

August 4, 2011

The Honourable John Baird, Minister of Foreign Affairs
Foreign Affairs and International Trade Canada
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**Re: Visit of Salvadoran Attorney General Romeo Barahona,
Panel on Confronting Crime and Impunity in Central America, August 9, 2011**

Dear Minister Baird:

We write as Canadian organizations with long standing relationships with human rights, development, environmental and faith based organizations in El Salvador. Our organizations represent Canadians from across the country concerned about the increasing violence perpetrated against Salvadoran social and environmental activists in Cabañas, an area where a Canadian mining company, Pacific Rim, is pursuing a new gold mine.

The participation of El Salvador's Attorney General, Romeo Barahona, as a panellist in an event on "Confronting Crime and Impunity in Central America" sponsored by your department and the International Development Research Centre (IDRC) is of concern. This is due to the absence of a full investigation by the Attorney General into the intellectual and financial authors of the murder of four activists since 2009, and repeated suspensions of the preliminary hearing of nine people detained in connection with two of the cases. The recent murder of student and environmental defender Juan Francisco Duran, on June 2, 2011, can be understood to be the consequence of this state of impunity. We question the role of DFAIT and IDRC in sponsoring this panel given the demonstrated weakness of the Attorney General's office in fully prosecuting the authors of murders, ending the threats against activists and Radio Victoria journalists, and preventing further murders. At the same time, we recognize that Attorney General Barahona's visit provides an opportunity for the Canadian government to directly address with him Canadians' concern regarding his office's handling of this violence.

We urge the Canadian government to strongly convey to Mr. Barahona the importance of both conducting a thorough investigation to name and prosecute those who financed and planned these murders, as well as implementing all measures necessary to protect those who continue to be threatened. These steps are urgently needed to demonstrate the strength of El Salvador's judicial system, to end impunity and to prevent further loss of life. They are in keeping with calls of the Inter-American Commission on Human Rights (IACHR), Amnesty International, the Salvadoran Human Rights Ombudsperson, Oscar Luna, and respected human rights, development, and environmental organizations in El Salvador such as El Salvador's National Roundtable on Mining, winner of the Institute for Policy Studies' Letelier-Moffitt Human Rights Award.

As recently as July 5, when addressing the Justice and Human Rights Commission of the Salvadoran Legislative Assembly, the Attorney General was quoted as stating "that the crimes and threats that have occurred between 2008 and 2009 in the department of Cabañas, rather than caused by the issue of mining in the area, have as their basis family feuds, quarrels among people in some communities. This is the principal hypothesis of the public ministry" (Diario Co-Latino).

This contradicts the on-the-ground testimony of those affected by the threats. For example, Radio Victoria journalists who have covered the proposed re-opening of the Pacific Rim mine have received text messages to "shut up or die." Those threatened or murdered have opposed the opening of the mine in the community, a community that during the civil war lived in peace.

The IACHR (Inter-American Commission on Human Rights) in its June 24 press release stressed that the murder of Juan Francisco Durán is the fourth case the Commission has been informed of in the last two years involving the murder of human rights defenders who had opposed mining activities in Cabañas. The IACHR called to mind that it is the State's obligation to investigate such acts of its own accord and to punish those, including the "masterminds" responsible. The Commission also urged the "state of El Salvador to immediately and urgently adopt all necessary measures to guarantee the right to life, integrity, and security of environmentalists in the country." A full investigation must go beyond finding the immediate perpetrators of these crimes to identify and prosecute the financial and intellectual authors of the murders in order to prevent future murders of environmental and human rights activists in Cabañas.

Given the interest of the Canadian government in strengthening the rule of law and the capacity of justice systems in Central America, as well as the presence of a Canadian mining company in the community where the murders have occurred, we urge you to strongly raise these concerns with the Attorney General during his visit and ask that the embassy continue to press the issues with the Salvadoran government after his return.

We would be happy to meet with you or provide more information.

Regards,



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AND:

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- John Gordon, National President, Public Service Alliance of Canada
- René Guerra Salazar, Executive Director, Salvaide
- Jennifer Henry, Acting Executive Director, KAIROS: Canadian Ecumenical Justice Initiatives
- Jen Moore, Latin America Program Coordinator, MiningWatch Canada
- Wilson Muñoz, Comité de Apoyo para el Desarrollo Social en El Salvador (CODESES), British Columbia
- Ernie Schibli, President, The Social Justice Committee of Montreal
- Jean Symes, Program Manager, Inter Pares

Copies to:

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- Paul Dewar, Foreign Affairs Critic, NDP
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