Although he was unharmed, the defender believes the incident was intended to intimidate him and is concerned for his safety (<https://www.amnesty.org/en/documents/amr34/6036/2017/en/>).

On 12 November 2016, human rights defender Jeremy Abraham Barrios Lima was assassinated (see the Urgent Action: <https://www.amnesty.org/en/documents/amr34/5144/2016/en/>). He was the Assistant to the Executive Director of CALAS.

On 29 August 2011, the respective Director and Legal Adviser at CALAS, Yuri Melini and Rafael Maldonado, received envelopes at 9:30 am. Each contained the same documents: a threat; papers from the Office of the Comptroller General (Contraloria General de Cuentas); and mug-shot photographs of 18 men that appear to have been taken from police files (see the Urgent Action: <https://www.amnesty.org/en/documents/amr34/011/2011/en/>).

On 8 September 2008, CALAS director Yuri Melini was shot by masked men, apparently in connection with his human rights work (see the Urgent Action: <https://www.amnesty.org/en/documens/amr34/021/2008/en/>). Following the attack, Yuri Melini and CALAS were granted protection from the State.