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El Salvador Seeks International Help to Block Gold Mine in Guatemala

By Benjamin Witte-Lebhar

Desperate to ward off what they claim is a "slow and sure danger" to residents in El Salvador, frustrated opponents of Cerro Blanco—a Canadian-owned gold and silver mine under preparation just across the border in Guatemala—are now hoping for help from the Inter-American Commission on Human Rights (IACHR).

Óscar Luna, El Salvador's attorney for the defense of human rights, revealed last month that his office is seeking a "special audience" to broach the issue with the Washington, DC-based IACHR, an autonomous judicial branch of the Organization of American States (OAS). Luna, a vocal opponent of the Cerro Blanco project, made the announcement while presenting a 100- page special report outlining the mine's potential hazards.

"We're hoping that by March the commission accepts our petition and summons Guatemalan authorities to discuss the issue," Luna explained during the Jan. 10 presentation. "[We hope] the commission can also recommend measures that will protect the human rights of the people that could be affected by this project."

Cerro Blanco is being developed by Entre Mares de Guatemala, SA, a local subsidiary of Canadian mining giant Goldcorp Inc. Goldcorp is the second-largest gold mining company in the world after Barrick Gold, also Canadian. Delayed for several years for technical reasons, the mine is still in an "exploratory" stage. Guatemalan authorities, however, have already awarded Cerro Blanco the permits needed to begin full operations, meaning extraction could begin at any time. Goldcorp estimates the size of the "classic hot springs gold deposit" at 1.3 million ounces.

Luna and other Salvadoran opponents warn that, once in operation, the mine will begin emptying toxic "residual water" into the nearby Río Ostúa. From there, pollutants could make their way to Lago Güija, which hugs the border between the two countries, and later into the Río Lempa, El Salvador's largest river and most-important single source of fresh water.

This project is a "slow and sure threat to human life, vegetation, fauna, and water resource, not just in Guatemala but also in El Salvador," Luna said. "If it's not stopped in time, there will be

serious future repercussions, including violations of the environment and of the life, integrity, and health of the people."

Goldcorp and its Guatemalan subsidiary insist the mine is perfectly safe. "As part of sustainable mining, Cerro Blanco's operations are transparent, responsible, and mindful of the environment. Additionally, the project is subject to national laws and international parameters," Entre Mares de Guatemala noted in a statement issued last May.

Opponents are skeptical, particularly given Goldcorp's less-than-stellar track record elsewhere in Central America. The company's Marlin mine, also in Guatemala, and San Martín mine, in Honduras, have both drawn complaints in recent years from workers, nearby residents, and environmental groups.

In mid-2012, residents from the area surrounding the Marlin mine put Goldcorp "on trial" through what organizers dubbed a Tribunal Popular Internacional de Salud (TPIS). During the course of two days, the symbolic court—which was paneled by accomplished human rights defenders, environmentalists, and scientists from five different countries—heard testimony from residents, workers, and academics. "The mining industry is like a trauma for [adjacent] communities," Gustavo Lozano, a Mexican anti-mining activist, told the tribunal. "It causes irreparable harm that lasts for hundreds of years. But it also brings repression."

Costly opposition

Goldcorp is not the first foreign mining interest to draw stiff opposition in El Salvador. Through the umbrella group Mesa Nacional frente a la Minería Metálica, activists have argued for years that El Salvador is too environmentally vulnerable to risk the possible ill effects of mining. Various studies by the Ministerio de Medio Ambiente y Recursos Naturales (MARN) show that water pollution, for example, is already a huge problem. The situation is compounded, say environmentalists, by widespread deforestation. El Salvador is often cited as the second-most deforested country in the hemisphere after Haiti.

Six years ago, then President Antonio Saca (2004-2009) of the conservative Alianza Republicana Nacionalista (ARENA) bowed to popular pressure and implemented an unofficial freeze on mining permits. Saca's moderate successor, President Mauricio Funes, has kept the freeze in place, much to the chagrin of mining firms like Canada's Pacific Rim, which filed a still-pending lawsuit against El Salvador through the World Bank's International Center for Settlement of Investment Disputes (ICSID).

At last count, the case had already cost El Salvador some US\$4.5 million in mounting legal bills. Funes, nevertheless, has shown no sign that he will give in to the company's demands. "No one has convinced us that there are ways to extract minerals and metals, especially metals, without contaminating the environment and affecting public health," Funes said during a public appearance in early 2010.

The president's comments came just weeks after a pair of anti-mining activists in the northern department of Cabañas were shot and killed in separate attacks. The victims—Dora Sorto Recinos, who was eight months pregnant at the time, and Ramiro Rivera—were outspoken critics of El Dorado, a gold mine Pacific Rim still hopes to open in the area. Another El Dorado opponent, community organizer Marcelo Rivera, was murdered in mid-2009. Unknown assailants killed a fourth anti-mining activist, a young volunteer named Juan Francisco Durán Ayala, in June 2011.

Seeking outside help

El Salvador has paid dearly for its decision to keep foreign mining firms out of the country's supposedly sovereign subsoil. And yet, the anti-mining movement—as marked as it has been by tragedy—has also enjoyed a fair share of triumphs. For one thing, the mining freeze looks to remain in place, especially in light of a 2012 MARN report that concluded that El Salvador "is not in a position to develop metals mining with environmental guarantees."

The state has also enjoyed successes on the international legal front. Last year, the World Bank's ICSID gave Pacific Rim a green light to continue with its multimillion-dollar lawsuit against El Salvador, but only after significantly paring down the company's case. In 2011, ICSID dismissed a similar suit altogether. The plaintiff in that case was Commerce Group Corporation, a US firm from Milwaukee, Wisconsin.

Salvadoran mine opponents would like nothing better than to send Goldcorp and its Cerro Blanco project packing as well. So far, however, that is proving easier said than done—for the simple reason that the mine, for all of the problems it could end up causing El Salvador, is about 18 km shy of actually being in El Salvador.

Any order to shutter the mine would have to come from Guatemala, where complaints by Salvadoran environmental groups, church leaders, and even the vice president—who aired his grievances last year on Twitter—seem to be falling on deaf ears. As President Funes told reporters in late 2010, "Keep in mind that it's up to each president to make sovereign decisions regarding his territory."

Cerro Blanco's Salvadoran critics plan to keep lobbying for its closure regardless. They urge President Funes to do the same. During his January presentation, Óscar Luna called on the president to order detailed studies of the issue to determine "the impacts and costs this project will have on El Salvador's natural resources, economy, health, biodiversity, and [human] lives, not only in areas close [to the mine] but in the country as a whole."

As Luna's recent overture to the IACHR demonstrated, the movement is also looking to bring more international pressure to bear on the issue. Another potential ally is the United Nations Educational, Scientific and Cultural Organization (UNESCO). In 2011, UNESCO added the tri-border (El Salvador, Honduras, and Guatemala) area around the mine to its Man and the Biosphere (MAB) program. The UN agency refers to the zone as the Trifinio Fraternidad Biosphere Reserve. The area "gives birth to the Lempa River, which crosses the three countries

before reaching the Pacific Ocean," UNESCO's MAB program Web site reads. "Three million people depend on the waters of the River for their livelihood."

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