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Public pronouncement of Salvadoran social and popular organizations:

Extreme Concern over the crimes against mining opponents in Cabañas

The assassination of three environmental defenders in Cabañas reveals the severe conflict of mining and impunity prevailing in this region of the country, problems that the corresponding state authorities should resolve immediately to avoid a worse situation.

Gustavo Marcelo Rivera, Ramiro Rivera Gomez and Dora Alicia Sorto Recinos – before being assassinated – were victims of threats, persecution and attempts on their life due to their opposition to the projects of Canadian company Pacific Rim. This company, along with the U.S. company Commerce Group, has bought lawsuits against the Salvadoran state at the International Centre for the Settlement of Investment Disputes for denying the permits for mining exploitation. Each are demanding \$100 million dollars in compensation and the legal mechanics activated by the arbitrators is the chapter of Investment and Solution of Controversy of DR-CAFTA.

Crimes like this did not happen before the arrival of Pacific Rim, rather arose when this transnational corporation began a strategy of buying people off, dividing communities and promoting violent acts against community leaders, environmental activists and religious representatives who rejected their extractive projects.

The behavior of this Canadian mining company coincides with the *modus operandi* of all extractive companies – who impose their projects and lawsuits through very shadowy methods – in the majority of countries around the world, which with why some of them are confronted by legal cases for violations of human rights. An emblematic case is the current hearing against the British Monterrico metals, at the Supreme Court of London, for torture and assassination of metallic mining opponents in the northern mountains of Peru. In Guatemala, Honduras and other countries in the region, where mining exploitation projects are being developed, extractive companies demonstrate similar behavior. However, the police and judicial authorities in El Salvador have failed to draw out lines of investigation that include Pacific Rim – mayors, deputies, among others – in the lists of possible intellectual authors of the crimes against anti-mining environmentalists in Cabañas. The Attorney General and the Police insist that these are crimes of common delinquency, even though they were committed by hit men with logistical deployment and use of astonishing weapons of war.

If this impunity continues, the crimes against environmentalists who oppose metallic mining projects will continue. Community leaders from the Trinidad de Sesuntepeque neighborhood, representatives of the Environmental Committee of Cabañas and journalists from Radio Victoria are targeted on the list of new crimes attributed to hit men.

This threat elevates the concerns of the ecological, religious, labor, human rights, feminist and productive development organizations that have signed this public pronouncement. In the same way, the level of alert of the international community seeing El Salvador as a country where environmentalists who reject metallic mining are assassinated, with the additional problem that this is happening during the term of office of the first leftist government.

For the heretofore expressed reasons, we propose the following:

1. The grave, conflictive situation of mining and impunity in Cabañas is not only a problem of the environmentalists who oppose Pacific Rim but also of all popular organizations that defend a dignified life, the environment, human rights and democracy; and the crimes against these *compañeros* and *compañeras* are also against all Salvadorans who seek peace and the continuation of human existence. For this reason, the entire country should mobilize against Pacific Rim and other transnational companies that make an attempt on the life of El Salvador.

2. The President of the Republic should make concrete a definitive prohibition of metallic mining exploration and exploitation, promoting in the Legislative Assembly a new Mining Law, because his only public declaration, they he world not permit mining projects, is not sufficient, so it doesn't have legal effect and doesn't define his policy.

Such a proposal, put forward in October of 2007 but the *Mesa Nacional frente a la Minería Metálica* (National Coalition Against Metallic Mining), would provide the exit of mining companies, and, with this, address the roots to the conflict in Cabañas. At the same time, it would save the country from grave environmental, economic, social and institutional damages that metallic mining causes. While this law is being approved, the Executive Organ should cancel all of the existing exploration licenses.

3. It is (urgent) to end the impunity in Cabañas, investigating and punishing those are responsible –intellectual and material – for the assassination of Gustavo Marcelo Rivera, Ramiro Rivera Gómez, Dora Alicia Sorto Recino, 8 months pregnant; as well as the assassination of Felicita Henríquez, resident of Trinidad who accompanied Ramiro Rivera, and the threats and attempts against environmentalists, staff of Radio Victoria and religious leaders in Cabañas. All of these cases should be the object of an integrated investigation.

It is also urgent to implement effective security measures in the area to avoid more assassinations. For this it is necessary that the highest security authorities, the Attorney General and the Director of the National Civilian Police, the Minister of Justice and Security, and the President of the Republic, to act quickly as the Human Rights Ombudsman has asked, such that here can be no doubts surrounding negligence by the Attorney General or the National Civilian Police in the investigation of these crimes and the protection of the victims.

4. The Executive Branch should also take a strong stance against the lawsuits by Pacific Rim and Commerce Group at the ICSID, based on the principle of national sovereignty and the right to self determination. For this, the government, civil society and international solidarity should form a common front. This includes counter suits against the mining companies for the harms caused in the country.

The arbitration by the mining companies also suggests the need to overturn DR-CAFTA and avoid the signing of new trade agreements that put the Salvadoran state at a disadvantage against transnational corporations, as well as the urgency of revising the Investment Law and the bilateral investment agreements that are currently signed.

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ASAFOCAIS, Salvadoran Association for Integrated and Sustainable Education and Training
CEIPES, Ecumenical Coordination for the Church of the poor in El Salvador
Alliance for LGBT Sexual Diversity in El Salvador
ACISAM, Association for Mental Health Training and Research
ADES, Association for Social and Economic Development
SHARE Foundation
SERJUSAL, Salvadoran Legal Services
"Patria Exacta" Movement of Professionals and Technicians
LAS DIGNAS, Association of Women for Dignity and Life
CIS, Center for Exchange and Solidarity
CEICOM, Center for Investment and Commerce Research
CDC, Center for Defense of the Consumer
CPDH, Center for the Promotion of Human Rights "Madeline Lagadec"
CDH-HAS, Herbert Anaya Student Collective
Prudencia Ayala Feminist Coordination
FESPAD, Foundation for the Study of the Application of the Law

FUNDAHMER, Herman Mercedes Ruiz Foundation
FUMA, Maquilishuatl Foundation
REDES, Salvadoran Foundation for Reconstruction and Development
Emmanuel Baptist Church
Lutheran Church
IMU, Institute for Research, Training and Development of Women
RAIS, Salvadoran Institute for the Ancestral Indigenous Recovery
JPIC, Justice and Peace of the Franciscan Creation
National Coalition against metallic Mining
MPGR, Standing Coalition for Risk Management
Mesoamericans in Resistance for a Dignified Life
MUFRAS-32, Unified Movement Francisco Sánchez-1932
Radio Victoria
UNES, Salvadoran Ecological Union