



## Committee in Solidarity with the People of El Salvador

### Communities Demand Justice for Anti-mining Activists

**Thursday, 08 October 2009**

On September 24, community activists demanded justice for recent victims of political violence in front of the City Hall in San Isidro, Cabañas. The date marked 100 days from the disappearance of anti-mining activist Marcelo Rivera, whose body was found in a well with signs of torture on June 30 following his June 18 disappearance. Nearly 100 days have passed since journalists from community radio station Radio Victoria began receiving death threats. [Click here](#) to read more about the recent wave of political violence against anti-mining activists in Cabañas.

The demonstrators denounced the lack of investigation of the violence and threats, calling on the newly-elected Attorney General Romeo Barahona to end the impunity that his predecessor, de facto Attorney General Astor Escalante, allowed. (See next section on Barahona's election.) Local priest Óscar Antonio Granados called on Barahona to investigate the intellectual authors of the crimes and the sources of the death threats received by journalists and other activists.

In their statements, activists continued to name local authorities from San Isidro's Mayor's office and the Canadian mining company Pacific Rim as those responsible for the violence and threats. Environmentalist Francisco Pineda explained that, "from the Mayor's office there are people hired to be promoters and ask the people to accept mining." Pacific Rim, which is currently suing El Salvador for violation of the Central American Free Trade Agreement or CAFTA ([click here](#) to read more on the case), issued a statement in late August claiming the company had no involvement in Rivera's murder and denying ties to Óscar Menjívar, who is currently in jail for shooting anti-mining activist Ramiro Rivera (no relation to Marcelo) eight times in the back. Community members maintain that Menjívar had been hired by Pacific Rim to promote the El Dorado mine in San Isidro and that Menjívar is a hired assassin for pro-mining interests.

### Anti-mining activists demand justice, denounce wave of political violence, death squad resurgence

**Wednesday, 26 August 2009**

On Thursday, August 20, anti-mining organizations, community groups in the department of Cabañas, and other sectors of the Salvadoran social movement carried out coordinated actions protesting the surge of political violence in Cabañas and the failure of the National Civilian Police (PNC) and Attorney General to adequately investigate and prosecute these crimes. Among the actions, which were coordinated by the Marcelo Rivera Committee for Truth and Justice, were a demonstration in front of the Office of the Attorney General and a blockade of the highway from Santa Tecla to San Salvador.

The committee takes its name from assassinated community activist Marcelo Rivera, whose body was found on July 1 in a well in San Isidro, Cabañas, with signs of torture. [Read more about the Marcelo Rivera murder case here](#) or [watch a video here](#).

Marcelo Rivera's murder is only part of a wave of political violence and threats against anti-mining activists and journalists in Cabañas:

- On Friday, August 7, Ramiro Rivera (no relation to Marcelo) was shot eight times, narrowly surviving the attack. As President of the Community Development Association (ADESCO) of Nueva Trinidad, Cabañas, Ramiro Rivera had been a leader of opposition to Canadian-based company Pacific Rim's mining operations in the region and had organized road blockades to prevent transport of the company's exploratory equipment. Pacific Rim is currently suing the Salvadoran government for \$70 million under CAFTA's investor protection clauses for not providing mining permits. [Read more about the Pacific Rim case here](#) and [here](#).

- Journalists from community radio station Radio Victoria in Cabañas continue to receive death threats as a result of their efforts to report on



the dangers of the proposed mining projects. Guillermo Ramos, president of the board of directors of the Association of Participatory Radios and Programs of El Salvador (ARPAS), described the investigation of the threats as “stagnant” and called on the government and corresponding authorities to “capture and bring to justice the material and intellectual authors of these actions [the threats].”

- On July 29th, Father Luis Quintanilla escaped a kidnapping attempt by jumping into a ravine after he was pulled out of his car by armed, masked men while driving in Cabañas. The priest is a leader in the anti-mining movement and had been receiving death threats leading up to the attack.

The organizations participating in the August 20th actions condemned the surge of violence and threats against anti-mining activists in Cabañas, and called for an exhaustive investigation by the PNC and Attorney General’s office. Activists denounced the decision to investigate as common crimes what they see as a politically motivated terror campaign.

“We want to know who is behind all of this...and we have serious suspicions that it has been the Pacific Rim mining company that is financing these activities to terrorize those who are opposed [to mining],” said Marcelo’s brother Miguel Rivera.

A declaration released by the Foundation for the Study of the Application of Law (FESPAD) states, “Cabañas is experiencing the resurgence of hate, intolerance, and a culture of death by the death squads that have reorganized to attack anyone who is fighting in favor of life.” Click here to take Action to demand a real investigation into these politically-motivated acts of violence.

## **Body of missing activist found with signs of torture; social organizations demand justice**

**Friday, 17 July 2009**



Funeral of Marcelo Rivera - July 11, 2009

On July 8, DNA tests confirmed that a body found in a well in the department of Cabañas on June 30 is that of prominent community activist Gustavo Marcelo Rivera. The body was found by community members who had organized a search for Rivera, missing since June 18. Witnesses reported that the body exhibited signs of torture techniques generally tied to targeted political assassinations. However, initial reports coming from the National Civilian Police (PNC) state that gang members were responsible for the murder.

The victim's brother, Miguel Rivera, dismissed the gang violence explanation. “Saying that my brother died at the hands of gang members is an unbelievable story and becomes a mockery for my family. My brother was tortured. He was alive for nine days after his disappearance. His trachea was broken by a nylon cord that strangled him, pushing his arm up to his face. This is not an act of gang members. It is torture.”

Rivera was director of the Casa de Cultura in San Isidro, Cabañas, and was active in social justice and environmental struggles. Friends and family members report that he

received many threats in response to his public denunciations of San Isidro Mayor Ignacio Bautista of the ARENA party. Rivera was vocal in his stance against attempted fraud in the municipal and legislative elections of January 18, which led community members to shut down the town's voting centers, forcing a make-up election to be held the following week. Rivera was also active in the national movement against mining projects that threaten El Salvador's principal watersheds.

Civil society organizations Coordination for Peace, Dignity, and Social Justice (CPDJS), the Foundation for the Study of the Application of Law (FESPAD), and the National Roundtable Against Metallic Mining all denounced the murder as politically motivated, and called on the PNC and Attorney General to carry out an exhaustive investigation to determine the intellectual authors of the crime. In a joint press conference, the institutions stated “Marcelo was being threatened by members of the ARENA party in San Isidro and by those that impose death projects in the area [a reference to the proposed mines], which Marcelo always opposed, and for this he was defamed and denigrated.”

Social movement organizations argue that a thorough investigation in this case is impeded by the ongoing vacancy in the office of Attorney General. The Legislative Assembly has remained deadlocked on the question of appointing an Attorney General since the outgoing official's term ended three months ago. Adjunct Attorney General Astor Escalante has taken on the responsibilities of the office, despite the Salvadoran Constitution’s requirement that the Attorney General be elected with 56 votes in the Assembly. Critics have denounced Escalante for usurping the position, and worry that his close ties to the ARENA party make it likely he will carry on the office’s history of allowing impunity for politically-motivated crimes. Visit <http://www.mediacoop.ca/video/1731> for more information and a video of Marcelo’s funeral.

## **Pacific Rim Mining to sue El Salvador in CAFTA arbitration court**

**Monday, 04 May 2009**

Canadian mining company Pacific Rim, acting through a U.S.-based subsidiary, announced this week that it will sue the Salvadoran government over the government's refusal to issue mining permits for the El Dorado silver and gold mine in the department of Cabañas. The case will be heard by a special international arbitration court established by the 2006 U.S.-Central America Free Trade Agreement (CAFTA).

Pacific Rim Mining has yet to announce the amount it plans to sue for, but it claims to have already invested over \$75 million in exploration for

the mining project. CAFTA laws allow companies to sue governments not only for lost investments, but also for lost anticipated revenues that could have resulted from those investments. Legal analysts estimate that Pacific Rim could potentially seek hundreds of millions of dollars from the Salvadoran government.

Metals mining in general, and the El Dorado mine specifically, has been fiercely opposed by Salvadoran civil society, including the Catholic Church. Key civic organizations maintain that the environmentally-responsible mining techniques (called “Green Mining”) that Pacific Rim claims to practice are a farce, and that a silver and gold mine at El Dorado would result in cyanide contamination of drinking water.

The El Dorado site is located in the basin of the Lempa River, the country's most important source of water. The Lempa provides invaluable irrigation water for much of El Salvador's agricultural industry, as well as drinking water for over half of the population of the greater San Salvador metropolitan area.

Please stay tuned to the CISPES website for updates on this situation and actions you can take: [www.cispes.org](http://www.cispes.org).

## **Pacific Rim Mining opens legal process against El Salvador under CAFTA laws** **Tuesday, 16 December 2008**

On December 9, 2008, Canadian-based Pacific Rim Mining Corp. filed a Notice of Intent (NOI) to begin arbitration proceedings against the government of El Salvador. The NOI was filed under Central America-Dominican Republic-United States of America Free Trade Agreement (CAFTA-DR) laws, and serves as the first step in opening up legal proceedings against El Salvador (Canada is not a member of CAFTA but the arbitration would be filed under its US-based subsidiary, Pac Rim Cayman.) The company and country will have 90 days to amicably resolve their dispute. If no resolution is reached by March 9, 2009 – just six days before the Salvadoran presidential election — Pacific Rim can then open arbitration proceedings under the Convention on the Settlement of Investment Disputes Between States and Nationals of Other States and under the Rules of Procedure for Arbitration Proceedings of the International Centre for Settlement of Investment Disputes (ICSID)—an affiliate of the World Bank.



Pacific Rim maintains that it has invested over \$75 million dollars in the El Dorado mining project and that there is potential for huge returns and the creation of new jobs.

The company claims that, despite its compliance with all laws, the government of El Salvador has failed to grant the permits to begin to exploit the gold and silver mine. An eventual lawsuit is expected to demand several hundred million dollars in damages from El Salvador, an amount that would further damage a country that is already in a dire economic situation, in part due to the effects of the CAFTA-DR accord.

Citizens' organizations in El Salvador have come out very strongly against mining, and specifically against the El Dorado project. Environmentalists contend that the project would lead to acid drainage, water pollution, and the evaporation of cyanide, thus devastating the environment and public health. The “I Reject Metal Mining” campaign is a combined effort of a broad spectrum of environmental, labor rights, and community organizations that has held many demonstrations and educational events throughout the country. Some political analysts have suggested that the timing of the NOI, putting the end of the 90-day grace period just days before the presidential elections, opens the possibility that the governing Nationalist Republican Alliance (ARENA) party could claim that a victory by the leftist Farabundo Martí National Liberation Front (FMLN) party would open El Salvador to losing the several hundred million dollar lawsuit.