

The President,  
The World Bank,  
Washington, D.C.

We, the undersigned legal representatives of Civil Associations for Development and Community Development Councils of the Municipality of Sipacapa, in the Department of San Marcos, Guatemala, hereby respectfully state:

**FACTS:**

a) As you know, **Glamis Gold Ltd.**, which undertakes open pit mineral exploitation, established the **Montana Exploradora de Guatemala S.A.** company to develop the **Marlin I** mining project in the municipalities of San Miguel Ixtahuacán and Sipacapa in the Department of San Marcos, Guatemala. These municipalities are populated by the Mam and Sipakapense Mayan peoples. Montana began operating in these municipalities despite the lack of government consultations with the inhabitants. We consider this to be a violation of indigenous peoples' human rights, as guaranteed under the Peace Accords, particularly the Accord on Identity and the Rights of Indigenous Peoples, and under Convention No.169 of the International Labour Organization (ILO) on Indigenous and Tribal Peoples in Independent Countries, which was ratified by Guatemala in 1996.

b) On February 19, 2004, the inhabitants of Sipacapa staged a peaceful march to demand, among other things, that the municipal government inform the population regarding the advantages and risks associated with this kind of activity and that the local population be asked to give its opinion regarding mining activity, which could be detrimental to the social, cultural, and environmental interests of our territory. On May 31 of the same year, an event was undertaken with the principal authorities in the Department: deputies, the Governor and mayors, to bring our concern regarding open pit mining to their attention.

c) The Guatemalan Government's failure to fulfill its legal obligation to consult with the population, as established under the laws of Guatemala, including the Municipal Code, laws governing the Development Councils and ILO Convention 169, was taken advantage of by the company Montana/Glamis. According to the company, it undertook "consultation activities with the communities." The public is not aware of such activities and they are not a substitute for the expression of a people that is the legal owner of its territory.

d) As a result of the above, the Sipakapense people organized and carried out a community consultation on June 18, 2005 to establish its position on mining. Of the 13 villages comprising Sipacapa, 11 disapproved of mining, only one voted in favor, and another abstained.

e) On June 21, 2005, the Municipal Council issued a MUNICIPAL AGREEMENT, which, in its operative section, states: "**Agrees: 1) To abide by the outcome of the Community Consultation carried out on June 18, 2005 by the community authorities of the villages in the Municipality of Sipacapa, San Marcos.**" Thus, in accordance with law, the decision of the citizens is **to reject the exploration, exploitation, and extraction of minerals in the territory of the Sipakapense people.**

In light of the above we hereby respectfully

**REQUEST:**

- I. Support for the decision of the Sipakapense people, as expressed in their Consultation, to **REJECT** the exploration, exploitation, and expansion of metal ore mining in their territory;

the withdrawal of the installations and offices of Montana and Sierra Madre from the municipal district of Sipacapa; and the provision of guarantees that the Sipakapense territory will not suffer any damage or negative impact as a consequence of mining activity.

- II. That, in honor of its original mission to reduce poverty, the World Bank support the Sipakapense people with a development project that is based on the management of their territory and natural resources, which constitute the ancestral legacy of the Mayan people, and that is generated by the inhabitants themselves for their economic, social and democratic advancement, in a manner that is compatible with the Mayan Cosmo vision that respects Mother Earth.
- III. In the event that points I and II are not met, that the World Bank withdraw the loan granted to Glamis Gold.

Sipacapa, December 1, 2005