

Via fax: 011 502 2221 4423 / 2238 3579 Lic. Álvaro Colom President of the Republic of Guatemala	Via fax: 011 502 2413 8658 Sr. Raúl Antonio Velásquez Ramos Minister of the Interior of Guatemala
Via fax: 011 502 2411 9124 / 2411 9326 Lic. José Amílcar Velásquez Zárate Attorney General and Head of Public Prosecutor's Office of Guatemala	

November 1, 2009

We are extremely concerned for the safety of community members of the municipality of El Estor, Izabal Department, who were attacked by armed groups, including security agents from the Guatemala Nickel Company (CGN), in late September. Community leader and teacher **Adolfo Ich Chaman** was brutally murdered and several other community members were injured.

On September 23 the head of CGN's private security force, CGN representatives, the governor's office and the Secretariat for Agrarian Issues arrived in the community of Las Nubes and made eviction threats; they also forcibly entered some of the houses to take pictures.

On September 25, CGN security guards returned to Las Nubes with members of the National Civil Police. The private security guards fired shots into the air, attempted to damage the community center, started to spray tear gas and pepper spray and to fire rubber bullets against community members. The police did not intervene.

On September 27, the Governor of Izabal, accompanied by 150 members of CGN's private security force, listened to the community members' complaints about the lack of compliance with a previously negotiated resettlement. Community members questioned the governor's possible agreements with CGN and the fact that she was not accompanied by any of the corresponding state authorities.

When neighboring communities in support of Las Nubes gathered on the highway in front of the company's land, the company's private security guards opened fire on them. **Adolfo Ich Xaman** ran to rescue the children who might still be in their houses close to the company's property fence. When he was called over by the head of CGN security, the security guards beat and attacked him with a machete, dragged him on to company property and killed him.

This incident is the result of a long history of threats and intimidations against community members by CGN. Therefore we **strongly urge that you**

- Conduct an immediate investigation into the armed attack on Las Nubes community members that resulted in the murder of Professor Adolfo Ich Chaman and left more than 10 people with firearm injuries and Issue an immediate warrant of arrest for those responsible;
- take immediate measures to guarantee the safety of the communities affected by the conflict with CGN;
- develop a solution to the conflict around land ownership in the communities that guarantees the legalization of the community's lands and a space for sustainable living;
- cancel CGN's license and order their immediate withdrawal from the country because of their direct involvement in human rights violations through the contracting of private security agents and paramilitaries;
- conduct an exhaustive investigation into the role and actions of the Governor of the Department in the negotiation process undertaken with the communities.

Sincerely,

Brian J. Stefan Szittai, Coordinator

cc: Hubay Minerals ~ via email
Francisco Villagran de Leon, Guatemalan Ambassador to the US ~ via fax: 202 745 1908
Stephen McFarland, US Ambassador to Guatemala ~ via fax: 011-502-2334-8477
Paolo Carozza, US member of the Inter-American Commission on Human Rights~ via fax: 202-458-3992
Brett Hamsak, Guatemala Desk, US State Dept ~ via fax: 202-647-2597
US Senators Brown & Voinovich and US Representatives Bocchieri, Fudge, Kaptur, Kucinich, LaTourette, Latta, Ryan, Space, Sutton, Wilson ~ via email

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