

Mapping the Complexity of Mining & Peacebuilding in Guatemala

by

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Author's Declaration

I hereby declare that I am the sole author of this thesis. This is a true copy of the thesis, including any required final revisions, as accepted by my examiners. I understand that my thesis may be made electronically available to the public.

Abstract

This dissertation examines the intersection between foreign owned mining operations and peacebuilding efforts in Guatemala, responding to a number of academic debates and practical issues. Two mines were comparatively analyzed using complex systems theory and qualitative research methods. Although mining was not a core issue from Guatemala's 36-year Internal Armed Conflict, it became an issue in Guatemala's "post-conflict" peacebuilding context. This is because Guatemala prioritized economic development by means of an extractive development model based on foreign investment as a means to implement commitments from peace accords signed in 1996—following the advice of the international community. Mining generated significant controversy and conflict in ways that are both shaped by and impacted peacebuilding efforts. Mining reinforced pre-existing inequalities and exclusion in the communities near the two mines examined. These were important underlying issues from Guatemala's Internal Armed Conflict that peacebuilding sought, but failed, to address. These issues characterized the dynamics of mining-related conflict in different ways at the two mines that reflected important differences in each town's history and situation in Guatemalan society. In this sense, peacebuilding issues shaped mining-related conflict. In doing so, however, mining also made these issues more difficult to address as part of peacebuilding, and thereby impacted peacebuilding. That said, mining conflicts are just one of several issues that Guatemala faces in its post-conflict peacebuilding context, many of which are also a consequence inequality and exclusion. These various other issues were interconnected with each other and formed part of a positive feedback loop that reinforced inequalities and exclusion in context of each mine. This complicated the dynamics of mining conflict and compounded each issue and the situation overall in ways that ultimately undermined longer-term sustained efforts needed to address inequalities and exclusion as part of peacebuilding. International influence in both Guatemala's peacebuilding progress and mining governance framework undermined Guatemala's ability develop capacity and accountability to overcome its peacebuilding challenges and appropriately govern the extractive sector.

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It has been challenging to examine active issues that impact the lives of hundreds of people and balance the need to preserve my role as a researcher against the need for immediate actions. Throughout the research process, I have contributed whatever information and insight I could while preserving this role. I hope that the results of this research, and other contributions along the way, help advance peace and social justice for communities touched by conflict and that experience the adverse effects of mining.

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List of Abbreviations

ACAFREMIN	Alianza Centro Americana Frente a la Minería (Central American Alliance Against Mining)
ADES	Asociación de Desarrollo Económico y Social (Association for Economic and Social Development)
AI	Amnistía Internacional / Amnesty International
ALMG	Academia de Lenguas Mayas (Academy of Maya Languages)
AMES	Asociación de Mujeres Ambientalistas de El Salvador (Association of Women Environmentalists of El Salvador)
ASC	Asamblea Nacional Constituyente (Civil Society Assembly)
BHR	Business and Human Rights
BSR	Bluestone Resources
BTS	Maritimes-Guatemala Breaking the Silence Network
CABEI	Banco Centroamericano de Integración Económica (Central American Bank for Economic Integration)
BCIE	
CAD	Canadian Dollar(s)
CAIMI	Centro de Atención Integral Materno Infantil (Centre for Integrated Maternal and Infant Attention)
CALAS	Centro de Acción Legal-Ambiental y Social de Guatemala (Environmental and Social Legal Action Centre of Guatemala)
CALDH	Centro Para la Acción Legal en Derechos Humanos (Centre for Legal Action in Human Rights)
CAO	Compliance Advisor Ombudsman of the International Finance Corporation
CAP	Centro de Atención Permanente (Centre for Permanent Attention)
CC	Corte de Constitucionalidad de Guatemala (Guatemalan Constitutional Court)
CEH	Comisión para Esclarecimiento Histórico (Commission for Historical Clarification)
CEICOM	Centro de Investigación sobre Inversión y Comercio (Centre for Research on Investment and Commerce)
CERSC	Escuadrones del Cuerpo Especial de Reserva para la Seguridad Ciudadana (Squadrons of the Special Reserve Corps for Citizen Security)
CIA	United States Central Intelligence Agency
CICIG	Comisión Internacional Contra la Impunidad en Guatemala (International Commission Against Impunity in Guatemala)
CIEL	Center for International Environmental Law
CIG	Cámara de Industria de Guatemala (Guatemalan Chamber of Industry)
CNAP	Consejo Nacional para el Cumplimiento de los Acuerdos de Paz (National Council for Compliance with the Peace Accords)
COCODE	Consejo Comunitario de Desarrollo (Community Development Council)
CODISRA	Comisión Presidencial Contra la Discriminación y el Racismo (Commission Against Discrimination and Racism)

COMUDE	Consejo Municipal de Desarrollo (Municipal Development Council)
CONAVIUGA	Coordinadora Nacional de Viudas de Guatemala (National Coordinator of Guatemalan Widows)
CONIC	Coordinadora Nacional Indígena y Campesina (National Indigenous and Peasant Coordinating Committee)
CONRED	Coordinadora Nacional para la Reducción de Desastres (National Disaster Reduction Coordination Network)
COPADEH	Comisión Presidencial por la Paz y los Derechos Humanos (Presidential Commission for Peace and Human Rights)
COPAE	Comisión Pastoral de Paz y Ecología (Pastoral Commission for Peace and Ecology)
COPREDEH	Comisión Presidencial Coordinadora de la Política del Ejecutivo en Materia de Derechos Humanos (Presidential Commission for Human Rights)
CPD	Comisión Presidencial de Dialogo (Presidential Commission for Dialogue)
CPO	Consejo del Pueblo Maya/Consejo de los Pueblos del Occidente (Council of the Maya People)
CRIPDES	Comité Cristiano Pro-Desplazados de El Salvador (Christian Committee for Displaced Persons in El Salvador)
CSR	Corporate Social Responsibility
CTP	Comisión de Transparencia y Probidad del Congreso de Guatemala (Congressional Commission for Transparency and Honesty)
CUC	Comité de Unidad Campesino (Peasant Unity Committee)
DEMI	Defensoría de la Mujer Indígena (Defenders for Indigenous Women)
EGP	Ejército Guerrillero de los Pobres (Guerrilla Army of the Poor)
EIA	Estudio de Impactos Ambientales / Environmental Impact Assessment
EITI	Extractive Industries Transparency Initiative
ESG	Environmental and Social Governance
EU	European Union
FAO	United Nations Food and Agriculture Organization
FAR	Fuerzas Armadas Rebeldes (Rebel Armed Forces)
FIS	Fondo de Inversión Social (Social Investment Fund)
FODIGUA	Fondo de Desarrollo Indígena Guatemalteco (Guatemalan Fund for Indigenous Development)
FONAPAZ	Fondo Nacional de la Paz (National Peace Fund)
FONTIERRAS	Fondo de Tierras (National Land Fund)
FREDEMI	Frente de Defensa Miguelense (Defence Front of San Miguel Ixtahuacán)
FSDC	Fondo de Solidaridad para el Desarrollo Comunitario

	(Solidarity and Community Development Fund)
GAC	Global Affairs Canada
GDP	Gross Domestic Product
GIZ	German International Development Organization
GRENAT	Gremial de Recursos Naturales, Minas y Canteras (Sub-Committee for Natural Resources, Mines, and Quarries)
IACHR (CIDH)	Inter-American Commission for Human Rights (Comisión Interamericano de Derechos Humanos)
IBRD	International Bank for Reconstruction and Development
ICMM	International Council on Mining and Metals
ICSID	World Bank International Centre for Settlement of Investment Disputes
IDA	World Bank International Development Association
IDB	Inter-American Development Bank
IFC	International Finance Corporation
IGSS	Instituto Guatemalteco de Seguridad Social (Guatemalan Social Security Institute)
ILO	International Labour Organization
IMF	International Monetary Fund
INAB	Instituto Nacional de Bosques (National Forestry Institute)
INE	Instituto Nacional de Estadísticas (National Institute of Statistics)
ISO	International Organization for Standardization
JPIC	Justice and Peace Integrity Commission Service
MAC	Mining Association of Canada
MAGA	Ministerio de Agricultura, Ganadería y Alimentación (Ministry of Agriculture, Livestock, and Food)
MARN	Ministerio de Ambiente y Recursos Naturales (Ministry of Environment and Natural Resources)
MEM	Ministerio de Energía y Minas / Ministry of Energy and Mines
MIDES	Ministerio de Desarrollo Social (Ministry of Social Development)
MIGA	Multilateral Investment Guarantee Agency
MINCIVI	Ministerio de Comunicaciones, Infraestructura y Vivienda (Ministry of Communications, Infrastructure, and Housing)
MINDEF	Ministerio de la Defensa Nacional (Ministry of Defence)
MINECO	Ministerio de Economía (Ministry of Economy)
MINEDUC	Ministerio de Educación (Ministry of Education)
MINFIN	Ministerio de Finanzas Públicas (Ministry of Finance)
MINGOB	Ministerio de Gobernación (Ministry of Governance)
MINUGUA	United Nations Verification Mission in Guatemala
MINTRAB	Ministerio de Trabajo y Previsión Social (Ministries of Labour and Social Welfare)

MNFM	Mesa Nacional frente a la Minería Metálica (National Roundtable Against Metallic Mining)
MP	Ministerio Público (Public Ministry)
MSPAS	Ministerio de Salud Pública y Asistencia Social (Ministry of Public Health and Social Assistance)
NCP	National Contact Point for the OECD Guidelines for Multinational Enterprises
NGO	Non-Governmental Organization
NISGUA	Network in Solidarity with the People of Guatemala
OAS	Organization of American States
ODHAG	Oficina de Derechos Humanos del Arzobispado de Guatemala (Office of Human Rights of the Archbishop of Guatemala)
OECD	Organisation for Economic Co-operation and Development
OJ	Organismo Judicial (Judicial Branch)
ONUCA	United Nations Observer Group in Central America
OPEC	Organization of Petroleum Exporting Countries
ORPA	Organización del Pueblo en Armas (Organization of the People in Arms)
PAC	Patrullas de Autodefensa Civil (Civil Patrol Units)
PBC	United Nations Peacebuilding Commission
PDDH	Procurador para la Defensa de los Derechos Humanos de El Salvador (Ombudsman for the Defence of Human Rights of El Salvador)
PDH	Procurador de los Derechos Humanos de Guatemala (Human Rights Ombudsman of Guatemala)
PNC	Policía Nacional Civil (National Police)
RBC	Responsible Business Conduct
RedCAT	Red Centroamericana por la Defensa de las Aguas Transfronterizas (Central American Network for the Defense of Transborder Waters)
SEGEPLAN	Secretaría Presidencial de Planificación y Programación (Presidential Secretariat for Planning and Programming)
SEPAZ	Secretaría de la Paz (Peace Secretariat)
SESAN	Secretaría de Seguridad Alimentaria y Nutricional (Secretariat for Nutrition and Food Security)
SLAPP	Strategic Lawsuit Against Public Participation
SLO	Social License to Operate
SOSEP	Secretaría de Obras Sociales de la Esposa del Presidente (Secretariat for Special Projects of the President's Wife)
UDEFEGUA	Unidad de Protección a Defensoras y Defensores de Derechos Humanos – Guatemala (Protection Unit of Human Rights Defenders)
UN	United Nations
UNDP	United Nations Development Program
UNGA	United Nations General Assembly
UNGC	United Nations Global Compact

UNSC	United Nations Security Council
URNG	Unidad Revolucionaria Nacional Guatemalteca (National Revolutionary Unity of Guatemala)
US	United States
(EEUU)	Estados Unidos
USAID	United States Agency for International Development
USD	United States Dollar(s)

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Introduction

Guatemala requires speedy economic growth in order to create jobs and enhance social development. The country's social development, in turn, is essential for its economic growth and for better integration into the world economy. In this regard, better living standards, health, education and training are the pillars of sustainable development in Guatemala. (Article 15)

The country's socio-economic development cannot depend exclusively on public finances or on international cooperation. Rather, it requires an increase in productive investments that create adequately paid jobs. The Parties urge national and foreign entrepreneurs to invest in the country, considering that the signing and implementation of an agreement on a firm and lasting peace are essential components of the stability and transparency required for investment and economic expansion. (Article 17)

These excerpts from the Agreement on Socio-economic Aspects and Agrarian Situation represent two of over seven hundred commitments across 11 agreements that were negotiated between the Guatemalan Government and the Unidad Revolucionaria Nacional Guatemalteca (URNG) to end a 36-year civil war in 1996 (UNGA, 1996f). They point to an important but complex link between efforts to transition Guatemalan society from violent conflict to peaceful coexistence—peacebuilding—and the activities of foreign owned companies. This link has been particularly problematic in the extractive sector in industries such as mining, given its association with adverse environmental and social impacts and conflict.

Mining-related conflicts are not typically treated as peacebuilding issues. The conflicts appear to be about project-specific grievances related to community consultation, environmental contamination, or the distribution of mine-related benefits. In Guatemala, however, these issues intersected with deeper and more longstanding issues in the community. In this sense, the issues arising from foreign owned mining represent a new iteration of pre-existing issues from Guatemala's "Internal Armed Conflict."¹

Many Guatemalans have noted this connection:

Before, the military was always in the street, reviewing, watching, looking at your bags, and all of that. The military perhaps changed, but now it's the police. [...] So, since the Internal Armed

¹ Guatemalans refer to the conflict as the "Conflicto Armado Interno" or Internal Armed Conflict, and do not use the term "Guerra Civil" or "Civil War." When referring to the particular conflict in Guatemala, I use the term Internal Armed Conflict, as it the name that Guatemalans identify with. When discussing internal conflict in general, I use other terms, such as civil war.

Conflict ended, conflict has persisted. The only thing that changed perhaps is the face. Before, there was the confrontation between the military and the guerrilla, but now the confrontation is with the companies; you just replace the military with the private guards of the company. There continues to always be insecurity; the people are still afraid.

(Quotation 1. Community representative near the Marlin mine)

Unfortunately, many of my colleagues remain frustrated after the peace accords were signed, because really the causes that led to the Internal Armed Conflict were not resolved. There was no intention to resolve them after the peace accords were signed. It wasn't the agenda of the state. So, those problems at the root of the conflict persist, and one of them was the concentration of land. It didn't change for anything. Two percent of the population continues to hoard 65 percent of the territory. And today it has gotten worse, because today where the Indigenous communities are located—in the hills of the highlands—with the mining activities, even more land is being robbed from the Indigenous population. And these dynamics don't generate any real hope for the community.

(Quotation 2. Indigenous Politician in Guatemala City)

Mining in the midst of these peacebuilding challenges has also been difficult for the mining companies:

Its a problem. Because we know that it's a time bomb. So, for the moment what we are doing to make sure that this bomb doesn't explode, is we are trying to educate the communities using the state. [...] Precisely, the impact [of community conflict] is that it creates work for us to avoid causing riots and trouble within the population. This is why we tried to buy the land that we would be working on, under, nearby. So, the mine went buying land, so that the people that were living in that zone wouldn't be bothered as a result of the mine's activities—despite the fact that mining activities took place 200m below the ground. So, there is no impact on the surface, resulting from something happening 200m below. It doesn't happen. There is a lot of... well, there is ignorance about how a mine operates, and how the mine does its work. So, there are exaggerations. In the community, they hear that the explosions in the sub-surface mine cause cracks in their houses. But the explosions in the mine were controlled, of short-range. And they did a study on the vibrations. They used the norm for protecting monuments in Europe.

(Quotation 3. Representative of the Marlin mine)

Mining-related conflicts have only increased the already challenging task of transforming the country by overwhelming the Guatemalan government with additional problems in a context of limited capacity and resources. The involvement of international organizations has made the situation more challenging.

The nexus between foreign owned business activities and peace and conflict dynamics has attracted the attention of scholars and practitioners in a number of different fields, including peace and conflict studies, social conflict, corporate social responsibility, and global governance. However, the

complexity of peacebuilding contexts and globalized business operations have made the links between business, peace, and conflict challenging to analyze. This dissertation examines the complex interconnections between business and peacebuilding in further depth in the context of two foreign owned mines operating in Guatemala, where such projects have generated controversy and conflict. In doing so, the dissertation offers insights into some of the challenges that communities, companies, and governments face when they rely on foreign owned extractive projects to boost economic development for peacebuilding. Deeper understanding of the interconnections between business activities and peace and conflict dynamics is important, because private companies are becoming increasingly involved in both peacebuilding and development activities. Peace agreements contemplate roles for businesses; the United Nations Global Compact encourages “Business for Peace” initiatives; the Sustainable Development Goals formalize roles for businesses; and, the United Nations Peacebuilding Commission has developed other partnerships (Hönke, 2014; UNGC, 2013, 2015a, 2015b; PBC, 2020).

The research project is introduced below. [Section 1.1](#) situates the business-peace nexus in existing literature. [Section 1.2](#) introduces the research question and key concepts relevant to understanding the research question. [Section 1.3](#) discusses the choice of research design, case study selection, and use of a complex systems approach. [Section 1.4](#) presents the main argument of the dissertation and provides an overview of the dissertation structure.

Section 1.1 Literature Review

The interconnections between foreign owned mining operations and peacebuilding are relevant to theories and debates in several fields, including peacebuilding, extractive sector governance and conflict, and global governance. This dissertation contributes empirically informed theoretical nuance to a number of different theories and debates. It also contributes deeper understanding of the complexity and the global dimensions of mining conflicts, peacebuilding challenges, and their linkages. An overview of the

general contours of these literatures is presented below to situate the dissertation's contributions to each of these fields. Deeper exploration of this literature was not possible given the number of relevant fields.

1.1.1 Peace, Conflict, and Peacebuilding

"Peacebuilding" refers to the multidimensional process of transforming societal structures in places affected by conflict to achieve non-violent social interactions and prevent future relapses into violent conflict (Bruch et al., 2016; Lederach, 1997). The goal of peacebuilding is to achieve "peace." However, "peace" means different things to different people. At minimum, it refers to the absence of widespread conflict on an ongoing basis, referred to as "negative peace" (Paris, 2004, p. 56). However, others consider peace to be the absence of any and all forms of violence, including physical, psychological, and structural violence, referred to as "positive peace" (Galtung, 1969; Paris, 2004, p. 56).

Peacebuilding emerged as a form of international intervention in the 1990s. At the time, scholars and practitioners believed that efforts to promote liberal democracy and market-oriented economic growth would help build peace. Peacebuilding was something largely designed, directed, and funded by international organizations and introduced into conflict-affected societies. It reflected "Western" beliefs, concepts, logics, and norms, which did not necessarily align with the worldview or lived traditions of many conflict-affected societies. This included the belief that Western-style institutional fixes would resolve conflict, and left little room for local agency (Paris, 2004; Mac Ginty & Richmond, 2013; Brett, 2013; Tschirgi, 2014). Peacebuilding also often benefited some more than others (Olson, 2013). This was largely the model adopted in Guatemala. It shaped both how international organizations engaged with Guatemalan actors as well as the kinds of commitments made in the name of peacebuilding.

Peacebuilding discourse, theory, and practice have since evolved, and reflect more realistic understandings of the limitations of existing peacebuilding approaches and critical debates (Paris, 2011). A body of critical peacebuilding literature has emerged, which takes issue with the universal and formulaic

underpinnings of the above-mentioned “liberal peace” model, the power relations between external “Western” actors and local actors in peacebuilding, and the imperialistic nature of the intervention model (Sabaratnam, 2011). These critiques appreciate the importance of the local context, local power dynamics, and local agency. A key critique is that peacebuilding theory and practice are overly concerned with the activities and agency of external actors and fail to account for local actors and dynamics. They also fail to consider the interplay between local and international actors. Consequently, theory and strategies are divorced from on-the-ground realities and do not develop local capacities for peace (Mac Ginty, 2011; Richmond, 2018; Sending, 2011). This dissertation illustrates these critiques of liberal peacebuilding by showing how international influence in peacebuilding in Guatemala has undermined peacebuilding progress. By examining the complex nexus between mining and peacebuilding, the dissertation also helps to deepen understanding of the dynamic, global interplay of actors in peacebuilding contexts.

A second strand of peacebuilding literature relevant to this dissertation focuses on the economic dimensions of war-to-peace transitions (for example, Wennmann, 2011). Scholars identified similar issues with the assumption that economic liberalization and globalization promote peace and stability, with the importance of economic reconstruction in rebuilding conflict-affected societies, with the contributions of businesses as agents of peace and societal transformation, and with the neoliberal variant of economic policies tended to accompany peacebuilding agendas (Selby, 2008). Their concerns focus on the economic inequalities created by such policies and unevenness in their implementation, which have material and political consequences for different groups in peacebuilding contexts. Neoliberal policies favour businesses over public welfare (Herring, 2008). This leads to a number of challenges, as those excluded from the benefits of such policies remain in informal and illicit economies (Pankhurst, 2008; Willett, 2008). Moreover, the ability of individual companies to contribute to peace through corporate social responsibility is limited. This is even more problematic in the context of outsourcing state services to the private sector with neoliberalism (Tripathi, 2008). This literature links peacebuilding efforts and some of

the broader political and economic forces at play in international relations and as part of globalization, discussed below (Herring, 2008; Sabaratnam, 2011). These challenges come into focus in the dissertation through examining the complex intersection between foreign owned mining projects and peacebuilding in this larger context.

A third strand of peacebuilding literature relevant to the dissertation focuses on the relationship between the environment and peacebuilding. This literature emerged in response to increased awareness about environmental issues (Dresse et al., 2019). It builds on previous research on the nexus between natural resources and conflict (Cuvelier et al., 2014; Humphreys, 2005; Homer-Dixon, 1994). It responds to a number of the theories on how natural resources contribute to conflict by proposing theories on how those issues can be addressed through peacebuilding (Lujala & Rustad, 2011). For example, many studies examine issues in the distribution, access, and use of key resources and their relevance to conflict and peacebuilding (Unruh & Williams, 2013; Bruch et al., 2016). Other studies focus on how cooperation on environmental issues can serve as a mechanism to support peacebuilding in other areas (Conca & Dabelko, 2002). Other literature focuses on the impacts of conflict and peacebuilding on the environment and how to address those impacts as a means of supporting peacebuilding (Jensen & Lonergan, 2012). A prominent theme in this literature is governance, and scholars have focused on features of environmental governance and policy as factors in peacebuilding successes and challenges (Bruch et al., 2016).

The literature to date has helped identify broad peace-environment linkages and challenges related to environmental governance in peacebuilding. However, there is neither consensus on how the environment is relevant to peacebuilding nor comprehensive understanding on how environmental factors contribute to peacebuilding (Dresse et al., 2019; McKenzie et al., 2021). Though the literature is based on qualitative case studies, the assumptions underpinning many of the theories have been criticized for not having a strong empirical basis (Cuvelier et al., 2014). This dissertation contributes refinements to existing theories and contributes to their empirical foundations by deepening understanding about

private actors in the extractive sector and about how challenges associated with foreign owned extractive operations intersect with peacebuilding at the local, national, and transnational level.

A fourth strand of peacebuilding literature focuses on understanding the complexity of peacebuilding by using complex systems concepts and methods. The complexity of peacebuilding contexts has been a source of criticism of conventional research and evaluation methods, as linear cause-effect and input-output models fail to capture the collective impact of individual activities (Brusset et al., 2016; Blum & Kawano-Chiu, 2012; Loode, 2011; Neufeldt, 2008; Ricigliano, 2012, p. 6-10). To date, the peacebuilding complexity focuses on making the case for incorporating complex systems approaches into the peacebuilding literature (for example, Ganson, 2019), describing how complex systems-informed methods can be used in peacebuilding research and practice (for example, Brusset et al., 2016; Ricigliano, 2012), and contributing complexity-informed insights to other debates (de Coning, 2008; 2020). This dissertation draws on complex systems methods to examine the intersections between foreign owned mining operations and peacebuilding in Guatemala. In doing so, it contributes to this literature by refining the application of complex systems concepts and methods for peacebuilding research and by contributing complexity-informed insights to peacebuilding debates.

In recent years, an interdisciplinary field of research has emerged in response to the increasing participation and formalization of private sector actors in peacebuilding. This literature takes up the same liberal peace assumptions that underpin the peacebuilding political economy literature but considers the role and contributions of individual businesses to peacebuilding more specifically. Much of the literature consists of meta-studies that synthesize the literature on this topic. All of the literature revolves around a central critical debate about whether or not businesses should be involved in peacebuilding, which can be grouped into three main categories (Miklian, 2017; Ganson, 2019; Klein & Joras, 2016). First, the literature develops theories about how businesses can potentially contribute to peace (for example: Oetzel et al., 2010; Miklian, 2017). Second, it focuses on the perspectives of businesses and develops

arguments for why businesses should contribute to peacebuilding (for example, Oetzel & Breslauer, 2015). Third, it documents the actual impacts of businesses on peacebuilding and consolidates lessons learned for practitioners on what to do and what not to do (for example, Anderson et al., 2010). This dissertation contributes to each of these three areas by contributing insights about how mining activities are relevant to peacebuilding, and reciprocally, how peacebuilding is relevant to mining operations.

The initial theories linking business activities to peacebuilding have been criticized as superficial. They revolve around companies' economic contributions, contributions to good governance through responsible business conduct, and contributions to facilitating dialogue in the workplace and as part of external initiatives (Miklian, 2017; Miklian et al., 2019; Oetzel et al., 2010; Iff et al., 2010). Ganson (2019) groups business contributions to peace into three broad categories: socio-economic dynamics, socio-political dynamics, and dynamics associated with the peacemaking process. Socio-economic dynamics concern businesses' economic contributions to the material conditions and capacities for peacebuilding through job creation, government revenue, infrastructure development, and their contribution to economic development. Companies' economic contributions can also be deployed strategically to avoid financing armed groups or to incentivize non-violence by hiring ex-combatants as employees. Socio-political dynamics concern strengthening good governance by encouraging or participating in initiatives that improve transparency, address corruption, or respect human rights either nation-wide, in the workplace, and/or in the communities where they operate. Business contributions to peacemaking processes concern incentivizing or directly facilitating dialogue. This dissertation challenges and refines these theories, by showing how the Marlin and Cerro Blanco mines impacted socio-economic and socio-political dynamics in Guatemala in a very different way than the existing theories suggest.

Empirical evidence supporting these theories has been mixed. Some studies found that companies had adverse impacts on peacebuilding while others found positive impacts (Klein & Joras, 2016). As a result, scholars acknowledge that the above-mentioned areas for potential business contribution to

peacebuilding are not automatic or intrinsic. Company activities and impacts fall along a continuum from actively worsening the situation, to merely surviving, to actively contributing to peace. Myriad other factors shape the context (Miller et al., 2019; Mayer et al., 2020). The literature increasingly appreciates the complexity of the business-peace nexus. Scholars are starting to argue that business activities interact with the underlying conflict systems, implying that company impacts are complex and context specific. Scholars also acknowledge that companies, and their impacts on society, are only one element in that broader system (Ganson & Wennmann, 2016). Even where companies may have positive impacts locally, these do not necessarily translate to society-wide peacebuilding impacts without further efforts (Miller et al., 2019; Mayer et al., 2020). While business for peace theory continues to advance, the dearth of substantiating empirical evidence remains a challenge (Katsos, 2020; Miller et al., 2019).

Further work is needed to deepen understanding about how and why business activities are relevant to peacebuilding, and vice versa, as well as strengthen the empirical foundation for his research. Further work is also needed to connect the business-for-peace literature to other literatures, such as the critical peacebuilding and peacebuilding political economy literature discussed above or the literature on responsible business conduct discussed below (Ganson, 2019). In contributing deeper understanding of the complexity of the nexus between mining operations and peacebuilding in Guatemala, this dissertation helps to advance and refine existing theories informed by rigorous empirical case study analysis.

Mining is a sector of the economy that has expanded globally in recent years. In doing so, it has brought foreign owned companies into conflict affected contexts. As such, it is a context that engages the literatures on neoliberalism, peacebuilding political economy, and the role of the private sector in peacebuilding. As a natural resource sector with high potential for adverse social and environmental impacts, it also engages the literature on environmental peacebuilding (Bruch et al., 2016; Lujala & Rustad, 2011). As a sector where individual mines are both local and global in their operations and impacts, it offers insight into the peacebuilding on a local and global scale and its complexity.

1.1.2 Mining, Conflict, and Governance

Separate from the literature on peacebuilding, research in different disciplines has also examined the operation and governance of extractive industries, their social and environmental impacts, and extractive sector conflicts. Mining refers to the process of identifying, extracting, and refining specific substances from the earth for direct consumption or for use in the production of other goods. It is a physical and highly technical endeavour that depends fundamentally on environmental resources like land, water, and the minerals themselves (Ash et al., 2010). As such, mining has important environmental impacts. These include water quality and availability issues, soil contamination, transforming the environmental landscape, and/or disrupting environmental processes more broadly through deforestation, levelling mountains, or digging underground tunnels (Rosa & Sanchez, 2016).

Mining also has important social, political, and economic dimensions. For a mine to function, it requires coordinated efforts among a variety of different units and external contractors. Though mining takes place in a specific geographical location, a global array of organizations are involved in various activities needed to operate a mine. The different entities involved need to follow a common set of goals and rules, coordinate appropriately, and work together effectively for a mine to operate. The specific activities involved in mining depend on the phase of the mine lifecycle, which include 1) exploration, 2) approvals, 3) construction, 4) operation, and 5) closure (Botin, 2009, p. 3; EC, 2009, p. 25; see Figure 1.1).

Figure 1.1. Mine Lifecycle

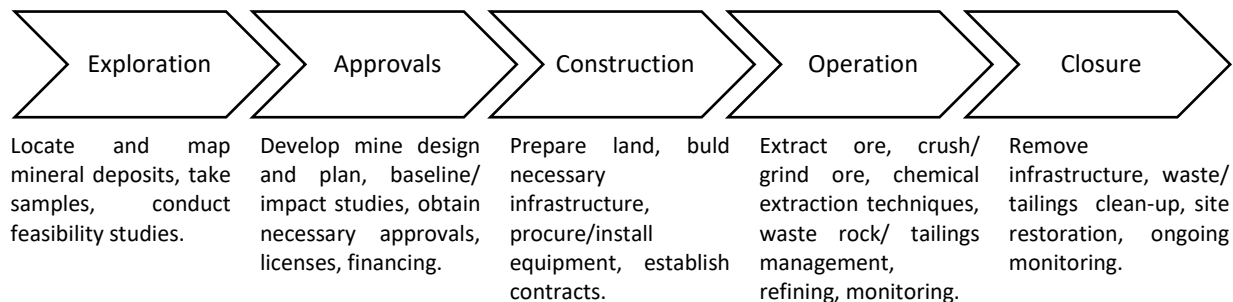


Figure 1.1 describes the activities involved at each phase of a mine's lifecycle based on a review of literature (Botin, 2009; EC, 2009, p. 25). Though referred to as a life "cycle," it is important to note that mining is not a cyclical process. Closure involves environmental restoration, which suggests that the land could be reused for other purposes, but the extent to which this happens is inconsistent (ICMM, 2021).

How a mine is organized and governed is highly relevant to its impacts on society. It depends on the mine's phase in its lifecycle and can be grouped into three levels of management: 1) operational, 2) financial, and 3) strategic (Botin, 2009). Operational management concerns planning and overseeing the physical operation of a mine. This includes activities such as site and infrastructure construction, digging tunnels, removing ore, processing ore, waste management, site and landscape management, monitoring, and human resources (Botin, 2009, p. 36; de la Vergne, 2008; EC, 2009; OCG, 2010). Financial management concerns business planning. This includes securing the necessary legal permits and funding needed to undertake mine operations, for example, through arranging contracts for project financing and sales. It also includes preparing and submitting reports and other communications for regulatory compliance and issue management (Botin, 2009, p. 34). Strategic management concerns managing the broader set of relationships within and outside of a mine to advance a mine's financial and operational activities. This includes company-wide governance, strategic planning, and stakeholder relations (Botin, 2009, p. 34).

The physical and social dimensions of mining affect other stakeholders both directly and indirectly. The environmental inputs and outputs of mining may affect the material well-being of others in the community, for example, by diverting local water sources used for domestic consumption or by contaminating those water sources. The social and economic dimensions of mining may also impact the livelihoods of stakeholders, for example, by providing a source of jobs and investment in the community or by attracting newcomers to the community. Mining is both a capital-intensive and lucrative endeavour and intersects with local and international markets and economic forces. Finally, mining activities are regulated by governments, who approve the projects and issue operating licenses, collect royalties, and provide ongoing oversight. As such, mining operations intersect with governance systems and are shaped by these systems.

Resource extraction has an ambiguous history around the world. Despite generating significant wealth, it is also associated with significant adverse social and environmental impacts and conflict

(Bebbington, 2012). A large body of literature has examined social conflict in the extractive sector, distinct from the literature on conflict and peacebuilding described above. Literature on extractive sector conflict understands conflict to be a response to the adverse impacts of the extractive sector. Myriad case studies have contributed empirical insights about the on-the-ground realities of mining, which have generated various theories about why these adverse impacts and conflicts emerge. Adverse impacts leading to conflict include perceived risks of and/or actual adverse environmental impacts, such as contamination, that affect the livelihoods of stakeholders. They also include changes in access and/or use of certain resources, such as land, that affect the livelihoods of stakeholders. They may include inadequate respect for and/or violation of human, labour, and/or Indigenous rights. They may include governance issues like corruption or corporate influence. Adverse impacts may result from inequalities created by the distribution of mine-related benefits like jobs, royalties, or community projects. They may result from violence or other abuse perpetrated by individuals affiliated with the mine, the degradation of community cohesion, or a combination of these and other issues noted previously. Conflict emerges as a result of communities raising concern with these impacts (AI, 2014; Haslam & Tanimoune, 2016; Rustad et al., 2012; ICMM, 2015; OCG, 2010; Van de Sandt, 2009; Bird, 2016).

Significant research has focused on company-community relations to understand these conflicts (for example, Costanza, 2016; Davis & Franks, 2014; Haslam & Tanimoune, 2016; ICMM, 2015; Kemp et al., 2011). However, scholars have also drawn attention to the role of other actors and contextual factors in these conflicts. These factors include the social, economic, and environmental context of the region where mining is taking place, including pre-existing social divisions and conflict. These also include the role of “host” governments, the governance regimes in place to mitigate adverse impacts, as well as the role of governments in responding to community grievances and conflict. They also include the role of “home” governments where foreign companies are incorporated, and other international governance mechanisms (see Andrews et al., 2017; Sagebien & Lindsay, 2011). The literature also situates these

conflicts within broader social, political, and economic transformations occurring domestically and globally as factors in the conflict. These include neoliberal reforms, national and global social movements, and features of the global capitalist system (Andrews et al., 2017; Bebbington, 2012; Haarstad, 2012; Sagebien & Lindsay, 2011; Bird, 2021).

Another strand in this literature has proposed and studied various initiatives aimed at mitigating the adverse social and environmental impacts associated with business operations in general or in the context of specific industries. On the one hand, these initiatives emerged in response to the issues identified previously in the literature. On the other hand, these initiatives represent another factor in these conflicts. Fields as diverse as business ethics, human rights, risk management, and natural resource management have discussed concepts such as corporate social responsibility (CSR), responsible business conduct (RBC), environmental and social governance (ESG), conflict sensitivity, and the social license to operate (SLO) from different perspectives. The literature includes normative and conceptual discussion on what companies should do (Dashwood, 2012, 2014; Prno & Slocombe, 2012; Domínguez-Gómez, 2016; Prandi, 2011). It includes discussion on the relevance of these initiatives to companies from a risk or financial standpoint (Darendeli & Hill, 2016; Davis & Franks, 2014; Bird, 2021). The literature examines particular initiatives or frameworks, such as the Extractive Industries Transparency Initiative or UN Guiding Principles on Business and Human Rights (Auld et al., 2019; Dam de Jong, 2015). It also includes empirical studies about the impact of such initiatives in particular contexts (Hoelscher & Rustad, 2019; Kemp et al., 2011; Gifford et al., 2010). Again, empirical evidence on the impact of such initiatives has been mixed. Some scholars emphasize the positive impact of corporate social responsibility norms and specific initiatives towards encouraging voluntary initiatives that improve social and environmental performance (Dashwood, 2014; Kolk & Lenfant, 2013; Jenkins, 2004; UNGC, 2013). For others, the benefits of such initiatives have been mixed or limited (Emel et al., 2012; Hennchen, 2012). Meanwhile, other scholars have criticized these initiatives for worsening existing problems and/or creating new ones like community

dependence on company-provided services or local conflict (Lawson & Bentill, 2014). By examining the complex intersection between peacebuilding and mining, this dissertation contributes deeper and more nuanced understanding about the impacts of mining on society in peacebuilding contexts and such contexts affect mining operations and mining conflict.

Despite overlap with the peace and conflict literature that relates to the economy, natural resources, companies, and the involvement of foreign actors more generally, the two literatures explain the outbreak of conflict in very different ways. As noted above, the literature on extractive sector conflict primarily understand conflict to be a result of adverse effects associated with a particular company or project even though other contextual factors might come into play. In the peacebuilding literature, conflict revolves around other conflict issues, even though companies have an impact on those dynamics. This distinction is problematic and may not be appropriate in situations where extractive sector conflicts occur in the context of broader conflict or peacebuilding. By examining the complexity of these conflicts, this dissertation contributes insights to connect these literatures.

1.1.3 Global Governance and Private Authority

A third body of literature relevant to this dissertation examines the governance implications of globalization. Globalization has increased trans-planetary (around the world) and supra-territorial (not limited by geography) interaction between people, which has profoundly affected patterns of production, identities, knowledge, social structures, power, and governance (Castells, 2009; Cox, 1996; Scholte, 2005). The global governance literature is diverse and focuses on different aspects of these transformations and how their impact on governance. This includes the actors involved, patterns of influence, governance arrangements, and their implementation. Many concepts and insights from this literature are relevant to peacebuilding and mining, both in general and in Guatemala, but have not been considered in the theories

and debates described above. My research into the nexus between mining conflicts and peacebuilding challenges helps to connect these literatures by considering the global dimensions of this context.

For example, global governance scholars note the predominance of “Western” concepts and liberal economic norms in governance arrangements around the world, including peacebuilding and environmental governance, as noted above (Cutler et al., 1999; Cox, 1996; Bernstein, 2001; Escobar, 2008; Ong, 2006). Corporate power is privileged, which increases the power and influence of private companies in governance and society (Bailey et al., 2015; Jacques, 2016; Ong, 2006, p. 19). This model has been contested by subaltern groups. This includes transnational activist networks, such as those lobbying for greater corporate accountability and those who oppose extractive economic models (Escobar, 2008; Jacques, 2016; Keck & Sikkink, 1998). These forces have shaped the dynamics of mining-related conflict in Guatemala, and factor into the complexity even though they may not have caused the conflict. Communities affected by mining often receive support and solidarity through transnational anti-mining activist networks. However, international involvement may distort local narratives about their concerns and may complicate efforts to find solutions, as will be discussed in this dissertation.

Second, scholars link the global expansion of both the mining industry into countries like Guatemala and the globalization of individual mine operations to broader trends in the global economy (Clapp & Dauvergne, 2011; Sassen, 2007). This, combined with the fact that a myriad of largely voluntary, self-regulatory governance frameworks have emerged in response to gaps and deficiencies in the governance system (referred to as “private governance”), has complicated stakeholders’ ability to monitor mining activities and hold companies accountable (Auld et al., 2019; Bütthe & Mattli, 2011; Haufler, 2012). Like other areas of governance, governance in the extractive sector has fragmented into a variety of separate initiatives, for example, on human rights or transparency. No single entity has authority over the full scope of a mine’s activities. This includes host governments, as they do not control and cannot enforce many of the standards and frameworks that companies adopt (Clapp & Dauvergne, 2011; Dam de Jong,

2015; Scholte, 2005, p. 215, 217-19). Moreover, the role of non-state actors has increased in governance, such as the outsourcing of the delivery of basic services like education to NGOs. This has included many tasks associated with peacebuilding, such as encouraging businesses to take on peacebuilding tasks as part of corporate social responsibility and “business for peace” initiatives (Biermann & Pattberg, 2012, p. 14). These characteristics have complicated extractive sector governance and have shaped the dynamics of mining-related conflict in Guatemala, even though they may not necessarily have caused conflict. By mapping the complex nexus between mining conflicts and peacebuilding challenges, this research will contribute a more nuanced understanding on how global forces and actors have shaped this context.

1.1.4 Research Challenges

Part of the challenge underpinning many of theoretical and empirical gaps identified above with respect to the link between mining conflict and peacebuilding challenges in Guatemala is due to complexity of the phenomena involved. As noted above, peacebuilding scholars and practitioners increasingly recognize that peacebuilding overlaps with other activities occurring in conflict-affected societies, such as mining. Moreover, both peacebuilding and mining have global dimensions and are shaped by broader trends and forces, such as globalized industries, governance fragmentation, or transnational activist networks.

Conventional qualitative research methods in the social sciences have confronted challenges in appropriately capturing this complexity. The scope of individual research examinations tends to be restricted to a limited set of factors on a given topic, field, and/or geographic area. These factors often differ from those considered in other studies and do not typically consider other factors relevant for the research findings. This creates difficulty to glean decisive insights from a body of literature as a whole. Relationships among the factors included in examinations, and how they contribute to an overall outcome, are often oversimplified or inappropriately represented. The operational context and factors examined are often held as constant and studies typically examine one-directional causal relations within

a restricted timeframe, leading to possibly inaccurate findings. This dissertation draws on complex systems theory and methods to help overcome these challenges, discussed below.

Section 1.2 Research Question and Key Concepts

This dissertation seeks to contribute deeper understanding into the complex ways in which business activities and peacebuilding efforts intersect in a globalized world through a comparative case study analysis of two foreign owned mines in Guatemala—the Marlin mine and Cerro Blanco mine—using a complex systems approach. The research question was as follows: how do foreign owned mining operations and peacebuilding efforts in Guatemala intersect? The research question and what this examination seeks to understand are unpacked below.

1.2.1 Peacebuilding

As described above, peacebuilding refers to the multidimensional process of transforming societal structures in places affected by conflict in ways that achieve non-violent social interactions and prevent future relapses into violent conflict (Bruch et al., 2016; Lederach, 1997). The activities and transformations included in this process, and its ultimate objective can be defined and conceptualized in a number of different ways, affecting both the scope of analysis and how peacebuilding challenges are defined. In this examination, peacebuilding is conceptualized and analyzed as a system, discussed in further depth in [Chapter 2](#). The scope of activities involved in peacebuilding is defined by the activities resulting from commitments made in the peace accords signed in 1996 (see [Appendix 1](#)). The analysis of peacebuilding challenges considers the extent of implementation of commitments from the peace accords, local perspectives about peace, and peacebuilding theories.

The scope of peacebuilding activities examined in this dissertation was restricted to commitments from the peace accords for practical reasons. The peace accords provided the main agenda guiding

peacebuilding efforts in Guatemala. The Guatemalan government continues to reference to the peace accords in announcements and commitments despite ongoing challenges in implementation (Reilly, 2009; SEPAZ, 2008, 2017).² The vast majority of funding provided for peacebuilding in Guatemala was aligned to the peace accords and many NGOs operating in Guatemala at the time aligned their work and priorities to the peace accords in order to receive funding (Blum, 2001; EC, 2007, 2014; USAID, 2010; Ybarra, 2010).³

That said, it is important to recognize that this the definition does not capture the full scope of peacebuilding work that took place in Guatemala. The Catholic Church and many local organizations undertook projects and offered services that were relevant to peacebuilding but were not commitments in the peace accords. For example, the Human Rights Office of the Archbishop of Guatemala (ODHAG) provided trauma healing and reconciliation programs in communities, which are important issues not addressed in the peace accords (Anckermann et al., 2005). The Mennonite Central Committee (MCC) offered grassroots capacity building courses to promote inter-personal reconciliation, conflict resolution, and promote a culture of peace in response to the lack of commitments in these areas under the peace accords (Hart, 2005). However, it was not possible to find comprehensive information on these activities, which created challenges for including these other activities in the scope of research.

An additional challenge was that many individuals, particularly those in Guatemala's rural communities, had limited knowledge of the peace accords and the peace accords themselves did not

² For example, in 2005 the Guatemalan Congress passed a law committing to implement the peace accords (Decree 52-2005, Ley Marco de los Acuerdos de Paz). Additionally, the Secretariat established to oversee implementation of the peace agreements ("Secretaria para la Paz" or SEPAZ) was supposed to publish annual reports on the country's progress towards implementing the peace agreements, though the organization was folded into a new organization called COPADEH (Gonzalez, 2020).

³ For example, the EU invested €135 million (approximately \$185 million US at the time) in Guatemala through its 2007-2013 Country Strategy Paper (EC, 2007). The Strategy explicitly references the 1996 Peace Accords and outlines objectives to continue supporting the advancement of key commitments. The subsequent 2014-2021 Multiannual Indicative Program (EC, 2014) commits €186.8 million (approximately \$248 million US) in renewed support to help Guatemala tackle ongoing challenges in implementing the Peace Accords. While USAID contributes funding to a variety of other activities in Guatemala, it has, for example, funded a number of projects in partnership with the World Bank and Several European Development Agencies to address land tenure and resource governance issues totalling over \$121.7 million US (USAID, 2010).

necessarily hold particular significance for “peace” in their lives, as several representatives commented:

In the Western Highlands, people know that the peace accords exist, but nothing has been accomplished against those accords. It was just some fancy document that was written but nothing is being done to achieve what was signed.

(Quotation 4. Representative of an international NGO)

They spent a lot of time on all of the different issues and aspects of the peace accords and the peacebuilding context. And I understand that the peace accords, they have a lot of limitations. Evidently, the peace accords didn't fulfill or achieve any change in favour of the population. But rather, it was more an opportunity for the President to turn around and say “look, I am signing the peace accords.” But while he signed them, he put forward certain aspects in the Mining Law that satisfied certain interests, and privatization measures they took, etc. And all of this was for one sector of society [i.e., business elites/the oligarchy]. So, the peace accords came as something that we all know they will not fulfill. [...] The same story is demonstrating that was a circus [i.e., just a show].

(Quotation 5. Representative of the Guatemalan government)

Moreover, “peace” meant different things to different people. For example:

To have “peace” means to have justice and truth. Because “peace” doesn't mean that everything is tranquil and that nothing will ever happen, but rather that there is justice and that people have the right to say whether or not they want a project on their territory.

(Quotation 6. Representative of the Catholic Church)

Peace is not simply stopping weapons or bullets, but an entire process of integration [of society], a process to establish a dignified life, a process of remembering, truth, justice, of reparations, resignification/acknowledgement, and from there, we can talk about reconciliation. But its necessary to achieve many things prior to achieving that kind of peace. And its very important, because there are communities and individuals that say, for example, that the armed conflict as a recent event in Guatemala marks a lot of things [i.e., it is significant to many issues], and shapes in many ways current events. The Internal Armed Conflict didn't start in 1960. The conflict between the Indigenous communities and the state is historical and has persisted for more than 300 years through dispossession but also through resistance.

(Quotation 7. Representative of a peacebuilding organization)

Its not possible to achieve peace if there is hunger. In general, or directly, there aren't weapons or a guerilla, but “peace” is between quotations because of the vulnerable position that the country is in. But in my personal opinion, we cannot say that we are completely in peace when there are children dying of hunger. When, in the dry corridor, certain families don't have jobs. When the country is among those with the most malnutrition in Latin America, so for me this isn't peace. And it is one of the biggest challenges.

(Quotation 8. Representative of the Guatemalan government)

As a way to address these limitations, the perspectives of local representatives who participated in this research helped to contextualize and bring local relevance to the discussion about peacebuilding challenges. Given the diversity of perspectives about peacebuilding, it was beyond the scope of this examination attempt to consolidate these perspectives into a single definition of “peace.” Existing peacebuilding literature on theorized causal pathways to peace, referred to as “theories of change” (Anderson & Olson, 2003), were considered as part of assessing the extent that specific activities and their society-wide impacts conformed with theorized transformations believed to bring about peace.

1.2.2 Mining

As described above, mining refers to the process of identifying, extracting, and refining specific substances from the earth for direct consumption or for use in the production of other goods. Again, mining can be defined and conceptualized in a number of different ways, affecting both the scope of analysis and how mining-related challenges are defined. This dissertation conceptualized each mine site as a global system, discussed in further depth in [Chapter 2](#). The scope of mining-related activities that were examined included all activities associated with mining at each stage of the mine lifecycle (exploration, approvals, construction, operation, and closure). This includes all operational, financial, and strategic activities associated with the operation of a mine, which may not necessarily take place at the physical mine site. This also includes all inputs and outputs associated with the operation of a mine. The full structure of the supply chains that support mining operations or into which the gold and other mine outputs contribute were not examined due to lack of information.

1.2.3 Intersections

Social science research is typically concerned with understanding “causal effects,” or changes in a dependent variable observed in connection with observed changes in an independent variable, while

holding other variables constant (King et al. 1994, p. 8, p. 85). When examining complex phenomena, such as mining and peacebuilding, causal effects cannot necessarily be distinguished or attributed in a linear or straightforward fashion. A particular “cause,” or change to an independent variable, can result in multiple “effects.” A particular “effect,” or change in a dependent variable, may result from multiple “causes.” Moreover, these causal relations do not necessarily have clear start and end points or causal directions, referred to as endogeneity (Bennett & Elman, 2006, p. 465; King et al., 1994, p. 87).

To overcome this challenge, the word “intersection” provides an alternative, looser term that signifies the possibility of causal connections between systems or their elements, while acknowledging that causal connections are complex and cannot necessarily be precisely distinguished. This term is similar to the concept of “connectivity” within the literature on complex systems (Turnbull et al., 2018). Whereas “connectivity” measures the amount of interconnectivity between systems, this dissertation is interested in understanding whether and how the systems associated with mining and peacebuilding may be connected, which is captured descriptively. The concept of “intersections” provides a means to understand and describe the complex and dynamic interplay of factors by which mining and peacebuilding are relevant to each other. Returning to the research question, the dissertation seeks to understand the complex ways in which the system of globally dispersed activities involved in extracting gold may be relevant to the system of activities involved in implementing the peace accords in Guatemala; and conversely, how peacebuilding activities may be relevant to mining.

Section 1.3 Research Design

To answer the research question, a complex systems approach was used to map and analyze the systems associated with mining and peacebuilding in the context of two foreign owned mines in Guatemala—the Marlin mine and Cerro Blanco mine. These serve as two case studies for comparative analysis. The choice of research design, case study selection, and methodological approach are explained below.

A qualitative comparative case study approach was adopted. It permits deep examination of the context of each case in support of the research question. This allows for detailed and nuanced analysis, which helps overcome some of the limitations in research to date. Cross-case comparison allows further analysis to gauge the extent that observations made in one case are unique and suggests commonalities across both cases. This is useful for theory building and testing (George & Bennett, 2005).

Guatemala offers a significant site of study because of the peacebuilding challenges it has faced and because of the role that mining has had in peacebuilding. Guatemala has faced a number of challenges in implementing its peace accords (see [Appendix 1](#)). Marked social and economic inequalities have persisted, along with human rights abuses, unresolved Indigenous rights issues and discrimination, and other forms of social and environmental destruction. This includes conflict in the extractive sector (AI, 2014; Brett, 2013; Caxaj et al., 2104; Janzen, 2008; Kurtenbach, 2010; Olson, 2013; Stanley, 2013; Ybarra, 2010). Mining has been a particular challenge in Guatemala's peacebuilding context. Though mining was not a major industry in Guatemala historically (Abate & Aldana, 2016; Fox, 2015), it has become a feature of Guatemala's "post-conflict" economic model. The Guatemalan Government's adoption of measures to encourage foreign investment and liberalize its economy are what brought foreign mining companies to Guatemala and expanded the industry (Seider, 2011; Anderson, 2010; Wayland & Kuniholm, 2016).

Guatemala's mining industry is small compared to other countries such as Mexico, Chile, or Peru, and mining royalties do not represent a significant share of national revenue (approximately 1.6 percent of GDP in 2013; EITI, 2016; Heidrich & Loaiza, 2016, p. 133). This is due to low royalty and tax rates. Despite this, mining has become a major source of social conflict, which has become increasingly visible in the international media (Castagnino, 2006; Costanza, 2016; van de Sandt, 2009). Most of these conflicts involved foreign owned mines with a nexus to Canada at various points in time. Widespread and often violent protests and lawsuits against the companies have activated considerable public debate about roles and responsibilities in mining governance and about responsible business conduct more generally

(Bennett, 2016; BHRC, 2021a, 2021b; 2021c; Herrera, 2021; Salyzyn & Simons, 2021). The fact that foreign owned mining was intended to provide economic means for implementing the Guatemalan peace accords but resulted in conflict makes this context interesting for further analysis on the complex ways in which the extractive sector and the private sector are relevant to peacebuilding and vice versa.

The Marlin and Cerro Blanco mines were selected as case studies for three reasons (see Figure 1.2). First, at the time of initiating this research, they were two of four large-scale, foreign owned, metallic mines operating in Guatemala. Second, at the time of initiating this research, they were both fully owned by the same Canadian company, Goldcorp, even though both mines are now owned by other companies. In 2019, Newmont acquired the Marlin mine through a merger with Goldcorp (Newmont, 2019). In 2017, Bluestone Resources acquired the Cerro Blanco mine from Goldcorp through the sale of Goldcorp's Guatemalan

Figure 1.2. Map of Marlin and Cerro Blanco mines

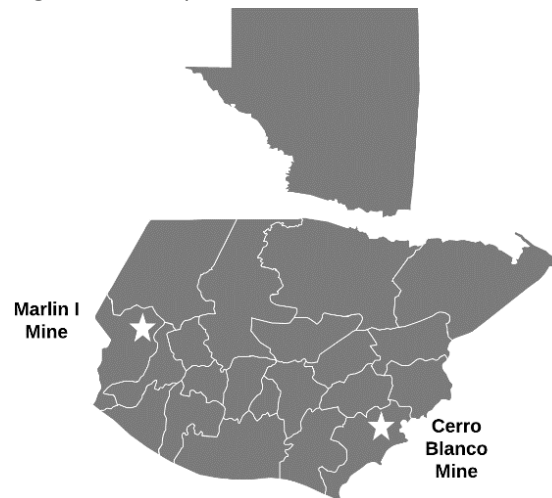


Figure 1.2 shows a map of Guatemala and the location of the two mines of focus in this examination.

subsidiary Entre Mares (now called Elevar Resources; BSR, 2017a). The fact that both mines were owned by the same company provides an interesting opportunity to compare similarities and differences in governance across the two mines at equivalent points in time and the mine's lifecycle. The change in mine ownership also provides an opportunity to compare shifts in governance accompanying the change in company ownership. Over half of the world's mining companies have their headquarters in Canada or are listed on the Toronto Stock Exchange, representing over one third of global mining equity across more than 5,600 projects (GAC, 2014; MAC, 2019; NRCan, 2019). As such, examining mines with a nexus to Canada provides an opportunity to identify policy-relevant insights for both Canada and the global mining industry. Third, both mines are located in different parts of Guatemala with very different socio-economic

circumstances and histories. This includes different experiences of colonialism and the Internal Armed Conflict. As such, the two cases provide an opportunity to compare similarities and differences in local context and mining conflict dynamics to understand intersections between mining and peacebuilding.

Section 1.4 Core Argument & Dissertation Structure

This dissertation presents four overarching ways in which the systems associated with mining and peacebuilding intersect in the context of the Marlin and Cerro Blanco mines in Guatemala. Guatemala's peacebuilding challenges stem primarily from its failure to transform societal structures that underpin deep and multidimensional socio-economic inequalities and exclusion in society. These issues are a legacy of colonization and are what led to its Internal Armed Conflict. They affect all facets of life, and have been extremely difficult to address, because they have become deeply entrenched in Guatemala's governance system, economic model, and social hierarchy through a process of path dependence. The inability of peacebuilding to address these issues perpetuated and reinforced them in the context of mining. These issues from the Internal Armed Conflict characterize present-day mining conflicts.

The very different historical experiences of the communities near the Marlin and Cerro Blanco mines during colonization and the Internal Armed Conflict explain differences in the particular dynamics of conflict observed in each context today. The communities near the Marlin mine have historically been excluded and oppressed. Ongoing frustrations about inequality and exclusion underlie mine-related grievances about water access, environmental contamination, community consultation, and human rights abuses. The communities near the Cerro Blanco mine are in a region that was historically elite dominated and that has received significantly greater government attention. Uprisings during the Internal Armed Conflict were quickly stifled. Resistance to mining has been significantly less widespread and less violent, due differences in local perceptions about how the mine may impact the community. Importantly,

opposition is not entirely absent. This is the first intersection where Guatemala's challenges in addressing core peacebuilding issues are highly relevant to mining conflicts.

Second, foreign owned mining is in turn relevant to peacebuilding, as it has not contributed constructively to peacebuilding. Mining amplified inequalities and became a new focal point for conflict and polarization. This undermined efforts to implement commitments from the peace accords and address the underlying issues of inequalities and exclusion more generally. While community investments by the Marlin and Cerro Blanco mines may have aligned with certain commitments from the peace accords in principle, conflict and controversy related to respecting Indigenous and human rights in the context of mining undermined progress towards such commitments. This is because the Guatemalan government prioritized mine development over the communities' rights. Moreover, voluntary initiatives undertaken by the mines primarily advanced mine-related interests rather than the broader well-being of society.

Third, both mining and peacebuilding intersect with a number of other societal issues, such as organized crime, corruption, and poverty. These issues appear to be separate from mining and peacebuilding. However, they stem from the same underlying issues of inequalities and social exclusion and are therefore related to Guatemala's peacebuilding challenges. These other issues have become entwined in mining-related conflicts, which complicated the conflicts. As well, mining conflicts together with Guatemala's various other issues fed into a vicious cycle that undermined the Guatemalan government's already limited capacity to effectively deal with any one issue. The government's short-sighted responses compounded each issue and led further problems. The government's preoccupation with short-term problems also diverted attention from longer-term sustained efforts needed to transform the inequalities and exclusion underpinning each issue and detracted from peacebuilding progress.

Fourth and finally, the international community had an important influence on both peacebuilding and mining operations in Guatemala in ways that connected both systems. It influenced the negotiation and implementation of the peace accords by providing funding and other assistance. This affected which

commitments received greater attention and funding, and therefore affected which commitments made progress. Guatemala's adoption of neoliberal reforms that encouraged foreign investment and mining was a result of international influence in accordance with the interests of Guatemala's domestic elites.

Global forces also affected how the Marlin and Cerro Blanco mines operated. This was relevant to the mines' adverse impacts on the community, and by extension, the grievances that led to conflict. It was also relevant to the conflict dynamics that ensued. The mines themselves are comprised of a global array of subcontractors and are governed by a global meshwork of policies and standards that emerged in response to inadequacies in Guatemala's governance framework. However, the global complexity of mine governance created major challenges for monitoring and accountability, which compounded pre-existing tensions between communities and the central government. Conflict at both mines has globalized through the fact that local anti-mining groups received support and solidarity from global anti-mining, human rights, and environmental advocacy networks and through the fact that global grievance mechanisms and forums were engaged as forums for resolving mining-related conflict. However, the globalization of these conflicts made them more challenging to address by increasing the number of organizations involved and allowing external organizations to influence the conflict dynamics.

These arguments are developed throughout the dissertation. [Chapter 2](#) presents the conceptual and methodological approach that guided research and analysis. [Chapter 3](#) traces Guatemala's history of inequality of exclusion since colonialization and shows how these issues have become entrenched through two path dependent processes. [Chapter 4](#) builds on this context and comparatively examines the dynamics of conflict observed at the Marlin and Cerro Blanco mines. [Chapter 5](#) delves deeper to link the observed dynamics of conflict to Guatemala's structural issues with inequality and exclusion, establishing the first intersection between peacebuilding and mining. [Chapter 6](#) develops the analysis further by examining how mining has impacted peacebuilding and how both mining and peacebuilding form part of Guatemala's broader societal system. [Chapter 7](#) further develops the analysis by discussing how

international forces have influenced Guatemala's peacebuilding challenges and present-day mining conflicts and how international forces integrate into the systems discussed in previous chapters. Though central to understanding Guatemala's mining and peacebuilding challenges, the international dimensions are discussed separately to equip the reader to appreciate the layers of complexity in the dynamics involved. [Chapter 8](#) revisits these arguments and discusses the research contributions of the findings and their practical implications.

Methods

As discussed in [Chapter 1](#), many of the theoretical and empirical gaps concerning linkages between mining and peacebuilding challenges in Guatemala relate to challenges in understanding the complexity of the phenomena involved. These knowledge gaps have real-world implications as the policies designed to address identified challenges are narrowly focused and have not led to constructive relationships between mining and peacebuilding thus far. Conventional social science research approaches have been limited in appropriately capturing this complexity. This dissertation uses a complex systems approach to understand the ways in which mining operations and peacebuilding efforts may intersect through a comparative case study examination of the Marlin and Cerro Blanco mines in Guatemala. This chapter describes the conceptual framework, epistemological framework, and methods that guided information gathering and analysis to answer the research question. They enabled a systematic, inductive, and comparative process to distinguish and understand the systems relevant to mining and peacebuilding and their interconnections. The approach broadly aligns with grounded theory methods (Bryant & Charmaz, 2007). [Section 2.1](#) provides an overview of complex systems theory to allow the reader to appreciate the basis for the complex systems approach used in the dissertation. This section also presents the conceptual framework used in the dissertation. [Section 2.2](#) presents the epistemological framework that identified the information to be gathered and analyzed in order to identify intersections between mining and peacebuilding systems. [Section 2.3](#) presents the five main procedures that guided information gathering and analysis, how they were sequenced, and how the process went. [Section 2.4](#) presents the six hypothesized intersections between mining and peacebuilding systems that were tested through the research process and how they relate to the main argument of the dissertation.

Section 2.1 Conceptual Framework

Complex systems theory is a collection of ideas and principles that offers an alternate perspective of causal

relations. These theories and concepts cannot yet be considered a complete or coherent theory (Mitleton-Kelly, 2003), but they offer a way forward to conceptually capture the complex and dynamic nature of social phenomena. Complex systems theory regards phenomena—whether mining, peacebuilding, or causation itself—to be a product of interactions among various system “parts.” These parts include a variety of things such as resources, organizations, or rules and norms (Meadows, 2009). Complex systems theory regards these various parts as interdependent: they interact, impact, and are impacted by each other. They also interact with their surrounding social and/or material environment.

Whereas conventional social science research methods seek to isolate individual factors and examine their characteristics and causal relations (Mahoney et al., 2009), complex systems theory focuses on the interconnections among these factors, how they collectively constitute a broader system, and how they collectively produce overarching patterns of emergent behaviour over time (Bryne, 1998, p. 14;

Ramalingam et al., 2008). System-wide behaviours are different from and are not merely the sum of a system’s component parts (Bryne, 1998, p. 14; de Haan, 2006; Sawyer, 2001, see Figure 2.1). Multiple systems exist and operate at multiple different scales. Thus, in addition to examining the interactions among a system’s different components, scholars also examine how systems as a whole overlap and interact at and across different scales (Gell-Mann, 1995; Gharajedaghi, 2011; Hendrick, 2009; Meadows, 2009; Ramalingam et al., 2008; Turnbull et al., 2018).

Figure 2.1. Complex System

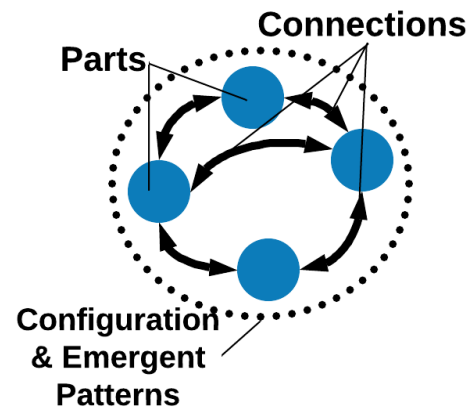


Figure 2.1 is a simplified diagram of a complex system, showing that systems are comprised of parts. The set of interconnected parts as a whole together make up a system’s configuration and collectively produces a pattern of behaviour, referred to as emergence. The system is bounded conceptually by a dotted line, though systems connect with others.

The particular framework used in this examination draws on the work of various scholars from the social and environmental sciences. This includes frameworks for studying social-ecological systems, Ricigliano’s (2012) framework on the Structural, Attitudinal, and Transactional dimensions of

peacebuilding (the “SAT Framework”), Giddens’ (1985) theory of structuration, Meadows’ (2009) leverage points, and theory on system-wide change: path dependence, coevolution, and critical transitions. These are discussed in further depth below followed an elaboration of the framework used in the dissertation.

2.1.1 Social-Ecological Systems

Society is connected to and shaped by the environment (Berkes et al., 2003, p. 3; Escobar, 2008; see Figure 2.2). Social systems refer to the enduring series of relationships, patterns of activity, and ideational

content that produce and reproduce collective social action (Giddens, 1985, p. 24-25). Environmental systems refer to the self-regulating communities of living and non-living organisms of the earth, also referred to as “ecosystems” (Ash et al., 2010, p. xi; Berkes et al, 2003, p. 3). Tools developed by scholars to guide research and analysis of social-ecological systems were relied on to examine the interconnected social and environmental dimensions of mining (Anderies et al., 2004; Berkes et al., 2003; Ostrom, 2007,

2009; McGinnis & Ostrom, 2014; Ash et al., 2010; Maron et al.,

2017; Rosa & Sanchez, 2016). As discussed in [Chapter 1](#), mining consumes significant environmental resources and has considerable impacts on the environment. These environmental impacts affect community relationships with the environment, which has been a source of grievances and conflict concerning mining (see Rustad et al., 2012). An important element of this research was identifying the ways in which both mining operations and peacebuilding efforts rely on, impact, and are impacted by the environment, and how these intersections may affect other social-environmental relationships. This was important to understanding the systems associated with mining and peacebuilding and how they may intersect. However, mining and peacebuilding systems also include additional factors and dynamics

Figure 2.2. Social-Ecological System

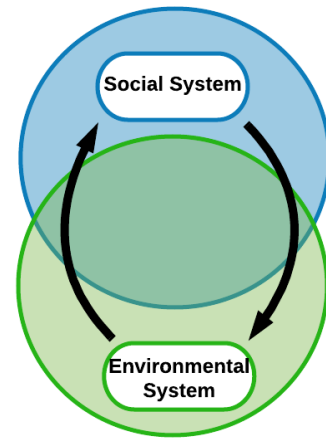


Figure 2.2 is a simplified diagram of a social-ecological system, emphasizing that social systems and environmental systems are interconnected.

unique to social systems, such as attributes and relationships among actors, governance systems, broader social, economic, and political settings, and conflict (Westley et al., 2002, p. 107; McGinnis & Ostrom, 2014). Ricigliano (2012) and Giddens (1985) help address this conceptual gap.

2.1.2 Ricigliano’s “SAT” Framework

Ricigliano’s (2012) framework on the Structural, Attitudinal, and Transactional dimensions of peacebuilding (the “SAT Framework”) attempts to incorporate a complex systems approach for analyzing conflict-affected contexts and peacebuilding efforts.⁴ The framework examines the cumulative impact of individual peacebuilding activities on societal systems through three interlinked dimensions of peacebuilding: Structural, Attitudinal, and Transactional. These three dimensions were adapted from complex systems and peacebuilding literature, but Ricigliano uses slightly different terms (see Figure 2.3)

Figure 2.3. Comparison between the SAT Framework and Others

	Ricigliano (2012)	<i>Structural</i> <i>systems & institutions</i> <i>designed to meet</i> <i>people’s basic human</i> <i>needs</i>	<i>Attitudinal</i> <i>shared norms, beliefs,</i> <i>social capital, & inter-</i> <i>group relationships that</i> <i>affect the level of</i> <i>cooperation between</i> <i>groups and people</i>	<i>Transactional</i> <i>processes & skills used by key</i> <i>people to peacefully manage</i> <i>conflict, build interpersonal</i> <i>relationships, solve problems</i> <i>collaboratively, & turn ideas into</i> <i>action</i>
Social Systems	Katz & Kahn (1978)	<i>Norms</i>	<i>Values</i>	<i>Roles</i>
	Checkland (2000)	<i>Structures</i>	<i>Attitudes</i>	<i>Processes</i>
	Burke & Litwin (1992)	<i>Structure, System</i>	<i>Mission, Leadership,</i> <i>Organizational Culture</i>	<i>Management Practices, Tasks</i> <i>and Skills, Work Unit Climate,</i> <i>Motivation, Individual Needs</i> <i>and Values</i>
	Galtung (1969)	<i>Contradictions</i>	<i>Attitudes</i>	<i>Behaviours</i>
Peacebuilding	Mitchell (1981)	<i>Conflict Situation</i>	<i>Conflict Attitudes</i>	<i>Conflict Behaviour</i>
	Bloomfield & Ropers (2005)	<i>Structures</i>	<i>Attitudes</i>	<i>Behaviours</i>
	Lederach et al. (2007)	<i>Structural</i>	<i>Cultural</i>	<i>Personal, Relational</i>

Figure 2.3 presents different terms used by scholars to conceptualize the relevant dimensions of social systems within complex systems literature and peacebuilding. Different terms are used, but they all involve dimensions that concern context, ideational aspects, and actions.

⁴ As noted in [Chapter 1](#), other complexity-informed frameworks for analyzing conflict and peacebuilding include de Coning (2012), who examines coherence among myriad individual peacebuilding initiatives. In the business literature, Hamann et al. (2005) examine the interactions between a mining company’s corporate sustainability initiatives and the local community as a complex system.

These dimensions correspond with individual parts in the system (Structures), interconnections between those individual parts (Transactions), and the overall purpose of the system (Attitudinal; p. 37). While the conceptual categories are helpful to guide analysis, the framework has a number of limitations. It is not clear where and how people fit into the system and its three dimensions. It is also not clear how Structures, Attitudes, and Transactions relate to each other, or how the three dimensions are linked to environmental systems. Giddens' (1985) theory of structuration addresses these gaps.

2.1.3 Giddens' Theory of Structuration

Giddens' (1985) theory of structuration explains the relationships between people, societal institutions, beliefs and perspectives, and human activities and exchange by means of a series of mechanisms. The theory has been influential beyond the field of sociology where it originated. It has also influenced complex systems analysis of social phenomena (Schwandt & Szabla, 2013). Giddens' "stratification model" identifies three sets of processes by which people, their values and perspectives, and their activities are interrelated (1985, p. 3-6). The first process, referred to as "reflexive monitoring," is reflection on activities that took place or are currently taking place within the context in which they are taking place. In the second process, referred to as "rationalization," people construct and maintain an understanding, with varying levels of consciousness, about why they undertook a particular activity based on past experience. The third process concerns how goals and desires underlie the potential for action and motivate action.

Additionally, Giddens' discussion on the "duality of structure" explains the interrelation between people and societal structures (1985, p. 25). People and structures are both the medium and the outcome of the practices they recursively organize. People create and maintain structures. At the same time, the structures created by people shape and give meaning to human activities, values and perspectives, and social relationships. The ongoing nature of this process contributes to the enduring nature of both structures and how those structures shape and give meaning to human activities. These processes can

operate consciously in the form of “knowledgeability” where active desires inform action; in the form of “reflexivity” where active reflection on the outcomes of action provides meaning; or through the deliberate creation of structures or regulation of behaviour. At the same time, these processes may operate unconsciously in the form of bias; through the routinization of activities; or through naturalization and reification processes that result in structures being “taken for granted” (p. xxii-xxiii, 25-26). “Structuration” is the complex, iterative, ongoing process in which multiple activities, structures, and values or perspectives operate simultaneously in any given context (p. xi).

2.1.4 Meadows’ Leverage Points & Other Theory on System-Wide Change

The concepts discussed above are helpful for analyzing the systems associated with mining and peacebuilding and analyzing, but do not help to gauge the extent that system-wide change has occurred as a result of interventions, such as peacebuilding or mining. They also do not help to assess the viability or impact of potential solutions to identified issues. Meadows’ (2009) concept of “leverage points” and literature on path dependence, coevolution, and critical transitions help address this gap.

“Leverage points” are parts of a complex system where interventions can alter system-wide behavioural patterns (Meadows, 2009; see Figure 2.4). Meadows’ 12 leverage points are ranked from easiest to change but with the smallest impact on the system as a whole to hardest to change but with the largest impact on the system as a whole. These criteria are helpful to gauge the extent of change in system-wide patterns of behaviour. However, further work is needed to operationalize Meadows’ leverage points for analyzing mining and peacebuilding contexts, discussed in [Section 2.2](#).

Figure 2.4. Leverage Points and Examples		
Easiest → Hardest to Change	Constants, numbers, parameters	Smallest → Largest System Impact
	Size of buffers	
	Structure of material stocks & flows	
	Length of delays	
	Strength of negative feedback loops	
	Strength of positive feedback loops	
	Structure of information flows	
	Rules of the system	
	Power to change system structure	
	Goals of the system	
	Mindset, paradigm from which system arises	
	Power to transcend paradigms	

Figure 2.4 lists Meadows’ (2009) leverage points from easiest to change but smallest system impact to hardest to change but largest system impact.

“Path dependence” describes a pattern of system-wide behavioural change where the system becomes “locked-in” and increasingly resistant to change over time (Bennett & Elman, 2006; Pierson, 2004; Prado & Trebilcock, 2009; Thelen, 1999). The theory helps understand why a system may not change over time. No (or very superficial) change is observed in the system’s configuration of parts and no (or very superficial) change is observed in system-wide patterns of behaviour. Scholars understand path dependence differently and emphasize different aspects of this phenomenon (Bennett & Elman, 2006). However, they agree that positive, or “self-reinforcing,” feedback loops are an important feature in the phenomenon. Positive feedback loops are sets of causal connections that continue, accelerate, expand, and/or deepen the set of causal connections as an emergent outcome (Meadows, 2009, p. 27-31).⁵

Scholars identified various mechanisms of path dependence. For example, institutions may become entrenched as they become interconnected with others in a larger matrix (North, 1990, p. 95; Pierson, 2004, p. 27; Prado & Trebilcock, 2009, p. 354). Institutions may become entrenched as they become intertwined with culture (Prado & Trebilcock, 2009, p. 354). Institutions may become reinforced as actors adapt their strategies to the institutional environment (Arthur, 1994; North, 1990; Pierson, 2004, p. 27, 34-35; Thelen, 1999, p. 392). A final examine is that institutional arrangements may create power asymmetries, which have distributional consequences that reinforce inequalities and the arrangement itself (Pierson, 2004, p. 36; Thelen, 1999, p. 394). As will be described in [Chapter 3](#) and subsequent chapters, power asymmetries are particularly relevant to the Guatemalan context and characterizes Guatemala’s political system (see Figure 2.5).

“Coevolution” describes a pattern of system-wide behavioural change where the system gradually evolves over time as it adapts to other changes occurring among the system’s elements and surrounding environment. These adaptations are an ongoing process of reciprocal causation within systems and

⁵ By contrast, negative, or “balancing,” feedback loops collectively have a balancing or dampening effect on the system (Meadows, 2009).

between systems and their surrounding environment (Gerrits et al., 2009; Kauffman, 1995; Walby, 2007; Teisman et al., 2009, p. 12-13). The theory helps trace and understand gradual changes in systems over time. In contrast to path dependence, coevolution is characterized by gradual, continual change in system-wide patterns of behaviour without achieving a stable state. This is not to say that system-wide behavioural change is orderly or consistent. Rather, the system experiences phases of stability and instability in an unpredictable manner though change is an ongoing feature (Buijs et al., 2009, p. 48).

Figure 2.5. Example of Positive Feedback: Self-Reinforcing Effects of Power Inequality

Extreme inequality in Guatemala creates unequal influence in the government. Elites provide large financial contributions to political campaigns, fund lobbying activities, or are appointed as senior government officials. As a result, laws and programs favour elite interests. Consequently, these laws and programs merely increase elite advantages and disadvantages for the poor, for example, by keeping minimum wage low or by prioritizing government spending on big business. As a result, elite resources and advantages to influence the government expands while the poor are further undermined. The trend continues until it reaches a crisis point, like it did in November 2021 when riots emerged in protest to the 2021 national budget, which prioritized spending for big businesses (Barrios, 2020).



Change in system-wide behaviour through coevolution may be a response or “adaptation” to changes that occurred within the system, in other systems, or in the surrounding environment. That said, changes in system-wide behaviour are not unilateral and must be understood as a mutual outcome of dynamic interactions within and among systems. In social systems, scholars emphasize the interdependence between human collective action and their strategic operating environment. The strategic operating environment is created by rules established through human collective action. As such, “structure” and “agency” are co-created and mutually shape each other (Klijn & Snellen, 2009, p. 29-30).

One example of coevolution relevant to this dissertation are the globalization of the mining industry, mining governance, and mining conflicts. Another is the evolution of mining governance frameworks and standards to incorporate greater corporate social responsibility norms since the late

1990s (Dashwood, 2012). Corporate social responsibility norms are obligations beyond the law to which companies are expected to adhere in order to meet societal expectations. On the one hand, a confluence of forces pushed mining companies to adopt these norms, such as civil society activism and a series of mining environmental disasters. Mining companies were initially reluctant to adopt corporate social responsibility norms, but these norms are now a central feature of mining strategies as the mining operating environment shifted. At the same time, mining companies shaped the development of corporate social responsibility norms in important ways through their participation in various forums and processes that designed and developed specific initiatives. Both examples are discussed in [Chapter 7](#).

“Critical transitions” describe a pattern of sudden and dramatic change in a system’s behaviour from one pattern to another distinct pattern in a relatively short time (Mitleton-Kelly, 2003; Sandole, 1999; Scheffer, 2009). The theory helps to understand sudden changes observed in system dynamics. Systems sometimes experience “shocks” or disturbances that may temporarily change their system-wide patterns of behaviour. However, they eventually return to their previous pattern of behaviour. By contrast, a system does not return to its previous a state in a critical transition. The new pattern of behaviour persists. Critical transitions occur when a “threshold” or “tipping point” is reached. Beyond this point, a small change can trigger system-wide reconfiguration and/or a totally different pattern of system-wide behaviour, which is driven by positive feedback loops (Scheffer, 2009; Scheffer et al., 2012).

These sharp shifts are usually unpredictable. What constitutes a “threshold” and how to detect (or predict) one also remains up for debate. That said, critical transitions may be preceded by “critical slowing down,” where it takes longer and longer for the system to return to its previous pattern of behaviour after experiencing a shock. Critical transitions may also be preceded by “flickering,” where the system flips back and forth between two distinct patterns of behaviour (Scheffer et al., 2012). Scholars refer to conflict-peace transitions as critical transitions, due to the marked change in societal dynamics

during violent conflict and during peace (Brusset, 2016). This pattern of system-wide change did not characterize Guatemala following the signing of the peace accords.

Theories on path dependence, coevolution, and critical transitions describe three distinct patterns of change in system-wide behaviour that cannot be observed at the same time. However, a system can experience more than one of these patterns at different points in time. For example, coevolution or path dependence may lead to a critical transition (Mitleton-Kelly, 2003). These three theories, combined with Meadows’ leverage points guided the analysis of system-wide changes in Guatemala. As discussed in subsequent chapters, Guatemala’s societal system was characterized primarily by path dependence, though the global mining governance system coevolved.

2.1.5 Adapted and Integrated Conceptual Framework

The framework used in this dissertation brings together the concepts of socio-ecological systems, the SAT Framework, and structuration theory, and conceptualizes the systems associated with mining and peacebuilding as comprised of five types of interconnected elements: 1) organizations (people), 2) formal and informal rules, 3) values and perspectives, 4) activities, and 5) resources (see Figure 2.6).

Figure 2.6. Basic Elements of Conceptual Framework

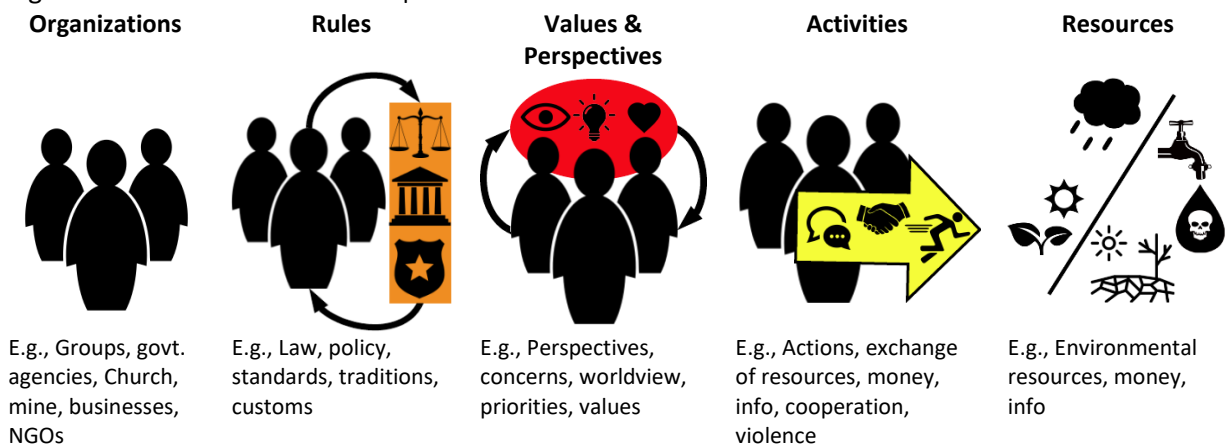


Figure 2.6 presents the five basic elements of the conceptual framework that guide the examination: organizations, rules, values and perspectives, activities, and resources. Visual and written examples are included of what each element entails.

Organizations consider the role of people in systems within collective units and sub-units (rather than individual persons). Examples include businesses, government agencies, NGOs, and community groups. Organizations are the entities that undertake activities and that create and follow societal rules. They are collectively motivated by shared values and perspectives to undertake those activities, and collectively reflect on those activities to derive meaning from their collective experiences.

Rules include formal rules of society, such as laws and policies. They also include informal rules that may not necessarily have been written down, such as customs and traditions. Formal and informal rules of society are created through the collective action of organizations and embody the values and perspectives of the organizations that created them. In turn, rules enable and constrain the activities of organizations and are maintained and enforced by organizations. Multiple rules may coexist, overlap, and conflict with each other at the local, national, and international level. This means that the ways in which organizations create and are influenced by the rules of society are complex and not straightforward.

Values, perspectives, beliefs, and concerns are shared collectively by people (within organizations). They shape the way organizations derive meaning from their collective experiences and may also motivate and orient their activities. However, the way ideational content shapes and is shaped by experience is complex. Giddens (1985) describes various processes by which active desires inform action, active reflection gives meaning to experience, and unconscious processes shape and inform experience, noted above. It is beyond the scope of this examination to comprehensively map these processes. The inclusion of values and perspectives as an element in the conceptual framework acknowledges and considers the importance of the values and perspectives of different organizations.

Activities include the various forms of collective action undertaken by organizations independently. They also include the various forms of interaction and exchange among organizations and between organizations and the environment. Collective action undertaken by organizations creates and maintains societal rules. In turn, societal rules define the context in which collective action and exchange

take place. Rules shape activities by enabling and/or constraining particular behaviours or capacities of certain organizations. Rules embody a particular set of values and perspectives of the organizations that created them. In doing so, rules shape the perspectives and values of organizations in complex ways, for example, by validating, reinforcing, suppressing, and/or aggravating them. In doing so, rules shape the activities, experiences, and perspectives of organizations.

Resources include environmental resources that society relies on or is affected by, such as water, land, air, flora, and fauna. They also include the processes that connect and sustain the integrity of both individual resources and the ecosystem as a whole. For the most part, society intersects with the environment by means of activities through the use, maintenance, regeneration, and destruction of natural resources or through the construction of human infrastructure (McGinnis & Ostrom, 2014). The volume and/or type of resources consumed or transformed through activities may impact the integrity of individual environmental resources and/or the overall functioning of the environmental system. Other features of societal systems, such as rules or values shape those activities. The environment can also have direct spiritual value not connected to specific activities.

In turn, the integrity of individual environmental resources and/or the overall functioning of an ecosystem may shape the activities of organizations and/or their experiences. For example, changes in the quantity and/or quality of resources available or consumed by organizations may impact their capacity. These changes may also prompt other changes in the system, such as changes in values, perspectives, or changes in rules. Environmental change and change in the quantity and quality of individual resources is often a result of complex processes directly or indirectly related to human activities. In turn, these changes have implications for social life. In considering the role of environmental resources in mining and peacebuilding systems and relationships that exist between organized forms of social existence and the environment, the framework incorporates the concept of social-ecological systems. That said, society also utilizes other social resources like information and money, which are important

inputs that affect the activities of organizations and shape their values and perspectives.

All of these elements interrelate. Together they constitute systems at different scales that produce emergent patterns of behaviour (see Figure 2.7). Mining and peacebuilding are systems comprised of organizations, activities, rules, values and perspectives, and resources. They also intersect with other systems at different

scales in Guatemalan society and may impact the elements or system-wide behaviours of those systems. The dissertation maps the systems associated with mining and peacebuilding, their intersections with each other and Guatemala's broader societal system, and maps changes in the systems' elements to help understand the extent and nature

of system-wide change observed over time.

Thus, in examining how foreign owned mining activities intersect with peacebuilding activities in Guatemala, this research unpacks the interrelated organizations, values and perspectives, rules, activities, and resources involved in mining and peacebuilding, and seeks to understand the particular ways in which features of these systems and their emergent patterns of behaviour may intersect with each other and with Guatemala's broader societal system. The research seeks to identify how these systems intersected with the local contexts surrounding the Marlin and Cerro Blanco mines in Guatemala but also the global dimensions of these systems and their interconnectedness.

Figure 2.7. Connections Among Conceptual Framework Elements

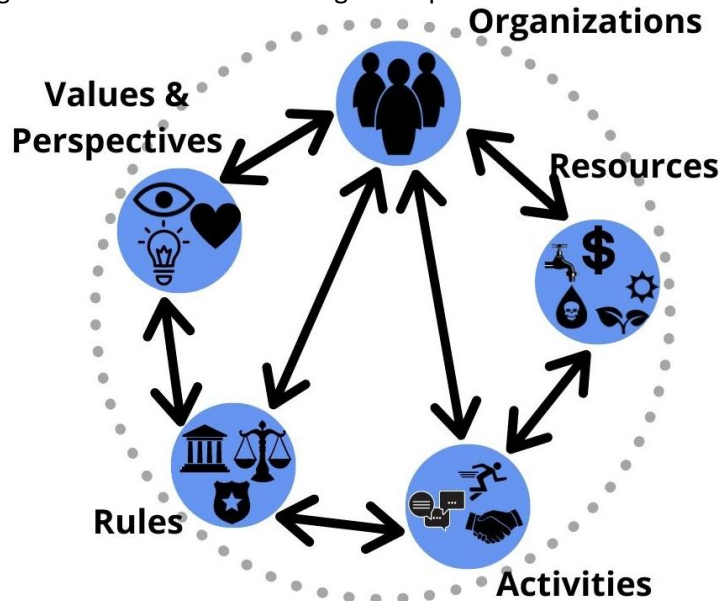


Figure 2.7 illustrates interlinkages between organizations, their values and perceptions, societal rules, collective activities, and resources. For example, organizations undertake activities to establish and maintain societal rules. These rules embody the values and perceptions of the organizations that created them. In turn, these rules shape the activities and experience of organizations, including their use of environmental and other resources.

Section 2.2 Epistemological Framework

Epistemologically, the way a system can be “known” and the information required to distinguish and understand a complex system and its component parts depends on the type of system examined (Boulding, 1987, p. 115). For the purposes of understanding how the systems associated with mining and peacebuilding intersect, criteria were identified for distinguishing system parts and intersections following the iterative method developed by Adcock & Collier (2001) to operationalize key concepts and identify valid and reliable indicators. As discussed in [Chapter 1](#), this research seeks to identify and understand “intersections” between mining and peacebuilding systems. Intersections are possible causal connections between systems or their elements, acknowledging that causality is complex and cannot necessarily be defined with precision. They could take the form of connections among individual parts of relevant systems (see Figure 2.8) or between the system-wide (“emergent”) behaviour (see Figure 2.9).

Figure 2.8. Intersection via Individual Parts
System 1 **System 2**

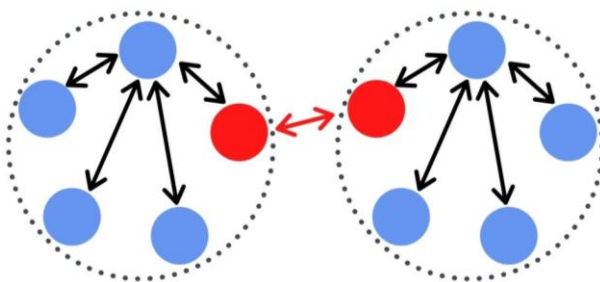


Figure 2.8 presents two systems. Their emergent patterns of behaviour are represented by a dotted circle. System parts are represented by blue circles. Interconnections among parts are represented by two-directional black arrows. One arrow and two red circles are red, representing an intersection between the two systems by means of an interconnection between individual parts of each system. Examples in the context of mining and peacebuilding include a mine’s contribution of funds for a peacebuilding project or the amendment of a law relevant to mining as part of a peacebuilding commitment.

Figure 2.9. Intersection via Emergent Patterns
System 1 **System 2**

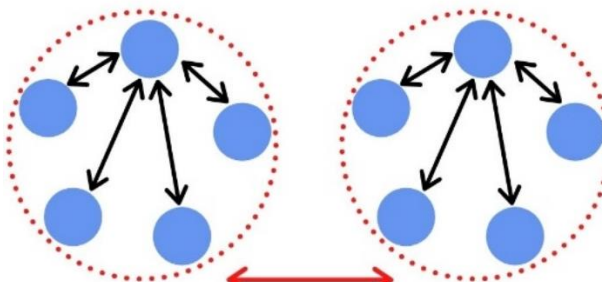


Figure 2.9 presents two systems in consistent fashion to Figure 2.8. One arrow and the dotted circles around each system are red, representing an intersection between two systems by means of an interconnection between their emergent patterns of behaviour. Examples in the context of mining and peacebuilding systems include the persistence of inequalities (unaddressed through peacebuilding) translating into inequalities in the context of mining or mining-related controversy translating into society-wide polarization and cohesion challenges relevant to peacebuilding.

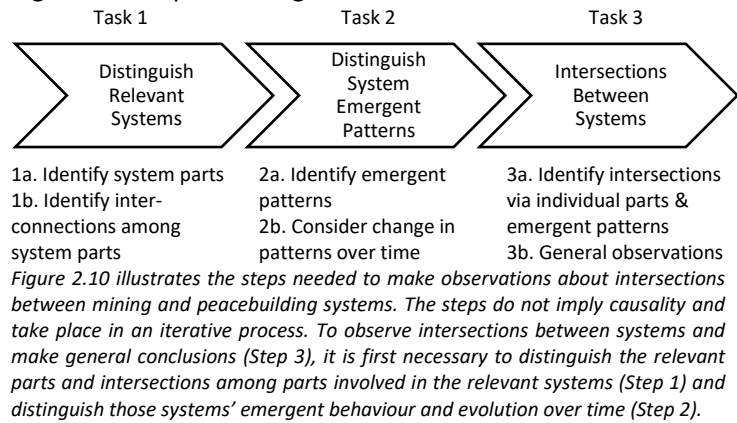
Distinguishing and understanding how mining and peacebuilding systems intersect requires a number of analytical tasks. These include distinguishing the relevant systems associated with mining and peacebuilding, the various parts of which they are comprised, and how those parts are configured. They

also include discerning the systems' emergent patterns of behaviour and whether and how those patterns may change over time. These analytical tasks are organized into three broad steps (see Figure 2.10). Although these tasks are presented sequentially, they are an iterative process and they do not imply a causal relationship in the observations made.

2.2.1 Distinguishing Relevant Systems

The first analytical task involves distinguishing the systems relevant to mining and peacebuilding, which is comprised of two sub-tasks: 1a) identifying the relevant parts of the systems, and 1b) identifying how those

Figure 2.10. Epistemological Framework



parts are interconnected and collectively constitute the configuration of the systems in both a structural (architecture) and functional (dynamic processes) sense. The conceptual framework above provides the main conceptual categories that guide information gathering and analysis, which focus on 1) organizations, 2) rules, 3) values and perspectives, 4) activities, and 5) resources (see Figure 2.6). Each requires different information to observe and therefore may involve different methods. For example, it might be possible to observe activities and interactions involving organizations empirically by means of photos, videos, or other records about an activity, incident, or exchange that occurred. However, other intersubjective information may also be needed to understand the context and meaning of activities and interactions that took place (Hollis, 1994; Little, 1991; Winch, 1990). The criteria that guided information gathering and analysis to identify relevant elements of mining and peacebuilding systems and relevant interconnections among these elements are provided in [Appendix 2](#) (see Figure 10.1 and Figure 10.2).

2.2.2 Distinguishing System-Wide Patterns of Behaviour

The second analytical task involves distinguishing the system-wide patterns of behaviour of the relevant systems, which is comprised of two sub-tasks: 2a) identifying the emergent behaviour of systems relevant to mining and peacebuilding, and 2b) determining how the emergent behaviour changes over time. As noted above, “emergence” refers to the general properties and overall dynamics arising from the patterns of interactions among a system’s component parts over time. The concept is difficult to pin down epistemologically, as interactions among a system’s component parts factor in its emergent behaviour but the relationship between interactions among individual parts and the system’s emergent behaviour is not straightforward (Haynes, 2015, p. 28; McDonald & Weir, 2006; Ramalingam et al., 2008, p. 20-21). McDonald & Weir (2006) identified nine functional categories of emergence, which served as indicators to help identify emergent patterns of behaviour (see [Appendix 2](#), Figure 10.3). However, the criteria did not end up being very useful for this task, discussed below in [Section 2.3.4](#).

As discussed above, Meadows’ (2009) 12 leverage points were also relied on as concepts to gauge the extent of system-wide change over time. Criteria were developed for each leverage point, operationalized to the context of mining and peacebuilding (see [Appendix 2](#), Figure 10.4). Criteria were also developed to distinguish and understand the nature of system-wide change over time based on the theories of path dependence, coevolution, and critical transitions (see [Appendix 2](#), Figure 10.5).

2.2.3 Identifying Intersections between Systems

The first two tasks of distinguishing systems relevant to mining and peacebuilding and their emergent behaviour provide the foundation for observing intersections between the two systems and ultimately answer the research question that this dissertation addresses. As illustrated in Figure 2.8 and Figure 2.9, intersections between systems may involve connections between the individual parts of the relevant systems, between the emergent behaviour of the systems, or may involve a combination of both types of

intersections. This task is comprised of two sub-tasks: 3a) identifying and considering the various ways in which the relevant systems involved in mining and peacebuilding intersect with each other, and 3b) considering all of the intersections identified in order to discern general patterns and make conclusions about the ways in which the systems associated with mining and peacebuilding intersect with each other.

2.1.4 Power in Systems

Understanding how power and power inequalities operate within mining and peacebuilding systems is central to understanding these systems and their intersections. For the purposes of this examination, power is understood as the relative capacity of organizations or other system components to maintain or transform other parts of the system, such as resources, other organizations, values and perspectives, rules, or activities, or one or more of Meadows' 12 leverage points. Power can be exercised directly or indirectly (Barnett & Duvall, 2005; Strange, 1996, p. 25-26). This concept of power corresponds with Meadows' fourth leverage point—the power to change system structure (Meadows, 2009, see Figure 2.4). While power can be possessed or exerted by organizations or other parts of the system, this dissertation primarily considers the power that organizations possess and exert. It considers power associated with other system parts insofar as they have implications for the power of organizations.

Another important feature of power is that it is relative. An organization has power insofar as they have more of it than the system part to which it is applied in a particular context. The nature of this capacity and how much of it is needed depends on the context, relationship, and/or system parts involved. Power can be exerted to effect change on other parts of the system or to maintain the status quo in a number of direct and indirect ways. It is beyond the scope of this examination to identify the full extent of ways in which power inequalities may affect the relative capacity of organizations to maintain or transform parts of the system, but examples of inequalities affecting power are provided in Figure 2.11.

The examples are loosely organized into organizations, values and perspectives, rules, activities, and resources, though inequalities may involve a combination of these factors.

For example, the organizations involved in mining and peacebuilding have different social and material conditions, relationships, values and perspectives, resources, and abilities. All of these factors

affect their relative abilities to change or maintain parts of the system around them.

Formal and informal societal rules further affect these relative abilities, for example, by

shaping which activities are permitted and which organizations can undertake them. The

rules of society may have other distributional consequences that affect the social and

material conditions of organizations, the resources they possess, and/or their ability to

access, use, consume, transform or maintain resources. The rules also affect who can

participate rulemaking and their enforcement. As societal rules are a product of the collective actions of a particular set of organizations and reflect their particular interest and perspectives, the rules reflect a

particular power arrangement. Identifying which organizations participate in rulemaking, whose goals and values are reflected in the rules, and who benefits or is disadvantaged by the rules provides important

insight into the power arrangement of the system. Doing so may provide insight into the systems' configurations, emergent patterns of behaviour, and intersections.

Figure 2.11. Examples of Inequalities affecting Power

- | | |
|-----------------------|---|
| Organizations | <ul style="list-style-type: none"> • Social and material conditions of organizations • Who interacts with who |
| Values & Perspectives | <ul style="list-style-type: none"> • Whose values, goals, and perspectives are reflected in formal/ informal societal rules • Status, legitimacy, or authority of organizations in society, and the basis for this • Which capacities/activities are relevant/useful • Which resources are valuable and how they should be accessed, used, consumed, transformed, or maintained |
| Rules | <ul style="list-style-type: none"> • Who participates in rulemaking and their enforcement • Which activities and interactions are allowed/not, and which organizations are authorized to undertake them/not • Which formal or informal rules are prioritized/enforced • Who benefits/is disadvantaged by rules |
| Activities | <ul style="list-style-type: none"> • Ability to undertake certain activities, amount of activity, and nature of activity |
| Resources | <ul style="list-style-type: none"> • Ability to adapt or respond to changes in the system • Relative/overall possession of resources (money, land, information, technologies, members). • Resources access, use, consumption, transformation, maintenance. • Environmental conditions and integrity. |

Figure 2.11 provides examples of inequalities, organized in terms of the different categories of system parts, which may affect the exercise of power in systems in different ways. These will help guide consideration of how power operates within relevant systems.

Section 2.3 Methodological Approach

This dissertation draws on qualitative social science research methods and complex systems theory to guide information gathering and analysis. As described above, the examination relies on qualitative empirical and intersubjective information about mining and peacebuilding systems, gathered using qualitative research methods. Observations about mining and peacebuilding systems, their emergent behaviours, and intersections between the systems are conceptual and analytical, and rely on methods for analyzing complex systems and social networks (Meadows, 2009; Scott, 2000).

Five main procedures guided the iterative process of information gathering and analysis for each of the conceptual tasks in the epistemological framework. Two procedures guided information gathering: 1) analysis of primary and secondary information, and 2) structured interviews. Three procedures guided analysis: 3) construction of visual systems diagrams, and 4) complex systems analysis techniques, and 5) qualitative comparative analysis. A description of the sequencing of these procedures, their alignment with the epistemological framework, and what each procedure entails is provided below.

2.3.1 Sequencing of Procedures

The five procedures were sequenced in an iterative process that involved four broad steps: 1) gathering information about the systems relevant to mining and peacebuilding, 2) analyzing that information to construct visual diagrams about the systems and their emergent patterns of behaviour, 3) gathering additional information to clarify current understanding and/or fill gaps in knowledge, and 4) analyzing that information to update the analysis and visual diagrams (see Figure 2.12).

The first step involved gathering information to identify relevant parts of the systems associated with mining and peacebuilding and how those parts are interconnected. It relied on one information gathering procedure: Procedure 1. Analysis of primary and secondary information. Guided by the conceptual framework (see Figure 2.6) and indicators for identifying system parts and interconnections

(see Appendix 2, Figure 10.1, Figure 10.2), a comprehensive review of existing information about mining and peacebuilding in the context of the Marlin mine, Cerro Blanco mine, and Guatemala was undertaken.

Figure 2.12. Sequencing of Procedures in the Examination

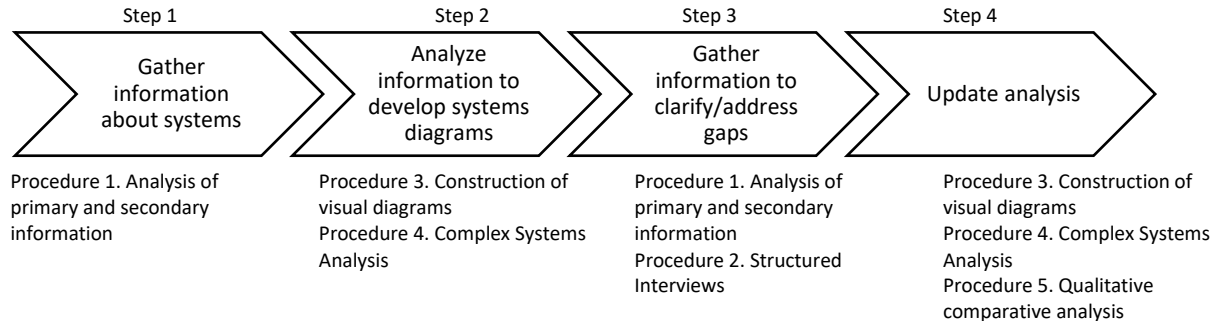


Figure 2.12 illustrates the sequencing of procedures to gather and analyze information in the examination to be in a position to make the observations set out in the epistemological framework in Figure 2.10. The steps do not imply causality and take place in an iterative process. To make observations about the relevant systems, their emergent behaviour and evolution over time, and their intersections, it is necessary to gather relevant information about the systems (Procedure 1), analyze that information in order to develop visual diagrams (Procedure 3) and analyze those diagrams (Procedure 4) to develop an initial conception of the relevant systems. Based on this, it is necessary to gather additional information from participants to clarify this understanding and address information gaps (Procedure 1, Procedure 2). Based on this new information, it is necessary to then update the visual diagrams (Procedure 3) and analysis (Procedure 4) to refine the conception of the relevant systems. This enables observations about system intersections in the context of each case study. Qualitative comparative analysis (Procedure 5) then enables comparisons and generalizations within and across cases.

The second step involved analyzing the information gathered to develop an initial set of systems diagrams on the configuration of the relevant mining and peacebuilding systems. It relied on two analytical procedures: Procedure 3. Construction of visual diagrams; and Procedure 4. Complex Systems Analysis. The conceptual framework (see Figure 2.6), indicators for identifying system parts and interconnections (see [Appendix 2](#), Figure 10.1, Figure 10.2), and network analysis and systems mapping software were used to develop the diagrams. These diagrams were further analyzed using complex systems analysis techniques to understand their emergent patterns of behaviour.

The third step involved additional information gathering to clarify the initial understanding of the systems associated with mining and peacebuilding and address any information gaps. It relied on two information gathering procedures: Procedure 1. Analysis of primary and secondary information; and Procedure 3. Structured Interviews. Using the initial set of diagrams developed in Step 2, additional information was gathered through targeted information gathering and structured interviews, guided by the conceptual framework (see Figure 2.6) and indicators for identifying system parts, interconnections,

emergent behaviour, and system-wide change (see [Appendix 2](#)).

The fourth step involved synthesizing and analyzing information gathered to develop a more comprehensive understanding of the relevant systems involved in mining and peacebuilding, their emergent patterns of behaviour, and their evolution over time. It relied on three analytical procedures: Procedure 3. Construction of visual diagrams; Procedure 4. Complex Systems Analysis; and Procedure 5. Qualitative comparative analysis. The systems were analyzed to identify relevant intersections. The two case studies were also comparative analyzed to generalize observations about the intersections between mining and peacebuilding within and across the two cases.

2.3.2 Alignment with Epistemological Approach

The methodological approach and procedures for gathering and analyzing information described above helped to undertake the conceptual tasks involved in each step of the epistemological framework (see Figure 2.10). The first two methodological steps involving information gathering and analysis helped develop distinguish the relevant systems associated with mining and peacebuilding, fulfilling the first task in the epistemological framework. These methodological steps also helped distinguish system-wide behaviour, fulfilling the second task in the epistemological framework. The last two methodological steps to gather additional information to clarify understanding, address information gaps, and update analysis further refined the conceptual tasks associated distinguishing relevant systems (task 1) and distinguishing system emergent patterns (task 2). These methodological steps also helped develop an initial conception of intersections between systems (task 3). As noted above, the procedures for information gathering and analysis were sequenced in an iterative process. Repeating the methodological process helped to further distinguish the systems associated with mining and peacebuilding, their emergent patterns of behaviour, their evolution over time, and their intersections.

2.3.3 Further Details on Procedures

2.3.3.1 Procedure 1: Analysis of primary and secondary information

The examination began with a comprehensive review of literature on mining, peacebuilding, and the Guatemalan context from a diverse range of sources relevant to the examination (see Figure 2.13).

Primary and secondary information was also gathered and analyzed on an ongoing basis throughout the

examination to verify, clarify, or address gaps in information. Sources referenced directly in the dissertation are listed in the [References](#).

Material that was not publicly available or is no longer publicly available was uploaded into a cloud folder with the link to the resource provided to enable direct access to the original information.

Information gathered was analyzed to identify organizations, rules, values and perspectives, activities, and resources

relevant to mining and peacebuilding systems, interconnections among these parts, system-wide behaviour, and system-wide changes in accordance with the indicators developed for this task (see [Appendix 2](#)). The information was coded using NVivo software under different categories (see Figure

2.14). The five basic categories for each of the system components in the conceptual framework were imposed on the information gathered: Organizations, Rules, Values and Perspectives, Activities, and Resources. However, the iterative process of gathering and analyzing primary and secondary information identified additional sub-categories or themes, and the coding structure was subsequently updated. For example, sub-categories for different types of organizations were identified, such as NGOs, government

Figure 2.13. Examples of Information Resources

- Previous studies completed about the Marlin or Cerro Blanco mines, aspects of the local, national, and international context relevant to mining and peacebuilding in Guatemala, and other studies on the topics of mining and peacebuilding more generally.
- Publicly available reports developed by organizations undertaking work relevant to the Marlin or Cerro Blanco mines or aspects of the local, national, and international context relevant to mining and peacebuilding in Guatemala.
- News reports about the context published on websites or on YouTube.
- Publicly available information from government, mine, and NGO websites about laws, policies, programs, or other activities relevant to the situation.
- Internal documents about the mines, the situation, and relevant activities and interactions among relevant agents, obtained through access to information requests to the governments of Canada and Guatemala.
- Social media posts or pages relevant to the context posted by organizations or private individuals on Facebook, Twitter, YouTube, blogs, or other sources.
- Personal notes, photos, or video/audio recordings of obtained through participation at public events as part of fieldwork.

Figure 2.13 illustrates examples of multimedia gathered and analyzed in this examination. This includes sources in English and Spanish.

organizations, Church organizations, and others. A category was also created to capture other contextual information. The coding structure was helpful for organizing information from diverse sources. It was also useful for integrating the responses of participants in the structured interviews (Procedure 2, discussed below). Organizing information from disparate sources in this way facilitated subsequent analysis to identify interconnections and other patterns.

2.3.3.2 Procedure 2: Structured interviews

Structured interviews helped to collaboratively engage a diverse range of individuals who were directly or indirectly involved in and/or affected by mining and/or peacebuilding in each mining context. The University of Waterloo’s Human Research Ethics Committee approved the approach used to recruit participants, obtain their informed consent, and conduct interviews (ORE# 23071). The interviews sought to verify and/or corroborate information gathered from other sources, hypothesized connections among

relevant system parts. Interviews also sought to gain insight into their perspectives and experiences of

Figure 2.14. Coding Structure for Primary and Secondary Information Analysis

Sys. Component	Sub-Category	Sub-Sub-Category
Organization	Government	Local, National, International
	Church	Catholic, Evangelical
	NGO	Local, National, International
Rule	Private Sector	
	Local Community	
	Mine	
Values and Perspectives	Laws/Policies	International, National, Local, Peace Accords
	Voluntary Norms	International, National
	Personal Gain	
Activities	Priorities/Goals	
	Significance/Meaning	
	Trust/Mistrust	
	Transparency/Misinformation	
	Worldview/Perspective	
	Communication	
	Cooperation	
	Conflict	
	Authority	
	Independent Activity	
Resources	Criminalization	
	Manipulation	
	General Capacity	
Context	Money Exchange	Benefits, Contractors, Jobs, Purchase/Sale, Royalty/Tax, Service Fee, Sketchy Flows, Source of Funds for Initiatives
	Monitoring Threats/Violence	Contamination, Improvement
	Quality	
Context	Quantity Consumption/ Use	Land, Water, Forest
	Distribution	
	Other Change	Climate Change, Natural Disasters, Deforestation
Context	Basic Services	Education, Health, Justice/Security, Water
	Capitalism	
	Civil War	
Context	Corruption	
	Inequality	Inequality, Poverty, Discrimination/Racism
	Other Issues	Drugs, Alcohol, Crime/ Violence, Prostitution,
Context	Social Divisions	

Figure 2.14 illustrates the different categories used to code information in NVivo. On the left, the six categories of system parts from the conceptual framework were imposed. However, additional sub-categories were identified through the research process.

mining and peacebuilding, which were under or misrepresented in other sources. A structured interview procedure was determined to be the most appropriate way to gather this type of information to maximize consistency and enable comparisons. However, follow-up questions were asked as appropriate to clarify aspects of their responses and understand their perspective.

The process involved identifying relevant organizations, organizing confidential interviews with representatives, asking the representative questions in accordance with the interview script (see [Appendix 2](#)), asking follow-up questions as appropriate, creating a rough transcript or notes of the conversation based on re-listening to an anonymized recording of each interview,⁶ and coding interview responses in NVivo software in accordance with coding structure above (see Figure 2.15).

Figure 2.15. Recruitment Process for Structured Interviews (Procedure 2)



Figure 2.15 lists the steps involved in identifying, recruiting, interviewing, and following-up with the participants of structured interviews.

Research participants were identified through a process of contacting four categories of relevant organizations: A) government, B) mining, C) local community, and D) peacebuilding. In accordance with local customs, community representatives were engaged by first contacting representatives of the local government. At the invitation of San Miguel Ixtahuacán and Asunción Mita, I attended the monthly meeting of each town’s Municipal Development Council where I introduced myself and explained the research project (for example, Muni Mita, 2019a). With the permission and guidance of the municipal government in each town, I contacted other local organizations. I gave prospective participants an information brochure in their preferred language, explained the research project, gave them an

⁶ To protect the confidentiality of participants, and as per the direction of the University of Waterloo’s Human Research Ethics Committee, no personal information was gathered about the participants during the interviews, such as their name, title, address, contact information, or photos of them. Voice distortion was applied to the recording, and the interviews were stored under a randomly issued reference number. A copy of this random number was given to each participant, along with an information brochure about the research project and with the lead researcher’s contact information in the event that they had any questions or concerns in the future. The interviews were stored in an encrypted folder, and the NVivo coding and analysis were password protected.

opportunity to ask me any questions or raise any concerns, obtained their verbal consent to speak to me, and then proceeded with the interview (see [Appendix 2](#)). No personally identifying information was recorded, and participants were informed that they would not be contacted again. They were given contact information for the researcher and other relevant contacts at the University of Waterloo along with the random number that was assigned to the interview (see [Appendix 2](#)). This allowed participants to retain control over their responses and consent. Participants were not contacted again in connection with the research. The research results will be shared with the organizations identified at the outset of the recruitment process, regardless of whether anyone participated in the research to allow the research to benefit society while also preserving confidentiality.

In total, 103 confidential interviews were organized with representatives of diverse organizations relevant to each mining context. Representatives included scholars, experts, representatives of the Guatemalan and municipal governments, the Marlin and Cerro Blanco mines, local and international NGOs, the Church, and representatives of the community (see Figure 2.16 and Figure 2.17). The interviews were extremely insightful and revealed important information and perspectives.

Figure 2.16. Organizational Affiliation of Interview Participants

Case Study	Central Government	Muni/COCODE	I/NGO & Church	Mine	Community	Other	Total
Marlin	6	14	6	4	16	0	46
Cerro Blanco	9	7	5	3	9	0	33
Both/General	16	0	5	2	0	1	24
Total	31	21	16	9	25	1	103

Figure 2.16 shows the number of participants interviewed in connection with each case study, and their organizational affiliation.

Figure 2.17. Socio-economic Characteristics of Interview Participants

Case Study	Indigenous		Local		Gender			Age Range		
	Yes	No	Yes	No	M	F	<30	30-45	45-60	>60
Marlin	26	20	31	15	32	14	2	16	20	8
Cerro Blanco	0	33	21	12	26	7	0	14	17	2
Both/General	20	4	0	24	16	8	1	12	10	1
Total	46	57	52	51	74	29	3	42	47	11

Figure 2.17 provides a breakdown of research participants according to other characteristics to illustrate the diversity of participation.

2.3.3.3 Procedure 3: Construction of visual systems diagrams

Visual representation of a system's configuration in the form of a system or network diagram is a standard technique used in both complex systems analysis (see Meadows, 2009) and social network analysis (see Scott, 2000). The technique is helpful for distinguishing interconnections among the parts of a complex system (Bryne, 1998, p. 85; Reed & Harvey, 1996). This procedure was used concurrently with other information gathering procedures. Doing so helped to identify knowledge gaps about relevant parts and their interconnections. It also helped to orient additional information gathering and analysis of primary and secondary documentation (Procedure 1). The visual diagrams were also helpful for engaging research participants in structured interviews (Procedure 2). Information that was gathered and clarified through structured interviews (Procedure 2) and through the analysis of primary and secondary documentation (Procedure 1) informed revisions and updates to the visual diagrams. The diagrams also facilitated complex systems analysis (Procedure 4), they helped to keep track of changes in the system-wide behaviour over time, they facilitated comparative analysis across the two case studies (Procedure 5), and they ultimately helped observe intersections between mining and peacebuilding systems.

To develop the visual diagrams, the information gathered and analyzed on organizations, rules, values and perspectives, and activities, and resources, and interconnections for each case study (Procedure 1) was inputted into a series of spreadsheets that tracked interactions among organizations in each case study, the meshwork of formal and informal rules that shape the operating context at each mine, similarities and differences in the values and perspectives of different organizations, and other relationships as appropriate. The spreadsheets were imported into network mapping software (Gephi) and concept mapping software (Kumu, Draw.io) to generate visual diagrams of the configuration of the systems with different degrees of granularity. Examples of diagrams that appear in subsequent chapters include Figure 5.1 on the Marlin mine social network, Figure 5.2 on the Cerro Blanco mine social network, and Figure 6.4, which maps interconnections among societal issues in Guatemala.

2.3.3.4 Procedure 4: Complex systems analysis techniques

Based on the development of visual diagrams (Procedure 3), techniques for analyzing complex systems helped accomplish a number of different analytical tasks in the examination. These techniques informed the development of additional diagrams to further distinguish and visually capture relevant features of the systems involved in mining and peacebuilding in each case study, as well as capture interactions among relevant system components. Examples of diagrams developed passed on these analytical techniques that appear in subsequent chapters include Figure 4.1, Figure 4.3, Figure 4.4, Figure 4.6, and Figure 4.7, which represent five distinct dynamics of conflict observed at the Marlin mine (three of which were observed at the Cerro Blanco mine). Additionally, Figure 6.6, Figure 6.7, and Figure 6.8 visualize how mining intersects with pre-existing issues in the local context. Analysis of various versions of visual systems diagrams and network diagrams helped discern the emergent behaviour of the systems relevant to mining and peacebuilding in each case study. To develop these diagrams, sets of interactions among the parts of relevant systems were analyzed with a view of generalizing the pattern of interactions among those parts and their overall outcome. These generalizations were compared against the criteria for identifying emergence (see [Appendix 2](#), Figure 10.3) to make sense of the patterns observed. This informed the development of additional visual diagrams to represent these dynamics more clearly.

2.3.3.5 Procedure 5: Qualitative comparative analysis

Qualitative comparative analysis was the final analytical procedure used in this examination. It involved comparing and contrasting observations within and across each case study to make generalizations about the systems relevant to mining and peacebuilding, their emergent patterns and evolution over time, and their intersections. Comparative analysis of visual diagrams and descriptions of system dynamics helped discern similarities and differences in the systems' configurations and emergent patterns in each case study at different points in time. This informed considerations about whether and how the systems

evolved over time and helped gauge the extent and nature of system-wide change over time. This analysis was guided by the criteria for gauging change in system-wide patterns of behaviour and the nature of system-wide changes (see [Appendix 2](#), Figure 10.4, Figure 10.5). Visual diagrams were comparatively analyzed to identify potential intersections between systems via system parts and emergent behaviours. Finally, observations from each case study were comparatively analyzed to make generalizations both within and across cases about intersections between mining and peacebuilding systems.

2.3.4 Implementation of the Procedures

Information gathering and analysis by means of the five procedures generally went well. A wealth of relevant information from diverse sources and research participants was gathered. The development and analysis of visual diagrams led to a number of novel and empirically substantiated research insights. However, four challenges encountered in the information gathering process are worth highlighting. These challenges arose in the process of organizing and conducting structured interviews (Procedure 2). These included 1) respecting research ethics requirements; 2) ensuring all relevant information had been gathered; 3) ensuring the accuracy of information gathered; and 4) interpreting the meaning and significance of information gathered. Two additional challenges were encountered in the analysis process worth highlighting. These concerned 1) the utility of the indicators that guided the identification of emergent patterns of behaviour; and 2) the amount of work involved in developing, analyzing, and updating visual diagrams and feasibility of developing visual diagrams for certain system features.

2.3.4.1 Research ethics requirements

The University of Waterloo Human Research Ethics Committee considered fieldwork and information gathering through interviews to be high risk. To obtain ethics approval, it was necessary to put in place rigorous procedures to mitigate the risk of harm for both the researcher and all participants engaged in

the research. The procedures were based on a worst-case scenario, and many of the anticipated risks did not arise. No deviations from research ethics requirements occurred, but efforts to respect the research ethics created a number of awkward situations with the research participants. In these situations, the wishes of the participant were respected, described in further depth in [Appendix 2](#).

2.3.4.2 Completeness of information

As noted above, it was not possible to identify and review all information pertaining to mining and peacebuilding in Guatemala through interviews. Information gathered through interviews was regarded as a subset of information that each participant chose to share. It was assumed that individuals would only provide information they wanted to provide and that they would not share any information that went against their perspective or might reflect badly on them. This challenge was managed through three strategies. First, interviews were organized with a diverse range of participants. This included participants from four categories of organizations (government, mining, community, peacebuilding), participants with different standpoints on mining (pro or anti-mine), and participants from a diverse range of socio-economic backgrounds (age, gender, Indigenous identity, education, etc.). This diversity established a more robust account of events or issues, as details omitted by one participant were mentioned by another. This diversity also allowed for comparing and contrasting of perspectives and experiences of different organizations involved in conflict-related incidents.

Second, interviews were treated as a complementary source of information to other primary and secondary information that was gathered. Interviews sought to understand participants' experiences and perspective on mining and peacebuilding and identify other information that would not otherwise have been known through other sources. Interview questions also sought to gather information about the context and circumstances of participants to help contextualize information previously gathered from other sources. Analysis of the information participants chose to provide yielded additional insight into the

information itself. It gave an indication of a participants' values, which helped to identify societal divisions. It also provided insight into communication and information sharing practices among organizations. Information gaps provided potential insights into the situation. For example, a community representative's lack of information about the mine or peacebuilding reflected low transparency or reach of communications efforts. Marked changes in a participant's candour or level of detail from one topic to another provided additional insight into the sensitivity of certain topics.

Third, all information gathered during interviews was fact-checked and corroborated with other sources to verify its accuracy (addressed in the next section below) and completeness. The fact checking process also helped uncover new information and considerations about the situation, which increased the completeness of information. For example, interviews with community representatives helped identify other organizations with whom they interacted both locally and internationally (for example, Quotation 169). This information enabled further research on those organizations and their interactions.

2.3.4.3 Accuracy of Information

The third challenge was ensuring the accuracy of the information gathered through interviews (Procedure 2), primary and secondary documents (Procedure 1), and through other fieldwork activities. As noted above, it was assumed that representatives would only provide information they wanted to provide and would withhold information they felt was irrelevant, did not conform with their perspective, or that might reflect badly on them. It was also assumed that representatives might not have complete or accurate information or might deliberately give false or misleading information for various reasons. It was assumed that the information in primary and secondary documentation or gathered during fieldwork activities may not be complete or accurate. Finally, all information shared with me required further context to be able to appropriately interpret its significance. These challenges were managed through three strategies.

First, as noted above, as diverse a range of participants were engaged in structured interviews.

This helped corroborate information provided by any one representative. It also helped detect inconsistent information, which signaled potential misinformation, differences in perspectives, or deception. In these situations, additional information was gathered and analyzed to understand the discrepancy. All primary and secondary information that was gathered was treated in this fashion. This allowed different accounts of an event or situation to be compared and contrasted. The examination did not need to establish a definitive account of what happened in a particular situation. However, differences participants' accounts and perspectives and differences in the information from different sources helped identify the relevance of differing perspectives to patterns of social interaction and conflict.

For example, information about whether or not the mines had contaminated local water sources conflicted significantly, as discussed in subsequent chapters. It was beyond the scope of the dissertation to establish definitively whether or not contamination occurred. However, further analysis of the conflicting information revealed that the discrepancy came from distinct social groups with diverging perspectives about the mine, which led to important insights about the circulation of information and social relationships associated with conflict dynamics relevant to both mining and peacebuilding, discussed in further depth in [Chapter 5](#).

Second, as noted above, the interview questions elicited information about the general context of each participant's work and life as well as their perspective on mining and peacebuilding. This approach helped avoid deception and more effectively detect it. It was impossible to know whether a participant lied about their life, work, or perspective on mining and peacebuilding, but it was unlikely that a participant would misrepresent this type of information. On a few occasions, representatives tried to convince me that mining was good or bad through their responses. However, the design of the interview questions made it obvious to detect when a representative tried to deceive me, because their responses would be unrelated to the question or would have gaps or contradictions. For example:

Last time, XXX [name removed] was saying that [the mine] poisoned the river, by the mine. And it wasn't true. The causes of that, I say, are because I had the pleasure to go and sit down with

someone one day and they explained to me what I will tell you now. They [anti-mine groups] said the Cerro Blanco mine put poison in the river, and all of the fish died. Thousands of fish floating. And it wasn't true. [...] And it caused a big issue, because the government heard about it, MSPAS, and they saw that the mine was fine. [...Do you think there is a conflict in Mita?] No, there is no conflict. Everyone in Mita respects everyone else. And everyone has their own things.
(Quotation 9. Community representative near the Cerro Blanco mine)

The excerpt revealed a local controversy about water contamination in the Lago de Güija, with mixed information about whether it was caused by the mine or the nearby cantaloupe farms (“meloneras”). The participant tried to convince me that the contamination was not caused by the mine. The participant also tried to convince me that there was no conflict in the community, after relaying extensive details about tensions among groups in the community concerning the mine. The excerpt represents one of several situations where participants were clearly trying to deceive me or manipulate the facts. What was significant about the participant's response was not material facts about contamination or conflict; rather, it was the participant's staunch support for the Cerro Blanco mine and the extent that this support shaped their interpretation of events that took place. The participant was highly motivated to disassociate the mine with anything “bad,” such as contamination or conflict. This led to important insights about how information might get distorted as it circulated among different organizations within distinct pro- and anti-mining social networks, and how this contributed to polarization in Guatemalan society.

Third, as noted above, the responses of participants were treated first and foremost as information about their perspective and as information that they relied on to motivate or justify certain actions—rather than as definitive facts about the situation. Any factual information was verified and corroborated through multiple sources to the extent possible. For example, names, organizations, or incidents mentioned during interviews were independently verified. In most cases this was possible. Fact checking and contextualizing the information helped increase the usability of the information gathered. However, it was not always possible to verify some or all of the information. For example:

And I am almost sure, almost 100 percent sure that someone [from the Ministry of Energy and Mines—MEM] comes to look how much [the mine is] reporting [in its gold production]. [Let's say]

there was 100 ounces, but [the MEM official would say] “no, report only 50 ounces, and give me 1,000 Q”. Or something like that. This system has a lot of bureaucracy like that. I commented that this is corruption, and he commented as well that there is a lot of corruption. And that has affected [the country] a lot. The Marlin mine [as well]. Goldcorp as well was mentioned in one of the investigations of CICIG [International Commission against Impunity in Guatemala].
(Quotation 10. Municipal Government representative near the Cerro Blanco mine)

This excerpt is one of at least a dozen instances where research participants implied that corruption had occurred in relation to activities relevant to mining or peacebuilding. Allegations involving the mines could be verified to a certain extent, as discussed in subsequent chapters. However, was not possible to verify the alleged corruption involving the Cerro Blanco mentioned above. What was significant about the participant’s response was the fact that a representative of the municipal government, along with many other individuals in the community, perceived that corruption was occurring. These perceptions factored in the representative’s activities and relationships, and those of others.

2.3.4.4 Interpretation of information

The fourth challenge was that all information relied on to support the arguments in the dissertation represents my interpretation of the meaning and significance of the information gathered, based on my knowledge and experience of the context. It does not represent a definitive account of a single reality. It was particularly challenging to interpret the values and perspectives of different organizations, how those values and perspectives shaped their activities and interactions, and how those values and perspectives were influenced by certain events or experiences. This was managed to the extent possible by interpreting organizations’ values and perspectives based on the responses of multiple representatives, recognizing that each representative and organization also had a unique perspective. Differences in values and perspectives were also tracked as objectively as possible.

2.3.4.5 Feasibility and utility of indicators and developing, analyzing, and updating visual diagrams

As discussed in [Section 2.2](#), a variety of criteria and indicators were identified at the outset of the research project to guide information gathering and analysis. Some were more useful than others and not all of them were used to support the arguments in the dissertation. In particular, the criteria for identifying emergence based on the functions of emergence were not as helpful as anticipated (see [Appendix 2](#), Figure 10.3). Most of the emergent patterns discussed and described in the dissertation relate to conflict dynamics and patterns of inequality and exclusion that are produced and reproduced by Guatemala's societal system and complicated by global forces. All of these emergent patterns would fall under McDonald & Weir's (2006) functional category of "context," which did not help to identify or further understand the emergent patterns observed.

Similarly, the criteria for considering the nature of system-wide changes were helpful in distinguishing that Guatemala's societal system has largely been characterized by path dependence. This was an important explanatory factor in Guatemala's peacebuilding challenges and contemporary mining-related challenges, discussed in subsequent chapters. However, other system-wide patterns of change like coevolution and critical transitions were not observed to be as relevant. As such, the criteria associated with these patterns of system-wide changes are not discussed extensively in the dissertation.

The process of developing visual diagrams was labour-intensive. It involved constructing and formatting various datasets with information on organizations, activities, rules, values and perspectives, and resources. It involved inputting and manipulating the datasets in different system and network visualization software to generate diagrams. It involved various iterations of analysis to meaningfully represent key features and dynamics of the relevant systems. A key challenge encountered in the development of visual diagrams was that it was not possible to meaningfully capture all information about the relevant system in a single diagram. The initial set of visual diagrams that represented these configurations had too many interconnections to glean relevant insights. It was necessary to separate the

information into multiple different diagrams that represented different aspects of the system. This was more helpful for analysis and led to several insights. While the diagrams were useful to support analysis, many of them were too large to directly include in the dissertation as visuals, including those in Figure 5.1 and Figure 5.2 mentioned above. Other strategies for conveying the information were used.

It was also challenging to represent interrelations among the values and perspectives of various organizations within the systems relevant to mining and peacebuilding. Cognitive-Affective Mapping (CAM) techniques were contemplated as a way to represent the values and perspectives of different organizations. In practice, the responses of participants were not specific enough to unpack their values and perspectives into discrete concepts without distorting their perspective. Instead, less granular visuals were developed on the spectrum of perspectives and values expressed by representatives of different sectors in society. These helped capture broad similarities and differences in organizations' values and perspectives on specific issues through a colour coding system. This helped observe patterns in the values of perspectives of groups on opposing sides of mining conflict and led to insights about how these ideological divisions related to other socio-economic factors and peacebuilding challenges. However, this information was presented in the dissertation as tables (see Figure 5.3, Figure 5.4, Figure 5.5).

Finally, as discussed in [Section 2.2](#), the methodological approach envisioned the development of various iterations of system diagrams to reflect changes in system at different points in time. However, the research revealed that Guatemala's societal system did not change significantly over time, which resulted in findings that Guatemala's societal system was characterized by path dependence. Though information was gathered and analyzed on the system at different points in time, it was not necessary to develop or comparatively analyze additional diagrams to discern whether the system changed over time.

Section 2.4 Hypotheses & Findings

Six ways in which mining and peacebuilding systems intersected were hypothesized at the outset of the

examination. These hypotheses were tested through information gathering and analysis (see Figure 2.18).

Figure 2.18. Six Hypothesized Intersections between Mining and Peacebuilding

Hypothesis 1: Peacebuilding Progress Shapes Mining Conflict

Transformations taking place as part of peacebuilding (e.g., to implement commitments from the peace accords) affect, among other things, the rules of society and relationships between different segments of society. Because of this, it is hypothesized that the extent of progress made towards addressing the underlying issues that led to conflict and other consequences of conflict will be relevant to the way in which mining operates, the emergence of mining-related conflicts, and will be relevant to the dynamics of mining-related conflicts that emerge.

Hypothesis 2: Mining Affects Peacebuilding

Mining operations have direct and indirect impacts on other features of society. This is due to the distributional consequences of mining-related benefits, environmental impacts, and the influence of foreign owned companies on government policy. Consequently, it is hypothesized that mining operations and mining conflict will be relevant to peacebuilding progress.

Hypothesis 3: Other Issues

Other societal issues have existed and persisted prior to and independent of mining and peacebuilding. These include issues related to poverty, organized crime, illicit trafficking, corruption, and other environmental issues. However, these issues have worsened in Guatemala's post-conflict peacebuilding context. Consequently, it is hypothesized that the presence of these other issues may make both mining and peacebuilding more challenging.

Hypothesis 4: International Community Influence

The international community played a major role in the negotiation of the peace accords and shaped the content of the peace accords. Investments and international assistance were also significant factors affecting the implementation of key peacebuilding commitments. At the same time, the Marlin and Cerro Blanco mines are owned by foreign companies. Though they are expected to obey national laws, they are part of global enterprises whose priorities are set abroad. Thus, it is hypothesized that international actors will have an important impact on the way in which mining operates and the way peacebuilding progresses, and therefore indirectly shapes intersections between mining and peacebuilding.

Hypothesis 5: Development and Capacity Building

Both mining and peacebuilding appear to contribute to the development of society in principle. However, the extent that a community can take advantage of development opportunities is affected by local capacity. It is hypothesized that mining and peacebuilding intersect with each other by either complementing each other in their contribution to socio-economic development and capacity building or by undermining each other. It is hypothesized that both are affected by the pre-existing capacity and development situation in a given community.

Hypothesis 6: Public Safety and Security-Related Issues

Guatemala faces ongoing challenges to transform public safety and justice institutions. A culture of resorting to violence as a way to resolve problems also persists. Peacebuilding should be addressing both challenges, but they have implications the management of mining conflict. In turn, mining-related conflict may aggravate these issues.

Figure 2.18 presents six hypothesized intersections between mining and peacebuilding that were identified at the outset of the examination, which were tested through information gathering and analysis. All six of the hypotheses were observed but the researcher chose to structure them differently in presenting the findings to include greater depth of analysis and more nuance.

The hypotheses were identified based on a comprehensive review of relevant literature on mining, peacebuilding, and Guatemala. This informed an initial conceptualization of mining and peacebuilding as systems and the organizations, rules, values and perspectives, activities, and resources of which they are

comprised. Both systems were analyzed to identify possible direct intersections as well as indirect intersections by virtue of both systems being part of a broader societal and/or environmental system. All six of the hypothesized intersections between mining and peacebuilding were observed. However, the research process yielded a deeper and more nuanced understanding of each intersection and its complexity. This led to a slightly different understanding than originally hypothesized. In the end, the last two hypotheses concerning development and capacity building were redundant, as they were already captured under the first hypothesis, which concerned how peacebuilding process shapes mining conflicts. The core arguments of the dissertation are related back to each of the hypotheses below.

Argument 1 (Hypothesis 1, 5, 6): Peacebuilding challenges shape contemporary mining conflicts

As discussed in [Chapter 1](#) and subsequent chapters, Guatemala's peacebuilding challenges stem primarily from challenges related to transforming the societal structures that have produced socio-economic inequalities and social exclusion. These issues profoundly affect all facets of life in Guatemala but became entrenched through being embedded in a multitude of laws and policies, the structure of Guatemala's economy, and its governance system. This and self-reinforcing effects of power disparities have made these issues extremely difficult to transform, reflecting a system-wide dynamic of path dependence.

The inability of peacebuilding to address these issues perpetuated and reinforced them in the context of mining. From the rules that affect how mining operations take place to the distribution of mine-related benefits and adverse effects, the same underlying issues of inequality and exclusion from the Internal Armed Conflict are at the heart of community grievances that led to present-day mining conflicts. The dividing lines from the Internal Armed Conflict are almost the same those characterizing present-day mining conflicts. Many of the strategies pursued in present-day mining conflicts resemble those used during the Internal Armed Conflict.

Argument 2 (Hypothesis 2): Mining impacts undermine peacebuilding

Foreign owned mining operations impact society in ways that are relevant to the implementation of specific commitments from the peace accords. Mining also has implications for peacebuilding in terms of how it intersects with peacebuilding theories of change and local expectations about peace. Considering these three lenses, mining does not appear to have contributed constructively to peacebuilding. Instead, it undermined peacebuilding efforts by amplifying inequalities and by becoming a focal point for conflict and ideological divisions. These impacts undermine efforts to address the underlying issues of inequality and exclusion from the Internal Armed Conflict. Community investments by the mines align with certain commitments made in the peace accords. However, Guatemalan government has prioritized mine development over community Indigenous and human rights in the context of mining. This undermines Guatemala's progress towards these commitments. Moreover, voluntary initiatives undertaken by the mines have primarily advanced mine interests rather than the broader interests of society.

Argument 3 (Hypothesis 3): Both mining and peacebuilding intersect with other societal issues

Both mining and peacebuilding intersect with Guatemala's broader societal system. In doing so, they intersect with other societal issues, such as organized crime, corruption, and poverty. These appear to be separate issues from mining and peacebuilding. However, they stem from the same challenges related to inequality and exclusion. As such, they are also affected by Guatemala's peacebuilding challenges. At the same time, these other issues present additional challenges that complicate both mining-related conflicts and peacebuilding. Together, mining conflicts and these other issues feed into a vicious cycle in which the Guatemalan government does not have sufficient capacity to effectively deal with any one issue, resulting in short-sighted responses that only compound each issue and lead to more problems. The government's constant preoccupation with short-term issues detracts from longer-term sustained efforts as part of peacebuilding, undermining peacebuilding progress.

Argument 4 (Hypothesis 4): International forces shape both mining and peacebuilding challenges

International forces shaped both mining operations and peacebuilding efforts in Guatemala in important ways that represent a common linkage between both systems. Through the provision of funding and other assistance, the international community influenced the negotiation and implementation of the peace accords, affecting which commitments saw progress. One product of international influence was Guatemala's adoption of neoliberal reforms encouraged foreign investment and development in the extractive sector. This is largely what expanded foreign owned mining in Guatemala. Global forces also shaped the way in which the Cerro Blanco and Marlin mines operate. This contributed, in part, to some of the grievances leading to conflict. Conflicts at both mines have taken on global dimensions through the involvement of global advocacy networks against mining, for human rights, and for environmental protection. The involvement of additional organizations and issues has made the conflicts more challenging to address by distorting the narrative about the main issues in the conflicts and by hardening the positions of groups involved. The creation of various international dispute resolution mechanisms also expanded these conflicts globally and created additional challenges for conflict resolution as communities lack the capacity to participate in international proceedings and the results are not enforceable in the same way as domestic proceedings.

Guatemala's History of Inequality and Exclusion

If you want to understand the deepest malfunctions of systems, pay attention to the rules and to who has power over them. (Meadows, 2009, p. 158)

This chapter provides an overview of Guatemala's socio-economic context dating back from the Spanish Conquest to set the stage for the first argument of the dissertation about how mining and peacebuilding in Guatemala intersect. This first intersection concerns how legacy issues related to inequality and exclusion, which led to Guatemala's Internal Armed Conflict and were not fully addressed through peacebuilding, have become relevant to contemporary mining-related conflicts. Because Guatemala's Indigenous peoples attribute the starting point of contemporary injustices to the Spanish Conquest, this is the starting point for the analysis. Guatemala's Indigenous peoples frame present-day mining as the latest iteration of the same injustices they historically experienced.

[Section 3.1](#) traces the persistence of inequality and exclusion as core features of Guatemalan society and governance system throughout four phases of its history, from the Spanish Conquest and colonialism to the period leading to the Internal Armed Conflict, to the Internal Armed Conflict, and since signing of the peace accords to the present day. The discussion establishes inequality and exclusion as a legacy of Spanish colonization and as core issues underlying Guatemala's Internal Armed Conflict, making them core issues to be addressed through peacebuilding. The discussion also illustrates the continuation of these issues throughout Guatemala's history. Particularities of the local contexts near the Marlin and Cerro Blanco mines are distinguished the discussion to show how common issues with inequality and exclusion affected the communities in different ways, nuancing this general argument. The communities near the Marlin mine have historically been completely neglected, as the land and resources were not regarded as valuable before gold and other minerals were discovered in the 1990s. By contrast, the communities near the Cerro Blanco mine historically had stronger elite presence, creating a local social hierarchy and dynamic of exploitation. A timeline of key events is provided in [Appendix 3](#).

[Section 3.2](#) conceptualizes inequality and exclusion as an emergent pattern of Guatemala's societal system, collectively produced by several interrelated features of society. These features include a dominant elite class in Guatemalan society that continues to hold racist attitudes towards Guatemala's Indigenous peoples and an economically oriented worldview. Elite influence in Guatemala's governance system is responsible for an entire system of laws and policies that advantages the elites and exploits and disadvantages the poor. This system collectively produces material advantages and disadvantages across society, affecting the resources and capacity of different societal groups in differential ways. Beyond perpetuating power inequalities, the system reinforces the dominance of the elites while simultaneously reinforcing the exclusion and disadvantages of other segments of society. The interconnectedness of the system's features and the fact that it reinforces power inequalities are two path dependent processes that entrench the system, making it extremely resistant to change.

Section 3.1 Inequality and Exclusion Through Four Phases of Guatemala's History

3.1.1 The Spanish Conquest

Guatemala's challenges with inequality and exclusion began when Spanish explorers arrived in Guatemala and colonized the Indigenous peoples. Originally, multiple discrete Maya kingdoms co-existed in varying degrees of peace and conflict (see Figure 3.1). The capital of one of these kingdoms, Saq Ulew ("Zaculeu"), was located near to the communities near the Marlin mine (Number 1 in Figure 3.1). This was one of the first places in Guatemala attacked during the Spanish conquest led by Pedro de Alvarado (see Figure 3.2). The communities near the Cerro Blanco mine were part of another kingdom, the "Kingdom of Mita" of the Pipil Indigenous people,⁷ of which the last descendants exist only in the western part of El Salvador. Between 1524 and 1530, the Spanish conquered the region near the present-day Cerro Blanco mine, and

⁷ The town was called "Mictlán," which means "place of the dead" and was the location of a temple where ceremonies involving human sacrifices took place two times per year (García Hernández et al., 2013, p. 6-7; Molina et al., 2008, p. 12-13; Mata, 2009; Ramirez, 2020).

it was one of the first parts of the country with dedicated Spanish presence in 1529 (Molina et al., 2008, p. 14; Ramirez, 2020). That said, the process of colonizing the Indigenous peoples was not easy, and military domination continued for nearly 20 years to suppress battles and uprisings and subjugate the Indigenous peoples into a highly violent colonial system (Ochoa Garcia, 2012). The Spanish colonial system was characterized by frequent uprisings and coercive control over the Indigenous peoples to establish “order” (Lovell, 2005, p. 60; Solórzano Fonseca, 1982).

One of the coercive tactics involved stripping Indigenous communities of their land and relocating them so that Spanish colonizers could have the fertile land and better control the Indigenous communities (Barrios, 2001, p. 73; Lovell, 2005, p. 75; Solórzano Fonseca,

Figure 3.1. Map of Maya Kingdoms

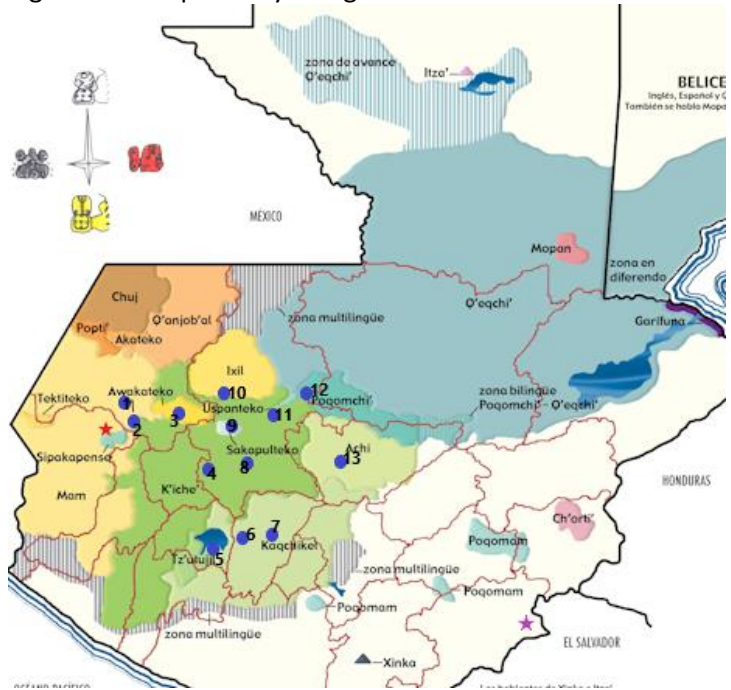


Figure 3.1 shows Indigenous linguistic communities in Guatemala (MINEDUC, 2009). The locations of pre-colonial Indigenous kingdoms are overlaid (Ochoa Garcia, 2012) along with the approximate locations of the Marlin (red star) and Cerro Blanco mines (purple star). Mam and Sipacapense Indigenous communities are active near the Marlin mine, which were part of the Mam kingdom of Saq Ulew (“Zaculeu”), number 1 on the map/present-day Huehuetenango. No Indigenous linguistic communities are officially recognized near the Cerro Blanco mine.

Figure 3.2. Map of the Spanish Conquest



Figure 3.2 shows the route of the Spanish conquest through Guatemala in red arrows in a map developed by Burchell (2011). Key battles marked with crossed swords. The purple stars represent the approximate locations of the Marlin (left) and Cerro Blanco (right) mines. The Maya Mam capital “Zaculeu” was attacked in October 1525 (Lovell 2005, p. 58-60), whereas the Kingdom of Mita was not attacked until after the initial conquest.

1982). The effects of these policies are seen and felt today, from the current configuration of municipalities to the contentiousness of land ownership, to the extractive and exploitative nature of Guatemala's agricultural model (Grandin et al., 2011, p. 65-66; Lovell, 2005, p. 78-79).⁸ The towns of San Miguel Ixtahuacán, Sipacapa, and Asunción Mita were created as a result of this policy. As noted above, present-day Asunción Mita was a fertile area in which the Spanish had high interest and moved the Pipil community out of the area early in the colonization process to establish a town (Mata, 2009). However, the towns of San Miguel Ixtahuacán and Sipacapa were established much later in 1800 and 1707, respectively, as a means of better controlling the Indigenous population (Molina et al., 2008, p. 14; DEGUATE, n.d.a, n.d.b.). San Miguel and Sipacapa were created much later than Asunción Mita, because the Spanish had less interest in the region due to its lack of suitability for agriculture and harsh, rugged terrain. The entire Western Highlands region was neglected until the 1990s when gold was discovered.

The colonial regime institutionalized inequality through rules that created and maintained hierarchy. The system had political, ideological, and economic dimensions (Solórzano Fonseca, 1982). The King of Spain was at the top of the political hierarchy. Under him were appointed officials with administrative responsibilities of varying geographical scope (Krznaric, 2003, p. 52; Lovell, 2005, p. 89). Land concessions and tribute rights of differing values were granted to Spanish subjects, depending on their rank in the social hierarchy. This established the foundation of an economic elite class in Guatemala, referred to as "the oligarchy" (Krznaric, 2003, p. 53; Lovell, 2005, p. 95). A combination of manipulation and violence was used to coerce the Indigenous peoples to pay tribute and work on plantations in accordance with this system of concessions.

⁸ The communities were also reorganized in different ways by successive governments. For example, inhabitants of San Miguel Ixtahuacán originally lived on both sides of the Saltire River and were administratively separate. The population was relocated and consolidated in a different location, which was suboptimal for the community but more convenient administratively for the colonial government. Sipacapa was combined with and separated from nearby municipalities numerous times by successive governments for administrative convenience (DEGUATE, n.d.a, n.d.b). At different points in history, Asunción Mita switched back and forth between being part of the Departments of Jutiapa and Chiquimula (Molina et al., 2008, p. 16).

Ideologically, the system revolved around racist, hierarchical notions of Spanish superiority and Indigenous inferiority. This, combined with Catholic religious ideology, motivated and rationalized the destruction of Indigenous cultural practices and works (Lovell, 2005, p. 76; Solórzano Fonseca, 1982). The economically exploitative nature of the system created incentives for others to maintain and enforce it. As long as one was not on the bottom of the hierarchy (i.e., Indigenous peoples and African slaves), the system provided access to at least some benefits, which were extracted from those lower down in the hierarchy. The colonial system produced profound socio-economic inequalities between the exploiting elites and the exploited Indigenous peoples. This has been a persistent feature of Guatemala's governance system throughout its history (Grandin et al., 2011, p. 107-108, 119, 210).

The system undermined Indigenous prosperity in multidimensional ways. It disrupted their connection to the land, cultural activities, social structures, and their means of subsistence and well-being (Grandin et al., 2011, p. 39-50). However, the system did not eliminate Indigenous culture and identity entirely. Many Indigenous communities continued to preserve and practice Indigenous customs in resistance to their colonizers (Grandin et al., 2011, p. 101). This has been an important ideological component in social divisions and tensions between Spanish elites and Indigenous peoples throughout Guatemala's history that persists to the present.

Central American Indigenous knowledge, culture, and social organization is complex, with considerable diversity in local language, customs, and beliefs among Indigenous communities. As noted above, Indigenous knowledge has been fragmented by the loss of texts and cultural artifacts (Grandin et al., 2011). However, it shares common features, which has helped Indigenous peoples unite in common rights struggles in recent years (Montejo, 2005, p. 17). The Maya Cosmvision regards everything in the universe as connected and interdependent. This includes people, the earth, and the spiritual world in the past, present, and future. The goal and responsibility of both individuals and communities is to maintain balance in all aspects of life (Goetz & Morley, 1954; Jimenez-Estrada, 2012; Medina, 2000, p. 8; Silburt,

2019b). This contrasted sharply with the racist and exploitative worldview of the Spanish elite, who regarded the Indigenous peoples as a commodity—labour—to be harnessed along with other resources for economic gain (Grandin et al., 2011, p. 120; Lovell, 2005, p. 95). The worldview of the elites remains firmly rooted in Guatemalan mainstream society today and is legitimized by capitalism.

Despite the racist hierarchy of Guatemala’s colonial system, inter-marriage was common and “mixed” Spanish-Indigenous heritage became increasingly common, referred to as “Ladino.” By 1866 there were no longer any “Spanish” residents in the area near the present-day Cerro Blanco mine, though there were more “Ladinos” (3,830) than “Indios” (738) (Molina et al., 2008, p. 16). The colonial hierarchy adapted to this changing reality by accepting more layers in the hierarchy and a degree of social mobility. This permitted a new class of persons of mixed “Ladino” persons to access benefits from the system (via the opportunity to exploit the Indigenous peoples beneath them in the hierarchy), provided that they assimilated into the system and accepted and enforced its rules. This adaptation essentially preserved the unequal logic of the system by adding hierarchical layers (Grandin et al., 2011, p. 107-109, 132; Molina et al., 2008, p. 17).⁹ Thus, the system’s evolution conforms with path dependence, discussed in [Section 3.2](#).

3.1.2 Lead-up to the Internal Armed Conflict

Guatemala gained independence from Spain in 1821 and formed its own independent state in 1847.¹⁰ Formal hierarchy as a political structure was replaced with a modern, semi-democratic system of governance. However, the colonial social hierarchy was effectively unaltered. Elites at the top of the hierarchal colonial system entered the modern political and economic system with significant advantages

⁹ The colonial hierarchy was: 1) Spanish (people who were born in Spain and came to Guatemala), 2) Criollos (people from Spanish descent but born in Guatemala), 3) Ladinos (mixed race, but who adopt Spanish culture), 4) “Indios” (Indigenous peoples) and African slaves (Jimenez-Estrada, 2012, p. 34).

¹⁰ Following Mexico, Guatemala and the other Central American colonies (Chiapas, El Salvador, Nicaragua, Costa Rica, Honduras) declared independence from Spain in 1821. The colonies collectively formed a Federal Republic of Central America in 1823 with Guatemala City as the capital. The federation broke apart in 1838 and Guatemala eventually declared itself an independent state in 1847 (Shea, 2001, p. xvi-xx).

and dominated Guatemala's post-independence politics. Poor Indigenous and Ladino workers at the bottom of the colonial hierarchy entered the modern system with significant disadvantages. Lack of access to education under the colonial system and pre-existing conditions of poverty undermined possibilities for change on an individual and systemic level, and the Indigenous and Ladino poor continued to be exploited under the new system (Grandin et al., 2011, p. 107-108, 117-118).

Guatemala's entire economic model continued to be based on the exploitation of Indigenous land and labour. Policies introduced during this period encouraged economic development via coffee plantations, which further stripped Indigenous communities of their land and relied on a large number of low-wage workers (Grandin et al., 2011, p. 108-110, 117, 120-121). Colonial forced labour laws were replaced with new ones that perpetuated the necessity of poor individuals to work for low wages on these plantations (Britnell, 1947). The colonial tribute system was replaced with a modern tax system on income, land, and village treasuries. Spanish language and education policies further fragmented Indigenous culture to "develop" and assimilate them into mainstream "Ladino" culture (Grandin et al., 2011). These policies benefitted the elites as owners of plantations and subsequently as owners of large factories. They profited immensely from the low-wage work (Grandin et al., 2011, p. 190).

German coffee cultivators and US companies, such as the United Fruit Company, increased in the late 1800s. Rather than transforming the system, the arrival of these businesses reinforced the extractive economic model (Dosal, 1993; Grandin et al., 2011, p. 144-149). However, the arrival of foreign companies added an international dimension to Guatemala's domestic dynamic of inequalities and elite dominance that reflected a mutually favourable arrangement between foreign companies and Guatemala's domestic elites (Dosal, 1993, p. 6-7). This dynamic has changed very little in the context of present-day mining.

As Guatemala integrated into the world economy, the government became more explicitly focused on "development" as the top priority of society (Grandin et al., 2011, p. 144-148). Racist attitudes towards the Indigenous peoples persisted but associated to other stereotypes related to the material

outcomes of the inequalities and exclusion they faced in society, such as inadequate education, economic opportunities, political participation, and other disadvantages. This resulted in perceptions of Indigenous peoples as incapable and not of value in society (Grandin et al., 2011, p. 110, 119, 189-190).

As noted above, the Guatemalan government neglected the Western Highlands near the present-day Marlin mine during this entire period. Communities had extremely limited access to jobs, basic services, and infrastructure, which translated into persistently high rates of poverty (Solórzano Fonseca, 1982, p. 130). With limited economic prospects, community members from the Western Highlands migrated seasonally to other parts of the country to work on plantations or in factories. Though Indigenous communities in the region were not the specific focus of exploitation or control (as compared to other regions where large plantations operated), they felt the effects of the exploitative economic model (Grandin et al., 2011, p. 529; Handy, 1994, p. 13-14). Policies increased “Ladino” representation in local government, which further eroded Indigenous self-determination in their own communities (CEH, 1999, p. 90; Hardy, 1994, p. 12). The policies introduced during this period were so invasive that Indigenous peoples refer to it as the “second invasion” after the Spanish conquest (Hardy, 1994, p. 12).

Elite dominance of Guatemala’s political and economic system has profoundly shaped the way government works. Elites participated directly in government as politicians or senior bureaucrats, or they exerted external influence on politics via social ties or licit and illicit economic contributions (Krznicar, 2003). For generations, Guatemala’s laws and policies prioritized and privileged the elites over the masses and discouraged wider public participation in politics. Laws and policies did not benefit lower-middle class Ladinos and Indigenous peoples and did not provide an opportunity for them to participate or reflect their concerns and interests. The lower classes of society faced immense challenges in achieving political change because these structural issues, which prevented them from building capacity or forming a political bloc (CEH, 1999, p. 90-93; Grandin et al., 2011, p. 215).

As communist ideas spread across Latin America in the 1920s, many Guatemalan intellectuals and

impoverished Ladino workers began to notice that they were systematically disadvantaged. They mobilized to form unions and fought for better wages and working conditions. However, this mass mobilization was framed by the elites as “anti-development.” The government’s violent repression of mobilization was legitimized in the name of “development” (Grandin et al., 2011, p. 121). Despite the repression, the communist movement strengthened and led to a political revolution (the “October Revolution”) in 1944 that forced the dictator at the time, Jorge Ubico (1931-1944), to resign. The revolutionary leader, Juan José Arévalo (1945-1951), was democratically elected. Over the next 10 years (“Ten Years of Spring”), Arévalo and his successor, Jacobo Árbenz Guzmán (1951-1954) introduced several social reforms. These included extending voting rights to Indigenous Maya men and “literate women,” expanding political participation and free speech, improving health, education, and other social services and infrastructure, establishing union rights and labour standards such as minimum wage, and reforming land ownership (Grandin et al., 2011, p. 197-198, p. 206; Shea, 2001, p. 11; see [Appendix 3](#)).

Guatemala’s extreme socio-economic inequalities and political exclusion are widely considered to underlying motivation for the 1944 October Revolution. Reforms introduced during the Ten Years of Spring that intended to address these inequalities were abruptly and violently halted in 1954 with a coup sponsored by the US Central Intelligence Agency (Grandin et al., 2011, p. 217). US companies in Guatemala perceived the reforms that were introduced during the Ten Years of Spring to be a major threat, especially in the context of the Cold War. They lobbied the US Government to intervene. The coup restored Guatemala’s traditional elites to power. Doing so led to a swift and severe crackdown on political expression and a dismantling of the socialist-inspired policies introduced during the previous 10 years. This sparked outrage by the political revolutionaries of the October Revolution (CEH, 1999, p. 19; Grandin et al., 2011, p. 199, 281). Banned from political participation, revolutionaries regrouped into clandestine organizations, many of which adopted militarized strategies for political opposition. The Guatemalan government’s violent repression of this opposition created a dynamic that led to Guatemala’s Internal

Armed Conflict (CEH, 1999, p. 21; Grandin et al., 2011, p. 199). As a government representative stated:

During the entire conquest and colonial period, including independence, a geographical, political, and social division always existed. Independence was nothing more than an act of organization among the criollos. The Spanish that were born in Guatemala were not considered to be “Spanish” and instead they were called “criollos.” And the rest of the people in Guatemala continued living [in the same way as under colonialism]. So, this division [i.e., hierarchy] is the basis, the feeling, the biology that has limited Guatemala’s prosperity. And the ignorance as well. Ignorance was complete in this period. If you add together ignorance and resentment accumulated over more than 500 years, a lack of opportunity, money concentrated in only one social sector [criollo, the elites], it’s just a matter of a lighter to ignite the fire.

(Quotation 11. Representative of the Guatemalan government)

3.1.3 Internal Armed Conflict

From 1960 to 1996, Guatemala’s Internal Armed Conflict claimed more than 200,000 lives, displaced over one million others, and traumatized millions more in devastating ways (CEH, 1999). The level of violence was unprecedented in Guatemala’s history, though the Guatemalan government’s use of violence resembled tactics it used in previous eras. The social and political dividing lines of the Internal Armed Conflict reflected Guatemala’s historical injustices. On one side, the Guatemalan government and elites sought to defend their economic interests. On the other side, an expanding group of poor and disenfranchised peasants and socialists fought for political and socio-economic change through militarized strategies. The guerrillas targeted the property of elites, destroyed infrastructure, demanded payments, and kidnapped family members for ransom and assassination (Krznicar, 2003; Moreia Lopez, 1990). The US equipped and trained the private security guards of the elites and the Guatemalan military, paramilitary, and police to help them defend against guerrilla attacks and eradicate political revolutionaries (Krznicar, 2003, p. 55). The state perpetuated most of the violence (93 percent) against the population, which, became increasingly generalized over the course of the conflict (CEH, 1999, p. 20).

Though the Internal Armed Conflict started between urban Ladino socialist revolutionaries and the government, it expanded during the 1970s to rural and Indigenous communities for various reasons (Ball et al., 1999; CEH, 1999; see [Appendix 3](#)). The resistance was comprised of a patchwork of connected

local movements motivated by grievances particular to individual communities; it was not a single, unified movement (Grandin et al., 2011, p. 281). Over time, the diverse motivations and ideologies of these movements loosely united into a common umbrella organization in 1982 called the Unidad Revolucionaria Nacional Guatemalteca (“National Guatemalan Revolutionary Unity” or URNG) (Arias, 2015; CEH, 1999). This organization represented the guerrilla during peace negotiations (CEH, 1999, p. 74).

At least four distinct ideologies and grievances motivated involvement in the resistance movement during the Internal Armed Conflict. The first and main ideological strand was the urban Ladino intellectual-political movement that aligned with the ousted socialist government and Marxist ideology (Grandin et al., 2011, p. 283-85).¹¹ As the Internal Armed Conflict expanded over the 1970s, this movement took up other grievances and groups (Ball et al., 1999; CEH, 1999). A second but related strand revolved around labour rights, which became politicized with the reversal of labour improvements that had been implemented during the Ten Years of Spring and repression of unions following the 1954 coup.

The third ideological strand was associated with the “Liberation Theology” movement within the Catholic Church during the 1960s, which took hold in rural communities. The Catholic Church realigned away from the government and elites and towards solidarity with the poor (Grandin et al., 2011, p. 282-283, 295, 312-313; Thorsen, 2016). Though distinct from the political revolutionary agenda, it became entwined with the broader resistance. Churches were places where resistance groups congregated—in refuge or to organize resistance against the government. For this, religious figures were targeted by the government (Grandin et al., 2011, p. 227-228, 329-330; 282-293; ODHAG, 1998).

The fourth strand revolved around Indigenous identity and rights struggles, particularly in remote rural regions. These struggles responded to the fact that other movements were not primarily concerned with Indigenous peoples’ issues and had not effectively served their interests in the past. They also

¹¹ For example, the Rebel Armed Forces (FAR), Organization of the People in Arms (OPRA), and Guerrilla Army of the Poor (EGP).

responded to violent repression of Indigenous rights and identity (Carey Jr., 2011; Grandin et al., 2011, p. 282-284, p. 311-314, 337, 502).¹² Indigenous participation in the Internal Armed Conflict was often related to other local struggles against the confiscation of their land by big businesses, frustrations about poverty and livelihoods, the suppression of Indigenous customs and language, and/or struggles against local Ladino dominance (Grandin et al., 2011, p. 283).

Individuals and communities became enmeshed in the conflict through a number of non-mutually exclusive mechanisms. First, following attacks on the government, resistance groups fled and sought refuge in remote towns. This led the government to attack those towns, which provoked a response by those communities. Second, resistance groups travelled to remote towns to recruit new members, resulting in community participation (Boc Tay, 2016; Moreia Lopez, 1990). Third, government attacks became increasingly generalized over the course of the Internal Armed Conflict: attacks on communists expanded to attacks on any form of opposition, then to pre-emptive attacks on suspected opposition, and then to attacks to prevent opposition from emerging in the first place. Fourth, the prospect of a government attack motivated communities to self-organize. This was not necessarily associated with any particular ideology (Taylor, 2007). Fifth, while violence against friends and family frightened many individuals into silence and submission, it also inspired anger and agency among others, motivating them to join in the struggle (Ball et al., 1999; CEH, 1999; ODHAG, 1998). Sixth and finally, government attacks created an overall sense of mistrust that forced everyone to choose a side (CEH, 1999; ODHAG, 1998).

As suggested above, Guatemalan military operations were highly organized and received support from the US (Grandin et al., 2011, p. 230-245). The government's strategic and conceptual expansion of

¹² Examples include the Peasant Unity Committee ("Comité de Unidad Campesino" or "CUC"), Our Movement ("Nuestro Movimiento"), Indigenous Revolutionary Movement ("Movimiento Indígena Revolucionario"), Ixim People's Revolutionary Movement ("Movimiento Revolucionario del Pueblo Ixim"), Tojil Indiam Movement ("Movimiento Indio Tojil"), National Coordinator of Guatemalan Widows ("Coordinadora Nacional de Viudas de Guatemala" or "CONAVIUGA"), the National Indigenous Coordinating Committee ("Coordinadora Nacional Indígena y Campesina" or "CONIC"), etc. (Grandin et al., 2011, p. 502).

the Internal Armed Conflict geographically expanded the conflict and increased the government’s physical and psychological penetration of communities. Tactics included covert intelligence gathering, establishing and recruiting community members into civil patrols (Patrullas de Autodefensa Civil or PACs), increasingly indiscriminate killing and destruction within communities, and “psychological warfare” experiments (Ball et al., 1999; CEH, 1999; Grandin et al., 2011, p. 213; Maclean, 2013; OJ, 2013; Smith, 1990). By the 1980s, the military had detachments in every community, and over 10,000 smaller camps in rural areas. Community members who were forcibly recruited into civil patrols gathered information on their friends, family, and neighbours, and/or undertook violent acts against them. This caused irreversible damage to community cohesion (CEH, 1999, p. 27; Smith, 1990, p. 10). The military also forced communities off their land, and either destroyed it through scorched earth policies or reallocated it to others (Smith, 1999).

How individuals and communities experienced the Internal Armed Conflict varied. The level of violence varied from year to year and from community to community, as illustrated in Figure 3.3, Figure 3.4, and Figure 3.5. The most violence took place in the Department of Quiche (in black in Figure 3.5). The Department of San Marcos, where the Marlin mine is located, also experienced considerable violence along with the neighbouring Department of Huehuetenango. Information on crimes and violence

committed during the Internal Armed Conflict remains incomplete. However, the information that is available indicates that the communities near the Marlin and Cerro Blanco mines experienced murders,

Figure 3.3. Nationwide Level of Violence by Type and Year

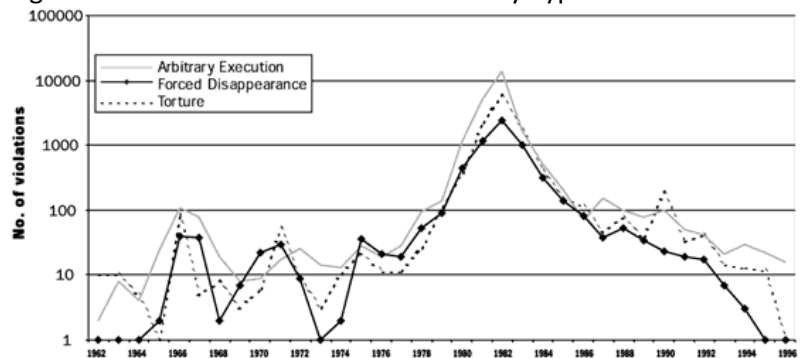


Figure 3.3 shows the number of human rights violations recorded by the Commission of Historical Clarification by year and type (CEH, 1999). It is not a complete or official number.

kidnappings, torture, disappearances, and other human rights violations (Ball, 1999; CEH,1999; ODHAG, 1998; Moreia Lopez, 1990. San Marcos experienced more violence overall than Jutiapa; however, the

town of Asunción Mita experienced more violent incidents than San Miguel Ixtahuacán or Sipacapa, which peaked in the 1970s (Ball, 1999; see [Appendix 3](#)).

Figure 3.4. Specific Locations of Massacres

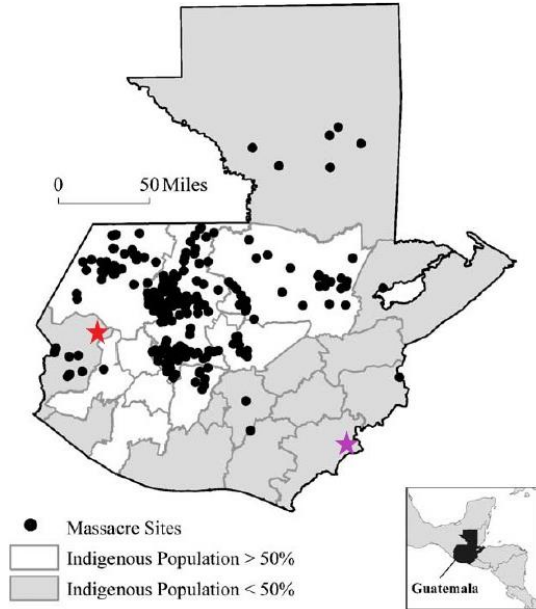


Figure 3.4 shows the locations of known massacres sites from the Internal Armed Conflict, mapped by Steinberg et al. (2006). No massacres took place in the communities near to the Marlin mine (red star). However, the map reveals that significant violence took place in the region. No massacres occurred in the Southern region where the Cerro Blanco mine is located (purple star).

Figure 3.5. Level of Violence by Department

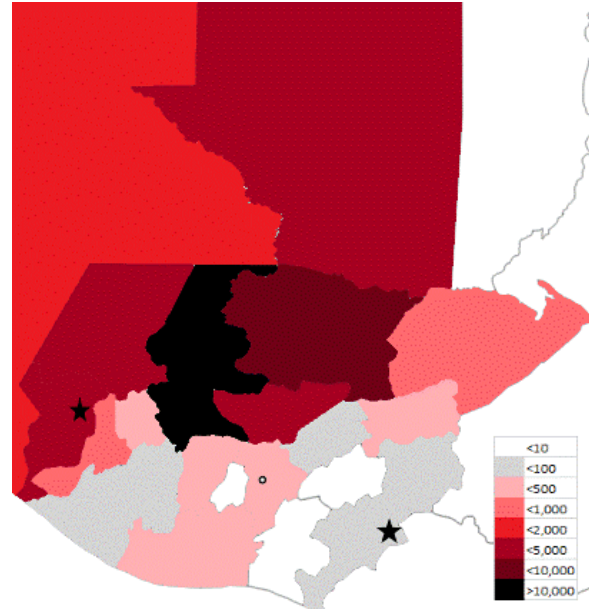


Figure 3.5 shows the number of human rights abuses recorded by the Catholic Church in each department (ODHAG, 1998). The approximate location of the Marlin (left) and Cerro Blanco (right) mines are marked with black stars. Most violence occurred in Quiché (black), followed by Alta Verapaz (darkest red). San Marcos (Marlin mine) had the fifth most violence. Jutiapa (Cerro Blanco mine), had very little violence.

Literature on local experiences of the Internal Armed Conflict in San Marcos and Jutiapa suggest that inequality and exclusion were underlying issues that motivated individuals to join the guerrilla (Boc Tay, 2016; Moreia Lopez, 1990). In both regions, local participation in the guerrilla was not a result of a grassroots mobilization. Rather, members of guerrilla factions arrived in each town at different points in time to recruit followers, consistent with the second mechanism for conflict involvement described above.

The Rebel Armed Forces (“Fuerzas Armadas Rebeldes” or FAR) arrived in Asunción Mita in the mid-1960s to recruit members. The FAR was associated with the first ideological strand above and fought for thorough political renovation to establish a government that “truly respects rights and freedoms” and was “democratically guided by the will of the majority.” This resonated with local peasants who were either exploited as low wage workers on elite-owned ranches or were subsistence farmers on small, poor-

quality land parcels and excluded from society (FAR, 1963; Stewart, 2019; Moreia Lopez, 1990, p. 25). These manifestations of inequality and exclusion resulted from a strict local social, economic, and political hierarchy that was legacy of colonialism.

The guerrilla did not reach the Western Highlands region until the 1970s and did not reach San Miguel Ixtahuacán and Sipacapa until 1977. The main guerrilla faction in the region was the Organization of the People in Arms (“Organización del Pueblo en Armas” or ORPA). It was associated with the fourth ideological strand described above, and its ideology centred on racism as a key factor in the situation of poverty and social injustice that Guatemala’s Indigenous peoples faced (ORPA, 1976; 1979). The guerrilla recruited community members and sought “collaboration” from community members in the form of contributions of food and other supplies. Both the guerrilla’s messaging and strategies resonated with the communities. Other local peasant movements were also active in the region, such as the “Movimiento Campesino,” which received support from the Catholic Church in both towns (CEH, 1999). Thus, the third and fourth ideological strands motivated community involvement. The Church and the other local movements did not necessarily participate in violence, but their alignment with the left associated them to the guerrilla, and they were targeted for kidnappings, disappearances, torture, and killings (for example, Case 7195, 1980; Case 7006, 1982).

San Miguel Ixtahuacán and Sipacapa were not key battle sites during the Internal Armed Conflict. Most of the fighting in the region took place three hours southwest of the communities at the Volcán Tajumulco. A few incidents occurred in the communities during the 1980s, revealing social and ideological divisions in the community at that time. The Commission for Historical Clarification identified at least 26 instances of assassination, torture, and disappearances in the two communities, involving over 230 community members (CEH, 1999). These included an incident in 1978, where 23 community members who were involved with ORPA disappeared (Case 8070). In 1983, the Guatemalan military captured 150 people from a small community on the outskirts of San Miguel Ixtahuacán for suspected involvement in

the guerrilla, none of whom who were seen again (Case 8036; Boc Tay, 2016; CEH, 1999; ODHAG, 1998). Anecdotal information suggests that the municipal building in San Miguel Ixtahuacán was burned down in 1985. Community members that were in the guerrilla shared stories about their friends and colleagues disappearing, being torture, and being forcibly recruited into the army,¹³ for example:

San Miguel wasn't affected until the 1980s. It was in maybe 1985 when the situation got really difficult in San Miguel. I repeat, here, the guerrilla as well did a bunch of things. They burned the municipality. And many people were involved. But how can it be that they are spreading out to San Miguel? Here, for example, a number of people came with the intention of doing "communal projects," for example, fruit cultivation, larger livestock like sheep, works like this, shoe stores, etc., but with the intention to as well "psych up" the people to affiliate with the guerrilla. It was like a benevolent strategy. So that they would see all of the benefits that joining the guerrilla would bring for the town. And so, nobody knew which person they were talking to. And as well, what happened is that many people, out of economic necessity, as well would receive a benefit from there, perhaps not money but in terms of food, clothing, etc. And I'll repeat, there were situations where brothers were in the army and brothers in the guerrilla.
(Quotation 12. Community representative near the Marlin Mine)

The full name is XXX [name removed]. He was the one they murdered. The location was in front of the central park [of Asunción Mita] by the house on the corner, in front of his parents. [...] Have you walked by the melonera? [...] He was the owner of half of Asunción Mita [...]. The son of this man promoted a war without mercy against the guerrilla that existed here in Mita. The son is named XXX [name removed]. He already died, [...] but, the rich people of that time... you will need to walk with someone that can tell you look this is the farm "Talas" that threw this. There was another family called XXX [name removed], and in that family there was a guy called XXX [name removed]. Those guys were livestock herders. This guy is the father of the man called XXX [name removed], who is the general of the Guatemalan army, and he was the general under Rios Montt. He is the chief of G-2 during that time [1982-1983]. And he is from here.
(Quotation 13. Community representative near the Cerro Blanco mine)

As these excerpts reveal, the Internal Armed Conflict had profound consequences. Politically, the conflict eroded the capacity of government organizations, increased polarization in society, and restricted space for political exchange (CEH, 1999). Economically, the conflict disrupted Guatemala's productive capacity through death, displacement, infrastructure destruction, and through the proliferation of illicit and informal economies (CEH, 1999; Ybarra, 2010). The conflict caused environmental damage through

¹³ See also Quotation 160 in [Appendix 2](#).

scorched earth policies, property and infrastructure damage, and inadequate environmental regulation (Jensen & Lonergan, 2012; Taylor, 2007). Socially, the conflict damaged interpersonal relationships and community structures (Anckermann et al., 2005; Caxaj et al., 2014; Esparza, 2005; Green, 1995; ODHAG, 1998). Trauma experienced by individuals and communities continue to affect community dynamics in diverse ways today, which have consequences for community-level decision making and governance (Grebner et al., 2013; Taylor, 2007; Ybarra, 2010). At an individual level, it contributed, in varying degrees, to chronic physical and psychological conditions, such as anxiety, depression, insomnia, panic attacks. Violence, fear, and trauma fundamentally affected individuals' perceptions and experiences, and led many to question their beliefs and values and to regard strangers with suspicion (Green, 1995; ODHAG, 1998).

Though the violence was not as extreme in the communities near the Marlin mine as elsewhere, the Internal Armed Conflict and who was on which side continues to be extremely sensitive in the community. It is not discussed openly in day-to-day life. Trauma experienced during the conflict affects the community in subtle ways today (Caxaj et al., 2014). As noted above, the local Catholic parish sympathized with the guerrilla during the latter half of the conflict. Consequently, those affiliated with the Catholic Church were labelled as guerrillas and targeted by the military (for example, Case 7006, 1982; CEH, 1999). For this, individuals in the community refuse to marry Catholics today, as a Church representative explained:

This is a very delicate question [regarding how the Church has been involved in peacebuilding], because still today, those who burned down the municipal building, those responsible. 10 years ago, they started with putting the names and photos of individuals that were kidnapped. And many people didn't want to, and they didn't bring a photo or want their name to appear. Many don't want to forgive. Many are still prepared to kill some people who are in Mexico. Its really difficult. He let's them talk, but in their heart, there is a lot of hate. The question is... how they feel. They don't express it. It there could be one that has forgiven, but, always their family, and not just them that needs to forgive. There are brothers here that have suffered a lot, and here they always seek to give the blame to someone. Its really hard. And although there were some meetings and events, at the end of February they will do another event to celebrate this. There are only a few people that want to come to these kinds of events. From the communities as well. [...] The Catholics are always the ones singled out as being guerrillas still. Nobody wants to get

married to a guerrilla. Some have four kids together, but they won't get married because of the stigma it carries.

(Quotation 14. Representative of the Catholic Church)

This reveals that a divide existed, and continues to exist today, even if it is not openly discussed.

Likewise, in Asunción Mita the historical social hierarchy and extreme division between rich and poor that characterized the dividing lines during the Internal Armed Conflict persists today. This divide continues to be a relevant factor in the local economy and social system today even though it is not openly discussed. A handful of families that historically owned large land plots continue to dominate the local economy and politics.¹⁴ They also wield considerable power at the national level as politicians or bureaucrats in key positions in the military and other departments.¹⁵ As a local representative explained:

There used to be families [the elites] that would organize the social parties of the community. In the town fair, there was a social dance, but it was invite only, and the others [poor people] didn't enter. It was very exclusive. [...] There is still a large farm [owned by one of the elite families], [...that has caused conflict because they restricted community access to water, and] it still continues [...] and the owners of the farm, the father was a deputy, and the son was a deputy. So, you are saying that it is a conflict, but it's not that. [...] It was an issue about rights. The people didn't pay for what was before.

(Quotation 15. Community representative near the Cerro Blanco mine)

The same inequalities that motivated the Internal Armed Conflict were also an important factor that affected the advantages of the Guatemalan government and disadvantages of the guerrilla movement during the conflict. These inequalities limited the effectiveness of the guerrilla movement and ultimately shaped its outcome (Brett, 2013, p. 231; Boc Tay, 2016; CEH, 1999). Despite initial efforts by

¹⁴ Families mentioned during interviews were among the largest landowner registered for local irrigation services in 1998: Alarcón, Chinchilla, Menendez, Morales, Rodríguez, Salguero, Sandoval, and Tobar (Paz Sagastume, 2013).

¹⁵ The Sandoval family in particular is part of Guatemala's oligarchy and historically occupied important positions within the Guatemalan army and the agricultural governance regime in the region (Calderon Tobar, 1995, p. 13, 38). Vicente Cerna Sandoval who was from that family in Asunción Mita was president of Guatemala between 1865-1871 and in the upper echelons of the Guatemalan army prior to that (Wikiguate, 2015). One of the current delegates in the National Congress for Jutiapa is from that family (Sandra Patricia Sandoval González, see *El Periódico*, 2018). For example, mayor Edgar Osberto Menendez Leiva (2000-2004) was also a major landholder, along with Oscar Rodimiro Palma Roca (1996-2000) (SIMSAN, n.d.). At the time that fieldwork was conducted in 2019, 40 percent of the 186 employees on the municipal payroll come from the same families listed as the largest landowners, including the mayor (Rodríguez family), members of the municipal council, key advisors and support staff, and what look like tribute positions where individuals are paid salaries without doing any work (Muni Mita, 2019b).

the FAR guerrilla movement to recruit members and launch attacks in the southern region near Asunción Mita, they were overwhelmed by the Guatemalan military soon after the effort began with the help of the US. This explains why the region had so little violence. The mountainous terrain and general lack of government presence in the Western Highlands gave the guerrilla movement an advantage. However, due to lack of resources, the guerrilla movement spent most of its time and efforts trying to gather basic resources to survive, which constrained its capacity to attack the Guatemalan military (Boc Tay, 2016). While the guerrilla movement did receive international support,¹⁶ the fact that the guerrilla movement's main collaborators were peasants with limited resources was a considerable factor that limited the guerrilla's success in achieving change by militarized means.

3.1.4 Guatemala Since the Peace Accords

Negotiations between the Guatemalan government and the URNG began in the late 1980s in the context of regional peace negotiations (Alvarez & Prado, 2002; CEH, 1999; see [Appendix 3](#)). When the Agreement on a Firm and Lasting Peace was signed at the end of 1996, preceded by its 10 sub agreements, the Internal Armed Conflict officially ended (see [Appendix 1](#)). The peace accords represented an important opportunity for change. They had two distinct objectives. The first was to reach a settlement for ceasefire and dismantle the apparatus responsible for violence to achieve basic conditions peace and stability. The second was to strengthen Guatemala's societal foundations to consolidate peace on an ongoing basis (PROPAZ, 2017, p. 21). At the outset, the intention was to go beyond individual commitments and transform the role of the state from a "perpetrator" to a "protector" towards the people (PROPAZ, 2017, p. 22-23; SEPAZ, 2008, p. 61). The agreements also focused on strengthening governance organizations as

¹⁶ For example, guerrilla members would travel to Honduras, El Salvador, Nicaragua, Mexico, and other countries to do training, seek refuge and/or medical attention. They also received funding, weapons, and other supplies from abroad (Boc Tay, 2016). The role of foreign governments in this was acknowledged in the Escupulas II Agreement signed by Central American governments in 1987 (Art. 5; UNGA, 1987).

a means to strengthen democracy and represented a major step towards recognizing both historic racism and the rights of Indigenous peoples (PROPAZ, 2017, p. 22-23). An entire agreement was dedicated to the identity and rights of Indigenous peoples, and many of the other agreements acknowledged historical injustices towards the Indigenous peoples and made commitments related to Indigenous identity, rights, and participation (UNGA, 1995a, 1996a). An important concession to the Indigenous peoples was the ratification of the International Labour Organization Convention 169 in 1997. Guatemala subsequently signed onto the United Nations Declaration on the Rights of Indigenous Peoples in 2007. In doing so, the Guatemalan Government recognized and formally committed itself to recognizing Indigenous rights, such as the right to prior consultation (ILO, 1989; Laplante & Nolin, 2014; Seider, 2011; UNGA, 2007).

The peace accords acknowledged that inequalities and racism were at the root of the conflict (UNGA, 1996a; 1996b; 1995a). They also articulated general principles about the kind of change needed: “The implementation of this agreement should enable all the country’s social and political forces to face together, in a cooperative and responsible way, the immediate tasks of combatting poverty, discrimination and privilege, thus building a united, prosperous and just Guatemala that will afford a dignified way of life to its people as a whole” (UNGA, 1996b). However, the specific commitments made towards those objectives did not target the fundamental structures underlying Guatemala’s socio-economic inequalities (Brett, 2013, p. 236; Krznaric, 2003, p.2). Shortcomings in at least three interrelated areas are particularly relevant to understanding how the presence and operations of the Marlin and Cerro Blanco mines have affected were affected by the implementation of the peace accords. These concern efforts to address the root causes of conflict (inequalities and exclusion), ideological divisions, and social relationships (exclusion), discussed further in [Chapter 5](#) and [Chapter 6](#).

The peace accords’ shortcomings are attributed to two key factors. First, power inequalities between the guerrillas and the Guatemalan government during the peace negotiations affected their relative bargaining power, and by extension, the resulting commitments (Brett, 2013). Guerrilla

negotiators had limited bargaining power, because they had been effectively defeated militarily by the Guatemalan government in 1983 (Brett, 2013, p. 231). Consequently, many of the URNG's proposals on more sensitive issues, such as the distribution and control of land and profound economic inequalities, were significantly watered down to lower resistance by the elite-influenced government in order to make commitments on those issues (Brett, 2013, p. 230-231; Krznaric, 2003; Granovsky-Larsen, 2017, p. 58). Despite acknowledgment that structural economic inequalities were part of the problem and acknowledgement of the need for fundamental change (by the URNG at least), land expropriation and redistribution issues were addressed by creating a land conflict resolution institution and land trust fund rather than directly addressing the substance of these issues. The elites were not required to give up any power or resources (Krznaric, 2003, p. 163). Thus, despite participation by diverse stakeholders in the peace process through the Asamblea Nacional Constituyente ("Civil Society Assembly" or ASC), the peace accords represented concessions favourable to Guatemala's elites (Brett, 2013; Krznaric, 2003, p. 60). Though they were not official parties to the negotiations, they influenced the proposals by lobbying the peace negotiations directly and by influencing government representatives through more discrete, personal channels. This ensured the resulting peace commitments did not undermine their interests (Krznaric, p. 60, 135, 148-149, 161; Brett, 2013). As a result, the Guatemalan government's position in the peace talks reflected the interests of the elites (Krznaric, p. 160, 162).

Second, neoliberal ideas had a major influence on the peace negotiations both in general and within international peacebuilding discourse at the time, as discussed in [Chapter 1](#) (Brett, 2013; Kurtenbach, 2010; Paris, 2004). International influence on the negotiation and initial implementation of the peace accords embedded neoliberalism in Guatemala's peacebuilding model, discussed further in [Chapter 7](#). This emphasized the role of private actors and foreign investment within peacebuilding. Rather than representing a critical transition out of Guatemala's legacy issues, the peace accords and

Guatemala's contemporary peacebuilding context remained focused on economic development and continued the same issues that led to and characterized the Internal Armed Conflict.

Returning to the excerpts referenced at the beginning of this dissertation, a central theme of the peace accords was that "Guatemala requires speedy economic growth in order to create jobs and enhance social development" (UNGA, 1996a, Art. 15). This was pursued through a top-down model that encouraged "national and foreign entrepreneurs to invest in the country" (Art. 17) and "economic policies designed to achieve steady growth" (Art. 18). These commitments were prioritized as means to fund other peacebuilding activities (UNGA, 1996b).¹⁷ However, this peacebuilding economic model continued the same exploitative relationship that historically characterized Guatemala's economy (Brett, 2013). This was particularly problematic in rural economic development efforts, which incentivized the elites or foreign companies to invest in business opportunities that paid low wages to poor rural workers. Despite acknowledging the need for "citizen participation in economic and social development" (UNGA, 1996a), participation was interpreted narrowly as increasing participation in the economy (through low-wage jobs) rather than as addressing substantive barriers to participation that stem from unequal economic opportunities, wages, or professional development. This model brought foreign owned mining to Guatemala. It is also the context in which communities have opposed major extractive projects, which state the has violently repressed, continuing the same pattern of state defence of elite private property from the Internal Armed Conflict (Ball, 1999, p. 99; Fox, 2015; Imai et al., 2007). This linkage is discussed further in [Chapter 4](#) and [Chapter 5](#)

The design and delivery of initiatives to implement specific commitments was also lacking. For example, a handful of governmental entities were created as part of commitments to encourage greater

¹⁷ The Guatemalan government's spending targets for health, education, public safety, and the judicial system outlined in an Appendix in the *Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements* signed on December 29, 1996, amounts to over \$3.3 billion US over the first five years of implementation (UNGA, 1996b). This figure did not include amounts attached to specific programs, such as verification activities or programs for the reintegration of former combatants.

participation in society and politics. These included the Defence Agency for Indigenous Women (DEMI, n.d.), the Fund for the Development of Indigenous Peoples (FODIGUA, n.d.), and the Commission Against Discrimination and Racism Against Indigenous Peoples (CODISRA, n.d.). However, they are among the smallest government entities with the smallest budgets and limited authority. Their programs and services contributed marginal improvements to socio-economic issues but did not reach the entire population or affect the fundamental power structure in Guatemalan society.

Programs and investments to address socio-economic issues in rural and poor regions, such as land ownership and jobs, allowed elites to easily take advantage of them. As noted above, the Agreement on Social and Economic Aspects and Agrarian Situation gave rise to processes for claiming and formalizing ownership over land, land procurement, and settling land disputes (UNGA, 1996f). The processes helped poor, rural, mostly Indigenous persons reclaim land that was taken from them, but also helped the elites access additional land. Programs that encouraged the creation of cooperatives and small businesses benefited the poor but were also easily dominated by the elites and helped them expand their businesses.

Many peacebuilding commitments on legal and policy reform and/or development and other programs were designed at the national level for national-level issues. As such, initiatives to implement these commitments did not address locally specific issues from the Internal Armed Conflict. National initiatives reached communities in a general sense or to the extent that a particular program was offered in that community. For example, San Miguel Ixtahuacán, Sipacapa, and Asunción Mita received funds to establish community development councils (COCODES) as part of a nation-wide initiative in 2004. The COCODES in all three communities also received funding for local development projects (Muni Asunción Mita, 2007; Van de Sandt, 2009). However, many other nation-wide initiatives did not reach the communities due to inadequate capacity or resources. In general, economic development initiatives for poor and rural communities were project-based, and funds were provided for a specific set of activities within a particular geographical area and timeframe, such as training programs in specific municipalities,

or infrastructure projects (see SEPAZ, 2010; SEGEPLAN, 2005). The reach of such initiatives has been limited, and they translated into very little tangible development for communities. As government representatives recounted:

We didn't have enough resources to arrive in all of the areas of the country. And the areas that were most affected by the Internal Armed Conflict, which are the Verapaces, Peten, and the North-West like Quiche, Huehuetenango, San Marcos, Totonicapán, and Sololá, and the rural area of Quetzaltenango, we still haven't been able to arrive because there aren't any resources.
(Quotation 16. Representative of the Guatemalan government)

There needs to be awareness of the part of society that doesn't have money; there needs to be a good campaign so that the people are aware of the programs so that it can reach the people that need it most. Because a lot of the participants in our programs that receive assistance are sneaky and take advantage, but they don't need the help necessarily. It's their business, or it's their friend. So first, we need to raise awareness among the people.
(Quotation 17. Representative of the Guatemalan Government)

Consequently, implementation of the peace accords resulted in very little structural change. The sheer number of commitments and organizations involved in peacebuilding was a further factor that complicated implementation in terms of coordination and resource allocation (de Coning, 2008).¹⁸ Despite a select number of subtle but important changes in politics, Guatemala's post-conflict development model has largely preserved the pre-conflict status quo.

Poverty has persisted in many regions of the country, particularly rural, predominantly Indigenous communities (see Figure 3.6, Figure 3.7, and Figure 3.8; INE, 2006; 2008; MINEDUC, 2009). The pattern of poverty is different depending on the community or region. Almost the entire community of San Miguel Ixtahuacán and Sipacapa experiences poverty and nearly a third of community members experience extreme poverty. In Asunción Mita, only part of the community experiences poverty and extreme poverty. In both contexts, poverty has become more widespread and more acute in spite of efforts to support economic development (see Figure 3.9; INE, 2006; 2013).

¹⁸ De Coning (2008) argues that policy coherence and coordination issues have been major challenges for peacebuilding, due to the number of organizations, initiatives, and transformations involved and their interconnectedness.

Figure 3.6. Indigenous Languages



Figure 3.6 shows regions in Guatemala where Indigenous languages are spoken (MINEDUC, 2009).

Figure 3.7. 2002 General Poverty

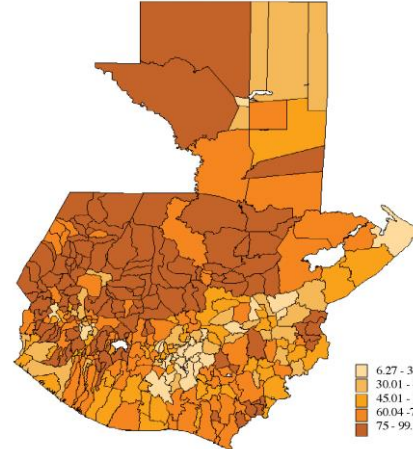


Figure 3.7 colour codes the share of population living in poverty in 2002, revealing that Indigenous regions are among the most impoverished (INE, 2006).

Figure 3.8. 2011 General Poverty

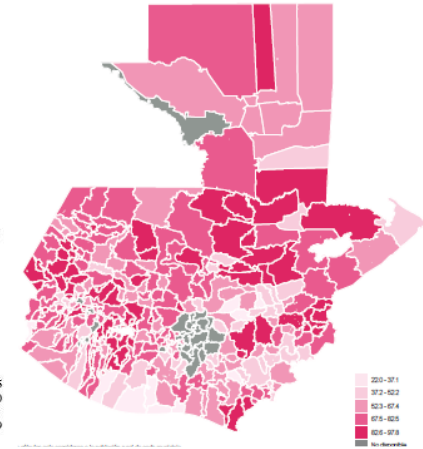


Figure 3.8 shows the share of population living in poverty in 2011, revealing minor improvements in some areas, but worsening poverty in others (INE, 2013).

Figure 3.9. Worsening Poverty in Communities near the Marlin and Cerro Blanco mines

Municipality	2002 – General Poverty (%)	2002 – Extreme Poverty (%)	2011 – General Poverty (%)	2011 – Extreme Poverty (%)
San Miguel Ixt.	86.39	32.84	91.09	27.87
Sipacapa	83.98	27.60	93.17	36.74
Asunción Mita	48.05	12.38	55.50	13.03
National Average	60.40	17.93	51.00	15.00

Figure 3.9 shows the portion of the population living in general and extreme poverty in communities near the Marlin and Cerro Blanco mines in 2002 and 2011, and how those compare to the national average. Those living in poverty do not make enough money to satisfy their basic dietary and other non-dietary needs; those living in extreme poverty do not make enough money to satisfy their basic dietary needs. More recent statistics are not available (INE, 2006; 2013).

Guatemala’s poverty challenges are related to a lack of economic opportunities, extremely low (exploitative) wages, and precarious (informal) work for large segments of the population. These challenges intersect with other issues, discussed in [Chapter 6](#). Many of these issues stem from Guatemala’s neoliberal economic policies, which prioritized big business and foreign investment rather than the economic empowerment and well-being of the poor. Many “development” initiatives involved large extractive projects, and their economic benefits flowed primarily to the project owners—foreign companies or Guatemala’s elites. The projects only benefited a handful of community members, often generated adverse effects for others, were undertaken without the consent of communities, and often faced resistance and/or generated conflict. The Marlin and Cerro Blanco were among such projects.

Indigenous rights are formally recognized, and some progress also has been made towards respecting them in practice, such as providing bilingual education. However, these advances have not translated into substantial change for many Indigenous communities (Fulz, 2016). Despite adopting the International Labour Organization (ILO) Convention 169 on Indigenous and Tribal Peoples and signing onto the United Nations Declaration on the Rights of Indigenous Peoples, the Guatemalan Government routinely fails to inform—let alone consult—Indigenous communities when initiating major projects and Indigenous peoples continue to face obvious discrimination in society (Montejo, 2005, p. 1; Fulz, 2016; Velásquez Nimatuj qtd. Grandin et al., 523-531).

Indigenous participation in politics increased since 1996 by means of Indigenous and non-governmental organizations and through Indigenous employment in the government. However, society “permits” Indigenous peoples to participate in conformity with mainstream societal norms, rather than changing those norms to value Indigenous culture and identity. Indigenous peoples must adapt to the existing traditions and suppress or abandon their customs and ways of thinking in order to participate (Brett, 2013, 2016; Fulz, 2016; Hale, 2004, 2006). Indigenous persons face many barriers due to a lack of political experience, economic resources, and connections. Indigenous peoples have limited ability to transform societal norms to better incorporate Indigenous perspectives and values. This explains why progress towards expanding Indigenous rights, recognition, and participation has been limited (Brett, 2013, p. 236; SEPAZ, 2010, p. 108).

Violence persists in Guatemala, even though the source and expression of violence may have changed since the Internal Armed Conflict (Granovsky-Larsen, 2017). Freedom of speech and political space are also limited. Groups who oppose state policies believe they must take extreme measures in the form of mass demonstrations and blockades. The Guatemalan government typically responds with violent repression and criminalization (Grandin et al., 2011, p. 474; Yagenova, 2015). Although this examination focuses on the conflicts emerging in the context of foreign owned mining in this post-conflict context,

mining is only one of several contexts where conflict has emerged. Other contexts include extractive projects like plantations or hydroelectric dams, government corruption and impunity, and labour, human, and Indigenous rights movements (Yagenova, 2015). The rise of drug trafficking, gangs, and other violent crime are another source of violence in everyday life (Isaacs, 2010). The Guatemalan government's efforts to address these issues have been ineffective due to incapacity, and in some cases, complicity (Brands, 2011). Many communities have responded to the situation of insecurity and government mistrust by enacting local security committees, which typically use violent tactics (Bellino, 2015; Brands, 2011; Reilly, 2009; Sharp, 2014). Anyone who can afford to hire private security guards does so, meaning that violence disproportionately affects the poor and marginalized sectors of society (Krznicaric, 2003). This is discussed in further depth in [Chapter 6](#).

These general peacebuilding challenges were observed in the communities near the Marlin and Cerro Blanco mines. San Miguel Ixtahuacán and Sipacapa are both working to rebuild Indigenous customs and governance structures. This is producing a hybrid local governance tradition that has been politicized in the context of mining (Yagenova et al., 2012, p. 20). There continues to be a general lack of state presence across the entire Western Highlands region of Guatemala, evident through an absence of government offices, limited reach of programs and services, and other information shared by local residents. Indigenous languages (Mam and Sipacapense) are widely spoken, particularly among older generations who were not formally educated, which has been an additional barrier for them to access government services.

For example, between 2012 and 2020 San Miguel Ixtahuacán and eight other municipalities in San Marcos had no police presence due to ongoing violent confrontations between the police and communities (Lara & Contreras, 2012; Marroquin, 2014; MINGOB, 2020b).¹⁹ In absence of police, conflicts

¹⁹ Police returned to in Sipacapa in 2014 and to San Miguel Ixtahuacán in December 2020 at the request of the mayors in each town, but police coverage is generally considered to be sparse across the region (Lara & Contreras, 2012; Marroquin, 2014; MINGOB, 2020b).

that arise in the community are handled by representatives appointed by the mayor in each community, referred to as “auxiliary mayors,” or by the local peace court. The peace courts are part of the Judicial Branch and were established as part of the peace accords. However, their authority and capacity are limited,²⁰ which is relevant to the resolution mining-related conflicts, discussed further in [Chapter 5](#).

Access to health and education services was also extremely limited, and schools and “health posts” were very rudimentary. Most communities only had access to primary education, and most people did not continue education past grade six. Bilingual education for children has increased, but when fieldwork was conducted in 2018 and 2019, San Miguel Ixtahuacán only had half of the teachers it needed, due to budget constraints. The Ministry of Agriculture (MAGA) comes to the community periodically to undertake specific activities, but generally only provides assistance in the form of small contributions that have obligations attached, as a community member recounted:

When MAGA and FAO have come to help, they bring seeds for herbs to be planted, to make sure that the participants are well nourished, and through this, is where the help comes. For example, yesterday I received a bit of support from MAGA. They came to help them with laying hens, and this problem always exists among women, because not a lot of help comes for them. I have 67 women in my training group and would like for them to be supported. [...] But the reality is that the support always comes with conditions, like requiring them to work in their own homes. They gave a hen to each participant, but required them to come to talks, at which they commented on this and that.

(Quotation 18. Community representative near the Marlin mine)

The Ministry of Social Development (MIDES) operates a number of different programs to assist families and develop capacity for economic productivity (MIDES, n.d.). However, the programs only reach about 0.1 percent of the national population and only 0.2 percent of the population living in poverty. The majority of programs do not reach San Miguel Ixtahuacán or Sipacapa (MIDES, 2019).²¹

²⁰ The jurisdiction of the peace courts is limited to non-criminal matters. They do not keep any written records.

²¹ Information about the geographical distribution of programming and services of the Ministry of Social Development is only available for 2019. However, according to this information, only 3 of its 10 programs have had participants from San Miguel Ixtahuacán and Sipacapa. Of those three, only one program—a grant for artisanal production—had significant participation (about 83-85 participants from each municipality); the other two programs—subsidies for primary education and health—had 5-6 participants from Sipacapa and 14-16 participants from San Miguel. The primary education subsidy, which had the largest reach, only had a total of 15,500 participants

Despite greater government presence in the south, including Asunción Mita,²² the poor continued to face challenges in accessing programs and services, as a government representative explained:

One [of the projects MAGA has in Asunción Mita] is for backyard birds [chickens and roosters], and the other is for mass selection [a way to grow vines for production of grapes and other fruit] [...]. And we teach them how to gather their own seeds from their crops [...]. These are the only projects that we have at MAGA right now, but the other project we do is we do insemination [for livestock]. [...] The bad thing with the government is that [access to this program] is given to people with money, and the peasants that need an exemplar of one of those animals to improve their milk production, the government does not help them.

(Quotation 19. Guatemalan government representative in Asunción Mita)

Poverty and extreme poverty persist, but it is significantly less widespread in Asunción Mita than elsewhere in the country and is less severe than the national average (see Figure 3.9 above; García Hernández et al., 2013, p. 2, 5, 73; INE, 2013; Yagenova et al., 2012, p. 19-20). One reason is because Asunción Mita is considered an excellent farming area (García Hernández et al., 2013, p. 46). However, there continue to be major inequalities, in particular, in the distribution of land ownership. Even though half of the town's economic activity is in small commercial enterprise, the majority of persons are occupied in agricultural activity—as low wage workers (García Hernández et al., 2013, p. 69-70). The town is rural but is more densely populated than the northwestern region (p. 61). Only a very small group comprising less than two percent of the population self-identify as Indigenous in Jutiapa because of its experience under Spanish colonization, discussed above (García Hernández et al., 2013, p. 58). These local features became relevant to the dynamics of mining-related conflict, and similarities and differences between both regions affect the way mining has impacted the communities, discussed in [Chapter 5](#).

Most community members were not aware of any specific peacebuilding activities that took place in the communities near the Marlin and Cerro Blanco mines beyond general policies implemented by the

across the country or 0.1 percent of the total population of 14.9 million, or 0.2 percent of the 8.8 million people estimated to be living in poverty (MIDES, 2019; 2017a; 2017b).

²² Several local projects undertaken in the municipality by the Ministry of Social Development (MIDES, 2020; 2017), Secretariat for Nutrition and Food Security (SESAN, 2018, p. 42-43), and others, and a dedicated offices for many others such as the Ministry of Agriculture (MAGA).

central government. Aside from the establishment of COCODEs and peace courts in the communities, the only other peacebuilding activities that took place specifically in San Miguel Ixtahuacán were by the local Catholic Parish. The Church organized an annual memorial for those who disappeared during the Internal Armed Conflict—with limited uptake—and a handful of workshops with students to teach them about the Internal Armed Conflict. As noted in the previous section, many locally specific issues from the Internal Armed Conflict remain highly delicate unresolved issues:

In San Miguel there wasn't any kind of peacebuilding activity. But, perhaps as a product of the peace accords, the Justice of the Peace Court was established here. It is the only thing that happened they took advantage of here. [...] But in terms of other things, there wasn't a lot. For example, there was an agreement on the identity of Indigenous peoples, and perhaps they did something more or less but not as much.

(Quotation 20. Representative of the Catholic Church)

In Asunción Mita, no other peacebuilding activities took place whatsoever. As a community member commented, "We are very far from that" (Quotation 21). Another representative acknowledged that "in the east of Guatemala and in Jutiapa in particular, they didn't suffer a lot with the guerrilla at any moment. There were isolated events, but more than anything it was in the West[ern Highlands]" (Quotation 22).

The Guatemalan government claims it fulfilled 81 percent of commitments under the peace accords (SEPAZ, 2017, p. 17-18). However, the Peace Secretariat (SEPAZ) responsible for tracking progress admitted that its work is largely a communications exercise. Most government agencies do not regard their work as linked to the peace accords, due to a lack of political will, government capacity, and financial resources (Reilly, 2009). This was confirmed by a representative of the Peace Secretariat:

The main activities [we do] is to collect information and communicate information about the peace accords to the people. [...] We do research, monitoring, and do follow-up on the implementation of the peace accords and inform the population. [...] But that [follow-up] is really lacking for SEPAZ and the government in general is a change in the situation in terms of political will. Which is what doesn't exist.

(Quotation 23. Representative of the Guatemalan government)

Mining has been an important feature of Guatemala’s post-conflict development model. Although large-scale mining existed in Guatemala since the 1950s, only a handful of projects operated (MEM, 2006).²³ The peace accords marked a significant increase in mining (see Figure 3.10 and Figure 3.11).

Figure 3.10. Number of New Licenses Issued Annually, 2000-2018

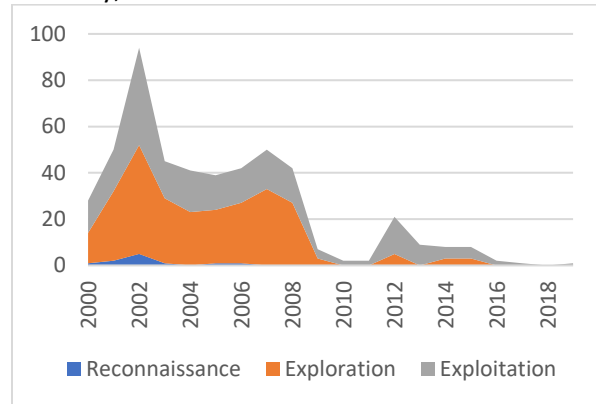


Figure 3.10 shows the number of mining licenses issued annually between 2000 and 2018 based on data published by the Guatemalan Ministry of Energy and Mines (MEM, 2005; 2020). It shows a steady increase in the number of new licenses in the first few years following the peace accords, peaking in 2002. Since then, the number of new licenses has decreased substantially, due to mining-related conflict.

Figure 3.11. Mining Production, 1996-2018 (millions of Quetzales)

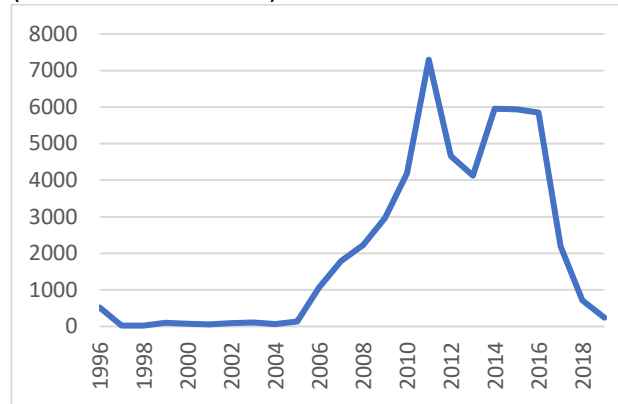


Figure 3.11 shows mining production in terms of economic production values measured in Guatemala’s local currency, the Quetzal, based on data published by the Guatemalan Ministry of Energy and Mines (MEM, 2005; 2020). The exchange rate is approximately 5 Quetzales for 1 Canadian Dollar or 7 Quetzales for 1 US Dollar. It shows that mining profits were virtually non-existent prior to 2005 when the Marlin mine began operating, but increased significantly since.

During the first year of implementation, the Guatemalan government introduced a suite of economic liberalization measures to attract foreign investment, noted above (Dougherty, 2011; Seider, 2011). The reforms lowered mining-related restrictions and encouraged foreign investment by allowing complete foreign ownership of mining companies operating in Guatemala. The reforms also increased the amount of land included in mining concessions, streamlined the approvals processes, reduced the royalty rates from six percent to one percent, exempted mining companies from paying certain taxes, and allowed companies to consume as much water as they wanted at no cost (Abate & Aldana, 2016; Dougherty, 2011;

²³ Research on one of these mines suggests that it was relevant to the Internal Armed Conflict and communities resistance and subsequent conflict conformed with the fourth ideological strand discussed in [Section 3.1.3](#) (Abate & Aldana, 2016; Fox, 2015). In the 1960s, the Guatemalan government approved the Canadian International Nickel Company (INCO) and its Guatemalan subsidiary Eximbal to establish the El Estor nickel mine in the east of the country on Lake Izabal. The government introduced policies to facilitate extraction, sent the military to the region to forcibly and violently remove Indigenous communities from the area, and violently repressed subsequent opposition and resistance to the project. The example points to interesting parallels with Guatemala’s contemporary mining conflicts, though it is beyond the scope of this dissertation to analyze in depth.

Holt-Gimenez, 2008). These reforms were also influenced by international forces, discussed in [Chapter 7](#). Overall, the reforms encouraged larger-scale mining, which improved the profit margin for foreign owned companies but also increased the scope of potential adverse impacts. Meanwhile, the reforms decreased the potential benefit of foreign owned mining to the domestic mining sector and economy, with direct economic contributions limited by very low taxes and royalties, and a handful of direct jobs at the mine. Otherwise, contributions were indirect through business opportunities in the community.

As these reforms were being introduced in 1996 and 1997, mining companies began incorporating subsidiaries and/or expanding their exploration work to Guatemala. The companies that own and operate the Marlin and Cerro Blanco mines were among the first mining companies to be incorporated and begin explorations under this new regime (see [Appendix 3](#); Solano, 2005). This helps to situate the two mines within this broader peacebuilding context. The early entry of these companies into Guatemala's mining industry allowed them to quickly dominate different parts of the country. Montana Exploradora (Marlin mine) focused on the Western Highlands and Entre Mares (Cerro Blanco) focused on the South. A brief history of how the Marlin and Cerro Blanco mines came to be is provided below.

The Marlin gold deposit was discovered in 1998, less than one year after Guatemala's new mining law was introduced. An exploration license was issued shortly after in 1999, followed by a 25-year exploitation license in November 2003, making the Marlin the first large-scale mine to begin operating in Guatemala following the signing of the peace accords (OCG, 2010, p. 36; Yagenova et al., 2012, p. 14-15). As noted above, the mine is located in two primarily Indigenous municipalities in the remote, neglected, and highly impoverished Western Highlands region in the Department of San Marcos near the border with Mexico: San Miguel Ixtahuacán and Sipacapa (see Figure 3.12). Although Montana has been the owner of all licenses for the Marlin mine since exploration work began in 1996, ownership of Montana changed several

times over the course of the mine’s lifecycle (see [Appendix 3](#), Figure 10.6; OCG, 2010, p. 33).²⁴ The Marlin mine ceased extraction in May 2017 and is now in the process of closure and environmental restoration. Since 2019, all information about the mine has disappeared from the parent company’s website (Newmont), making it challenging to find information about the mine. The mine’s closure plan included a commitment to continue environmental monitoring for five years following the completion of closure activities responsibilities until approximately 2026 (Montana 2017b, p. 81, 102, 121, 133, 145). It is not clear what kind of responsibilities or presence will remain after this time.

Figure 3.12. Maps of the Marlin Mine

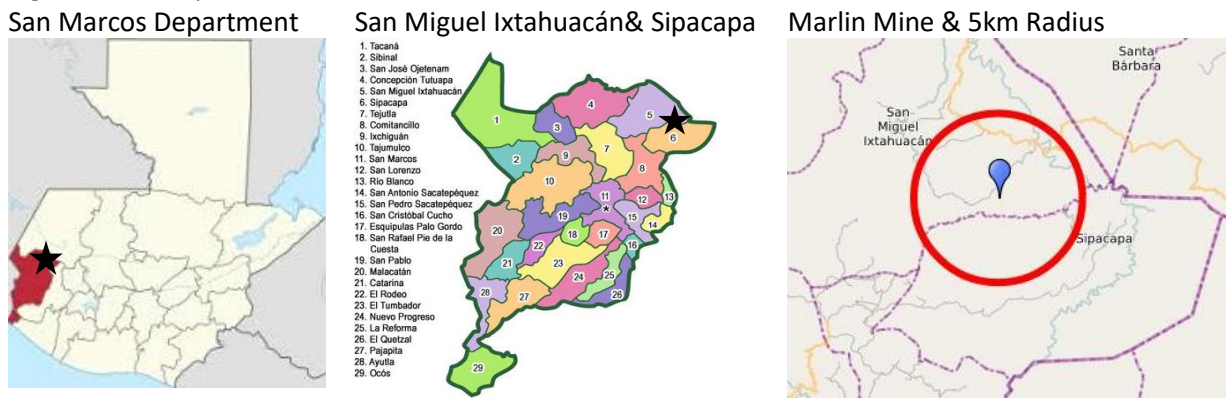


Figure 3.12 shows the location of the Marlin mine within Guatemala, the department of San Marcos, and the municipalities of San Miguel Ixtahuacán and Sipacapa. Maps obtained from Wikipedia, Mapa Owje, and MapQuest were modified to mark the location of the mine.

Entre Mares started exploration activities at around the same time as Montana. In 1997, it obtained an exploration license for the region that would eventually become the Cerro Blanco mine (see [Appendix 3](#), Figure 10.7). However, work to advance the mine has moved much more slowly. It obtained a 25-year exploitation license in 2007, but the mine has since remained in the construction phase. The company is currently in the process of seeking environmental permits to transform mine into an open pit mine to begin extraction in 2022 (BSR, 2021a). As noted above, the mine is located in the south-western Department of Jutiapa in the town of Asunción Mita, less than 10 kilometers from the border with El

²⁴ Montana was originally owned by a Canadian company named Montana Gold Corp., which was purchased in 2000 by Francisco Gold Corporation. Francisco Gold merged with US-based Glamis Gold in 2002. Glamis subsequently merged with Goldcorp in 2006, and most recently, Goldcorp merged with Newmont in 2019 (Newmont, 2019; OCG, 2010, Appendix A; Tripp, 2010, p. 4-4).

Salvador (see Figure 3.13)²⁵ As with the Marlin mine, Entre Mares has been the owner of all licenses for the Cerro Blanco mine since exploration work in the region began in 1997. However, ownership of Entre Mares has also changed several times over the course of the mine’s lifecycle (see [Appendix 3](#), Figure 10.7).²⁶ Goldcorp (now Newmont) maintains a five percent share of Bluestone Resources, giving it influence as a shareholder (BSR, 2017a). Bluestone Resources also secured the support from Lundin Mining through financial investments and technical assistance, discussed in [Chapter 5](#) and [Chapter 7](#).

Figure 3.13. Maps of the Cerro Blanco Mine

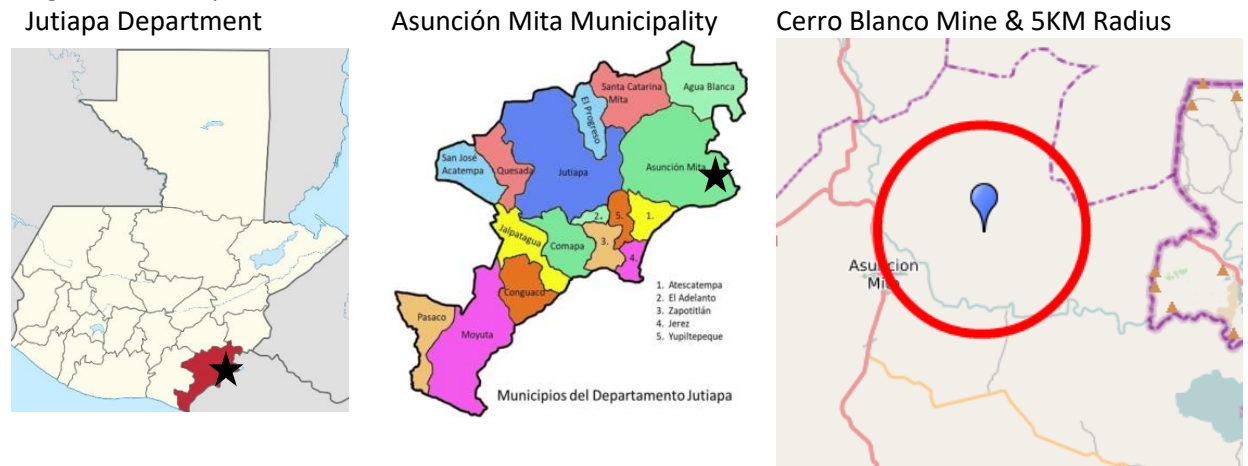


Figure 3.13 shows the location of the Cerro Blanco mine within Guatemala, the department of Jutiapa, and the municipality of Asunción Mita. Maps obtained from Wikipedia, Mapa Owje, and MapQuest were modified to mark the location of the mine.

While the local communities in the Marlin and Cerro Blanco contexts are characterized by the same general features that shape Guatemala’s national context, differences in each community’s history and situation in Guatemala’s national context have affected how mining has affected and is affected by each community, as will be discussed in subsequent chapters. As noted above, the region near the Marlin mine is characterized by overall government neglect, related to exclusion and discrimination against the

²⁵ A virtual tour of the Cerro Blanco mine and journey there can be found at Mi Jutiapa (2021).

²⁶ Entre Mares was originally owned by Mar West Resources, a company based primarily in Honduras. However, Mar West was purchased by Glamis Gold in October 1998, and Glamis eventually merged with Goldcorp in 2006 as noted above (BSR, 2017b). Between 2006 and 2017, both the Marlin and Cerro Blanco mines were owned by Goldcorp. However, Goldcorp decided to divest from Guatemala in 2017 with the closure of the Marlin mine and in the face of anti-mining activism in Guatemala and internationally that created challenges for its activities across the country. As part of this divestment, Goldcorp sold Entre Mares, and with it the Cerro Blanco mine, to Canadian Junior company Bluestone Resources in January 2017 (Goldcorp, 2017b, p.4). The company was renamed “Elevar Resources” in 2021.

majority Indigenous population. It experienced a more intense, prolonged, and more recent period of community division, insecurity, and violence during the Internal Armed Conflict. Community-wide trauma and injustices have been left unaddressed through peacebuilding and remain a relevant—but taboo—issue that is not discussed openly but continues to shape community life. By contrast, the community near the Cerro Blanco is characterized by inequality and exclusion within the community itself. Community members continue to experience poverty and exclusion as a result of exploitation by local elites and racism, rather than exclusion of the entire community. The community’s experience during the Internal Armed Conflict was less violent, conflict took place much earlier, and it affected fewer people. Individuals in the community may have personal traumas from the conflict; however, the conflict does not appear to have affected the community as a whole to the extent that it affected the communities near the Marlin mine. The pre-conflict local social hierarchy remains unchanged by the Internal Armed Conflict.

At a macro level, mining has not had a significant economic contribution to Guatemala’s economy. This is due in part to low royalty rates and tax exemptions given to companies to encourage them to invest in Guatemala. As illustrated in Figure 3.14, mining royalties and taxes have not contributed to more than

three percent of Guatemala’s GDP since domestic reforms to encourage mining and mining foreign investment were introduced (EITI, 2016; Heidrich & Loaiza, 2016, p. 133; MEM, 2020a). At a micro-level, mining has had a major impact in the local communities where they operate. The Marlin mine was the single largest contributor to the Guatemalan economy during the period that it operated

Figure 3.14. Economic Contribution of Mining as a Percent of GDP

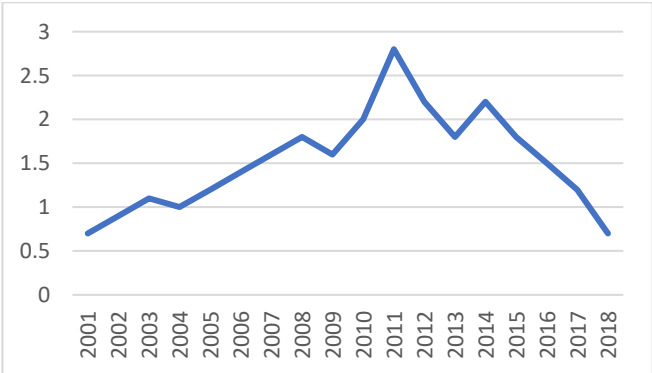


Figure 3.14 shows the contribution of mining to Guatemala’s economy as a percent of GDP, based on data published by the Guatemalan Ministry of Energy and Mines (MEM, 2020a). It shows that the economic contribution of mining increased significantly since 2000 but is only a very small contribution to Guatemala’s economy overall.

from 2005 to 2017 (Montana, 2015a; OCG, 2010; Zarsky & Stanley, 2011). Mine-related benefits in the

form handful of local jobs and other indirect business opportunities have not been well distributed throughout the community (Abate & Aldana, 2016; Zarsky & Stanley, 2013). Meanwhile, mining has been a significant source of social conflict in Guatemala (Costanza, 2016; Deonandan, 2015; Wayland & Kuniholm, 2016). Communities have expressed various grievances related to mining in Guatemala. These concern potential or actual adverse environmental and health-related impacts, inadequate benefits flowing into the local community, inadequate consultation and respect for Indigenous rights, and others (Boege & Franks, 2012; Deonandan, 2015; Imai et al., 2007; OCG, 2010, Appendix D). The specific issues and conflict dynamics are discussed in [Chapter 4](#).

In the face of these grievances and resistance to mining, the Guatemalan government has continued to intervene to defend economic interests above all other societal issues. This is demonstrated through special programs and incentives in favour of businesses at the expense of workers and communities (described above), arrests and criminalization of protesters,²⁷ and a tendency favour companies over communities when resolving mining-related disputes.²⁸ The Guatemalan government continues to view rural, poor, Indigenous communities as “backward” and in need of development. Development is viewed as something “brought to them” rather than as something Indigenous peoples can achieve themselves (SEGEPLAN, 2005, p. 3). Scholars have also suggested that the government’s violent response to mining-related protests is a result of elite influence in government and their perception of mining-related protests as a threat to their interests (Aguilar-Støen & Bull, 2016).

²⁷ For example, in 2015, Guatemala was criticized for passing Decree 31-2015, which established a special army reserve for citizen security (“Escuadrones del Cuerpo Especial de Reserva para la Seguridad Ciudadana” - CERSC) mandated to prevent “criminal organization,” which has been used to criminalize peaceful protest (IACHR, 2015, p. 88; MINDEF, 2015). Data on attacks against protesters or human rights defenders under-represented but reveals a sharp and consistent increase from 59 instances in 2000 to 278 instances in 2006 to a peak of 813 instances in 2014 back down to 205 instances in 2016 (UDEFEQUA, 2016).

²⁸ For example, in 2004 Guatemala’s Supreme Court (#898-2001, #1014-2001, Aug. 4, 2004) decided that it was unconstitutional for the Ministry of Labour to impose administrative fines against companies that violated labour laws (OCG, 2010, p. 87). In a dispute involving the Marlin mine’s construction of a transmission line without the consent of the landowners, the court favoured the company (#29-2007, 42-2007, 43-3007, 44-2007, Oct. & Nov. 2007; OCG, 2010, p. 166). This tendency may be changing, based on recent Supreme Court decisions to suspend mining licenses at the El Escobal and Fenix mines until adequate consultation is undertaken (CC, 2018, 2020).

I discuss these impacts and dynamics in the context of the Marlin and Cerro Blanco mines in [Chapter 4](#) and [Chapter 5](#) to show that mine-related grievances and conflict are intimately connected to legacy issues that peacebuilding efforts have faced challenges in addressing. In this sense, contemporary mining-related conflicts are a microcosm of the perpetuation of inequality and exclusion in society. The Marlin mine context has experienced conflict since the permitting process began in 2004, which has persisted throughout the mine's lifecycle to closure (see [Appendix 3](#)). Groups in the community have expressed strong opposition to the mine, which emerged when community members discovered that a mine would be constructed in their community. Divided perspectives towards the mine sparked tensions with the mine, the government, and within the community that reflected deeper divides in the community and society that remained unresolved from the Internal Armed Conflict. These have manifested in five distinct dynamics of conflict that are discussed in [Chapter 4](#). Conflict at the Marlin mine has also attracted international attention as a result of a sustained activism throughout a network of community organizations, Indigenous groups, national and international NGOs, the Catholic Church, and other high-profile figures. However, increased attention and involvement of other organizations has also significantly increased the complexity of the conflict, discussed in [Chapter 7](#). Goldcorp, the Canadian parent company that oversaw the Marlin mine's construction and operations phases, portrayed itself in the international media as receptive to the concerns of the community and adopted various measures to address the mine's adverse impacts within the community (Boege & Franks, 2012). However, these measures did not resolve the conflict, because the issues stem from deeper issues related to inequalities and exclusion that persisted as a result of peacebuilding challenges.

By contrast, conflict in the context of the Cerro Blanco mine has not reached the same level or scale to date. Noting that the mine is in a different phase of its lifecycle and that the mine has not received the same amount of international attention, commonalities in the arrival of mining suggest that differences in the scale and dynamics of conflict are attributed to other factors in the community, namely,

how inequality and exclusion manifested (see [Appendix 3](#)). Like the Marlin mine, the community first became aware that a mine would be constructed in the community during the permitting phase in 2005. The Cerro Blanco mine was approved four years after the Marlin mine, and followed the same process.²⁹ However, the same frequency, level of participation, or level of repression against community protests did not occur during equivalent points in their lifecycle. It was not until 2009, after the Cerro Blanco mine's license was approved and construction was well underway, that complaints and protests began to increase. Rather than opposition from community members, however, opposition to the mine was driven mainly by environmental NGOs based in Guatemala City and El Salvador, discussed in [Chapter 5](#) and [Chapter 7](#). Grievances related to the Cerro Blanco mine mainly concerned potential environmental impacts and the distribution of mine-related benefits (Yagenova et al., 2012, p. 100). The sale of the Cerro Blanco mine to Bluestone Resources in January 2017 signaled a clear intention to advance toward operation by the end of 2022 (BSR, 2017b, 2018a, 2021a). In February 2021, Bluestone Resources also announced that the mine would be transformed into an open pit mine (rather than just underground; BSR, 2021a). In response, concerns and tensions about the mine have started to mount. The particular dynamics of conflict in the Cerro Blanco context, though equally complex, are distinct from those observed in the Marlin context due to differences in the local context. Legacy issues stemming from the Internal Armed Conflict appear to be equally relevant to shaping the conflict dynamics in both contexts even if the way in which they factor in those dynamics was different.

As this section has illustrated, inequality and exclusion have persisted in Guatemalan society and governance throughout its history. They were issues created and institutionalized through the Spanish

²⁹ Community consultations took the form of information sessions that took place in over the course of four days in April 2005 and seven meetings over the course of January and February 2006 rather than a formal consultation (Entre Mares, 2007a, Anexo 17.3.2 and 17.3.3). Many community stakeholders, including the church, NGOs, and local residents, were not aware that the meeting took place, and were alarmed to learn second-hand details about the mine (Yagenova et al., 2012, p. 100, 263-264). While community members expressed a clear expectation for consultation, grievances were not linked to Indigenous rights as done in the Marlin mine context.

colonial regime, but remained entrenched in the economy, politics, and society following Guatemala's independence from Spain. Inequality and exclusion were at the heart of the concerns and dynamics that led to the Internal Armed Conflict and characterized the dividing lines of conflict. Despite acknowledgement of their centrality to the Internal Armed Conflict, efforts to address inequality and exclusion through peacebuilding have not successfully transformed these issues. Instead, inequality and exclusion have been perpetuated in Guatemala's post-conflict development model, including in the context of foreign owned mining. Mining-related conflict is complex in the context of the Marlin and Cerro Blanco mines, but a key factor in their dynamics is related to legacy issues from the Internal Armed Conflict concerning inequality and exclusion, as will be illustrated in subsequent chapters. The remainder of this chapter relates this argument in terms of complex systems concepts and mechanisms to distinguish key features of Guatemala's societal system that collectively produced and reinforced inequality and exclusion and explain why these features have become entrenched and difficult to address through peacebuilding.

Section 3.2 The System that has Created and Perpetuated Inequality and Exclusion

[Section 3.1](#) revealed that inequality and exclusion are persistent features of Guatemalan society. These challenges are an emergent property of Guatemala's societal system, meaning that they are a collective and self-reinforcing result of several interrelated components and processes in Guatemalan society. The societal system that has generated and perpetuated inequality and exclusion is comprised of various organizations, rules, values and perspectives, activities, and resources (see Figure 2.6). Key organizations include Guatemala's elite class, the government, and other segments of society such as Indigenous communities. Guatemala's elite class had significant wealth (resources) and social status (informal rules), which translated into significant capacity to influence the Guatemalan government throughout Guatemala's history (activities). This gave the elites significant influence on the content of Guatemala's laws, policies, and programs (formal rules). The elites' values and perspectives included racist attitudes

towards Indigenous peoples and value for economic prosperity, which contrasted with a diversity of alternative visions of well-being by other segments of society. These values and perspectives were reflected, via elite influence in government, into a suite of laws and policies—the rules of the system. As a result, Guatemala’s laws, policies, and programs catered to elite priorities and interests, while devaluing and disenfranchising Guatemala’s Indigenous peoples. This included the entire structure of the economy.

Guatemala’s laws and policies had distributional consequences, affecting the access and use of relevant economic, environmental, and social resources, such as land and capital. They also had social and political consequences for what different segments of society could or could not do, affecting cultural practices, participation in politics, and economic activities. These differential impacts had further consequences for the relative capacities of different groups in society and affected their ability to undertake certain activities. The rules advantaged the elites by giving them more resources and by excluding others from participating in rulemaking. Meanwhile, they disadvantaged other segments of society, by taking resources like land from them, by distributing significantly fewer resources like wages to them, and by denying them the opportunity to participate in rulemaking and other dimensions of society. This created a self-reinforcing feedback loop that amplified initial socio-economic inequalities.

Guatemala’s historical evolution resembles a pattern of path dependence. Two path dependent mechanisms explain how inequality and exclusion became entrenched and why they have been difficult to change through peacebuilding. First, power asymmetries between the elites and the rest of society reinforce an institutional arrangement. The institutionalization of initial power asymmetries amplify them and make them increasingly difficult to correct over time. The more powerful elites, who benefit from the arrangement, have no incentive to change it. Those disempowered by the arrangement face increasingly difficulty to change it. As the power gap expands, the institutional arrangement becomes increasingly difficult to change (Pierson, 2004, p. 36; Thelen, 1999, p. 394; Prado & Trebilcock, 2009, p. 355).

Second, the interconnectedness of features Guatemala’s governance system has thoroughly

institutionalized inequality and exclusion making it more difficult to change. The system-wide impact of incremental changes to individual laws, policies, and programs is constrained by other features of the governance system. As the system becomes more interconnected, it is necessary to transform more and more features of framework of laws, policies, programs, involving greater effort and resources (North, 1990, p. 95; Pierson, 2004, p. 27; Prado & Trebilcock, 2009, p. 354).

Certain features of society have clearly changed throughout Guatemala's history. Guatemala's laws and policies are less overtly discriminatory and increasingly recognize human and Indigenous rights. However, other features have not changed, such as elite dominance in politics and the economy. Meadows' (2009) leverage points help gauge the extent of change (see Figure 3.15). Elite dominance is an example of the leverage point for "power to change system structure." It translates into influence over Guatemala's laws, policies, and programs and results in other impacts on society. As such, it has a more profound impact on the system as a whole. For example, key aspects of elite's historical ideology have also influenced the "mindset" of the system, such as racism towards Indigenous peoples and a focus on economic development. This mindset has a major impact on the system as a whole by informing the content of the rules of system and by shaping who and what has power to change system structure.

The descendants of Guatemala's colonial elite have become a super-wealthy elite class that owns the best land and major businesses in Guatemala. Although features of Guatemala's governance system became more democratic over time, elite wealth—a product of Guatemala's framework of laws, policies, and programs—allows them to dominate the governance system. If elites are not political representatives themselves, they exert direct influence over political representatives by funding electoral campaigns, lobbying activities, or by engaging in illicit financing such as bribes (Ericastilla, 2016). This pattern of influence was observed in both national and local politics and illustrates why reforms to Guatemala's electoral system are limited by elite dominance and a mindset that prioritizes economic development.

Figure 3.15. Gauging System-wide Changes throughout Guatemala’s History

	Leverage Point ³⁰	Δ	Observation	Significance
← More Impact on System-Wide Patterns --- Less Impact on System-Wide Patterns →	Power to transcend paradigms	No	Continued division between the economic ideology of the elites and alternative conceptions of well-being.	Impacts all other parts of the system.
	Mindset	No	Indigenous peoples continue to face barriers and discrimination. Continued prioritization of economic growth.	Contributes to inequality, limits the impact of other changes to rules, participation.
	Power to change system structure	No	Continued elite influence in the Guatemalan government.	Impacts rules of society, limits the impact of others to change the system.
	Rules of the system	No	Economic model continues to rely on exploiting low wage labour and incentivizing big business investment. Laws and policies continue overwhelmingly to favour the interests of the elites.	Contributes to inequality, differential impact on resources, capacity.
	Rules of the system	Partial	Laws and policies are less overtly discriminatory and increasingly recognize human and Indigenous rights.	Partial/superficial change constrained by other rules, mindset.
	Structure of information flow	No	Will be discussed in further depth in Chapter 5 , information flows in accordance with closed social networks.	Contributes to ideological differences, widening gaps between rich and poor.
	Negative feedbacks	Partial	Key officials in human rights and justice organizations do take up public issues but are subsequently removed.	Partial/superficial change constrained by elite influence.
	Negative feedbacks	Not really	NGOs are more vocal in the media on human rights and environmental issues, but continued government unresponsiveness to public concerns.	Constrained by elite influence/power to change system structure.
	Positive feedbacks / Constants	No	Continued (potentially widening) gap between rich and poor reveals persistence of feedback loop between societal rules, economic activities, and resources/ capacity.	Consequence of economic model on resources/capacity.
	Positive feedbacks	No	Access to programs and services increased overall, but difference in quality of services for poor and rich, reinforce inequalities.	Consequence of economic model, rules on resources/capacity and life chances.
Structure of stocks	Yes	Elites and foreign businesses own an increasing portion of land; the poor and Indigenous populations own a decreasing portion.	Consequence of economic model on resources/capacity.	
Constants	Partial	Slight increase in Indigenous participation in government.	Partial/superficial change constrained by power to change system structure, mindset	

Figure 3.15 categorizes key observations about changes (or no change) in key features of Guatemala’s societal system over the course of its history in terms of Meadows (2009) leverage points, and why the observed change (or no change) is relevant to other features of the system.

As noted above, Guatemala’s laws and policies have become less overtly discriminatory and increasingly recognize human and Indigenous rights. Indigenous participation in the Guatemalan government has increased since the signing of the peace accords. Access to basic services and other

³⁰ See [Chapter 2](#), Figure 2.4 and [Appendix 2](#), Figure 10.4.

government programs has also improved. However, these policy changes have not substantially changed the fundamental drivers of inequality and exclusion in Guatemalan society and represent only partial changes to the institutional framework. Despite these reforms, the government continues to prioritize elite interests, for example, by prioritizing economic development and by incentivizing foreign investment through loosened restrictions and lowered taxes. Increased Indigenous participation and service delivery did not fundamentally alter elite influence in the Guatemalan government—the power to change system structure. It also did fundamentally alter the mindset of the system—racism towards Indigenous people and the prioritization of economic development. And they have not altered Guatemala’s economic model.

As discussed above, expanded Indigenous participation “permits” them to participate in conformity with mainstream societal norms. In doing so, Indigenous peoples must adapt to mainstream societal norms rather than transform them to incorporate Indigenous values and perspectives (Brett, 2013, p. 236; SEPAZ, 2010, p. 108). Despite formal rights and a marginal increase in participation, a major gap between rich and poor persists. The elites’ economic advantages allow them to influence the government, regardless of whether or not they participate directly in politics. Thus, economic factors pose ongoing barriers for the poor and disenfranchised to participate in politics and the economy.

For example, peasant and Indigenous groups struggle to mobilize resources to organize political campaigns to elect representatives that might represent their interests in the Congress. These representatives struggle to compete with other better-funded politicians who take advantage of the poverty of the population by promising cash payments or other benefits in exchange for vote. Impoverished families would rather receive a cash payment and continue the status quo than vote for a peasant leader who, despite their promises, will be outnumbered in the Congress and have little influence.

As several individuals commented:

The corrupt politicians take advantage of people’s poverty to gain their support. They can buy the people's vote with 100, 1,000 Quetzales [\$20 CAD, \$200 CAD]. With 1,000 Quetzales I can feed my family for three weeks. I don’t have this kind of money, but the people don’t commit themselves and will look elsewhere. They sell their votes because of poverty.

(Quotation 24. Community representative near the Marlin mine)

XXX [name removed, candidate in the 2019 election] came to manipulate the women here. Vote for us and it won't be hard for you to get help. Because if you vote for us, a security bonus will fall for you, and you will be secure. And a solidarity bag fell for them. And all of the authorities here learned this approach, and so when she brought this group of women, they asked her the same. And we can't do that [i.e., afford it].

(Quotation 25. Community representative near the Marlin mine)

[The political party he is working for] isn't a party that was created by a business leader that wants to invest in order to arrive in power. No, it is a party that identifies with the popular struggle, with the peasants, with the uneducated people. On the part of the guerrilla [i.e., the guerrilla evolved into this political party]. [...] Since there isn't money to be able to do more publicity, they have been surpassed by other parties, who stood out, who through deception and corruption, they are giving out money to co-opt the people, and have maintained themselves in power and continue deceiving the people.

(Quotation 26. Representative of a national political party in Asunción Mita)

Material inequalities created by the rules of the system and differences in the quality of programs and services accessible to different segments of society also create important advantages and disadvantages that perpetuate and reinforce inequalities and barriers to participation. For example, limited access to education and lower quality education in rural Indigenous communities limit job prospects. This results in lower paying and more precarious work, which perpetuates poverty. Poverty, though problematic on its own, leads to further challenges in terms of being able to afford basic services like health, education, or justice—regardless of whether programs are offered in the community. Interconnections among Guatemala's challenges are discussed in further depth in [Chapter 6](#).

As described above, formal rights and increased participation have had a limited impact on inequalities and exclusion, because other issues relevant to respecting rights and enabling participation were left unaddressed. For example, even though Guatemala adopted the ILO's Convention 169 on the right of free prior informed consent for Indigenous peoples and subsequently signed onto the UN Declaration on the Rights of Indigenous Peoples, it has not defined rules on how to implement consultation requirements despite at least five attempts to establish such rules and several court decisions

requiring their establishment (Morales Toj, 2019).³¹ Conflicts related to consultation settled through the court system, requiring significant time, resources, and effort on the part of Indigenous communities to participate. Guatemala's justice system has a poor reputation for unfair proceedings or for removing judges that rule in favour of communities (WJP, 2021).³² These unchanged elements of the system therefore limit the impact of measures to respect Indigenous rights in practice. Other unchanged elements that limit the impact of Indigenous rights advances include lack of attention to the drivers of economic inequalities in Guatemala's economic model or racism in society.

The persistence of elite dominance and Guatemala's economic model helps explain other changes that occurred. For example, land distribution and land ownership has shifted towards a greater concentration of land owned by the elites and foreign businesses and a decreased share of land owned by the poor and Indigenous populations. The land distribution became more unequal between 1979 and 2013, with the Gini coefficient for land concentration rising from 0.82 to 0.84 (INE, 2004). More recent data is not available, but anecdotal information suggests that the situation worsened with the rise of foreign owned mining. For example:

Unfortunately, many of my colleagues remain frustrated after the peace accords were signed, because really the causes that led to the Internal Armed Conflict were not resolved. [...] One of them was the concentration of land. It didn't change for anything. The 2 percent of the population [the elites] continues to hoard 65 percent of the territory, and today it has gotten worse, because today where the Indigenous communities are located in the mountains of the highlands, with the

³¹ Recent decisions of the Guatemalan Constitutional Court in the context of other mines (El Escobal, Fenix) require the Guatemalan government to undertake consultations. In October 2020, the Ministry of Energy and Mines reached an agreement with the Indigenous Xinka community on a pre-consultation process for the El Escobal mine, and as of October 2021, the process was still in the pre-consultation phase (MEM, 2021a, 2020b). For the Fenix mine, initial agreements have been reached with the Indigenous Maya Q'echi' community on steps to be taken as part of the pre-consultation process (MEM, 2021b) However, these agreements on consultation processes are in the context of individual mines and do not represent any nation-wide policy or framework for consultation.

³² Recent scandals include the President's refusal to allow the head of the Commission Against Corruption and Impunity, CICIG, back into the country to avoid the CICIG investigating alleged corruption against the President (Garcia, 2019). In 2020, Guatemala went into a crisis over the appointment of judges to the Supreme Court and the Court of Appeals after an investigation referred by the Constitutional Court revealed that judges were vulnerable to external influence (Papadovassilakis & Ávalos, 2020). Often, judges in Guatemala are attacked, and the IACHR has ordered protections for them on several occasions (for example, IACHR, 2019).

mining activities they are robbing even more land from the Indigenous population. And these dynamics don't generate any real hope for the community.
 (Quotation 27. Indigenous Politician in Guatemala City)

This change in the distribution of land is directly related to economic inequalities. Land costs money and is relied upon for other economic activities. The change in land distribution coincides with an expanding gap between rich and poor and persistent and worsening poverty levels in certain parts of the country (see Figure 3.16). These trends represent changes in the structure of stocks, constants, and/or parameters of the system. They also reflect the persistence of a positive feedback loop that has perpetuated and reinforced economic inequalities. The feedback loop is created by Guatemala's economic model and other rules of the system and reflects the continued dominance of the elites in Guatemalan politics.

Figure 3.16. Indicators of Income and Poverty in Guatemala

	2020	2015	2010	2000	1995	1985	1975	1965
GNI per cap (\$ US current) ¹	4,490	3,700	2,730	1,670	1,360	1,160	610	290
"--" (in Quetzales) ²	34,605	28,266	21,957	12,952	7,890	3,303	1,736	826
Minimum cost of living/month (Poverty Line) (Q) ³	3,562	3,247	1,938	1,176	923	-	-	-
"--" (\$US conversion) ²	462	425	241	152	159			
% of Population in Poverty ³	-	59.3	53.7	56.2	-	-	-	-

Figure 3.16 presents historical data on income and poverty in Guatemala, to the extent that it is available, from various sources, including the World Bank Databank (World Bank, n.d.), historical currency conversions from the Bank of Guatemala (BanGuat, 2020), and the Institute of National Statistics (INE, n.d.). It shows that poverty has increased despite average rising income due to rising cost of living.

Again, elite dominance has been difficult to change because of self-reinforcing power asymmetries. It would be necessary to overcome ever-increasing power gap between the elites and other segments of society to achieve change. The elites have little incentive to change, because they benefit immensely from the status quo. A thorough overhaul of societal rules and norms would also be needed, given that the elites' worldview, values, and interests are thoroughly embedded across Guatemala's entire system of interconnected laws, culture, and economic structure. Neither of these tasks are easy or straightforward. However, from this perspective it is clear that the focus of the peace accords on incremental reforms and improvements was inadequate to transform the system, as they did not target Guatemala's institutional framework as a whole, the structure of the economy, elite dominance in politics and society, or seek to transform societal norms or values. Moreover, the impact of the incremental

reforms were limited, as they were constrained by those other features of the system.

Section 3.3 Conclusion

Inequality and exclusion have been persistent challenges in Guatemalan society since the Spanish Conquest. They were core underlying issues that led to Guatemala's Internal Armed Conflict and were therefore core issues to be addressed through peacebuilding. Inequality and exclusion are an emergent property of Guatemala's societal system and are collectively produced by several interrelated features of Guatemalan society. Elite dominance in Guatemalan society, economy, and the governance system has produced an entire system of laws and policies that reinforced elite advantages and exploited and disadvantaged the poor. The distributional consequences of this system of rules both reflect and reinforce inequalities in society. This, along with the fact that elite dominance and inequality have become thoroughly embedded in Guatemala's entire institutional framework has entrenched inequality and exclusion and made them resistant to change. Inequality and exclusion remain major challenges that peacebuilding efforts have not been able to address. [Chapter 4](#) and [Chapter 5](#) build on this argument by showing that inequality and exclusion are underlying issues that shaped the dynamics of mining-related conflicts at the Marlin and Cerro Blanco mines in important ways. This represents the first interconnection between peacebuilding challenges and foreign owned mining in Guatemala, about how inequality and exclusion—as unresolved peacebuilding issues—become relevant to mining-related conflicts.

Dynamics of Conflict at the Marlin and Cerro Blanco Mines

Shifting focus from the discussion on inequality and exclusion in [Chapter 3](#), this chapter unpacks and comparatively examines the dynamics of conflict observed at the Marlin and Cerro Blanco mines to set up a framework for showing how legacy issues related to inequality and exclusion are the core of the grievances and dynamics of conflict, discussed in [Chapter 5](#). These conflict dynamics are also shaped by international forces in a number of important ways, discussed separately in [Chapter 7](#) in order to gradually develop the discussion on the complexity. The conflict dynamics are also relevant to peacebuilding challenges and other societal issues that Guatemala is currently facing, discussed in [Chapter 6](#).

[Section 4.1](#) introduces and describes five distinct dynamics of conflict that were observed in the context of the Marlin mine and contributed to an overall situation of conflict. Each dynamic involved different grievances, groups, and patterns of violence. The dynamics observed at the Marlin mine are compared and contrasted with those observed at the Cerro Blanco mine, where only three of the five dynamics were observed and where the scope and scale of conflict has not reached and nearly the same level of intensity as the Marlin mine at comparable stages in the mine's lifecycle. [Section 4.2](#) considers the implications of the observed dynamics for both conflict resolution efforts in the context of each mine, for theory and existing practice on mining-related conflict.

Section 4.1 Five Dynamics of Conflict

Based on extensive fieldwork, interviews, and analysis, at least five different conflict dynamics were distinguished in the context of the Marlin mine at different points during the mine's lifecycle. Each conflict dynamic represents an emergent pattern of behaviour that is collectively produced by a particular pattern of interactions among a distinct set of organizations, and associated values, perspectives, rules, activities, interactions, and resources. The Marlin mine was directly involved in the first two dynamics, even though the mine's presence and operations were relevant to all of them. Three of the five dynamics were

observed in the context of the Cerro Blanco mine, with each dynamic involving a slightly different set of organizations, grievances, interactions, and violence. As with the Marlin mine, the Cerro Blanco mine was directly involved in the first two conflict dynamics, though its presence and operations were relevant to all three of the dynamics observed. Overall, the way in which the dynamics of conflict manifested at the Cerro Blanco mine was much more subtle compared to the Marlin mine. The situation would most appropriately be described as a latent conflict or general climate of tension and mistrust rather than an open conflict. However, tension and mistrust was evident during fieldwork. Each of the five dynamics are described below along with examples that illustrate why the dynamics were observed or not at each mine.

4.1.1 Anti-Mine Protest and Repression/Criminalization

The first dynamic of conflict involves a vicious cycle in which community groups that opposed the mine for various reasons undertook resistance actions against the mine. These actions included physical blockades and protests as well as administrative actions like submitting complaints. The mines and the

Guatemalan government typically responded to these actions by repressing, criminalizing, or challenging the resistance (see Figure 4.1). This conflict dynamic was observed in the context of both mines and was first observed during the approvals phase when the local community and other segments of Guatemalan society first learned that a mine would be constructed in the community. However, this conflict dynamic was ongoing system-wide pattern observed throughout different phases of each mine's

Figure 4.1. Repression of Mine-Related Grievances

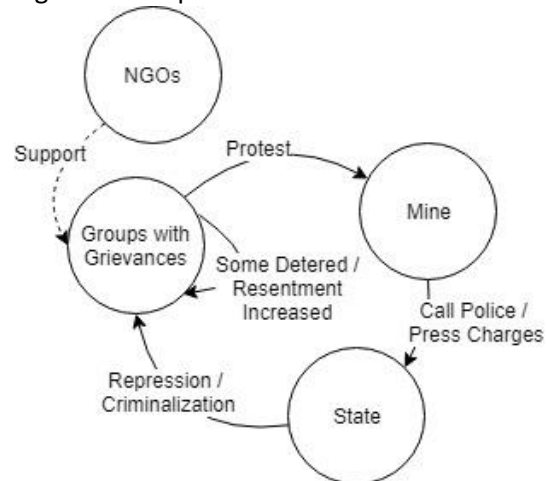


Figure 4.1 illustrates the first dynamic of conflict: a vicious cycle in which groups with grievances against the mine undertook resistance actions. Typically, the mine called the police, who stopped the resistance and arrested participants. Some are deterred, but the grievances remain unresolved with increased resentment and frustration, repeating the cycle. These groups often receive support from NGOs, who are not direct participants in resistance but provide important resources that affect the capacity of groups with grievances, represented with a dotted arrow (discussed in [Chapter 7](#)).

lifecycle, though with greater frequency, intensity, and scale of participation at the Marlin mine. Repression against resistance actions was also more intense and widespread at the Marlin mine. Examples illustrating the dynamic at each mine are provided below.

4.1.1.1 Marlin Mine

As noted in [Chapter 3](#), anti-mine protests and blockades first began during the approvals phase, when community members first discovered that a mine would begin operating in the region. The news sparked significant controversy in the community and broader region (Castagnino, 2006). In January 2005, community members in the neighbouring department of Sololá organized a roadblock to prevent the transportation of machinery to the Marlin mine in solidarity with community groups that were against mine. The incident was a culmination of mounting tensions since 2003 (Imai et al., 2007). The roadblock lasted 40 days until it was violently dispersed by more than 1,200 soldiers and 400 police officers using tear gas and bullets. Both protesters and the government fired shots. The incident resulted in one death and several injuries. Afterwards, the alleged blockade leaders were arrested. Although a complaint was submitted about the death, it was not investigated (OCG, 2010, p. 164).

A few months later in June 2005, community members in Sipacapa self-organized a “consulta” or community vote on whether they consented to having the mine in their community. Approximately 2,500 community members participated, representing about 44 percent of the voting population—slightly less than the voter turnout in national elections. Each community organized voting activities in accordance with their local traditions. The consulta received significant attention from national and international NGOs and had about 70 international observers. The result was that 98.5 percent of voters rejected the mine. The mine tried to repress the consulta by releasing public statements to dissuade community members from participating, by challenging the legitimacy of the consulta in court to prevent it from taking place and to challenge the validity of the results, and by lobbying Guatemala’s Ministry of Energy

and Mines (MEM) to challenge the consulta's validity. Though no violence took place, tensions were extremely high. The mine's efforts to suppress the consulta led to court decision that the consulta was legitimate (and participants would not be criminalized) but it had no binding effect on the mine's approval (Imai et al., 2007). The government's failure to respect the democratic expression of non-consent has been an ongoing grievance, and motivated subsequent protests and demands (Canal 4 News, 2013).

Physical protests, blockades, and other forms of resistance to the Marlin mine continued throughout all phases of lifecycle, all of which were repressed by the mine and the Guatemalan government (No a la Mina, 2009a). During the early operations phase, anti-mining groups organized blockades and protests in response to perceived injustices in land sales that had occurred during the exploration phase,³³ the construction of a powerline that went through community members' property without their consent,³⁴ and exploration activities in a neighbouring community for potential mine expansion,³⁵ as illustrated in the following accounts by community representatives:

We got alarmed when a woman didn't want to sell her land. [The mine] didn't convince her to sell it. And cabal! [The mine] w[as] able to conquer her, but not until they paid her 40,000 Q [~\$8,000 CAD] for each cuerda [~ 436m²] and she was convinced. But to the others they gave only 4,000 Q [~\$800 CAD] per cuerda. So that woman alarmed everyone. [...] Ohhh, after that there was roadblock for 15 days and we were protesting because we wanted the mine to pay everyone the

³³ Tensions mounted until in January 2007, when a group of about 25 community members organized a roadblock in response to the mine's refusal to renegotiate the price of previously sold land. The blockade lasted 10 days and expanded to 600 protesters. The protest turned violent and resulted in injuries for mine security guards even though shots were fired by mine security guards as well. The blockade ended after over 400 police officers arrived. Following the incident, seven protesters were charged and served 10-year sentences for assault (OCG, 2010, p. 165; MP, 2007).

³⁴ Between 2007 and 2008, a group of women began cutting or obstructing the powerline to the mine, which went through their property. They claimed they did not give permission and that the powerline adversely affected them. In response to some of the numerous related incidents, up to 100 police officers arrived and threatened the women. Arrest warrants were issued against the women, which were still active as of 2019 (OCG, 2010, p. 166). The "resistance" by these women was highly publicized by both Guatemalan and international NGOs, such as Guatemalan organizations included: Mimundo, Madre Selva. International organizations included Amnesty International, Breaking the Silence, CIEL, Friends of the Earth, Mining Watch, Mining Injustice Solidarity Network, Mennonite Central Committee, Nobel Women's Initiative, Rights Action, NALCA, Collectif Guatemala, etc.

³⁵ A series of confrontations occurred between May and June 2009 related mine exploration activities in one of the communities near to the mine. The mine had purchased land for exploration, but the protesters alleged that the transfer of land title did not respect inheritance rights. They were also concerned about contamination. The protest escalated and resulted in community members setting fire to some of the mine's equipment. There was a large police and military presence, but no violence was reported. Following the incident, charges were laid, but it is unclear if the individuals were arrested (OCG, 2010, p. 167-168).

same price. Equally, 40,000 Q per cuerda, because they already paid that price to the one woman, and now they should pay it to us. Hijo! there had been 150 people that sold their land, and they came down here and blocked this passageway, here in the intersection with El Salitre and the mine. There we blocked the passage for 15 days. But who came to block us and disperse us? It was the military.

(Quotation 28. Community representative near the Marlin mine)

The story of my struggle against the [Marlin] mine started when the mine constructed a powerline, which ran right through our territory [pointing], and it went down the hill and up the other side. And it was a very large cable with a high voltage [...] and [the participant and their neighbours] understood the message, because the powerline would come very close to our homes. And we thought that it might fall onto our houses and cause a lot of damage or be dangerous to us. We didn't know anything about it or what it involved or the risks or anything. So, it was when we brought together a group to struggle to defend our territory, because we were not in agreement with this initiative of a high voltage powerline. And as a result, we succeeded in requiring the cable to be moved somewhere else. [The mine] needed to move it somewhere else.

(Quotation 29. Community representative near the Marlin mine)

One time, over there [pointing] because of a protest [against] the [Marlin mine], how many people got hurt, various, about 10 people were hurt. They were beaten on the farm there [pointing], because of the protest. And 10 people got hurt, others with lesions on their heads, other beaten on their backs, others like this beaten on their arms, their feet. Others remained missing until the other day they were found. So, for this same problem with the company. [...] It happened about 6 years ago.³⁶ [...] There were many protests during the operation of the mine, and they have gone to protest in [Guatemala City] as well.

(Quotation 30. Community representative near the Marlin mine)

In 2013, a labour dispute at the mine related to its closure motivated mine workers to protest, resulting in mine security personnel firing rubber bullets to disperse the protesters (Loarca, 2016, p. 32). Protests and other disruptive activities by armed community members occurred as recently as December 2018. In the context of ongoing dialogue between the mine, community, and government to address unresolved grievances, staff from Guatemala's disaster reduction network (CONRED) claimed they were unable to assess cracked houses in communities near the mine, because armed community members threatened them and prevented them from accessing certain areas. Mine workers also complained about ongoing roadblocks and protests that prevented them from advancing closure activities.

³⁶ See Goldcorp out of Guatemala (2013). The post includes graphic images.

Following the 2005 consulta, community members submitted complaints to various domestic and international forums, such as the International Finance Corporation's Compliance Advisor Ombudsman (CAO, 2005), the International Labour Organization's Committee of Experts on the Application of Conventions and Recommendations (ILO, n.d.), Canada's National Contact Point for the OECD Guidelines for Multinational Enterprises (GAC, 2011), the Inter-American Commission for Human Rights (IACHR, 2014), and to Guatemalan courts and ministries (OCG, 2010, Appendix F). The complaints concerned inadequate consultation, adverse environment and health impacts, and conflict. Other organizations helped the community to submit these complaints, discussed in [Chapter 5](#) and [Chapter 7](#).

The Marlin mine challenged these complaints through legal channels, public statements, and by lobbying the Guatemalan and Canadian governments to intercede on the mine's behalf (OLC, 2010). The mine's closure activities sparked a new wave of community protests, blockades, and complaints, motivated by concerns that the mine would leave without resolving decades-long unresolved grievances.³⁷ The IACHR complaint process remains ongoing along with a domestic dialogue process (see [Appendix 4](#); CPD, 2018; CTP, 2019, p. 4-5; Larios, 2019). All of the resistance actions described above are episodes in a larger, ongoing resistance struggle by a consistent group of community members, as a community representative explained:

In 2012, we participated in a peaceful massive protest [...], but [the police] were able to capture one of our members that had been in the struggle with us. So, this made the situation worse. [...] This is an example, but the struggle started in 2005. We started the struggle by raising awareness among community members about life. Its a long trajectory of struggle, and today still. Because we need to continue protecting life.

(Quotation 31. Community representative near the Marlin mine)

³⁷ In 2012, the mine initiated a criminal complaint against five of the organizers of a peaceful protest against the Marlin mine. Between November 2016 and September 2017, a series of roadblocks and protests were organized in response to the mine's closure. Specifically, the mine had withdrawn from a previous dialogue since 2012 related to community demands to repair damages allegedly caused by the mine. After reinitiating the dialogue in April 2017, talks broke down in June and community members blocked the mine's airstrip. No violence was reported by the police or mine security guards, but eight rounds of arrest warrants were issued against dozens of community leaders. It is unclear whether the individuals were prosecuted (Loarca, 2018; Plurijur, 2016, 2017a). Separately police arrested one of the organizers for alleged violence against women, though his opposition to the mine was a factor in the police's motivation for arrest, given that violence against women is under-enforced (Barrera, 2018).

The Marlin mine often initiated the criminalization of protest, rather than the Guatemalan government. Criminalization was strategically focused on key resistance leaders to co-opt and suppress resistance, which scholars have observed in the extractive sector more generally and refer to as Strategic Lawsuits Against Public Participation or “SLAPPs” (North & Young, 2013). Several examples were observed in the context of the Marlin mine, though not at the Cerro Blanco mine. For example, the legal representative of anti-mining groups for their complaint to the Inter-American Commission for Human Rights (IACHR) and other community leaders were targeted by lawsuits by Montana. In 2017, these individuals were sued for trespassing and property damage related to blocking the mine’s airstrip for several weeks (Plurijur, 2017b). The blockade was motivated by the lack of completion of promised water projects when the mine closed, representing a failure by the Guatemalan government (and the mine) to uphold commitments to ensure community access to potable water as prescribed by the IACHR. The mine’s statements during this incident counter these allegations by the community (Montana, 2018a). The lawsuits were initiated in the context of ongoing dialogue between the communities, mine, and government to address other grievances. They undermined the community’s ability to participate in the dialogue efforts, as the arrest warrants forced community leaders and their legal representative into hiding, preventing them from participating in the dialogue sessions or other hearings.

4.1.1.2 Cerro Blanco Mine

Resistance against the Cerro Blanco Guatemala was led mainly by an environmental NGO based in Guatemala City called Colectivo Madre Selva. This organization challenged the mine’s Environmental Impact Assessment in 2007 during the approvals phase. It was concerned that the Environmental Impact Assessment had insufficient details or assurances on how the risk of environmental contamination would be appropriately mitigated (Lopez, 2010; Robinson, 2012; Yagenova et al., 2012, p. 188, 190). Madre Selva also began raising awareness about the mine’s potential adverse effects (MARN, 2007; Yagenova et al.,

2012, p. 189-90). The main local counterpart was a sub-unit in the local Catholic parish.³⁸ Local resistance activities have mainly focused on the mine's adverse environmental impacts in the context of an inadequate mining governance framework and lack of confidence in the Guatemalan government to provide proper oversight (CPI, 2019). There was, and continues to be, a degree of local participation events organized by these organizations. However, both organizations have struggled raise awareness and motivate activism, as a representative explained:

Its hard. I don't know where you need to come from in order to get through to the people, to raise awareness that there is a problem [about mining], and what to do. What actions are necessary to undertake in order to address it. Even though, we... five to ten years will need to pass, at the very least, to achieve that but I tell you, that at the very least there is a small group that is upset. It really tragic.

(Quotation 32. Representative of the Catholic Church)

Salvadorian NGOs have been important direct participants in resistance activities against the Cerro Blanco mine.³⁹ Mine-related contamination would affect El Salvador's main water supply—the Rio Lempa. The Salvadorian side of the Lago de Güija is also a protected wetland of international significance under the Ramsar Convention (not the Guatemalan side; Ramsar, 2013). A portion of the Lempa watershed is protected under the Trifinio Biosphere Reserve (UNESCO, 2016).⁴⁰

Following the approval of the mine license, a small transboundary regional network opposed to the mine started to form and raise awareness (for example, CEICOM, 2010; 2012). They commissioned studies on the mine's potential environmental impacts (Lopez, 2010; Robinson, 2012). They also organized

³⁸ A priest named Fray Armando González originally led the Catholic church's activism while he was working in Asunción Mita. He is now the coordinator of a regional Catholic organization called the Justice, Peace, and Integrity Commission Service (JPIC) for Central America, where he has continued his activism and activated a regional Catholic network to provide support and solidarity on anti-Cerro Blanco resistance. In Guatemala, the association is called the Colectivo Cristiano por la Vida (Orellana, 2018).

³⁹ These organizations include CIECOM, CRIPDES, and the Mesa Nacional Contra Minería (Orellana, 2018). Both Guatemalan and Salvadorian NGOs form part of a small regional anti-mining network called ACAFREMIN. This is discussed further in [Chapter 5](#) and [Chapter 7](#).

⁴⁰ In 1997, Guatemala, El Salvador, and Honduras signed a treaty and launched a plan to protect the environment and support sustainable development in a trinational border region as part of broader regional peacebuilding efforts (Plan Trifinio, n.d.). In 2011 it was declared a UNESCO heritage site for its importance to biodiversity (UNESCO, 2016).

a handful of protests and demonstrations (MNFM, 2013; Yagenova & Santa Cruz, 2011; Yagenova et al., 2012; see Figure 4.2). Allegations that the surrounding water was already contaminated with arsenic and heavy metals prompted organizations to conduct several water quality tests and studies with conflicting findings (Prensa Grafica, 2013; Portal Minero, 2012).

This anti-mining network also submitted various complaints to Guatemalan, Salvadorian, and international forums. In addition to Madre Selva's complaint against the Environmental Impact Assessment (MARN, 2007), a complaint

was submitted to Guatemala's Human Rights Ombudsman (PDH) in 2009 alleging that the mine had violated the community's right to a healthy environment. The complaint did not result in any action beyond recommending that the Guatemalan government monitor the mine (PDH, 2016). During this time, Salvadorian NGOs also submitted complaints to El Salvador's Human Rights Ombudsman (PDDH), who has been lobbying the Guatemalan government to address the matter ever since (No a la Mina, 2009c; PDDH, 2013; Cea, 2022). This led to several agreements between the two countries and dialogue (No a la Mina, 2009c; PDH, 2018; PDH, 2020a). However, they did not address the original environmental and human rights concerns, as illustrated by continued—and increasing—awareness raising efforts, described below. In 2012, Salvadorian NGOs also submitted a complaint to Canada's Extractive Sector Corporate Social Responsibility Counsellor, but it was not investigated (GAC, 2019b).

Compared with the Marlin mine during the approvals and construction phase, protests have not been as frequent, did not have as many participants, did not experience the same level of repression, and

Figure 4.2. Anti-Mining Demonstrations



Figure 4.2 depicts an anti-mining demonstration organized by JPIC in Asunción Mita in July 2013 (JPIC, 2013a).

not as many complaints were submitted (PDH, 2018b).⁴¹ When comparing incidents that occurred during the same phase in each mine's lifecycle as well as incidents occurring during the same year, there was more widespread repression at the Marlin mine and a more targeted response at the Cerro Blanco mine.

On two occasions, in July and October 2010, representatives of anti-mining groups were detained (they say "kidnapped") by the Guatemalan police on their way to demonstrations against the Cerro Blanco mine in Guatemala City (Perez, 2010; VOTB, 2010; Zarraga, 2014). As a representative recounted:

And XXX [name removed] did protests against the mine. He went with the PDH, and in fact once he was kidnapped on the road from here to Guatemala City. Because he was going with one of the human rights ombudspersons. And they stole all of his things from him. They decided that the mine had done all of that.

(Quotation 33. Community representative near the Cerro Blanco mine)

Madre Selva's computers were also hacked, and key documents were stolen, which they believe was done by the Guatemalan government in an attempt to undermine their resistance efforts. Threats against the NGO reached such an extreme that they sought and received special protection from the Inter-American Commission for Human Rights (OAS, n.d.a).

In describing the pattern of protests and repression, it is important to note that the Cerro Blanco mine was put on hold in August 2013 due to low gold prices and technical difficulties in the mine's construction (CAD, 2013; CMI, 2014). During this period, the volume of protests and complaints decreased. However, Bluestone Resources' acquisition of the mine in 2017 and advances towards extraction activities have intensified complaints and awareness raising efforts again. Shortly after Bluestone Resources' acquisition of the mine was announced, NGOs submitted new complaints that led to hearings before the Congressional Commission for Indigenous Peoples in December 2018 and

⁴¹ Based on information obtained from Guatemala's Human Rights Ombudsman (PDH), a total of 6 complaints were received about the Cerro Blanco mine. These included 3 complaints in 2010 related to noise, faults in public administration, and labour issues. In 2012 and 2013 a complaint was submitted (and resubmitted) about environmentally dangerous activities; and in 2018 a petition was submitted related to the mine (PDH, 2018b).

December 2019 (Xmax Productions, 2019b; CPI, 2019).⁴² Lobbying efforts by Salvadorian NGOs to the Salvadorian human rights ombudsman (PDDH), and by the Salvadorian PDDH to the Guatemalan human rights ombudsman (PDH) also intensified, along with other awareness raising activities and demonstrations (Voces Nuestras, 2019; ACAFREMIN, 2020; 2021a; 2021b; 2021c; 2021d).

A distinct set of system elements collectively contributed to this dynamic of conflict. The main organizations included anti-mining groups, the two mines, and the Guatemalan government. Anti-mining groups, motivated by enduring grievances towards the mine, collectively organized specific resistance actions, such as protests, blockades, or complaints, directed primarily at the mine (as opposed to other community members or local government officials). Sometimes the anti-mining groups involved community members exclusively; at other times the groups involved other communities or national or international NGOs, discussed further in [Chapter 5](#) and [Chapter 7](#).

The particular grievances that motivated these anti-mining groups to undertake resistance actions were perceived or actual adverse impacts that were attributed to the mine (rather than other community members). These include adverse impacts on community rights, injustices or exploitation resulting from unfair land sales, adverse environmental impacts on land, water, property or other infrastructure, among others. As one community representative recounted:

Before, everyone lived in tranquility and harmony, and that the mine was the cause for this conflict. The mine did not respect property rights, they made roads through peoples' property and didn't ask permission (repetition). And when they tried to say something, the only thing that happened was conflict ["guerra"].

(Quotation 34. Community representative near the Marlin mine)

Another distinguishing feature of this dynamic is the mines' and the Guatemalan government's responses to these resistance actions. Their strategy was to stop the resistance by repressing, rebutting,

⁴² The Congressional Commission for Indigenous Peoples is a perplexing choice of forum to discuss the Cerro Blanco mine as the affected groups do not identify as Indigenous. However, the chair of this commission has been a vocal supporter of communities resisting mining. Progress through this forum ended when the politician was not approved to participate in the 2019 elections (Palacios, 2019).

or undermining it by various means (rather than appease the community's demands or constructively engage community members on the issues). The mines' strategies included directly responding physically with mine security or involving other organizations like the Guatemalan government to deploy security personnel. They also prepared legal and administrative strategies to counter community complaints in proceedings and lobbied other organizations such as the Guatemalan or Canadian governments to intercede in these processes on the mine's behalf. For example:

The problem we have is that the response that the community members were hoping for is something different than the result provided by these ministries [when they submitted complaints]. [...] We said yes, if it is demonstrated technically and scientifically that the mine caused the damage, we will pay. But if there isn't this technical and scientific certainty, the company won't pay anything. And this implies considering natural events, which often times cause these damages. [...] It is a waste of resources to attend to the demand of a very small group of rebels, and what they want is something else. What they want is money for nothing.
(Quotation 35. Representative of the Marlin mine)

We would have to deal with situations in which the community would block the entrance to the [Marlin] mine, so we would bring [police officers] there, but usually with a really strong force of colleagues; 200, 300 police officers. Not on a daily basis, but in response to these situations. It was always a bit difficult. [...] It is not easy to get out there, it's a bit remote. Meanwhile they need to coordinate. So, yes, on the part of the Police it was a bit complicated. [...] It is necessary to have so many police] because there up to 500 people protesting at any one time; for each person. We know that they are a bit conflictive, so to avoid problems we need to increase the number.
(Quotation 36. Representative of the Guatemalan Government)

A final distinguishing feature of this dynamic of conflict is that the immediate confrontation would eventually end, either because a protest was dismantled and organizers arrested, or because a complaint that was submitted would receive an outcome. However, the outcome would not address the original grievances. The community members involved might be deterred from undertaking future actions in the short term, for example, because criminal charges were imposed on them or their colleagues, or out of exhaustion from the months of work involved in submitting and participating in a complaint process that did not result in a fair outcome from their perspective. However, the original grievances were unresolved. The original issues persisted and were compounded by added frustration, resentment, and deepened

social divisions, which repeated the cycle. As a community member explained, “They are rare, they are ‘numbered,’ we say, the people who say that they are with the resistance. [...] There are few people that really have a strong conviction. The majority of people said that they are neutral, because nobody wanted any personal problems” (Quotation 37. Community representative near the Marlin mine).

4.1.2 Protest for Specific Demands and Appeasement

The second dynamic of conflict involved a vicious cycle in which groups in the community with specific demands towards the mine tried to disrupt mine operations, and the mine responded to those disruptions by appeasing their demands as an alternative strategy to end the conflict. Because the demands were met, the immediate confrontation ended. However, each incident contributed to a perception among community members that they could extract benefits from the mine by causing disruption. It also contributed to a perception by the mine that it could quickly and easily end conflict appeasing the demands of the protesters. However, this produced a pattern where regular disruptions and direct confrontation occurred between the community and the mine in order to extract benefits (see Figure 4.3).

Because most confrontations were quickly diffused, they did not receive significant attention in the media. The few examples that were reported and described by representatives illustrate the dynamic in the context of both mines. The dynamic of conflict was the predominant dynamic of conflict that characterizes the Cerro Blanco mine context.

Figure 4.3. Appeasement of Specific Demands

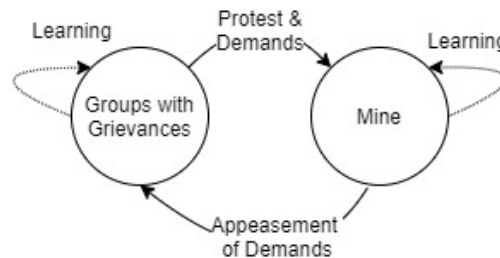


Figure 4.3 illustrates a vicious cycle in which groups with specific demands towards the mine organize disruptive actions. Typically, the mine responds by appeasing the demands. This resolves the immediate confrontation, and encourages learning on the part of community members and the mine that community members can extract benefits from the mine by causing disruption, and that the mine can quickly end conflict by agreeing to pay for small projects, represented by dotted lines. However, this encourages an ongoing cycle of regular incidents of low-level confrontation with the mine.

4.1.2.1 Marlin Mine

The only examples of this dynamic at the Marlin mine occurred during the later years of its operations in

connection with the mine's closure. This might indicate a possible shift in the mine's strategy for responding to protest incidents from repression (described above in the first dynamic of conflict) to appeasement. To a large extent, the dynamic is driven by the demands of community members. For example, in connection with the mine's closure, between June and July of 2017 a group of community members took over the mine's air strip and demanded that the mine pay for damages allegedly caused by the mine before the mine completes its closure operations. The mine initially responded by contacting the Guatemalan government and Canadian government to shut down the protest (first dynamic). However, the community members revised their demands and asked for dialogue with the mine and the government, to which they agreed (Solano, 2017).

Interviews with both mine and community representatives revealed that the reason why certain communities would get projects like schools or road repairs was often because community members came to the mine with demands. If the mine said no, the community would block the road. The mine eventually learned to give the community small projects when they asked. For example:

It is the same in Chuena [community in El Salitre, near to the Marlin mine]. If the mine says they won't give them something, "boom" [i.e., immediately] they go block the highway or grab [i.e., take hostage] the engineers until they buy [whatever it is] for them. So, in this area we have gone, but they don't want to work with us.

(Quotation 38. Municipal Government representative near the Marlin mine)

In certain cases, there were projects [that the Marlin mine decided to undertake] that responded to demands from the community. At the beginning of the mine, the community demanded five things. [...] After this, and in the absence of the state, the communities started to arrive with requests for attention [i.e., projects].

(Quotation 39. Representative of the Marlin mine)

The examples and excerpts reveal that this dynamic of protests and appeasement was distinct from the first dynamic and existed independently from it. However, appeasing the demands of one group of protesters often created additional problems, because other groups were jealous and demanded similar projects. The mine expressed exasperation at the never-ending flow of requests (see Quotation 3). It was a lot of work for the mine to avoid the escalation of small demands into larger conflicts. Meanwhile,

community members resented that they or their community did not benefit enough from the mine, as illustrated through one community representative's description of mine-funded projects:

In total, three greenhouses died here, when [the mine] w[as] discharging water from the tailings dam into the river, and they used that water to irrigate all of the greenhouses that were full of tomatoes, and they all dried up. And they paid 50,000 Q for each one to the owners, cabal! [expression of emphasis] this is what the rich guys did. [...] [Those compensated for greenhouses] already have their bus, a house, a good business. [...] They already received more [adverse] impacts, but they also received more money. It was a personal arrangement between the mine and each family rather than a project organized with the COCODE. Those that the mine saw were supportive fully, very in favour of the mine, then the mine rewarded them with these projects and benefits.

(Quotation 40. Community representative near the Marlin mine)

4.1.2.2 Cerro Blanco Mine

It was difficult to obtain information about incidents that occurred earlier in the mine's operations, but several incidents occurred during fieldwork activities that conform with this dynamic. In September 2018, residents of the community of Cerro Blanco blocked the road leading to their community, and demanded the repair of their road (Telediario, 2018). As a local NGO explained:

In San Rafael Cerro Blanco, there was a situation in which the people were asking for their roads to be fixed. And they let us know that at that time, they decided to block the roads. But they detained a few trucks from the mine and stopped them for some time until the people from the mine spoke to them. And they agreed that the mine was going to go and pave the roads, and that they were going to hire people from the community to do it. And they managed to reach an agreement. But [the community] needed to go to extreme measures in order to do so.

(Quotation 41. Representative of a Guatemalan NGO)

A few months later, in February 2019, community members of Cerro Blanco organized another "strike" in front of the mine to pressure it to provide more information about when benefits promised to the community would materialize. The mine responded by providing more information about the current status of approvals and construction at the mine. As a community representative recounted:

[The mine] [is] in exploration and investigation about how much gold material there is. But they already have 20 years working in this. And the other thing is that they don't inform us. What is hard for us, is putting pressure. [The community] put pressure, they pressure, they pressure strikes, and [the mine] is not [listening]... and only then they give us a bit of information about

what is going on in the mine. They don't care about us. [...] And then, there was that small strike there. But everyone will always be in support of the mine when there are jobs for the community. (Quotation 42. Community representative near the Cerro Blanco mine)

A few months later, in April 2019, local residents again blocked the entrance to the mine, because the mine had promised jobs to the community but failed to follow-through with road repairs (related to the September 2018 protest). Representatives of Guatemala's human rights ombudsman (PDH) arrived, and the incident was eventually resolved when the mine agreed to comply with its earlier commitments to provide information and complete the road repairs. As a representative of the PDH explained:

Less than 20 days ago, maybe 15 days ago, there were protests. In front of the [mine]. For this, the protests were motivated because of labor issues, or rather, the lack of follow-through by the company to find a solution in the community [of] Cerro Blanco where [the mine] is located. And the lack of follow-through on projects of pavement, it seemed to me. Pavement in the community. On this aspect, this is what motivated protests. [...] Our colleagues [at PDH] came [to mediate the conflict]. And in the end, because they had blocked the entrance towards the community [...] they reached an agreement with the company to comply with their commitments to provide work to the others in the project [mine]. And they committed to doing the pavement. That is practically [everything] that came in this life. And, yes, no bigger issue has occurred. (Quotation 43. Representative of the Guatemalan government)

The repairs were eventually completed in 2021, which the mine elaborately advertised in the community (Entre Mares, 2021a, 2021c; discussed further in [Chapter 6](#)). That said, these protests have occurred on an ongoing basis, and continue to the present (PDH, 2020b). As various community members commented:

We hear that sometimes the people organize strikes against the mine. [...] Because what they want is benefits. Because the mine is already settled in their community, almost at the entrance of their community [very near to where they live]. They demand that the mine grant benefits to them as a community. Sometimes they have strikes, for example, they say fine we will oppose you until you give us work/jobs. Because this is one of the conflicts that have occurred in Cerro Blanco. Not here, but in Cerro Blanco. As the mine is located in Cerro Blanco, the people from there want that because the mine is there, that the mine give them jobs, and not give jobs to other communities. (Quotation 44. Community representative near the Cerro Blanco mine)

This dynamic of conflict involved a slightly different set of organizations, issues, actions, and resources, which helps to explain why a distinct conflict dynamic emerged from the mining context. Like the first dynamic of conflict (protest and repression), the main organizations involved in this conflict

dynamic were groups in the community, and the respective mines. Unlike the first dynamic, however, this dynamic of conflict did not involve the Guatemalan government or organizations outside of the community, such as NGOs. The specific community groups that undertook disruptive actions against the mine were also different from those involved in the first conflict dynamic of conflict. While the groups in the second dynamic of conflict were also motivated by grievances towards the mine, the grievances were not necessarily framed or communicated as anti-mining (in contrast to the first dynamic). Rather, the grievances related to a particular impact for which the community groups demanded a solution in the form of projects, compensation, or dialogue. The grievances were more limited in their scope and did not challenge the mine's presence. As with the first dynamic, however, the disruptive actions were directed towards the mine (rather than other community members).

Another feature that distinguishes the second dynamic of conflict from the first dynamic is the mines' responses to the disruptive actions. Instead of trying to repress, rebut, or criminalize the actions, the mine appeased the demands. Another feature that contributes to why the dynamic of conflict represents an enduring emergent pattern of behaviour is that mine's appeasement of community demands ended the conflict in the short-term. But the response often led to future confrontations, because of jealousy, a perception that community groups could get what they wanted by causing disruption, and a perception that appeasement would end the disruption.

4.1.3 Pro-Mine Measures against Others

The third dynamic of conflict revolved around a clash of values between different groups in the community (see Figure 4.4). Though the mines were not directly involved in the conflict interactions in each context; however, the conflict dynamic was characterized by community divisions that concerned (among other things) differing positions towards the mine, making each mine relevant to the conflict.

At a superficial level, community divisions in each context concerned support or opposition to

mining in that community.

However, other values factored in the positions adopted by different groups, discussed in further depth in [Chapter 5](#). For now, those that supported mining perceived it to be beneficial to them. Because of this, they also perceived that the resistance activities of anti-mining groups (in the first conflict dynamic) threatened their current or future enjoyment of those perceived

benefits. The perpetrators of violence in this dynamic were also influenced to a certain extent by the mine. Many community members had the impression that the mine had promised jobs, projects, or other benefits that were conditional on a lack of no disruptions or opposition to the mine (OCG, 2010, p. 150).

Pro-mining groups undertook repressive, often violent, measures against the members of anti-mining groups to deter them from undertaking their resistance activities. These included direct acts like threats and physical violence as well as other pressure tactics, like cutting off basic services like potable water, excluding them from community projects, or shunning them from community life more generally.

In many ways, the third dynamic of conflict is related to the first dynamic and represents a response to the first dynamic. It also emerged at around the same time as the first dynamic. However, it is a distinct dynamic that has gathered its own momentum and persisted separately from the first dynamic of conflict in the community. Colleagues of the (anti-mining) victims of attacks accompanied them for protection, confronted the pro-mine perpetrators, or slandered them. For example, mine workers received threatening letters (CAO, 2005). These measures were perceived as additional threats and led to further attacks that perpetuated the cycle. This was the main dynamic of conflict responsible for creating an overall climate of insecurity, exacerbating community divisions, undermining trust, and unravelling

Figure 4.4. Pro-Mine Measures Against Others

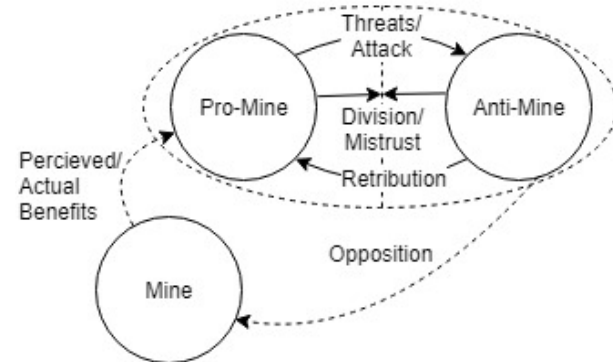


Figure 4.4 illustrates a pattern of intra-communal conflict between groups that were supportive of the mine and those who were against the mine. The mine was not directly involved in the exchanges, but its presence and operations accentuated the clash in values in the community, represented with dotted lines connecting pro- and anti-mine groups to the mine. Moreover, the clash in values was a pre-existing issue in the community from the Internal Armed Conflict, and distinct the mine, represented by a dotted circle around the parties.

social cohesion in the community (Caxaj et al., 2014; OCG, 2010, p. 150).

This dynamic of conflict was observed in the context of both mines. However, the scale and intensity of violence was significantly greater in the context of the Marlin mine than the Cerro Blanco mine (Yagenova et al., 2020, p. 91-92). A few incidents were observed in the context of the Cerro Blanco mine. However, the tactics used were subtler in the form of quiet threats and anonymous attacks against individuals known to be against the mine. Nevertheless, the tactics intimidated the anti-mining groups and contributed to an overall climate of tension. The fact that threats and attacks have been an ongoing feature of both contexts reveals that it is an ongoing, emergent pattern of behaviour. The following examples illustrate the dynamic in the context of each mine.

4.1.3.1 Marlin Mine

As noted above, threats and violence against anti-mining groups began during the approvals phase and continued throughout the Marlin mine's lifecycle. Violence decreased with the mine's closure with the departure of many mine workers to find work elsewhere. Perspectives towards the mine also changed once mine-related jobs and benefits ended but its adverse social and environmental impacts remained. Examples of this dynamic include an incident in February 2011 when anti-mine groups organized protests after the IACHR revised its precautionary measures. Instead of requiring mine closure, the government was only required to ensure access to potable water. The protests motivated a pro-mine supporters to kidnap a group of about 50 anti-mine activists, and beat and threatened them for their activism (Yagenova & Santa Cruz, 2011, p. 2; NISGUA, 2011; see Figure 4.5). In March 2015, a group of 30-40 pro-mine supporters attacked an anti-mining leader in Sipacapa and threatened to kill his children (Rights Action, 2015). Community representatives also shared various accounts that illustrate the dynamic, for example:

And they threatened my colleagues, saying things like what are you doing [protesting against] the mine, why is there no development in our community. You are letting me down.
(Quotation 45. Community representative near the Marlin mine)

It was like a war. People would wear arms. All of the people we just met would brandish arms. [...] In 2011, I participated in a protest at the mine, and some of the pro-mine defenders wanted to kill me. They came in the middle of the night. About 20 people. And they captured me and threatened to kill me. In San Jose Ixcaniche, they took me to the community hall. They hit my knees and my face. I was three days in pain. I wanted to leave the country and asked XXX [name removed] at Amnesty International for protection.
(Quotation 46. Community representative near the Marlin mine)

All of those that put their hands on us in 2010 and 2011 when they beat all of us, not just me, here in Siete [Platos], but as well they attacked all of the other community members that were blocking the passage. All of those problems have not been resolved. Justice has not resolved in our favour. All of that has remained in impunity. There is no clarity for us as defenders of human rights, because it's not just that.
(Quotation 47. Community representative near the Marlin mine)

As the excerpts illustrate, community members were afraid to leave their homes and shared stories about themselves or others being harassed, attacked, kidnapped, or surveilled. They were also afraid to stay at home because of incidents where neighbours arrived at their homes and threatened or attacked them. Many people went around with weapons, and everyone kept weapons at home.

Women who opposed the mine were particularly vulnerable to attack, because they spent most of their time at home. They also faced social stigma for their activism and were labelled as bad mothers. For example, when the Marlin mine was purchasing land from community members in exploration and approvals phase, one woman refused to sell her land. Her neighbours, who

Figure 4.5. Photo of Damage Caused by an Attack on an Anti-Mining Activist



Figure 4.5 is a photo of the outside of an anti-mining activist's home, revealing a bullet hole from an incident where he was attacked by his neighbours in 2011.

had sold their land, pressured her to sell, because they wanted to work in the mine and feared that her refusal might jeopardize their job prospects. The local community development council (COCODE) also pressured her because they wanted jobs and investments from the mine. They cut off her water and electricity supply and excluded her from other projects in the community. The pressure escalated until 2010, when she was violently attacked (note that the next sentence includes graphic details). Community members arrived at her house. First, they threatened her verbally, then with a machete, and then they shot her in the face. The attack left her blind, with hearing loss and chronic pain on the left side of her head (AI, 2014, p. 12; No a la mina, 2010b). In response to a group of women who opposed the mine's construction of a powerline on their land,⁴³ community members attacked them and shunned them from community life, as one victim recounted:

So, they succeeded [in the struggle against the powerline], but there were a lot of problems, and humiliation that at the end of the day was not good. [...] On three separate occasions, [pro-mine neighbours] tried to run her over with a car. So, it was hard every time she left her house to go walk, she needed to be very careful because anyone could come and drive their car on top of her. It was related to her opposition to the mine. [...she was] not able to pray or participate in the Church. They said she is no longer a leader in the Church. So, from there, it was a strong rejection. (Quotation 48. Community member near the Marlin mine)

4.1.3.2 Cerro Blanco Mine

Threats, intimidation, and violence perpetrated against groups who opposed the Cerro Blanco mine began during the mine's construction phase but have continued to the present. As noted above, incidents did not occur as frequently and were not as violent as the Marlin mine. In 2012, representatives associated with the anti-mining movement were assaulted, threatened, robbed, and were left tied up on a farm. The incident was reported to the Church and the police. It did not result in any criminal charges, because the victims could not identify the perpetrators. The victims believed that they were attacked because of their

⁴³ See note 34 and Quotation 29 in [Section 4.1.1.1](#) above.

opposition to the Cerro Blanco mine. The trauma of the incident dissuaded some of the anti-mining activists to continue their involvement, as one victim recounted:

In 2012, there was an assault and kidnapping. [...] In my case, and others, we were not able to link it directly with the mine. Because there is no proof. Nevertheless, the Salvadorians, they have said it directly, because they have relations. [The victims] had a meeting with the PDH of Guatemala [to report the incident]. And they assaulted us on the way and with knives. So, they shot us. Because the work we did was opposed [to the mine]. So, it puts pressure on you when you are going about your daily business, the number of assaults increased, shootings, and others.
(Quotation 49. Community representative near the Cerro Blanco mine)

Another incident occurred in March 2016 when a journalist and radio announcer was assassinated. The killer and motive were unknown, but several NGOs released statements, suggesting that they believed it was related to the journalist's activism against mining in the region (Soy502, 2016; Serjus, 2016).

Even though violent incidents did not occur as frequently, a climate of tension, divisions, and posturing characterized the community near the Cerro Blanco mine. In Asunción Mita, everyone I spoke to was initially suspicious about why I was there and what my intentions were. Some believed I was working for the mine; others believed I was trying to cause disruption against the mine. A few individuals interviewed about the mine indicated that there was no conflict or issue regarding the mine and strongly tried to influence my perspective about the mine, as noted in [Chapter 2](#) (see Quotation 9). For example:

No, its fine, [I don't want to clarify or modify anything in the interview], only that it leaves me upset why you want to know so much about mining. [...] It is interesting for you, the ability to see that there is not as much conflict here, and rather to be able to see that mining can be a motor for a lot of development. [...] You are confused. Perhaps if you had the opportunity to go to the communities and talk to someone there, they would have told you about the projects that the mine had done.
(Quotation 50. Community representative near the Cerro Blanco mine)

On one occasion, I learned that a participant who denied their involvement in protests did participate in protests concerning the mine, suggesting that they might have been afraid to reveal that they had concerns with the mine. Concerns about the mine often emerged indirectly through discussions about other topics, such as local livelihoods and community priorities. It was also evident that surveillance was

undertaken in the community on behalf of the mine (though not necessarily contracted by the mine). On three occasions, I learned that community members who worked in the mine had asked research participants about whether they had spoken to me and what was discussed. I was also frequently warned not to go around at night alone, implying that something might happen to me because of my research. The following examples that occurred during interviews illustrate this:

[Answering a phone call]. Hello? ...Yes, I'm here with her...El Chino... We are here at the table. I don't know if you will come... No, just me and her... Mmmm... I thought she came, but I was inviting her... Ok...Its Ok. I remember that. We will wait for you there... See you.
(Quotation 51. Community representative near the Cerro Blanco mine)

I admire you a lot. [...] Do you understand the word “admire”? It is impressive what you do [...] that you are here alone [i.e., with no protection]. [...] Guatemala has high levels of this type of violence. A short while ago, maybe a week ago, they burned three people. Did you see it?
(Quotation 52. Community representative near the Cerro Blanco mine)

The excerpts above reveal the subtle ways that community members intimidate each other, by revealing that they are being watched and by reminding them of the potential harm that could happen to them.

The third dynamic of conflict is distinct from the others, because it involves a slightly different set of organizations, issues, actions, and resources. It primarily involved groups within the community and did not directly involve the mine or other external parties such as the Guatemalan government or NGOs. The involvement of anti-mining groups in this conflict dynamic overlaps with the first dynamic of conflict. However, it also involves a distinct group of pro-mine supporters who are not necessarily involved in any of the other dynamics. The dynamic may also involve members of the local government to the extent that they were among the perpetrators or failed to adequately intervene to specific incidents.

While the grievances motivating attacks related to positions concerning the mine in each context, the attacks were highly personal in nature and were directed at specific individuals in the community for their positions and actions (rather than more generalized grievances and demands directed at the mine as in the first and second dynamics). The tactics were also more personal and targeted in nature than in other dynamics of conflict. The tactics were intended to intimidate individuals rather than to attract

attention or communicate grievances and demands to the mine or the government. Like the other conflict dynamics, the pattern of attacks and retaliations perpetuated a cycle that—in this case—deepened divisions, heightened tensions, and contributed to an overall climate of insecurity and mistrust.

4.1.4 Mistrust-Motivated Social Unravelling

The fourth dynamic of conflict is about the consequences of other dynamics of conflict on local and national governance. Local government officials were involved in intra-communal conflict associated with the third dynamic of conflict as perpetrators of pressure, threats, attacks, or the denial of programs and services to anti-mining activists. They were also involved in other dynamics of conflict as victims of attacks and other injustices related to the first, third, and fifth conflict dynamics sought assistance from local government organizations and felt that the local government did not adequately respond to the issues. Community members also perceived that the local government was collaborating with the mine. All three eroded trust in the local government and stirred resentment, which set in motion a separate conflict dynamic between community members and the local government (see Figure 4.6).

Like the third dynamic of conflict, the fourth dynamic did not directly involve the mine and took place exclusively among community members and other local and national governance organizations. However, the mine’s impacts on and interactions with the community were relevant to community divisions and community trust and resentment issues with the local government. In general, the local governments supported the

Figure 4.6. Mistrust-Motivated Social Unravelling

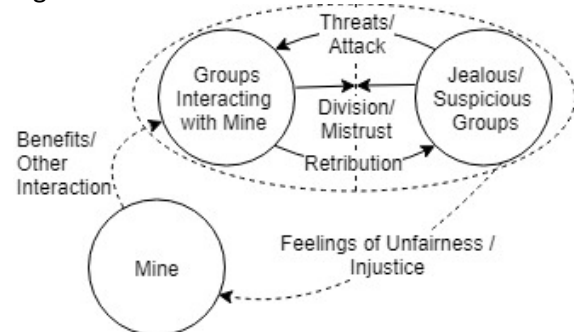


Figure 4.6 illustrates a pattern of intra-communal conflict between local government officials who were attacked for being “corrupt” for siding with the mine. The mine was not directly involved in the exchanges, but existing social divisions and controversy concerning the mine factored in grievances concerning local government officials, represented by dotted lines connecting to the mine. However, local governance issues are a pre-existing issue, distinct from the mine, represented by a dotted circle around the parties.

mine, because it provided a major source of revenue in the form of royalties and contributions to other

community projects. Community members felt that issues like alleged corruption or the local government's inability to resolve community conflicts were because of its support for the mine.

Mistrust and resentment towards the local government mounted among diverse groups of the community for various reasons unrelated to their particular positions towards the mine. Whether or not any actual abuse of power occurred, perceived local government abuses motivated community members to physically attack, slander and shun, and forcibly remove local government officials from their positions. These acts motivated retribution against the perpetrators. Overall, the dynamic furthered social divisions and mistrust among community groups, eroded trust in the local government, and eroded its ability to deliver programs and services.

This conflict dynamic was only observed at the Marlin mine. Though concerns regarding local government officials began during the approvals phase, the only incidents where community members undertook direct actions against the local government took place during the mine's operations phase. This might help to explain why it has not been observed in the context of the Cerro Blanco mine, as the mine has not yet begun full-scale extraction operations. However, other local contextual factors also explain this difference, discussed in [Chapter 5](#). The following examples illustrate how the dynamic manifested at the Marlin mine and why it was not observed at the Cerro Blanco mine.

4.1.4.1 Marlin Mine

The fourth dynamic of conflict, along with the first and third conflict dynamics, characterized the overall situation of conflict in the context of the Marlin mine. The fourth dynamic of conflict is related to the first, third, and fifth dynamics of conflict, because it was affected by the local government's response to anti-mining protests and other conflicts and controversies in the community. The local government's support for the Marlin mine and its efforts to influence others in the community to support the mine were major grievances for anti-mining groups, as one community member explained:

And the social division, and the social conflict, which is happening, that happened and that continues to happen, is because the leaders [in the local government] that were co-opted wouldn't shut up about their positions towards the mine and continued to misinform the population. And they would deny the information that us [anti-mining] leaders who are defending the rights of the territory and the communities. And so, the mine did it like that. The mine has bought the [local government] leaders to pit groups against each other as defenders of human rights.

(Quotation 53. Community representative near the Marlin mine)

Community members that were attacked or harassed by others in the third dynamic of conflict went to the community court, the mayor, or the local development councils (COCODEs) for help. However, these organizations were not able to resolve the conflict. The victims felt that the local government was unjust, because it did not believe the victim or said that the victim was being unreasonable. Consequently, many individuals did not trust the local government. As community members recalled:

She went to the judge [in the community peace court], but there was no justice. The judge sent someone to investigate, who was supposed to be trustworthy, and she explained to him what happened, and he asked her: "but why would they try to kill you?" She said: "because he was paid by the mine." And when the final report came out, it said that he was only pointing the machete at her [rather than a more graphic act that she had previously described]. So, even the judge took the other side.

(Quotation 54. Community representative near the Marlin mine)

When all of the communities that were against the mine in resistance went to the municipality to ask for there to be a solution to the problem that the mine entered the community and how the mine entered the community, the mayors all said shut up sirs. This is a project that will benefit you, one that will take you out of poverty where you will be able to convert yourselves into rich men. Money. In addition, you will have permanent jobs. Permanent work for everyone in your life.⁴⁴

(Quotation 55. Community representative near the Marlin mine)

Several scandals where the local mayors of both San Miguel Ixtahuacán⁴⁵ and Sipacapa⁴⁶ were discovered to have negotiated side deals with the Marlin mine further eroded community trust. The mine

⁴⁴ This account is likely exaggerated and should not be interpreted as a factual account of what actually transpired. Rather, it illustrates that the representative felt that the local government did not adequately respond to the issue.

⁴⁵ Specifically: Sergio Elías González Mejía (1996-2004), Ovidio Joel Domingo Bámaca (2008-2016), Ramiro Bruno Soto Mejía (2016-2020).

⁴⁶ Specifically: Alejandro Mazariegos Sánchez (2012-2016).

contracted private companies owned by the mayors to provide transportation or construction services.⁴⁷

The scandals caused controversy in both municipalities and led to a complaint of alleged corruption against the mayor of Sipacapa (Garcia, 2019), and motivated the replacement of the mayor of San Miguel Ixtahuacán. As community representatives explained:

The current mayor has his own company [...and] worked for the mine. Eight busses work every day to transport workers to and from the mine. Each bus gains 1,700 Q [~\$340 CAD] each day, so with 8 busses, he gains practically 10-12,000 Q [~\$2,400 CAD] each day. [...] The people wanted change in the community, which was why they elected Ramiro Soto in 2015 [for the 2016-2020 electoral period]. [...] But Ramiro Soto was exactly the same as his predecessors. He was a politician and grew up the same. He was a friend of Sergio González [mayor from 1996-2004]. [...] They are not friends anymore, but they were friends for more than 20 years.

(Quotation 56. Community representative near the Marlin mine)

All of the mayors that were in power in San Miguel during that period [when the Marlin mine was operating] were totally co-opted by the mine. I mentioned, Sergio Elías González is the first one I saw, “sos” [I tell you]. Joel Domingo Bamaca, Oswaldo Avila, and the one that is in power right now [Ramiro Soto], he still gives us the hand [i.e., does not listen to them].

(Quotation 57. Community representative near the Marlin mine)

Members of the community development councils (COCODEs) often received additional financial support from the mine and had first choice to participate in mine-funded projects funded. As one community member explained, “[the mine] gave the COCODES money, 50,000 Q [~\$10,000 CAD] to each one. The mine used the community leaders to be in their favour” (Quotation 58). For this, community members were suspicious when they saw sudden displays of wealth by COCODE members, leading to harassment or forced removal from their positions. As illustrated in one account:

There was another woman community leader, named XXX [name removed] who provided a lot of support in the [anti-mining] struggle. And she always demonstrated her posture against the mine. And for this, she was named as vice president of the COCODE in her community. [...] But when she was in her position, everyone else criticized her, saying things like now that she is in the COCODE, she is getting a lot of money from the mine, and that they are giving her money, what are she doing with so much money, where is she going with all al this money. So, they started to

⁴⁷ Sergio Elias González Mejia (1996-2004) owned a construction company “Constructora San Miguel Arcángel” that was alleged to be one of the main subcontractors for the mine (ownership was confirmed through public notice of another contract; see Guatecompras, 2009). He also owned a transportation company called “Transportes González” (see Muni San Miguel Ixtahuacán, 2011). His son, Julio César González Velásquez also owned a company called “Constructora JC GV SM” alleged to be a subcontractor for the mine (MINCIVI, 2017).

put her down, they yelled at her, scolded her many times. [...] [Community members] had a meeting in someone's house, organized a group of neighbours to attack her, and removed her from her position. [...] So, in the end, they succeeded in removing her from her position in the COCODE, and that made her very upset, and no longer wanted to participate in the resistance like before. She said things like, I did enough, they scolded me, [...] I don't want to live this anymore, because they are threatening me. And she decided to go work on the coast [as a farm worker].
(Quotation 59. Community representative near the Marlin mine)

The account reveals that community members mistrusted COCODEs because of their interactions with the mine and that this mistrust motivated attacks against COCODEs. There have been several violent incidents, including one in 2016 where a COCODE member was killed and at least 10 others were injured as a result of a power struggle. The incumbent refused to leave their position after a controversy and the COCODE replacement was not accepted by the community (Herrera, 2016). In 2017, the mayor of San Miguel Ixtahuacán received death threats because of his response to mine closure issues (Occidental Stereo San Marcos, 2017).

Local government representatives acknowledged that it was challenging to respond to mine-related conflicts in the community. Controversies and mistrust in the local government have affected their safety, their ability to resolve mine-related conflicts in the community, and their ability undertake other work in the community, as representatives explained:

We participated in the resolution of conflicts involving only groups of residents of San Miguel, and not necessarily the mine. [...] And we need to sometimes take sides in conflicts, which puts our own life and security at risk, especially now that there is no police presence. And so, this is how we started to suffer as well because of the social groupings, and politics "of a different quality" generated from the mining-related conflicts. And those anti-miners no longer regarded us as their friends, and that we are not being just, even though sometimes they don't always get what they want, and the law sometimes doesn't authorize it.
(Quotation 60. Municipal Government representative near the Marlin mine)

Yes, [our work] has been affected [by conflict at the Marlin mine], because [...] now it is difficult for us to enter into certain communities. [...] In the area where there is conflict with the mine, where supposedly the mine dried up their water sources, [...] we are in dialogue now, still. [...] We went to assess the water systems. But in the end, according to the criteria, it's the fault of the community, because they didn't maintain the water system that was given to them [by the mine]. [...] But when we went in and recorded what we saw, we noted that yes, the mine did [fulfill their commitment to procure water sources]. We didn't take one side or the other, the report was

neutral. But because of this, the community said that we wouldn't help them, and it generated a bit of conflict, because the community wouldn't let us enter to do their work on any issue. (Quotation 61. Municipal Government representative near the Marlin mine)

4.1.4.2 Cerro Blanco Mine

As noted above, the fourth dynamic of conflict was not observed at the Cerro Blanco mine. While NGOs like Madre Selva raised concerns about irregularities in the Guatemalan government's approval of the Cerro Blanco mine (Voces Nuestras, 2019), their response to these concerns was to organize protests and submit complaints against the mine in accordance with the first dynamic of conflict; they did not directly attack, threaten, or attempt to remove government officials. Additionally, though certain NGOs were concerned about potential corruption, local community members were not particularly concerned about this issue and were instead apathetic towards the government (discussed further in [Chapter 5](#)).

The local government undertook over several projects in cooperation with the mine. Over 50 initiatives were identified where the mine undertook some sort of project or contribution in the community (see [Appendix 5](#)). Half were contributions to the local government, such as donations of school supplies, office supplies, hygienic supplies for the municipality to distribute to others, or collaborative initiatives with the local government or community development councils (COCODEs). For example, the mine undertook road repairs, school enhancements, and potable water projects with the local government (Asgeirsson, 2013; Entre Mares, 2017; 2019a; 2020a; 2020b; 2020c; 2021a; 2021b). These interactions have not generated the same degree of division or resentment in the community. Community members also did not have the same expectation of benefits from the mine or perceive the local government's interactions with the mine to be problematic, as a representative explained:

[The mine] support[s] projects in the community. And sometimes they do it through the mayor, or sometimes through someone known in the community. And they bring beautiful projects to the communities. They make good gifts for the development in the community. [...] It isn't our jurisdiction [i.e., the mine is not located in their community], but they have helped a bit. [...] The truth is that the people here are involved in other professions, like fishing, teachers, in the market,

etc. They have their jobs, so I think that the people are not thinking about working in the mine and are not fighting over that.

(Quotation 62. Community representative near the Cerro Blanco mine)

The community's lack of concern about the local government's interactions with the mine might be related to the fact that mine-related benefits have not been significant to date compared to the Marlin mine (see [Appendix 5](#)). Tensions and jealousy may increase when the mine begins operating and mine-related benefits increase. However, the fact that concerns with the local government were already apparent during the Marlin approvals phase suggests that other factors explain the difference in dynamics, discussed in [Chapter 5](#).

The fourth dynamic of conflict is distinct from others, because it involves a slightly different set of organizations, issues, actions, and resources. Unlike the other dynamics, it involves local and other government organizations along with other groups within the community. Many of these groups may overlap with groups involved in the other dynamics, but not necessarily. The mine is not directly involved in the conflict dynamic, but its impacts and interactions form part of the context that motivated concerns towards local government organizations. The Marlin mine disrupted the local government's accountability relationship with the community, as reflected in statements that local government officials had been "bought" or "co-opted." That said, the main grievances associated with the conflict dynamic relate to the conduct of local and central government officials. The concern was not necessarily that the government was pro- or anti- mine; rather, it was that the government was corrupt, unjust, and/or ineffective.

Another distinguishing feature of this dynamic is that the actions directed at government officials were not necessarily defined by any position towards the mine. They were directed against local leaders that were both pro- and anti-mine, and by community groups that were both pro- and anti-mine. The tactics involved in this dynamic were similar to those used in the third dynamic, such as threats, harassment, shunning, and potentially violent acts. However, this dynamic also involved unique tactics focused on the removal of officials from positions of power. These actions affected everyone in the

community and furthered resentment, mistrust, undermined social cohesion in the community, and undermined the ability of local government organizations to address other challenges in the community.

4.1.5 Violence Against Women

The fifth and final dynamic concerns a diverse range of issues and patterns of violence that arise in connection with mining but disproportionately affect women (see Figure 4.7). This dynamic was only observed in the context of the Marlin mine, where the mine's construction and operations brought an influx of workers from other parts of the country and abroad. This led to an increase in alcoholism, drug-

use, trafficking, and prostitution in the community (Escalon, 2018). These issues led to abuses of women, from their involvement in prostitution or trafficking, to abusive relationships, infidelity, polygamy, and/or abandonment. These issues, though personal in nature, occurred on such a scale that they became community-wide issues that were politicized in the context of mining. The following examples illustrate this pattern of conflict at the Marlin mine and why it was not observed at the Cerro Blanco mine.

Figure 4.7. Violence Against Women

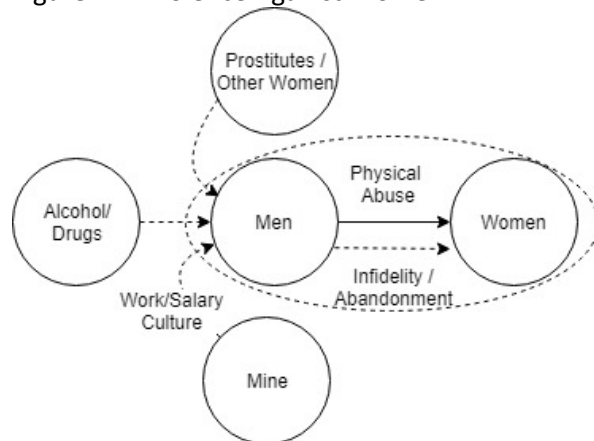


Figure 4.7 illustrates a pattern of conflict that has emerged in response to violence that disproportionately affected women. The dynamic occurred primarily in male-female relationships that were originally monogamous, represented by a dotted circle around two circles for men and women in these relationships. The women in these relationships experienced verbal, physical, and/or social abuse such as infidelity or abandonment. The abuse was often associated with other issues such as substance abuse and a general culture associated with the mine and influx of mine workers, represented by dotted lines to show their indirect influence on the situation. The violence took place between partners, demarcated with a dotted circle around the parties. Because community members associated cause of abuse to the mine, instances of abuse caused larger rifts in the community, and a broader dynamic of conflict.

4.1.5.1 Marlin Mine

While half of the mine's workers came from the local community, the other half came from elsewhere in San Marcos, Guatemala, or abroad (Montana, 2005c, p. 28; 2010a, p. 7). Contrasted against the pre-existing context of poverty and general lack of economic opportunities, the salaries of mine workers gave

them significant economic power in the community. Women were largely excluded from these opportunities. This made them vulnerable to involvement in prostitution. Many also found themselves in relationships with mine workers, which were often physically or verbally abusive, or involved infidelity, polygamy, and/or abandonment. As a community member explained:

So, bit by bit the violence increased, and those who came from abroad, were people that, I imagine, didn't value the culture in the communities where they were working. [...] And they were the ones that started prostitution, the proliferation of cantinas. And it didn't curb. [...] And there started to be family disintegration, because of interfamilial conflict. Or there was violence against women, because the wife might be against her husband [doing these things]. So, it was familial conflict but also of a social character [because it involved the broader community].
(Quotation 63. Municipal government representative near the Marlin mine)

Anecdotal information suggests that there was also a high proliferation of sexually transmitted diseases.⁴⁸ These women faced additional stigma in the community, for example, for being a single mother. The health and economic impact on these women continues to be an ongoing issue in the community even after the mine closed (COPAE, 2020). As a local government representative explained:

Miners that were not from here hooked up with women from here. This is a serious effect [of the mine] that exists. [Women] have come here as well asking for help, because they have 2, 3 children and their husbands aren't here; they are from another country like Peru, Argentina, Mexico or from another part of the country. [The men] left and now they don't respond. It's really complicated. So, they come to the municipality to ask for work, and we don't have the capacity. Or they go straight to the mayor to ask for money to eat. We are stuck in a difficult position.
(Quotation 64. Municipal government representative near the Marlin mine)

The mine hired a handful of women (about 10-13 percent of the workforce) and included women in some of its community programs and activities (Montana, 2005c, p. 26; 2010a, p. 7). However, this caused conflict and tensions by creating situations where the women made more money than their husbands, which went against gender norms in the community. Consequently, many women that worked

⁴⁸This could not be confirmed due to health data quality issues. An increase was observed in other infections correlated with STIs, but other diseases like the common cold also increased. This suggested that local population increase or access to health services over the time period might explain the rise (MSPAS, 2018).

in the mine experienced verbal and physical abuse, family separation, and other stigma in the community, as one community member explained:

There were a lot of divorces as well, because the men were not accustomed to the fact that their wife would go and work in the mine, and would leave in the night, return in the night. So many women that worked in the mine are now separated. And the sicknesses as well, there was a lot of alcoholism and cantinas, this was the largest business in San Miguel.
(Quotation 65. Community representative near the Marlin mine)

4.1.5.2 Cerro Blanco Mine

To date, no particular pattern of violence against women connected to the Cerro Blanco mine has been observed. Organizations that have been monitoring conflict at the Cerro Blanco mine have not observed any patterns of violence against women either (Yagenova et al., 2020, p. 92). That said, violence against women is one of the most prominent issues handled by local branches of the central government.⁴⁹ Other issues included violent crime, organized crime, alcoholism and drug-use, illicit (drug and human) trafficking, and prostitution,⁵⁰ discussed in [Chapter 6](#). However, these issues were not related to the mine or mine-related tensions. Community members attributed the issues to the town's proximity to the border with El Salvador and Honduras and the high amount of in-and through-migration from both countries. The issues may also be related to racism and xenophobic sentiments towards these migrant communities, as illustrated in the explanation of one participant:

Many conflicts between individuals, because many foreigners have come to live here, from El Salvador, Nicaragua, Honduras. And from there, there has been more conflict. [...] Simply, [the reason why there is conflict is because] the people who come to live here, it is the class of person that comes [i.e., poor people]. And from there, there have been familial conflicts, in terms of violence against women, intra-familial violence, threats, and everything. It's not because they don't want a foreign brother. Simply, basically, there are problems that come up. And from there, comes this kind of violence that follows. The people that have come [from abroad] haven't come to collaborate or contribute to the town, for real, in the society. Of that, there is a lot. Simply, basically, there are some, not all, that are here only to do crime.
(Quotation 66. Municipal Government representative near the Cerro Blanco mine)

⁴⁹ Examples of recent incidents include Marroquín (2019), Oliva (2017), Prensa Libre (2017a).

⁵⁰ Examples of recent incidents include CRN Noticias (2019), Gonzales (2014), Prensa Libre (2017b). TN23 (2019).

Violence against women in Asunción Mita also appears to be related to a strongly male-dominated culture that expects women to be submissive and stay home. Anecdotal information suggests that men occupy most jobs in the community—whether in fishing, construction, or the meloneras—and that most migrants from Asunción Mita to the US are also men. This makes women dependent on their partners, which creates challenges for many women to report abuse, allowing its continuation. Institutional responses to violence against women are also not very effective, as a representative explained:

There is a cycle: if the wife complains, the organization [MP, peace court, or other organization] would make the husband leave the house. But, in leaving the house, there is nobody to support the family financially. So, the mother, and kids, in the house, with the goal of not being left without food in the house they decide not to complain. So that is one of the problems. But in the last few years, there has been a phenomenon, which is that the organizations who deal with these kinds of cases of family violence, they don't just make the husband leave the house, but they make a request or notice about the children [i.e., to provide compensation for them]. And over the long run, they have seen cases in which, yes, they have processed the cases.

(Quotation 67. Representative of the Guatemalan government)

These issues do not currently intersect with the Cerro Blanco mine, due to the fact that there has not been a large number of workers at the mine to date and it only recently began to increase hiring. Given that these issues already exist in the community, future incidents of violence against women involving mine workers may become entwined with the mine's operations.

What distinguishes this dynamic from others are the following characteristics. The main actors involved in this dynamic are individuals who migrated to the community directly or indirectly because of mining, women in the community, and their extended social networks. The dynamic does not directly involve the mine as an organization, but the mine is relevant to the conflict dynamic as it involves mine workers who migrated to the town because of mine-related opportunities. The mine is also relevant because it affected the local economy and culture. The violence perpetrated against women is distinct from the actions involved in the other dynamics as well, as it was not motivated by any specific grievances related to the mine. Rather, the violence stemmed from a clash between the local community and migrants and from gender relations in the community. That said, victims of violence and their extended

social network attributed the violence to the mine, and it has become a distinct grievance towards the mine. Like the third dynamic of conflict, the actions are highly personal in nature. While they could take the form of physical or verbal abuse, they also involve emotional, social, or economic abuse (for example, in the case of family abandonment). Sometimes the perpetrators were defined by economic power (which in most cases meant that they had some sort of link to the mine); however, they could be anyone influenced by the general cultural shift that took place in the community as a result of the mine's presence. The violence affected everyone in the community and remains an ongoing challenge in the community.

Section 4.2 Significance of the Findings

As the discussion has illustrated, at least five different dynamics of conflict were distinguished in the context of the Marlin mine, three of which were observed in the context of the Cerro Blanco mine. Each dynamic represents an emergent pattern that is collectively produced by interactions among a distinct set of organizations, and associated values, perspective, rules, activities, interactions, and resources. The conflict dynamics also overlap with each other in important ways. Distinguishing five dynamics of conflict is significant, because existing reports and discourse about the Marlin mine have not made a distinction and portray it as one big conflict. For example, the complaints submitted against the Marlin mine to the Compliance Advisor Ombudsman (CAO, 2005) and Inter-American Commission on Human Rights (IACHR, 2014) portrayed community conflict as grievances against related to environmental impacts and inadequate respect for Indigenous rights. Similarly, the Human Rights Assessment of the Marlin mine (OCG, 2010) and reports prepared by international NGOs such as Amnesty International (AI, 2014) treated community conflict as an extension of company-community conflict. Reports published by anti-mining NGOs about the Cerro Blanco mine focus only on environmental and human rights-related issues associated with the first dynamic of conflict and do not acknowledge the other dynamics in the local context (Yagenova et al., 2020). This is discussed further in [Chapter 7](#).

Because different dynamics of conflict were not previously distinguished, conflict responses and conflict resolution efforts have also only focused on groups and grievances associated with the first dynamic of conflict to date. This leaves other important groups, grievances, and dynamics relevant to community cohesion unaddressed. Violence in the community has decreased and some of the tensions have begun to subside with the Marlin mine's closure in 2017. However, many victims of attacks are unable to forgive and forget, as revealed by one participant:

The other day the man that came to murder her saw her in the street in his pickup truck and asked her if he could give her a ride, but she didn't look at him, didn't speak to him, and just kept on walking. For her, after someone does something like that, she cannot reconcile.
(Quotation 68. Community representative near the Marlin mine)

Divisions and resentment within the community remain and persist below the surface. Community members expressed fear that conflict could re-emerge if mining exploration activities begin again:

The problem of conflict in the community is very strong and is not going to end, because the social divisions in the community stay [even though the mine closed]. We are preoccupied that we are divided, fighting. [...] For some people, it is possible to forgive and forget, but for others, what happened to them was so personal that it is not possible for them to find peace again. The conflict comes with the mining. Because the mining stopped, the workers are resting [or they left]. But if they start mining again, everything will start back up again. For example, in [the neighbouring community], none of those leaders would talk to me [when the mine was operating] but now they will. There was a change in the mindset of those people, but its not a stable calm. If mining would start again, the conflict will return. But, because there are six other licenses in the area, I fear that there is still a risk of conflict.
(Quotation 69. Community representative near the Marlin mine)

Anti-Cerro Blanco mine resistance has to date been smaller in scale and less violence than the Marlin, with participation limited to a handful of local participants, the Catholic Church, Guatemalan, and Salvadorian NGOs, and limited international support. Limited uptake appears to have restrained tensions associated with both the first and third dynamics for the time being. However, the sale of the Cerro Blanco mine to Bluestone Resources and the current work to open and transform the mine into an open pit operation has increased anti-mining NGOs awareness raising efforts. The situation could quickly change and spiral without constructive engagement on all relevant conflict issues.

Several commonly cited factors do not explain differences in the conflict dynamics observed in the context of the Marlin and Cerro Blanco mines. These factors are related to differences in the mine lifecycle, differences in the point in history when incidents occurred, differences in the pace of change associated with the arrival of mining in each community, and differences in the local context. The Marlin and Cerro Blanco mines are in different phases of their respective lifecycles, and the Marlin mine progressed through each phase in its lifecycle much faster than the Cerro Blanco mine. The Cerro Blanco has remained in the construction and approvals phase since 2007, whereas the Marlin mine initiated extraction within a year of obtaining approval. The fact that the Marlin mine is now closed has also permitted analysis of the conflict dynamics throughout the mine's entire lifecycle, whereas the analysis of the Cerro Blanco mine is restricted to the exploration, approvals, and construction phases.

That said, many of grievances and concerns motivating the fourth and fifth dynamics of conflict were visible in the Marlin context during the approvals and early construction phases, suggesting that differences in the two mines' lifecycle phases do not fully explain differences in their conflict dynamics. During the approvals phase of the Marlin mine, community members opposed to the mine took issue with the mine's recruitment of community leaders as "promoters" for the mine (Montana, 2003a, p. 3-68). Local government support for the Marlin mine after negotiating a deal for five mine-funded projects was also a huge issue in the community (for which local government officials were labelled as "bought" or "co-opted" by the mine). The same strategy was used for the Cerro Blanco mine just two years after the Marlin mine (2005 at Cerro Blanco vs. 2003 at Marlin). Both mines were owned by the same company at the time (Glamis) and staff recruitment and community consultations were organized by same sub-contractor (MARN, 2007, Anexo 17.3.2). Yet the municipal government's interactions with the Cerro Blanco mine did not create any major issues. The first and third dynamics of conflict were already present in the communities near the Marlin mine during the approvals phase of the mine and involved significantly more participation and more violence at comparable stages in the mines' lifecycles than the dynamics observed

at the Cerro Blanco mine. Thus, differences in the mine's respective lifecycle phases do not fully explain differences in the dynamics of conflict observed. Moreover, the approvals and construction phases of two mines overlapped temporally as well, which further undermines this factor as an explanation for the differences in conflict dynamics observed.

The pace of change associated with the arrival and initiation of mining operations in each community was noticeably different in each of the mining contexts. The Marlin mine kickstarted significant development of infrastructure, businesses, and services. This brought major change in the local culture and economy from one based on informal exchanges and bartering to a money-based economy and redefinition of power, as a representative of the local church explained:

The culture here has changed a lot. All of those Tuk Tuks [did not exist], but not just in San Miguel, all across the country. [...] But as well, the people don't greet each other anymore in the street [as was the Indigenous custom], since 15 years ago. Even though 15 or perhaps 18 years ago the mine started. [...] The people started works [roads, infrastructure] to give a better life to the community. A big change that we have seen could be with the mine, because it started at the same time, was the highway to Agel, to get to the mine. Since this moment, it really called my attention that from this moment on, nothing was ever given away [through informal exchange]. Everything needed to be paid for [a money-based economy]. And this was 20 years ago [~1999], when it started. Everything needed to be paid for, and nobody would "collaborate" in anything anymore [i.e., contribute time or resources to common initiatives].
(Quotation 70. Representative of the Catholic Church)

And there wasn't anything at the time. This restaurant didn't exist, we had nowhere to go for lunch. And we would have to go to eat lunch at a house where we came from. [...] There was only one health post [in all of San Miguel].
(Quotation 71. Representative of the Marlin Mine)

By contrast, Asunción Mita was already more integrated into national economy and infrastructure network. It had a large dairy association since the 1970s⁵¹ and the Pan American Highway passes through the town, bringing in a constant flow of foreigners and business. The arrival of mining did not have as large of an impact on the local culture and economy as it did on the remote and impoverished communities

⁵¹The Prolac association was established through Decreto No. 95-73. The president at the time was Mario Sandoval Alarcon, related to many of the large land-owning families in Asunción Mita who benefitted from it (DCA, 1973).

near the Marlin mine. The pace of change in the community has not been as intense as the Marlin mine due to the fact that construction phase occurred over a period of more than 15 years.

To a large extent, differences in the extent and pace of change to local culture and economy associated with the arrival of mining between each context are explained by differences in the local context. As discussed in [Chapter 3](#), differences in the local context are a product of each town's colonial experience and situation in Guatemala's national context and characterized by inequality and exclusion in ways that affected each town differently. This shaped how each town experienced the Internal Armed Conflict, the particular peacebuilding challenges each faced, and the situation of each town within Guatemala's national political, social, and economic context. These differences help understand differences in the dynamics of conflict observed in each context, discussed in further depth in [Chapter 5](#).

How Guatemala's Peacebuilding Challenges are Relevant to Mining Conflicts

This chapter brings together the contextual information from [Chapter 3](#) and the conflict analysis from [Chapter 4](#) to show how inequality and exclusion are at the heart of the five conflict dynamics observed at the Marlin mine and the three dynamics at the Cerro Blanco mine. Inequality and exclusion explain why each of the dynamics of conflict emerged (or not) in each context the first place. Inequality and exclusion also explain the grievances associated with each dynamic, the groups involved in each dynamic, and the particular actions or strategies taken. Differences in how inequality and exclusion manifested in the communities near the two mines and differences in their situation in Guatemala's national context explain similarities and differences in the conflict dynamics observed in each context. As inequality and exclusion were core issues that led to the Internal Armed Conflict and were key issues that peacebuilding efforts in Guatemala sought but failed to address, the centrality of inequality and exclusion to the dynamics of mining-related conflicts represents an important linkage between Guatemala's peacebuilding challenges and mining conflicts. This is the first argument of the dissertation about how peacebuilding challenges intersect with mining conflict, as Guatemala's challenges in addressing inequality and exclusion through peacebuilding became relevant to the emergence and dynamics of mining-related conflict at both mines.

As discussed in [Chapter 1](#), existing theories consider mining-related conflict to be a response to the adverse effects of mining in a community (AI, 2014; Haslam & Tanimoune, 2016; Rustad et al., 2012; ICMM, 2015; OCG, 2010; Van de Sandt, 2009). These include environmental impacts, changes in resource access and use (such as water or land), unequal distribution of mine-related benefits and impacts, violent incidents involving mine personnel, and other changes in community life. All of these impacts were observed in the context of the Marlin mine, and many were observed in the Cerro Blanco context. These adverse impacts were relevant to one or more of the dynamics of conflict described in [Chapter 4](#). Community representatives in each context expressed a similar understanding of mining-related conflict.

In arguing that inequality and exclusion underlie the conflict dynamics and explain differences in

conflict dynamics between the two mines, the argument does not deny that the adverse impacts of mining are important sources of grievances in the community and conflict triggers. Rather, the argument emphasizes that there is more to the situation than simply these factors. The potential for mining-related adverse impacts was similar across both cases and is arguably greater in the Cerro Blanco context given that mine-related contamination could affect the main water source for an entire country. Differences in the local context are a key element that explains differences in the conflict dynamics observed between the two cases. Each context is shaped by unique patterns of inequality and exclusion that are a legacy of Guatemala's colonial history and are an ongoing peacebuilding challenge.

[Section 5.1](#) revisits the issues of inequality and exclusion in further detail to show specifically how pre-existing patterns of inequality and exclusion manifested in the local contexts near the Marlin and Cerro Blanco mines. Similarities and differences in each community and their situation within Guatemala's national context are also compared and contrasted. [Section 5.2](#) shows how the particular patterns of inequality and exclusion in each context shaped the dynamics of conflict at each mine.

Section 5.1 Inequality and Exclusion in the Context of the Marlin and Cerro Blanco Mines

Inequality and exclusion were evident in the communities near the Marlin and Cerro Blanco through patterns of social interaction—who interacts with whom. Inequality and exclusion manifested as a pattern of highly segregated social networks at the local and national level. This was apparent through interviews with diverse representatives and was confirmed through a social network mapping exercise (see Figure 5.1 and Figure 5.2).⁵² To a certain extent, the patterns of social interaction reflected factors such as common geography, ideology, history, and/or utility of the relationship. In turn, the patterns of social

⁵² As discussed in [Chapter 2](#), information gathered on social relationships was inputted into Gephi and Kumu network analysis software. The overall social network configuration of each context was analyzed using a “modularity” function in software that distinguished sub-networks where interactions were denser and more interconnected and that interactions were considerably less dense between different sub-networks.

interaction within segregated social networks had an important impact on ideology, capacities, and politics, because they fundamentally shaped how information and resources circulated in society.

Figure 5.1. Marlin Mine Social Network

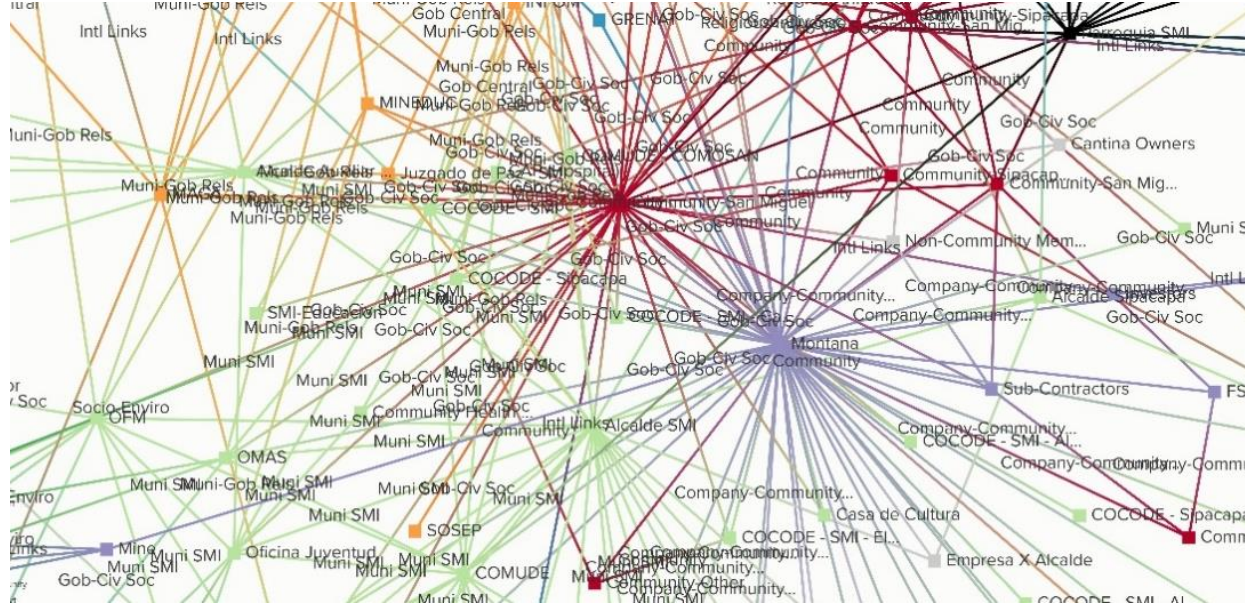


Figure 5.1 is an excerpt of a social network map in the context of the Marlin mine, which was too large to meaningfully portray and interpret on a single page. It is for illustrative purposes only. Organizations associated with different segments of society are colour coded. Marlin mine – purple; Local community – red; Municipal government – light green; Central government – Orange; NGOs – Blue; Church – Black. The map shows distinct social networks, loosely associated with the category of the entity.

Figure 5.2. Cerro Blanco Mine Social Network

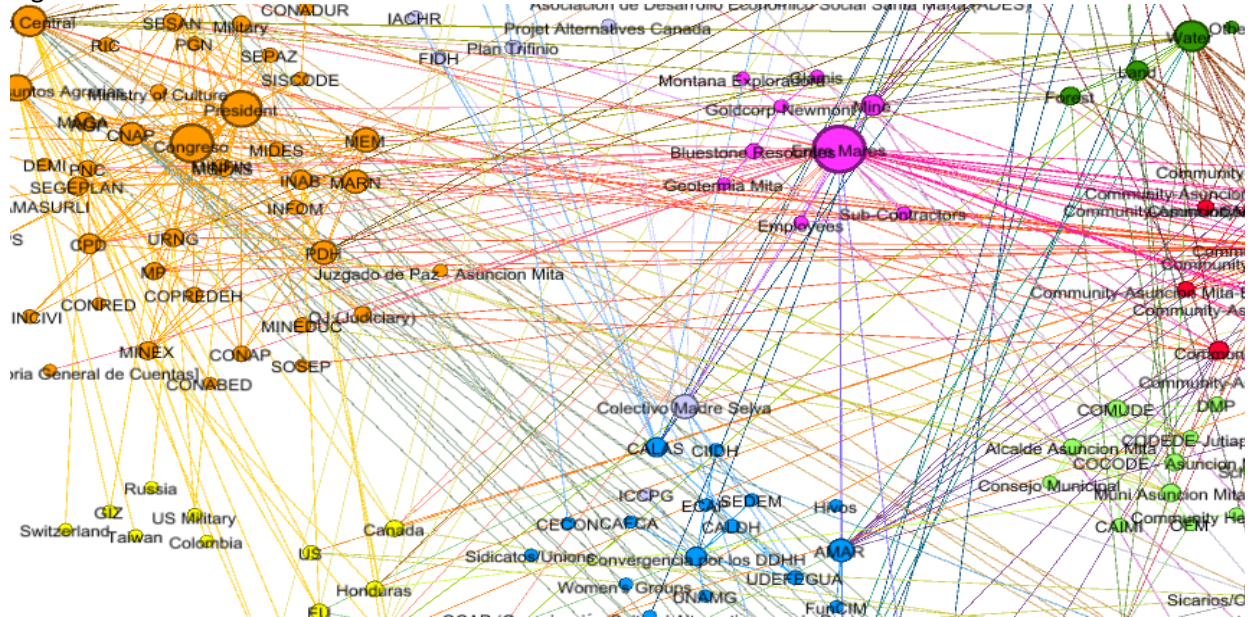


Figure 5.2 is an excerpt of a social network map in the context of the Cerro Blanco mine, which was too large to meaningfully portray and interpret on a single page. It is for illustrative purposes only. Organizations associated with different segments of society are colour coded. Cerro Blanco mine – pink; Local community – red; Municipal government – light green; Central government – Orange; NGOs – Blue; International governments - Yellow. The map shows distinct social networks, loosely associated with the category of the entity.

Segregated social networks translated into a structure of information and resource flow that coincided with those networks. Restricted circulation of resources, opportunities, and influence within certain (elite) networks excluded those outside those networks from access. Segregated social networks also translated into a distinct set of values, worldview, and ideology that coincided with those social networks. Organizations within the same network shared the same ideology, but ideologies clashed between organizations of networks that did not interact.

In terms of Meadows' (2009) leverage points, these patterns of social interaction and resource and information circulation reflect the structure of material stocks and flows and structure information flows in Guatemalan society and represent basic foundations of Guatemala's societal system. This is the foundation of the system that has collectively produced and reinforced inequality and exclusion throughout Guatemala's history by means of a series of positive feedback loops. The concentration of resources and opportunities within elite networks, dearth of resources and opportunities outside those networks, and inability of outsiders to access resources within elite networks has affected the relative capacity of organizations that are included and excluded from these networks. It has also affected patterns of influence in the government and the reach and the quality of government programs and services. By means of a series of feedback loops, resources and information circulation within segregated social networks reciprocally shaped and were shaped by other features of the system, such as the rules of the system, power to change system structure, and the system's mindset. Very different sets of information circulated within separate social networks, which produced and reinforced differing ideologies. As such, the structure of Guatemala's social networks explains the patterns of inequality and exclusion observed in [Chapter 3](#) and why they have been difficult to change through peacebuilding. Particularities in the structure of the social networks in the context of each mine also help to explain similarities and differences in patterns of inequality and exclusion observed in the context of the Marlin and Cerro Blanco mines.

Four main sub-networks were distinguished in the context of both the Marlin and Cerro Blanco

mines. These sub-networks can be referred to as 1) the central government network, 2) the municipal government network, 3) the pro-mine network, and 4) the anti-mine network. Organizations that were part of the same sub-networks interacted significantly more with each other than with organizations that were part of a different sub-network. Two gaps were also observed where social interactions were lacking in ways that appeared to be relevant to inequality and exclusion. These concerned a lack of interaction between 1) the central government and society, and 2) the municipal government and society. A description of each sub-network or gap, and the nature of the social interactions and circulation of information and resources that took place within each, is provided below. Similarities and differences in these networks in context of each mine are also discussed. [Appendix 4](#) provides additional examples of the patterns of interaction in each network and the two gaps. As will be discussed in [Section 5.2](#), these patterns of interaction explain key features of the dynamics of mining-related conflict in each context and how inequalities and exclusion are central to the conflict dynamics.

5.1.1 Central Government Network

The central government network is comprised of departments and agencies of the Guatemalan government that interact with each other as part of fulfilling roles and responsibilities or because their roles and responsibilities relate to a common issue or policy area. This sub-network was comprised of the same departments and agencies in the context of both mines. [Appendix 4](#) illustrates how the central government entities interact and exchange information and resources in the context of mining governance as an example of interactions within this network. This general pattern of interaction characterized other areas of governance, including government-wide efforts to implement peacebuilding commitments, which is discussed in [Chapter 6](#). Despite the greater and more regular interactions among departments and agencies within the central government network, the interaction was limited to

information exchanges and providing updates about how each organization has fulfilled their respective responsibilities rather than more holistic forms of collaboration, discussed in [Appendix 4](#).

5.1.2 Municipal Government Network

The municipal government network is comprised of sub-units within or associated with the municipal governments in each mine context. This sub-network is distinct in the context of each mine, but with equivalent organizations in each network. Additionally, in the context of the Marlin mine, the municipal governments of San Miguel Ixtahuacán and Sipacapa were two separate sub-networks that did not really interact with each other. Entities in this network interacted with each other in providing programs or services in each municipality, through common participation in institutionalized forums, or because their roles and responsibilities related to a common issue or policy area. [Appendix 4](#) illustrates how municipal government entities generally interact and exchange information and resources, as the municipal governments were not directly involved in mining governance.

5.1.3 Pro-Mine Network

The pro-mine network is comprised of organizations associated with the mine in each context (such as the parent company, subsidiary, and sub-contractors) and key groups in the local context. The network overlaps with the central government and municipal government networks to a certain extent. Though the pro-mine network is distinct in the context of each mine, certain organizations are common to both networks, such as central government agencies and other companies, mining professionals, and industry associations. An overview of the interactions and information and resource exchange is provided below.

5.1.3.1 Mine-government interactions

The first set of relationships in this social network revolved around formal interactions between the mines

and central government agencies in each context, which primarily involved the Ministry of Energy and Mines (MEM) and the Ministry of the Environment and Natural Resources (MARN). The interactions were related to administrative procedures for mining approvals and oversight, such as submitting Environmental Impact Assessments, obtaining or renewing permits, submitting quarterly or annual reports, paying royalties, or undertaking inspections or monitoring activities (MARN, 2013a; 2018; MEM, 2011; Entre Mares, 2015; Montana, 2019a). MEM and MARN relied heavily on information provided by the mines. As representatives explained, “on a scale from 1 to 10, the interactions with the companies are a 10, or 11 even. Because it is the means by which the government embeds itself in how the mine is undertaking its activities” (Quotation 72. Representative of the Guatemalan Government). This is because the Guatemalan government “doesn’t do any kind of research, and rather they have information only from what the companies say” (Quotation 73. Representative of the Guatemalan Government). “We only receive it from the [company], analyze it, and decide whether the instruments received are viable, and issue the decision” (Quotation 74. Representative of the Guatemalan Government).

Information generated by the mines included documentation submitted as part of approvals, quarterly and annual reports, and other public relations materials. Mine personnel were present during MEM and MARN inspections and monitoring and guided them through the inspection. This influenced what government representatives observed and how they made sense of their observations. Both mines funded⁵³ the creation of “independent” community monitoring organizations, referred to as AMAC (Marlin) and AMAR (Cerro Blanco). Mine and government officials accompanied these organizations in environmental monitoring activities (Montana, 2011b; 2011c; 2013a, p. 4; 2016a, p. 48; 2017b, p. 6).

Beyond these formal exchanges, the mines provided financial or technical contributions to government agencies or collaborated with them on specific projects or initiatives. In 2011 the Marlin mine

⁵³Both mines compensate members of these associations to do the monitoring work and pay technical experts to assist with taking samples and analyzing the results (Montana, 2011b; 2011c; 2013a, p. 4; 2016, p. 48; 2017b, p. 6).

paid for MARN to submit water monitoring samples to a professional laboratory (Magul, 2011; Montana, 2011c). In 2012, the Marlin mine—through its leadership role within Guatemala’s the Chamber of Industry (CIG)—negotiated an agreement with the Guatemalan government that committed mining companies in Guatemala to pay a voluntary royalty of four percent on production (MINFIN, 2012; MEM, 2012). The Marlin mine also funded education and health services for the Ministries of Education (MINEDUC) and Health (MSPAS; Montana, 2011f, 2014d). These contributions informed the central government’s perception of the mine as collaborative and beneficial to society.

Mine senior executives also had personal relationships with MEM. Several of the mine’s top executives came from senior positions in the Guatemalan government, and/or left the mine to assume senior positions in the Guatemalan government. MEM’s 2018 Director General of Mining was previously Montana’s head of explorations. The Vice Minister of Mining, who wrote Guatemala’s mining law, became Montana’s general manager in 2016 (CanCham, n.d.; Loarca, 2016; Garcia & Lopez, 2017). Statements by both mine and government representatives illustrated the personal nature of their relationships:

So, during this period, this work in the state [to negotiate the peace accords], I started to work in the government. And our work was on policy. And it was really nice because everything was technical, and so they were organizing the laws, and then came [President Alvaro] Arzu and he brought a national project for economic development. So, we created the laws that would help to develop the country economically. So, we adopted the law for electricity, communications, and mining. So, the mining law is a good law!
(Quotation 75. Representative of the Marlin mine)

Conflict started, really, when the Marlin mine started exploration. I only said this as a joke to the manger of the Marlin mine, because he was an old friend that used to work in the Ministry [MEM], and we worked together. I said to him: “look, we were happy and peaceful until you [came].” And he responded, “oh you are very critical and severe,” but I said no, the truth is that really despite the fact that people acknowledge that a lot of mining took place before the Marlin mine arrived.
(Quotation 76. Representative of the Guatemalan Government)

Entre Mares and Montana were both subsidiaries of Goldcorp and the same person was general manager of both subsidiaries until 2017 when Entre Mares was sold to Bluestone Resources. Not a lot of information was available on interactions between the Cerro Blanco mine and the central government

when it was owned by Goldcorp. However, the same relationship building was likely done on behalf of both mines. This is evident through MEM's exception to allow the Cerro Blanco mine's license to remain active despite the fact that the mine did not comply with legal requirements to begin extracting gold within 12 months of obtaining the license (Decreto 48-97, Art. 31; MEM, 2017, p. 643).⁵⁴ Alleged irregularities in the approval of the Cerro Blanco mine's environmental impact assessment by NGOs reveal that they perceived that the mine had an informal relationship with the central government (Voces Nuestras, 2019). Relationship building by the Cerro Blanco mine with the central government included providing office equipment to the local branch of the Ministry of Education, training and equipment to the national disaster reduction agency (CONRED), and equipment to the Plan Trifinio secretariat (CANAL 17 Jutiapa, 2018; CONRED, 2014; Entre Mares, 2020c). Since Bluestone Resources acquired the mine, relationship building efforts intensified, as a representative of the mine described:

We had engagements with all of the government [ministries] and as many governmental stakeholders as we possibly could, realizing that at that point it [the plan to do an open pit mine] wasn't public. But we wanted to understand what the level of support was, in and around permitting a larger project like this. So, the Ministry of Mines, the Ministry of Environment, and then right up to the President as well. You know, just given the history of mining, and all of that with mining in Guatemala. And we had those blunt conversations with the President. And you know, he gets it. And he was quite open and said: look, we haven't had a great experience with mining in the past. [...] And [representatives of Lundin Mining] walked [the President] through how they approached things in Ecuador. [...] And with that, the President actually, and even the Ministries actually, were quite receptive.
(Quotation 77. Representative of the Cerro Blanco Mine)

5.1.3.2 Mine-Business Interactions

Beyond interactions with central government agencies, the pro-mine network also involved other businesses associated with the mining industry that are common to both networks. Publicly available documentation published by both mines revealed over 150 subcontractors associated with each mine at

⁵⁴The process to cancel the license was initiated in 2017, but MEM made an exception and allowed the mine to continue operating (MEM, 2017, p. 643).

various points during their lifecycles (Silburt, 2019c). Interviews with representatives of the mining industry in Guatemala revealed a high degree of interaction among businesses in the industry, including formal and informal business relationships. Formal business relationships included providing goods and services to mines. The same team did the exploration work for the Cerro Blanco mine, the Marlin mine, the El Escobal mine, and several others. As discussed in [Chapter 4](#), the same sub-contractor (Consultoría y Tecnología Ambiental, S.A.) did community consultations for both mines (Montana, 2005a; Entre Mares, 2007a, Anexo 17.3.2). Once an individual or business entered the network, they gained access to business opportunities that those outside of the network could not access, as a representative explained:

And that as well happened in Cerro Blanco, that there were people there that initially helped the mining industry, and after they received benefits in exchange, like services, and employment opportunities, or employment opportunities for family members even if it is not directly for them, or for friends as well to have opportunities and services. Because to offer services [i.e., have a service contract] in the mining industry is really good. [...] It is a lot of services, constant money, during the whole time, really good opportunities.
(Quotation 78. Representative of the Cerro Blanco mine)

Social relationships and interactions relevant to the pro-mining network also took place through industry associations like the Guatemalan Chamber of Industry (“Cámara de Industria de Guatemala” or CIG), its Sub-Committee for Natural Resources, Mines, and Quarries (“Gremial de Recursos Naturales, Minas y Canteras” or GRENAT),⁵⁵ and the Canada-Guatemala Chamber of Commerce (“Can-Cham”) to articulate the mining industry’s interests. The Marlin and Cerro Blanco mines are part of these associations. As noted above, in 2012 the Marlin mine negotiated an agreement that committed mining companies to pay a voluntary royalty through its leadership within the CIG (MINFIN, 2012; MEM, 2012). The Marlin mine communicated its policy positions through GRENAT, revealed through the fact that GRENAT communications were prepared by the same person that prepared Montana’s communications, and both were published on Montana’s website (GREMIEXT, 2012a, 2012b; Montana, 2012b).

⁵⁵ The name of this sub-committee changed in 2020. Prior to that it was called the Gremial de Industrias Extractivas (GREMIEXT), and prior to 2010 it was called the Gremial Minas, Canteras y Procesadoras (GREMICAP).

There was also a significant amount of informal interaction among company senior executives. The same individuals have been the top executives of the main mining companies in Guatemala, even though the company names may have changed. As one representative explained:

You don't understand the mining industry, because all of these people, they start a new company, but it's all the same money and the same people moving around. It's just like saying that Tahoe is not Goldcorp. Tahoe is [...] Goldcorp! All of these guys are not juniors, trust me. These guys individually are worth \$50, 100, 150 million. [The CEO of Pan American Silver], XXX [name removed], who is the Chairman of Bluestone Resources, they've done 10 deals together. [...] So those guys are all together, networked.
(Quotation 79. Representative of the Guatemalan Mining Industry)

For example, the CEO of Glamis Gold, at the time that it discovered both the Marlin and Cerro Blanco deposits was Kevin McArthur. When Goldcorp and Glamis merged in 2006, Kevin McArthur retired, but returned as founder and Chairman of Tahoe Resources in 2009 to which Goldcorp sold one of its gold discoveries in Guatemala that eventually became the El Escobal mine. The Escobal mine also experienced significant conflict, including a lawsuit in Canada (Friedman, 2019). Mining representatives explained Goldcorp sold the mine to manage risk and divert attention from NGOs. Goldcorp retained 40 percent of the shares in the Escobal mine until 2015 when conflict at the Escobal mine increased (Goldcorp, 2010b, 2015b). Since the sale of the Escobal mine, Goldcorp continued to have a close relationship with Tahoe and the companies worked together on mining operations, which suggests that they viewed each other as allies (PSPIB, 2016, p. 2). In February 2019, the Escobal mine was sold to Pan American Silver, whose board of directors includes Chuck Jeannes—the former Chairman of Goldcorp. Several other former executives from Goldcorp also work at Pan American Silver (Pan American Silver, 2020, p. 87). John Robbins, the former Chairman of Bluestone Resources until May 2021, was the founder and Chairman of Kaminak Gold, acquired by Goldcorp in 2016 (BSR, 2020b, p. 18; 2021b).

5.1.3.3. Mine-Community Interactions

Whereas many of the same organizations and individuals described above were common to the pro-mine

network for both mines, the mines also interacted with a host of local organizations, specific to each context. These included officials in the municipal government, such as the mayor, representatives of community development councils (COCODEs), and leaders within the community. These local representatives were strategic intermediaries between the mine and the community. At the Marlin mine, these individuals promoted the mine, organized local hiring and other contracts, disseminated information about the mine, facilitated participation in the community environmental monitoring committee created and funded by the mine (AMAC), and identified beneficiaries for mine-funded programs (Montana, 2003a, p. 3-68). Many individuals in the community got jobs or contracts with the mine through personal connections with others working in the mine and/or municipal government (Loarca, 2018).⁵⁶ A number of mine-funded projects in the community identified beneficiaries because they actively supported the mine. This upset other community members, as discussed in [Chapter 4](#) in the fourth dynamic of conflict. Community members shared various stories that illustrated this, for example:

Ohhh many were co-opted. They became promoters for the mine, almost everyone [among community leaders] joined the “Association of Promoters” and were co-opted.
(Quotation 80. Community Representative near the Marlin mine)

Much of the interaction or linkages between the mine and Sipacapa was not through jobs, but rather it was through alliances with powerful individuals. The mine only co-opted individuals that had a public role, for example, the mayor, COCODEs, community mayors, they are the ones that were co-opted by the mine. Because the mine is strategic. So, they already had the COCODE in favour of them, and then evidently, they say that now they have influence over the community. But the reality is not like that [i.e., not the entire community]. [...] It is still there and has always been there in a strategic way. They don’t talk about it publicly though, but there are agreements under the table, because we take note that things are seen, and for this one gets a sense from what he hears and sees of the reality, or where our authorities are going. That’s for sure.
(Quotation 81. Community Representative near the Marlin mine)

Similarly, the mayor, representatives of the municipal government, and COCODEs were

⁵⁶ For example, Delia Liseth González Mejía, an administrator at the mine was sister of the former mayor of San Miguel Ixtahuacán, Sergio Elías González Mejía. He was also one of the main contractors for the mine, and brother-in-law to Ovidio Joel Domingo Bámaca who worked as municipal secretary and subsequently as mayor of San Miguel Ixtahuacán, and then as a politician in the national congress before he died in 2017. Another key contractor for the mine, González Velásquez, was the son of former mayor Sergio Elías González Mejía (Loarca, 2018).

intermediaries for the Cerro Blanco mine's communications and projects, as a representative explained:

In the mine, they call us [in the COCODE] to do forums, they call us to participate in studies, like yours, but the mine pays other companies, or they might be independent, but to do the same thing as you. To organize consultations, workshops, all focused on development. [...] Mainly because of the mine, which is situated in our community, practically. And I participates in meetings with the mine for training, and we demand work from them, and projects.

(Quotation 82. Community representative near the Cerro Blanco mine)

As with the Marlin mine, COCODES promoted the mine and organized community consultations (Entre Mares, 2007a, Anexo 17.3.2). They also had a key role in establishing the regional environmental monitoring committee (AMAR) funded by the mine and are important intermediaries between AMAR and the community (AMAR, 2011; 2019), as a representative explained:

[AMAR] work[s] with the COCODEs to organize elections [for AMAR], but we are the ones that do the process on our part. [...] The objective is that the [AMAR candidates] from each community are able to transmit the information to others within their community. Because they speak in their own [colloquial] language. If one arrives as an expert to explain everything using technical language, nobody will understand, and won't connect with it. Or there are some people that won't be interested or want to know. By contrast, if it is someone that is from the community, that they know, it is a friend, then they trust in them. So, they use that in their favour for the trainings in the communities.

(Quotation 83. Representative of a Guatemalan NGO)

However, the COCODEs did not organize local hiring for the Cerro Blanco mine (Entre Mares, 2021b). Individuals that worked in the mine revealed that they got their job through personal connections to someone that was already in the mine or had a relationship with the mine, as one worker explained:

I worked in the mine [...] in 2009. [Doing] Inspections. [...] The people want the work to be for the communities. And so that's why the mine was contracting local people. Right now, my uncle works there as a mechanic. He works in the tunnel. He works for a company that provides labour and this was his path. Before he worked in agriculture. And among them, my grandfather operated their machinery. And that's how we got in: we went over and asked: how can we get work at the mine. And he came and told us that he would talk to them. [...] And then they contracted me to work at the mine.

(Quotation 84. Community representative near the Cerro Blanco mine)

Until recently, the Cerro Blanco did not have an equivalent development foundation to undertake community projects. After Jack Lundin was appointed as CEO in 2021, the Cerro Blanco mine started

leveraging the Lundin Foundation for local development projects (BSR, 2020c). To date, the mine's community investments have been limited to donations of office supplies, equipment and medical supplies, and small infrastructure projects that were identified based on relationships with the mayor and COCODEs (Entre Mares, 2017; 2019a; 2020a).⁵⁷ As a local government official commented:

Exactly. So, this is not the form [of doing things]. There should be a plan, and in this case, there is almost guilt within the municipality for not having a strategy of X development for those places. The mine has 15 years being here, and no plan exists. [...] I think that the biggest thing that [the mine] ha[s] done in the community is to repair a school. And pavement. This has been everything. [...] Makeup. [...] They are very simple projects. [...] They do not have a major impact in relation to what the mine has given. This is for sure. I approve myself to say that they about 70 percent of their investments going towards the community have been towards pavement, cement. And about 20 percent to schools.

(Quotation 85. Municipal Government representative near the Cerro Blanco mine)

Although community projects and investments were relatively minor, they ended up benefitting local elites who had power and influence within the community. For example, many of the infrastructure improvements primarily benefited local elites, such as the irrigation system. Or, contributions were to elite associations, such as for livestock and agriculture (Asociación de Ganaderos Mitecos, or AGAMI; Entre Mares, 2017, p. 47-49; Asociación Agami, 2020).

As well, many contributions were given to municipal government organizations to help them deliver services in the community. Though they indirectly benefited the entire community, they directly improved the local government's reputation. Doing so earned municipal support for the mine and helped gain influence over them—and by extension—the community. As the municipal government is largely comprised of members from the elite class, these contributions end up benefitting mainly the elites.

In both contexts, interactions between the mine and municipal government, COCODEs, and community members in each context typically revolved around a specific initiative undertaken by the

⁵⁷ Examples include school repairs in the communities of Cerro Blanco, Guayabo, Barrio la Prolac, road repairs in Trapiche Vargas, upgrades to the local soccer stadium and team sponsorship, a financial contribution to the local volunteer firefighters to purchase a water system, repairs to a potable water system, etc. (Asgeirsson, 2013; Entre Mares, 2020b, 2020c; Mita Noticias, 2016a; 2016b).

mine or with funds from the mine. Examples included potable water projects (both mines), a hospital (Marlin), training programs (both mines), and employment opportunities (both mines). The municipal government was not involved in day-to-day activities at the mine. Beyond information provided to them through tours of the mine or other propaganda, municipal government and COCODE representatives had limited information about the operations at each mine. In the context of the Marlin mine, this meant little information about the mine's closure plans; in the Cerro Blanco context, this meant little information about the mine's plans for initiating operations.

Thus, the pro-mine network was characterized by extensive social interactions, information sharing, and circulation of resources and opportunities between the mine and other entities in the local community and as part of a national business and political network. Those within the network tended to be either part of the local or national elite class, which partially overlapped with the central government network and municipal government network. Those who were outside of the pro-mine network also tended to be also outside of the central government and municipal government networks (discussed further in [Section 5.1.5](#) and [Section 5.1.6](#) below). The outsiders struggled to get information about the mine, communicate their concerns to the mine, or access benefits and other opportunities associated with the mine. The fact that mine-related benefits and opportunities circulated in accordance with pre-existing elite networks meant that elites—who already experienced significant economic, social, and political advantages—benefitted disproportionately from the mine and were able to increase their wealth, status, and influence within the community. The exclusion of those who were already excluded from access to benefits through other networks further undermined their disadvantages.

It is important to emphasize that the mine tightly controlled information it shared. Only a subset of individuals immediately associated with the mine, such as the parent company and subsidiary, participated in and/or influenced mine-related governance. Central government inspections and monitoring activities and community visits were heavily supervised and guided by the mine. This allowed

the mine to influence what they saw and how they made sense of their observations (Montana, 2010b; 2011a; 2011c; 2013a, p. 4; 2016, p. 48; 2017a, p. 6; Entre Mares, 2019b; MARN, 2013b; 2014a; 2015c).

5.1.4 Anti-Mine Network

The fourth and final sub-network in the context of the Marlin and Cerro Blanco mines is referred to in this dissertation as the anti-mine network. This network is comprised of local, national, and international NGOs that interacted in connection with resistance activities against the mine in each context. There was an equivalent anti-mine network in each mine context, and some of the same national and international NGOs were part of both networks. However, each network was comprised of many entities specific to each context. [Appendix 4](#) provides examples of interactions within the anti-mine network in each context. The Marlin anti-mining network had significantly greater participation in general, as well as greater local participation organized through a local association. It also received significantly greater attention and support from NGOs based on Canada, the US, and Europe. In the Cerro Blanco context, the strongest participation and activism in the network was from NGOs based in El Salvador, and activism was driven mainly by two Guatemalan organizations. This difference in the level of participation in the anti-mine network in each context is relevant to differences in their conflict dynamics, discussed in [Section 5.2](#).

It is important to note that the anti-mine networks in each context is comprised of members of society that are generally excluded from other networks. This was observed to a greater extent in the context of the Marlin anti-mine network than the Cerro Blanco anti-mine network. Their exclusion from other networks has shaped the ways in which they have been adversely affected by mining, their worldview, and their capacity as conflict actors, discussed in [Section 5.2](#).

5.1.5 Gap Between Central Government and Society

In distinguishing four sub-networks where organizations interacted more extensively, two key gaps are

apparent. These gaps represent manifestations of inequality and exclusion in the context of each mine at two different levels of governance. The first gap concerns a general lack of interaction between the central government and society in each mine context. It reflects a general lack of civil society participation in government decision making, lack of government responsiveness to civil society's interests and concerns, and major limitations in government program and service delivery in the community, as discussed in [Chapter 3](#). Representatives of the central government, municipal government, community, and other sectors of society all acknowledged this gap. It was observed to a certain extent in the context of both mines, but was more pronounced in the Marlin context, representing a key contextual difference.

Government ministries responsible for mining governance (MARN, MEM) do not have a direct relationship with the municipality or community members. They do not inform them about potential mining exploration or exploitation, communicate potential environmental risks, or even verify with the community the quality of environmental resources like water. Interactions are limited to those among central government agencies and the mining company, as a government representative explained:

Initially, we work with the managers of mining companies. This is the initial relation. But MEM interacts as well with other [government] ministries [...]. We don't have any direct relation with groups in society, because the state through MEM has relationships with the society through mining companies. Because the company is going into that region [to operate], they are going to be having the connection with the community. So, through them the state intervenes. So, the relation between the state and the population is indirect.

(Quotation 86. Representative of the Guatemalan Government)

Beyond direct interactions, they do not consider the community in fulfilling responsibilities whatsoever:

Neither MARN nor MEM are currently concerned about any social aspects of the projects. At the moment there isn't anyone responsible for the social aspects of mining projects. [...] What happens with the public participation requirements, we don't do anything more than require it from the proponent. It's not us. We do not have the personnel to do it, and we only review the environmental instrument to see that it was done, and review what they submitted.

(Quotation 87. Representative of the Guatemalan Government)

The lack of interaction between the central government and the communities in the context of mining governance affected both contexts equally. This deficiency affected the quality of mining-related

oversight in the country (No a la Mina, 2009b). Whereas the central government had greater interaction with the community of Asunción Mita in the context of other programs and services, these interactions, programs, and services were also lacking in San Miguel Ixtahuacán and Sipacapa. As noted in [Chapter 3](#), this is because the Southern region where Asunción Mita is located has historically been more important to some of Guatemala's national elites, and elites are still based in the region. Examples illustrating these gaps in each mine context are provided in [Appendix 4](#).

5.1.6 Gap Between Municipal Government and Society

The second gap concerns a lack of interaction between the municipal government and the community in each mining context. It reflects limitations in the reach of municipal services and ability of community members to access to those services. It also reflects ongoing challenges in the municipal government's responsiveness to the needs of the community as a whole. This gap was also more pronounced in the context of the Marlin mine than in the Cerro Blanco mine. However, the municipal government of Asunción Mita was not equally responsive to the needs of all sectors of the community, and specific groups faced challenges in accessing to services or in receiving support for issues they were facing.

In both contexts, the municipal government was responsible for providing services like running water, electricity, sewage, and garbage collection for the entire geographic area of the municipality. However, the municipal government only provided these services in the urban centre. This served about five percent and 35 percent of the population in the Marlin and Cerro Blanco contexts, respectively (Muni SMI, 2010; García Hernandez et al., 2013; Muni Asunción Mita, 2007). Outside the urban centre, responsibility for these services was offloaded to the community development councils (COCODEs). As a municipal government representative explained: "In the urban centre, the Muni' is the provider of water, but in communities, it is themselves. They need to find money to pay for water. [In] each community, it is a collaboration between the Muni' and the community" (Quotation 88). The COCODEs and auxiliary

mayors were often the only point of contact between community members and the municipal government, as a representative explained:

In each community there is a president of the COCODE. So, this president knows the people in the community with the most necessity, so, they manage the status of the families with necessities. So, when certain helps come, they come here to the municipality, and bring their list of people for each community [...] [The municipality] solicit[s] help for this quantity of people. [...] It's like they are like an intermediary between the government and the individuals in their community. (Quotation 89. Municipal Government representative near the Cerro Blanco mine)

Because COCODEs are voluntary positions elected for two-year terms, they often lacked the resources and capacity to provide services or resolve more substantial issues in their communities. Consequently, many communities did not have access to basic services, as various representatives recounted:

Only in the municipal centre do they have garbage collection, and not in the communities. [...] And there is a recycling plant, but not a lot. It is only for the municipal population and it doesn't come to collect from each of the communities. So, what we do is burn the garbage, because we don't have another option. (Quotation 90. Community representative near the Marlin mine)

COCODEs also relied heavily on funding from the municipality or the central government to address specific issues in the community. This limited COCODEs ability to address community issues to those that were approved by the government and conformed with their priorities. As various community members explained, these decisions were heavily shaped by patterns of influence and local politics:

Nobody in the community has lights [...] because the government doesn't maintain it, and they haven't put much effort in. [...] We are 5 km from the energy post in [the neighbouring community of] San Juan, and this is what provides light. [...] Yes, it's possible, but we already have 12 years of lies on that. The mayor has lied, and the government as well. We are talking about the detail that they don't provide the lights for us. Look, it is a joke here that we don't have light here. And, with ice. We have to buy ice to get water. And that's how we get water to drink. (Quotation 91. Community representative near the Cerro Blanco mine)

One makes the request [for community projects], but sometimes they get shelved, so, it's difficult to get everything [the community needs]. It's very slow. [...] But we feel that there is favouritism in [which projects received funds]. Sometimes there is work given because of friendship [i.e., personal connections], or it's not... [a fair process]. Aha [emphasis]. So, I bring a request for a project for the community, which has 100 residents, or 150, and another has 700 or more residence, so it is more of a priority for this [other] community than for his community. (Quotation 92. Community representative near the Cerro Blanco mine)

They told me that once they enter, we will see enough water for the people. But they didn't do it well. Me, as president [of the COCODE], the people can't say that I'm guilty. And in addition, this [project] should be for 960 people that will need to maintain this water [source] here for 20 years. This is what they told me. But not even 300 people [were served by the project]. The most that were able to take water from this "tap" [i.e., that had running water] were 100-150, and no more. (Quotation 93. Community representative near the Marlin mine)

The interactions that did take place between the municipal government and communities in both contexts resembled the interactions between the central government and the community in the sense that direct interactions between the municipality and communities were often limited to sporadic events to share information about a certain issue or topic but without providing any means for communities to put that information into practice. Local government representatives revealed several examples:

We organize nursery days in the communities, [...but] we do not organize the incentives for the people, we just share information and help them register. (Quotation 94. Municipal Government representative near the Marlin mine)

And we have organized various activities across the municipality throughout the year, that the people like and accept. [...] But also, we have organized workshops with the students to talk about everything that we have spoke about here. (Quotation 95. Municipal Government representative near the Marlin mine)

Specific examples are provided in [Appendix 4](#) illustrating this dynamic in the context of both mines. Similarities and differences in the degree of government presence and government support from both from the central government and the local government affected the strategies of community members to fulfill their needs or resolve challenges in ways specific to each context. This aspect of the local context is relevant to understanding the dynamics of mining-related conflicts in each context.

5.1.7 Conclusions about the Circulation of Information and Resources through Segregated Networks

As this section has illustrated, patterns of social interaction in the context of both mines were concentrated within closed sub-networks. Interactions between those sub-networks were limited. The restriction of information and resource circulation within these networks, and the exclusion of those

outside each network from accessing those resources and information, form the foundation for the inequality and exclusion in Guatemalan society. Specifically, inequality and exclusion are an emergent and self-reinforcing result of restricted resource and information circulation within the central government and the municipal government networks. Groups that were excluded from these networks were excluded from the resources and opportunities that circulated within them.

The patterns of interaction described above reveal a system configuration in which social interactions take place exclusively among organizations of segregated sub-networks. This affected the structure of stocks and flows and the circulation of information. The configuration produced a series of positive feedback loops that reinforced pre-existing conditions of inequality and exclusion, discussed in [Chapter 3](#). Over time, the concentration of interactions among organizations within specific sub-networks collectively contributed to the emergence of a distinct set of ideas and values that are specific to each sub-network but clashed increasingly from the ideas and values of other sub-networks where interaction was limited. This dynamic is at the heart of Guatemala's challenges with ideological division. The circulation of resources and opportunities among organizations in each sub-network has material consequences for the members of those networks, affecting the relative capacities of those within the network and those excluded from it. This is at the heart of Guatemala's challenges with inequality.

By means of these feedback loops, the structure of resource and information flows reciprocally shape and are shaped by higher-order features of the system, such as the rules of the system, power to change system structure, and the mindset of the system. The distributional consequences of resource and information circulation have material consequences that affect the capacities of actors in the system. The structure of social interaction also allows and prevents different actors from participating in rulemaking. This affects the ability to make and change the rules of the system, and by extension, their substance. This further reinforces power inequalities. As information circulation shapes and defines the ideology of those social networks, exclusive participation in rulemaking affects the mindset of the system through

embedding the values and worldview of the rule-making actors in the laws and policies of society. As such, the fact that social interactions in Guatemala's are restricted to segregated social networks is an important feature of the system that explains many of the challenges related to inequality and exclusion described in earlier chapters, such as the orientation of the rules of society to elite interests and general deficiencies in their content and enforcement, including those governing mining.

It is important to note that the above-mentioned social networks and patterns of information and resources within those networks have an important gendered dimension. Guatemala, like many other Latin American countries, is male dominated with traditional gender roles. This translated into gender inequalities in all dimensions of social life, affecting all segments of society (Landa et al., 2018, p. 12). This includes inequalities in women's access to certain resources, such as land and economic opportunities (Oxfam, 2016). It also includes inequalities in women's access to certain government services, like security, justice, and victim support services, and how seriously women's concerns are treated by government institutions (Pardilla, 2016; Davidson, 2017, p. 33). Within elite social networks, women may wield social, economic, and political power because of the status and influence of their families.⁵⁸ However, Guatemala's political and economic spheres continue to be dominated by men (Krznaric, 2003, p. 95-96). Meanwhile, Indigenous women face even more barriers and marginalization (Tatham, 2016, p. 2).

The social networks described above existed prior to the arrival of mining in Guatemala. However, the presence and operation of both mines intersected with these networks in important ways that oriented and redefined their activities, goals, and perspectives in the context of mining. Specifically, while the pro-mine and anti-mine networks formed after the arrival of mining in each local context, the networks represent adaptations from other previously existing networks. The pro-mine network linked the mining companies to the central government network and elite networks at the local and national

⁵⁸ For example, Sandra Patricia Sandoval González is currently a delegate in the National Congress for Jutiapa. Her position is largely because she is a member of the Sandoval family, which has historically been very powerful nationally and in the region (El Periódico, 2018).

level. The anti-mine network brought together groups and organizations that had been generally excluded from other social networks in each context. Many of these organizations were associated with the guerrilla during the Internal Armed Conflict and refocused their attention to other social issues after the peace accords were signed. However, new organizations that previously had no interaction with the organizations in these networks also began interacting with them in the context of mining, such as the various international businesses in the global mining industry or international NGOs that provided advocacy and other support to anti-mining groups (discussed in [Chapter 7](#)). However, while the pro- and anti-mine networks formed as an adaptation from other pre-existing networks, they did not continue to evolve in structure and configuration over time or in an iterative fashion with the surrounding context. Additionally, the pro- and anti-mine networks largely preserved pre-existing patterns of social interaction. Both mines used pre-existing networks to form the pro-mine network in each context. As such, the adaptation in the structure of social networks in the context of mining more closely resembles a pattern of path dependence than coevolution. The mines' intersection with these existing networks and corresponding information and resource circulation is central to understanding how Guatemala's pre-existing issues with inequality and exclusion became relevant to mining-related conflicts observed in each context, and therefore how this core peacebuilding challenge is relevant to these conflicts. Differences in how patterns of inequality and exclusion manifested in the Marlin and Cerro Blanco context also help to explain differences in the intensity of conflict and extent of participation observed in the two contexts.

Section 5.2 Relevance of Inequality and Exclusion to Mining-Related Conflict Dynamics

The fact that both mines used existing networks and the fact that information and resources were restricted to those networks reinforced inequality and exclusion in Guatemalan society. This was central to the five dynamics of conflict discussed in [Chapter 4](#) in four intersecting ways. First, the circulation of resources and information affected the distribution of mine-related benefits and adverse impacts. The

particular distribution of benefits and adverse impacts in each context reinforced pre-existing inequalities and exclusion and informed and motivated key grievances underlying many of the conflict dynamics. Second, mining-related ideological divisions coincide with a marked difference in values and worldview of groups in different social networks with very different socioeconomic circumstances, which shaped their perceptions and/or experiences of mine-related benefits or adverse impacts and influenced their conflict strategies and responses. Third, material inequalities produced by differential access to resources and opportunities through the segregated patterns of social interaction affected the capacities of different groups involved in conflict. This also shaped the strategies they pursued in conflict as well as the outcomes of those strategies. Fourth, pre-existing inequalities and exclusion affected the basic operating context for mining by affecting the rules that must be followed and how those rules were enforced. This also shaped both the grievances that motivated conflict and the strategies pursued by different groups and their outcomes. Each of these linkages and their relevance to the five dynamics of conflict are discussed below.

5.2.1 Inequalities Shaped Mining-Related Grievances

The pro-mine network in the context of each mine essentially connected the mine to members of the central government network, the municipal government network, and social networks associated with the national and local elites, even though it did not necessarily connect these actors to each other. Those excluded from the pro-mine network were not part of a single interconnected network of excluded persons and organizations; rather, they formed part of a multitude of unconnected networks, as shown in the disconnect between local organizations in the anti-mine networks relevant to the Marlin and Cerro Blanco mines. The shared experience of exclusion and other grievances related to the mine helped to bring together otherwise unconnected organizations into an anti-mine network in each context.

The circulation of mine-related information and resources in the pro-mine network greatly enhanced the economic, social, and political advantages of the elites within the network. Meanwhile, the

exclusion of those who were already excluded the resources available through other networks, further undermined their relative disadvantages. In doing so, mining reinforced pre-existing inequalities and patterns of exclusion in both communities. This has become an important element in the dynamics of mining-related conflicts. Inequality in the distribution of mine-related benefits and adverse effects in accordance with segregated social networks explains the groups involved in each of the five conflict dynamics. It also explains the main grievances that triggered conflict. The mine-related benefits and adverse effects were distributed in slightly different ways at the Marlin and Cerro Blanco mines, which explains differences in conflict dynamics observed at comparable points in the mines' respective lifecycles.

5.2.1.1 Marlin mine inequalities and grievances

In the context of the Marlin mine, mine-related adverse impacts were felt disproportionately by certain groups in the community who were already marginalized and disadvantaged as a result of their pre-existing situation of exclusion. As a result, they perceived or experienced the potential or actual adverse impacts of mining more acutely. Pre-existing conditions of poverty and exclusion meant that community members relied fundamentally on certain environmental resources for subsistence. These community members did not have a readily available alternative for these resources. Moreover, these resources had further intangible value that could not be substituted. Contamination of these resources and/or displacement from these resources had a fundamental adverse impact with fulsome effect on their entire life and lifestyle in a way that cannot be fully described or captured. As one community member stated:

My life is very connected to the environment, on either subsistence agriculture or working in agriculture. [...] There had been springs at one time, but they all dried up. [...] That dried up when the mine started. [...] Initially, the mine wanted to buy everything, all of this land. [...] This is where my house is, and I can't leave it. Because, they said that we were going to make us leave, and we had to chase after them up and down the hill, but we just didn't want to sell our land. But we went down there so that they could not buy more land, because they only wanted 4,000 Q [~ \$900 CAD] for it. And we know that it would be expensive to buy another plot of land.
(Quotation 96. Community representative near the Marlin mine)

Beyond the environmental dimensions of mine impacts, they also had further historical significance in that they reinforced an ongoing pattern of complete disregard by the central government, of which the most recent iteration was from the Internal Armed Conflict (Castagnino, 2006). This additional dimension of resentment was activated in the context of mine-related grievances and helps to explain why initial grievances towards the mine spurred significant and widespread participation and solidarity both within the community and among neighbouring communities in the region in connection with the first dynamic of conflict (see Figure 4.1). An Indigenous politician explained it well:

And [companies obtain licenses] in agreement with the state, and nothing else. But the local population didn't know [...] And when they see that the mine starts to destroy the hills, then this definitely has a reaction. But the reaction is "the defense" [i.e., of their territory from development projects]. [...] How they are doing the economic model right now doesn't make sense, because after when the population tries to defend their territory, it results in them being criminalized by their own government. So practically the population lives in poverty. Historically they have been stripped of their goods, stripped of their territory to bind them in poverty. And submit them to exploitation and slavery. So, these practices regarding mining and hydroelectric projects are practically the same. Its the same practice of dispossession.
(Quotation 97. Indigenous Politician in Guatemala City)

In a similar vein, exclusive access to the mine-related benefits and opportunities among local elites that formed part of the pro-mine network was significant in a context where opportunities were otherwise extremely limited. This was particularly accentuated in the context of the Marlin mine because of the general lack of state presence and access to programs and services. This meant that the mine's projects were that much more significant in the lives of community members than they might be in a different community (like Asunción Mita) with greater access to alternative sources of opportunities and services (Garcia, 2016; Silburt, 2019a). Community members acknowledged this, for example:

If the government would have attended the different communities with the different services, and all of this, then perhaps the people might not have that necessity [for mining]. But when the mine came, the people viewed it as a big opportunity, because nobody saw the negative impacts.
(Quotation 98. Community representative near the Marlin mine)

The fact that mine-related benefits were restricted to members of the pro-mine network

politicized them in the context of controversy concerning the mine. Benefits were provided with the understanding—explicit or implicit—that enjoyment of these benefits was conditional on support for the mine, as community members recounted:

So, it's certain that the mine gave a few “works” [projects] to each of the communities, like schools, communal buildings, and other projects that the communities needed. But everything was conditioned. Conditioned with the idea of manipulating and shutting up the community. That the community not be against the mine. This is what the mine did. As well, the mine has “collected” [i.e., gained the support of] all of the community leaders to push information [propaganda] about the project. So, we see that that is a big anomaly, because there is where the big social division came from.

(Quotation 99. Community representative near the Marlin mine)

This meant that groups who had grievances against the mine could not access those programs for various reasons. In some cases, anti-mine groups were excluded because local leaders involved in the organization of those programs did not share information about the program or how to participate in it. In other cases, local leaders actively barred anti-mine individuals from participating. Anti-mine participants often chose not to participate out of broader concerns with the mine, as representatives explained:

Regarding the potable water project with support from the mine, she wasn't included in it. The notice arrived, and in the community centre there was a meeting to discuss the project. And everyone was interested in it and wanted to sign up to get their water connected. But for her, she wanted it to be a “reclamation.” She wanted there to be acknowledgement that this project was to restore water to those whose water had been taken away because of the mine, not a new project. But the council said that this is a community initiative and not “reclamation.” But she wanted it to be a “reclamation,” so she didn't sign up.

(Quotation 100. Community representative near the Marlin mine)

The pro-mine network's exclusive access to mine-related benefits and the conditioned nature these benefits within the context of limited access to resources and services helps to explain pro-mine groups' motivation to undertake violent actions to preserve and defend their continued access to these benefits in connection with the third dynamic of conflict (see Figure 4.4).

The fact that local leaders were part of the pro-mine network, had exclusive access to mine-related benefits, excluded others from those benefits, and provided limited support to the community to

resolve mine-related issues more generally also helps to explain why community members mistrusted and resented them. It also helps to explain why these sentiments motivated attacks and the removal of officials in connection with the fourth conflict dynamic (see Figure 4.6). As discussed in [Chapter 4](#), many community grievances associated with the fourth dynamic of conflict revolved around the fact that the local mayor was involved in recruiting local workers for the mine. The gendered nature social interaction and resource exchange helps to explain how inequalities in the distribution of mine-related benefits intersected with pre-existing vulnerabilities that women in the community faced and why abuses emerged in connection with the fifth conflict dynamic (see Figure 4.7).

5.2.1.2 Cerro Blanco mine inequalities and grievances

By contrast, the same scale and level of violence was not observed in the context of the Cerro Blanco mine during the equivalent periods in the approvals and construction phases of the mine's lifecycle. Local organizations and community members within Asunción Mita did not express significant opposition to the mine, and the main opposition was from a handful of NGOs based in Guatemala City and El Salvador. This is because mine-related benefits and adverse effects were distributed slightly differently in each context, and because the local context itself was very different.

In contrast to the poor, small landholding families with little access to alternatives in the Marlin context, land for the Cerro Blanco mine was purchased from large land-holding families in the community (MARN, 2007, Tomo 1, p. 2222; Casaus Arzu, 1992).⁵⁹ The mine bought a portion of their land (rather than all of it), meaning that the land transfer did not hold the same significance to them as it did to landowners in the Marlin context. Landowners received significantly more money for their land, due to higher regional

⁵⁹ Land for the Cerro Blanco mine was purchased from four sisters from the Chinchilla family, who were joint owners as a result of inheriting the land from their mother, in the Chinchilla/Sandoval family (see MARN, 2007, Tomo 1, p. 2222). The description of the land parcel in the land-transfer agreement reveals that the neighbouring landowners were also within the Chinchilla family (p. 2222-2219).

land prices. They benefitted immensely from the land sale, as a community member recounted:

All of this area is the property of the mine. This is all the mine. Here is the melonera [motioning to the right of the road]. And now here is the mine [motioning to the left of the road]. [...] Before, the land was used [to produce Palm oil], and it was owned by a friend of mine. And now they are millionaires in Trapiche Vargas.

(Quotation 101. Community representative near the Cerro Blanco mine)

As the excerpt also reveals, the land immediately adjacent to the Cerro Blanco mine is used for large scale cantaloupe farming (“meloneras”) owned by elite families in Asunción Mita that supply to the company Del Monte (Quester & Mento, 2011). The farms rely on water that comes from the Rio Ostúa, administered through an irrigation system (Garcia et al., 2013; Paz Sagastume, 2013). This is the same river into which the mine discharges its treated tailings, so mine-related contamination would have a significant adverse effect on these businesses should contamination to the river occur. However, these elite farm owners have not raised any public concerns about the mine to date. This is likely because they have significant power and influence within the municipality and employ a large number of local residents, allowing them to ensure that their interests are protected. This is illustrated through one story recounted by several community members about how these farms-owners arranged to use water from the mine’s treatment plant for irrigation, in response to concerns about their water drying up:

The owner of the farm made an agreement with the [mine]. He told them that his water was no longer available and [the mine] told him that he could use the water that came directly out of the treatment plant. But the people [of the community of Cerro Blanco], last year, when we met with them, they said that the springs were not the property of that farm. The spring was located within the farm's property, but that everyone used it collectively. So, in the meeting that we had last year with the mine, we explained that problem to the mine. The people of the Cerro Blanco COCODE told us that no, they can't do that [provide exclusive access to mine-treated water for free]. [...] So, they met, and reached an agreement.

(Quotation 102. Representative of an NGO near the Cerro Blanco mine)

Not only does the account show that water contamination is really not a concern for these businesses; it shows the ability of these actors to extract advantages for themselves, revealing a very different dynamic between the mine and adjacent communities.

Conversations with community members revealed a perception that the mine was just another business in the community, like the meloneras. This is because Asunción Mita is more accessible geographically and has a better overall socio-economic situation. This meant that more alternatives to mine-related benefits and opportunities existed, making mine-related benefits not as significant in Asunción Mita as they were in the Marlin context. Community members' sentiments towards the mine ranged widely. Some expressed keen interest or lukewarm interest in the mine, based on the anticipation of possible work or benefits from the mine. For example:

No, I don't have a problem with [the mine]. Everyone is in favour of the mine in the community [of Cerro Blanco]. And we will always be [supportive] when the mine gives us work. Because, if the mine will not give work to the community, the community will get angry, and like I mentioned to you, we have gone to protest and put pressure.
(Quotation 103. Community representative near the Cerro Blanco mine)

Many had a neutral stance towards the mine, based on no expectation of mine-related benefits but also no perception of being personally adversely affected by it. For example:

Here, no. Those who are here, no they have not been affected [by the mine]. Perhaps in other communities that are closer to the mine, but on this side, no. [...] Here it doesn't cause any problem. No contamination, nothing. [...] The truth is that the people here are involved in other professions, like fishing, teachers, in the market, etc. They have their jobs, so I think that the people are not thinking about working in the mine and are not fighting over that.
(Quotation 104. Community representative near the Cerro Blanco mine)

Community members also expressed mild concerns related to environmental risks (described below). However, very few people were extremely concerned about the mine having an adverse impact on them.

The strongest sentiment towards the mine was impatience for mine-related benefits to materialize, expressed by members of the neighbouring community of Cerro Blanco who were keenly interested in the mine. This related to the fact that jobs promised to the community had been delayed with the mine's delays in initiating full-scale operations. This frustration was at the heart of community protests observed to date in connection with the second dynamic of conflict (see Figure 4.3).

Community members with concerns about the mine were related to the potential risk of environmental contamination and were located downstream from the mine on the Lago de Güija. They tempered their concerns in recognition that the mine had not yet initiated large-scale operations, which may have temporarily constrained more widespread opposition. However, it is important to note that these are the same communities that have historically been, and continue to be, excluded in local politics and from local and central government services. Representatives of these communities expressed disappointment that the mine did not follow through with a filtration system to address pre-existing water quality issues despite several requests, as a representative explained:

[The mine] ha[s] made other kinds of filters out of cement. [...] Which was a big advantage from the mine. From there, the mine came at that time, and they installed one of those filters made of cement and sand and rocks, and this helped to filter out certain bacteria. [...] But they never finished that, because of issues with the depth of the well [technical issues].
(Quotation 105. Community representative near the Cerro Blanco mine)

The fact that the same groups who were at risk of mine-related adverse impacts were also excluded in other ways in society shares important similarities to the Marlin context. This suggests a potential risk that inadequate attention to their concerns may compound frustrations that may one day lead to open conflict. However, as noted above, community members were also apathetic, which may constrain more widespread participation in anti-mine protests.

On the other side of the lake, communities in El Salvador perceive themselves to be significantly adversely affected by potential contamination, given that 60 percent of the entire country's water supply would be affected by any mine-related contamination. This explains the intensive activism by Salvadorian NGOs and the Salvadorian government against the mine in connection with the first dynamic of conflict. As will be discussed further in [Chapter 7](#), support from international organizations is a key factor affecting the capacity of anti-mining groups to undertake disruptive actions.

Actual adverse impacts that can be traced back to the mine's operations have been difficult to confirm to date. Environmental monitoring has been undertaken since 2007 by the mine and the Ministry

of Environment (for example, Entre Mares, 2007a, 2013; MARN, 2013a). Since 2011, the mine's regional environmental monitoring association (AMAR) has also undertaken environmental monitoring along with the government of El Salvador (AMAR, 2011, 2019; MARN El Salvador, 2015). Water quality issues were identified in the Rio Ostúa and the Lago de Güija, but it has been difficult to attribute them to the mine. Cyanide and arsenic concentrations exceeded US standards, though not Guatemalan standards (MARN El Salvador, 2015, p. 32). High bacteria levels related to the direct discharge of household sewage into the river were also observed (AMAR, 2019; MARN, 2013a). The mine, Ministry of Environment (MARN), and AMAR all report that water discharged by the mine complies with the Guatemalan limits.

The local Parish shared stories about individuals in communities near to the mine developing kidney problems, which it attributed to mine-related contamination. These stories could not be independently corroborated, however. Heavy metals commonly associated with gold mining are known to cause several health problems including kidney disease (Ngole-Jeme & Fantke, 2017). However, these health problems do not currently appear to be affecting the population on a large scale, which may explain in part why there has not been more widespread concern with the mine in the community or participation in anti-mine resistance activities associated with the first dynamic of conflict.

5.2.2 Inequalities Shaped Ideological Differences and Conflict-Relevant Perceptions

The effects of restricted information and resource circulation within pro- and anti-mine networks in each context contributed to ideological and socio-economic distinctions between pro- and anti-mine groups (see Figure 5.3 and Figure 5.4). The distinctions were apparent to community members in each context. However, they were more pronounced in the context of the Marlin mine than in the Cerro Blanco mine context. Various community members near the Marlin mine commented that “the conflict is ‘well identified’ in the population. Those who work in the mine, want it; those who don’t work in the mine, don’t want it” (Quotation 106. Community representative near the Marlin mine). In other words, it was

evident to everyone in the community who was on what side. Differences in the degree of ideological differences between the Marlin and Cerro Blanco contexts is an important factor that explains why mining-related conflict was more intense and received more participation in the context of the Marlin mine than the Cerro Blanco mine context.

Figure 5.3. Marlin Mine Socio-economic Dimensions of Divisions

Pro-Mine Network		Anti-Mine Network	
<u>Groups</u>	<u>Values</u>	<u>Groups</u>	<u>Values</u>
Local Leaders	Economic prosperity	Adversely affected	Social/environmental well-being
Central Government		Catholic Church	
Business Sector		NGOs	
<ul style="list-style-type: none"> • Positions of power/influence • Socio-economically advantaged 		<ul style="list-style-type: none"> • Marginalized, vulnerable sectors of society • Socio-economically disadvantaged 	

Figure 5.3 presents key socio-economic attributes of the groups comprising the pro- and anti-mining networks in the context of the Marlin mine and reveals a major difference in the socio-economic status of pro- and anti-mine groups. Pro-mine are socio-economically advantaged and value economic prosperity, which the mine purports to offer. By contrast, anti-mine groups are socio-economically disadvantaged, and are in marginalized and vulnerable sectors of society. They value social and environmental well-being, which represents an alternate vision of development that the mine threatens to undermine.

Figure 5.4. Cerro Blanco Mine Socio-economic Dimensions of Divisions

Pro-Mine Network		Anti-Mine Network	
<u>Groups</u>	<u>Values</u>	<u>Groups</u>	<u>Values</u>
Local Leaders	Economic prosperity	Adversely affected	<i>Economic prosperity</i>
Central Government		Catholic Church	<i>Environment as a resource for economic prosperity</i>
Business Sector		NGOs	
<i>Communities</i>			
<ul style="list-style-type: none"> • Positions of power/influence • Socio-economically advantaged 		<ul style="list-style-type: none"> • Marginalized, vulnerable sectors of society • Socio-economically disadvantaged 	

Figure 5.4 presents key socio-economic attributes of the groups comprising the pro- and anti-mining networks in the context of the Cerro Blanco mine and reveals that while the pro- and anti-mine groups share important socio-economic and ideological differences, the ideological difference is not as marked as in the Marlin context. As well, the local community is generally pro-mine even though they are not necessarily socio-economically advantaged or in positions of power.

Members of the pro-mine network tended to come from more advantaged socio-economic sectors of society and/or were in positions of power. Ideologically, the pro-mine network shared a common value for economic prosperity as their main priority and framed their perspective about the mine in economic terms only. Their perspective revolved around mine's economic contributions to society, such as the number of jobs it created, the number of projects it undertook in the community, or the amount of royalties paid (CABI, 2018). These contributions were considered to be positive impacts in themselves, rather than considering how these contributions actually impacted society, for example, in terms of

human development indicators like education or health. Pro-mine groups also tended to de-emphasize any risks or adverse consequences associated with the mine, as illustrated in the following explanation:

The mine went buying land, so that the people that were living in that zone wouldn't be bothered as a result of the mine's activities, despite the fact that mining activities took place 200 metres below the ground. So, there is no impact on the surface, resulting from something happening 200 metres below. It doesn't happen. There is a lot of... well, there is ignorance about how a mine operates, and how the mine does its work. So, there are exaggerations. In the community, they hear that the explosions in the sub-surface mine cause cracks in their houses. But the explosions in the mine were controlled, of short-range.

(Quotation 107. Representative of the Marlin mine)

As discussed in the previous section, pro-mine groups informed their perspective about the mine based on information that was either produced by the mine or the mine influenced it,⁶⁰ illustrating the link between ideology and the circulation of information within this network (see Figure 5.5). In general, information produced by other sources was not regarded as legitimate.

Figure 5.5. Information Distortions Across Social Divisions (both mines)

Pro-Mine		Anti-Mine	
<p>Emphasize</p> <ul style="list-style-type: none"> • Mine benefits • Community misdeeds 	<p>De-emphasize</p> <ul style="list-style-type: none"> • Risks • Impact of contributions 	<p>Emphasize</p> <ul style="list-style-type: none"> • Adverse effects • Indigenous values 	<p>De-emphasize</p> <ul style="list-style-type: none"> • Other mine contributions • Other community issues
<p>Information Sources Relied on to Inform Perspective</p>			
<ul style="list-style-type: none"> • Information directly from/influenced by mines • Emphasis on existence of projects and not impacts • Disassociation between mine impacts and protests 		<ul style="list-style-type: none"> • Information from NGOs based on fieldwork in partnership with anti-mine groups • Association of any adverse effects in community with mine (discussed below) 	

Figure 5.5 shows patterns observed in the information relied on to support arguments for or against mining. It reveals that pro-mine groups rely on information produced or influenced by the mines. Pro-mine perspectives tend to emphasize mine-related benefits, counting projects themselves as benefits rather than looking at their actual results. They also emphasize the misdeeds of anti-mine activists and disassociate the mine with any protests. Meanwhile, they de-emphasize the risks and impact of mine-related contributions. By contrast, anti-mine groups rely on information produced by trusted NGOs. Anti-mine perspectives emphasize mine-related risks (which are sometimes conflated with actual impacts) and Indigenous values (even though they sometimes behave in ways that contradict those values in other contexts). They de-emphasize mine-related contributions and other (unrelated) community issues (blaming the mine for any and all problems).

By contrast, groups within the anti-mine network came from marginalized and socio-economically disadvantaged sectors of society. The network included community members that were personally adversely affected by the mine, individuals affiliated with Catholic Church or local, national, and

⁶⁰ Information produced by the mines is either directly cited as authoritative or the mines provide funding or assistance for independent research, influencing results (for example, CABI, 2012; Lée & Bonilla, 2009).

international NGOs focused on environmental issues, social development, or human rights. It also included Indigenous organizations, peasant organizations, or politicians that had positioned themselves against the mine. Groups against the Marlin mine tended to share a socially oriented vision of well-being. Though the particular emphasis varied depending on the organization,⁶¹ groups were united in viewing these other values as more important than economic prosperity. These values factored prominently in their positions against the Marlin mine. These groups emphasized the mine's potential or actual adverse effects social and environmental impacts on the community. However, they de-emphasized the mine's projects and other economic contributions in the community, as illustrated in the following explanation:

We are outside of this [development]. Only the miners received benefits. Equally, with the little drops of benefits that they have done, we have been abandoned. All of the municipal projects that they did in the communities, for us, we are not taken into consideration. [...] They gave compost, and they gave bags of maize. [...] There were about 4 or 5 Quintales for each person from there. But "only" that. [...] This was "only" for the last two years. [...] In other years they invested in other projects.

(Quotation 108. Community representative near the Marlin mine)

As the excerpt reveals, the most important issue for the representative was that mine-related benefits were not distributed equally, which violated local Indigenous customs. They downplayed the fact that they had indeed received various benefits from the mine.

Anti-mining groups informed their perspective about the mine based on information generated by other members of the anti-mine social network.⁶² They did not trust any information that came from either the government or the mine (for example, *No a la Mina*, 2007, 2010a; see Figure 5.5). This was apparent through their statements, for example:

The challenge with mining is that it's not viable, and as well as the challenge of getting people to understand that. It is getting a change in the mindset of people involved in mining governance. [...The mine] ha[s] done publicity campaigns on the radio and television to deliver the message in the minds of the people that mining is good, that it will leave them with something, I don't know

⁶¹ Some prioritized the environment and sustainability; others prioritized community and culture, human rights, etc. This is discussed in further depth in [Chapter 7](#).

⁶² Anti-mine groups relied on research investigations funded by the Catholic Church and other NGOs (for example CEPPAS, 2017; COPAE, 2009, 2010, 2018, 2020; Oxfam, 2016; Jiménez Villalta, 2018).

what, that it doesn't harm us. [...] And I think that if we do scientific work in the sense of uncovering the truth, I think the question then becomes an issue of confrontation between truth and lies, between deception and prediction.

(Quotation 109. Representative of a Guatemalan NGO)

But now there is a big divide. I don't remember how the conflict started, but it seems that groups are being fed information from different sources, and they don't trust the information coming from the mine or the government.

(Quotation 110. Representative of the Guatemalan Government)

Differences observed in amount of ideological division between pro and anti-mining groups in the Marlin and Cerro Blanco contexts coincide with their different experiences during colonialism and the Internal Armed Conflict. This links the issue to Guatemala's peacebuilding challenges. As discussed in [Chapter 3](#), the Western Highlands region is predominantly Indigenous, whereas the Southern region near Asunción Mita is not. This is a product of colonialism and the fact that the Western Highlands region has been historically neglected. As a result, Indigenous values and worldview factored prominently in the ideology of anti-mining groups in the Marlin context, which contrasted sharply to the economically oriented values that shaped pro-mining discourse. As well, communities in the Western Highlands region were more directly affected by the Internal Armed Conflict than those in the Southern region near Jutiapa. Many of those who fought with or supported the guerrillas during the Internal Armed Conflict form part of the Marlin anti-mining network. This is related to the fact that the Catholic Church previously aligned with the guerrilla and currently aligns with the anti-mining network. As well, local social networks have changed little since the Internal Armed Conflict. By extension, how information and resources circulate has changed little, nor have capacities and ideologies associated with relevant social networks.

These ideological differences became relevant to each of the five dynamics of conflict by affecting how different groups perceived and defined benefits and adverse effects. In doing so, they shaped how groups experienced the key grievances that motivated conflict. These differences, and lack of interaction, also shaped the perceptions and assumptions of one group towards other groups involved in the conflict. This explains the conflict strategies and responses that groups pursued in the context of each conflict

dynamic. The perceptions and assumptions were informed by historical experiences, including experiences from the Internal Armed Conflict. Due to lack of interaction, historically informed assumptions have changed little in the context of contemporary mining conflict. Although the conflict strategies and responses have evolved since the Internal Armed Conflict and have continued to evolve over the course of Guatemala's "post-conflict" mining experience due to a myriad of factors, interesting parallels between contemporary mining conflict and the Internal Armed Conflict persist.

5.2.2.1 Marlin mine ideological differences

In the context of the Marlin mine, many of the Indigenous community members that eventually joined the anti-mine network regarded the mine as something fundamentally bad for the community according to their worldview. Mine-related impacts were framed in social (inequality, injustice), environmental (contamination), and cultural (rights, community cohesion) terms, as a community member explained:

The Popol Vuh [a Maya-Indigenous text] presents two political modes. And the [right] political [mode], according to the Popol Vuh, is the common good. It is to struggle for the "life project" [social well-being]. To achieve it, we need to struggle, we need to keep an eye out for the well-being of others and harmony. And the other political [mode] is domination, exploitation. [...] There are conflicts [...] because they are using the policy of taking advantage, of exploitation, of searching for wealth, of searching for personal well-being, and not the policy of the common good, of community well-being.

(Quotation 111. Community representative near the Marlin mine)

This perspective of the mine was validated and reinforced through information produced and distributed within the anti-mining network (for example, COPAE, 2007; AI, 2014). This perception of the mine's adverse impacts through the lens of the community's worldview has been a key motivator for the persistent resistance of anti-mine groups in the context of the first dynamic of conflict. As members of the anti-mining movement explained, "Yes, it is worth it to continue fighting [...] because with our foundation of experience and learning, we can make sure that the extractive model will not continue" (Quotation 112. Community representative near the Marlin mine). However, this worldview also shaped

the perceptions of anti-mine groups towards others that supported the mine. They regarded mine supporters as “bad” for wanting the mine and allowing the adverse impacts of mining to occur. This extended mine-related concerns to concerns towards others in the community.

Meanwhile, the mine, central government, and local government that formed part of the pro-mine network did not share this worldview. Their perspective was radically different. They regarded the mine as something fundamentally good and defined mine-related impacts primarily in economic terms (jobs, royalties). This economically oriented perspective made them unable to appreciate the values and concerns of anti-mining groups, as they were defined in different terms. Anti-mining groups were regarded as violent, unreasonable, greedy, and were suspected of causing conflict in order to extract personal benefits (Deonandan, 2015). This was apparent through their statements: “It is a waste of resources to attend to the demand of a very small group of non-conformists and what they want is something else. What they want is money for nothing” (Quotation 113. Representative of the Marlin mine). They also viewed the issue of protests as separate from the issues motivating those protests (access to basic services, clean water, respect for Indigenous rights, etc.). Their perception of the anti-mining groups as illegitimate focused on the fact that these groups had protested. Meanwhile, they ignored the transgressions that they had committed, which motivated the protests. The mine and the government viewed the protests as illegal, criminal acts that threatened law and order and needed to be dealt with accordingly. This helps to explain the government’s repressive response.

The large difference in how pro- and anti-mining groups framed the main conflict issues and their diverging perceptions (misunderstanding) of each others’ concerns and motivations also factor in the first, third, and fourth conflict dynamics and strategies pursued. As community members recounted:

When those in favour of the mine noticed that I was defending others in the community, they labelled me as “anti-development.” I’m not against development. The only thing I want is that they respect the self-decisions of others. It is their right. How can we obligate them? We are not in a dictatorship.

(Quotation 114. Community representative near the Marlin mine)

Many people that struggled against the mine were labelled as “terrorists,” and everyone was afraid when they were alone, because they would be intimidated. But the [anti-mining] “resistance” organized very quickly and [members] accompanied each other. When we were all together, there were about 500 people. When we organized protests, nobody could touch us. (Quotation 115. Community representative near the Marlin mine)

The ideological differences described above are a product of the historical and continued lack of interaction between the community and the local and central government, which prevented opportunities for the government and the community to update their experiences of past conflictual interactions. This helps explain why the government continued to respond to protests with repression and criminalization, revealed in statements by various representatives (see Quotation 36), for example:

I hear a lot from people in the Western Highlands that there is a general lack of presence from the central government in the region, [...] but at the same time, there is a complete lack of confidence in the central government's ability.

(Quotation 116. Representative of an NGO near the Marlin mine)

Right now, there is mistrust in the state. [...] Yes, we need time [to develop trust], but we also need solutions for the population. And if not, there is no trust. There is no possibility. Its necessary to rebuild trust, it's necessary to respect and not criminalize, it's necessary to change this method of criminalization. But this is difficult.

(Quotation 117. Indigenous Politician in Guatemala City)

The pro- and anti-mine worldviews also had a gendered component. This affected gender identities and how women and men were treated. Whereas the anti-mine network’s ideology included women’s perspectives and contributions, the pro-mine network valued people by their economic worth and contributions. Given Guatemala’s pre-existing issues with gender equality and poverty, women—and Indigenous women in particular—were significantly devalued. This was a factor in the abusive treatment of women by mine workers (see Quotation 63), as a community member explained:

Why did you end up with this woman? Because there was money. They were buying games [i.e., “a good time”] of the highest quality, and the women, and they left me with nothing [i.e., abandoned them]. [...] With the money they chose to get other women and drink and abandoned their original woman and kids.

(Quotation 118. Community representative near the Marlin mine)

The abusive treatment of women deviated from broader community values and worldview, which activated outrage and motivated retribution by friends and family members of the victims. Thus, the ideological division in the community explains how abuse within private relationships escalated into community conflict in the fifth dynamic of conflict. This was apparent through the way community members explained the issue, for example:

There was a big division. They didn't take the women into consideration, or the children, or us as individual men. [...] For example, the women that had husbands, and they [the husbands] changed the partner of their women [i.e., started seeing other women] but the children remained [i.e., were abandoned] and they would suffer. These were the only things that we saw in daily life. That the mine brought a big disruption.

(Quotation 119. Community representative near the Marlin mine)

The restricted circulation of information and ideological differences associated with the pro- and anti-mining networks contributed to information distortions, misinformation, and mistrust. This exacerbated social divisions in the context of conflict and made mining-related conflicts more challenging to address. Establishing the various dialogue processes to address conflict associated with the Marlin mine helped disrupt the vicious cycle of protest, repression, and exacerbation of grievances associated with the first dynamic of conflict. However, major differences in the information used by opposing groups to support their positions, combined with their mistrust or delegitimization of information from the opposing group prevented agreement on the facts. This undermined conflict resolution through dialogue efforts.

For example, one issue to be addressed through the dialogue process concerned cracks in houses allegedly caused by the Marlin mine (for which community members wanted compensation). The community did not accept the findings of the Guatemalan government's investigation, which were consistent with the results of an earlier investigation undertaken in 2010 (COPREDEH, 2010). Both investigations found that the cracks were caused by earthquakes and poor house construction—and not the mine. Community members did not accept the report, because they did not trust the government and referred to an independent investigation by an NGO (in their network) that found that the cracks were

caused by the mine (COPAE, 2009). Thus, conflicting information and mistrust complicated efforts to address specific grievances that ultimately stemmed from the government's lack of presence.

5.2.2.2 Cerro Blanco mine less stark ideological differences

By contrast, the ideological division between pro- and anti-mine groups in the context of the Cerro Blanco mine was not as stark. Community members with concerns regarding the mine shared a similar overall worldview and value for jobs and economic opportunities, even though anti-mining NGOs expressed a different set of values (see Figure 5.4 and Figure 5.5). This helps to explain why the same intensity of opposition to the Cerro Blanco mine was not observed and why there has not been the same level of participation in mining-related conflict activities.

As discussed previously and in [Appendix 4](#), local organizations and community members within Asunción Mita have not expressed widespread outright opposition to the mine. Within the community, concerns about the mine were framed in economic terms, such as inadequate access to mine-related jobs or other benefits for them or their community. Environmental concerns were framed in terms of how they would affect community livelihoods (farming or fishing) and economic well-being, rather than out of concern for the environment itself. This observation is consistent with previous research on public attitudes towards mining in Asunción Mita (Dougherty, 2019). As such, ideological divisions appear to be less of a barrier to the resolution of specific grievances in the Cerro Blanco context as compared to the Marlin context, and other factors were more relevant.

To be clear, the rich and poor had clear differences in their priorities and concerns, which related to the patterns of inequality and segregated social interaction described above. As noted in [Section 5.1.3](#), the mine's community contributions reflected the interests of the elites, which focused on elite associations, elite infrastructure, and general contributions to the government in support of elite power. These interests differed from those of the poor, which revolved around access to potable water, access

to health and affordable medication, access to land, access to job opportunities, and support for basic nutrition and food security. Elite interests also differed from those potentially adversely affected by the mine, which revolved around water availability, water quality, and livelihoods. However, all concerns were framed in terms of a common paradigm for economic prosperity. As such, the Cerro Blanco mine did not create a fundamental ideological divide in Asunción Mita in the way that the Marlin mine did.

Opposition to the mine from the local Catholic Church and from NGOs based in Guatemala City and in El Salvador was framed in terms of environmental risks, either as issues in themselves or as human rights issues (ACAFREMIN, 2021c). They also linked these concerns to broader positions against extractive development models (for example, Madre Selva, 2020, p. 2). These values and framing of mining-related concerns are notably different than those articulated by the local community. This may help explain why these NGOs have not achieved greater local uptake in anti-mining resistance activities to the mine to date.

Noting that the Catholic Church has a lot of influence in the community, its stance against the mine created internal conundrums for community members, illustrating how the Church's values contrasted with the community. This was apparent in one representative's explanation during an interview with the local COCODE:⁶³

Plus, we are not among the people that went to support others that said, "let's go [protest]!" because our church, the Catholic Church, is against mining. [...] The mine has provided economic support when there has been something they needed. They help [four voices chimed in: they help!]. They help a lot, there are a lot of helps. Yes, there is help, but our church is against. We cannot, we are not permitted to accept any help, if I can say that, from the mine. Because our church is against the mine. But as ourselves [the COCODE], we cannot be seen to receive support from [the mine]. [A few voices chimed in: Yes, they help but we cannot receive it!]
(Quotation 120. Community representatives near the Cerro Blanco mine)

The Catholic Church encountered challenges in its efforts to rally support against the mine, as a representative of the church commented (see Quotation 32). This further suggests that the Church's framing of mining-related issues did not resonate with other community members.

⁶³ As explained in [Chapter 2](#), in a few instances participants preferred to be in a group setting.

While segregated social networks and inequality in Asunción Mita did not involve the same degree of ideological division as the Marlin mine context, misinformation stemming from a lack of transparency regarding the mine has been a key factor in current tensions and controversies associated with the first dynamic of conflict. At the time of fieldwork, nobody knew for certain the status of the mine's operating license, environmental approvals, or requirements it needed to follow.⁶⁴ NGOs who opposed the mine considered this to be a major issue and a sign that something nefarious was occurring. However, other community members were not concerned and trusted that the government was taking care of it. The community's basic level of trust in the central government was markedly greater than the communities near the Marlin mine. This may be related to the fact that the government had greater presence in the town and greater interaction with the community to inform community perceptions that the government was generally serving their interests. This may also be related to the town's experience of the Internal Armed Conflict, and the fact that the government did not perpetrate attacks against the town. On several other occasions,⁶⁵ rumors quickly spiraled into very heated confrontations, which reveals a risk that misinformation concerning the mine may circulate within the segregated networks and escalate to conflict, particularly if it coincides with other issues of importance to the community like water or jobs.

5.2.3 Capacities and Power Imbalance

The distributional effects of resource and information circulation within restricted social networks affected the relative capacities of groups involved in each of the dynamics of conflict. In doing so, it

⁶⁴ At the time, the mine claimed it had all of the approvals it needs (BSR, 2017, p. 1-10). However, others government entities like the Human Rights Ombudsman (PDH) believed the mine needed to undertake a new environmental impact assessment (PDH, 2018). Nobody in the municipal government or in various other organizations in the community could say for sure whether the mine was operating or what was the next step.

⁶⁵ For example, in 2015, during a time when access to potable water was limited, raising tensions in the community, rumours circulated that a local cantaloupe farm had been using potable water to irrigate its crops, and in doing so, limiting the amount of potable water available to others. The local mayor responded quickly to these concerns by organizing video-recorded inspection of the mine in partnership with representatives of the Community Development Councils (COCODEs) to confirm that, appropriately, the farm was using water from the river in accordance with the terms of an irrigation service agreement (Asgeirsson, 2015).

affected the conflict strategies pursued and the outcomes of those strategies. In general, members of the anti-mining movement in both the Marlin and Cerro Blanco context faced capacity challenges given that most members were marginalized in society, lived in poverty, and may not have completed basic schooling. This affected the kinds of actions they were able to pursue in the first dynamic of conflict. The specific capacity challenges were slightly different the context of the Marlin and Cerro Blanco mines, affecting their strategies in slightly different ways.

As noted above, in the context of Marlin mine opposition, NGOs and the Catholic Church provided crucial support to local anti-mining groups, which helped them to submit various complaints against the mine (for example, CAO, 2005; IACHR, 2014; GAC, 2011). As will be discussed further in [Chapter 7](#), the Church and NGOs only supported community members in relation to certain grievances, namely, human rights and environmental issues, and not all grievances. Without this support, local anti-mining groups were not able to submit complaints. The alternative was to organize protests and roadblocks due to its low cost and sophistication relative to its disruptive impact. The limited success of most of these strategies and the ongoing lack of resolution to grievances associated with the first dynamic of conflict is because the Marlin mine and other members of the pro-mine network had significantly greater resources and capacity to shut down protests, press charges, rebut community-evidence in formal complaint processes, or pursue other strategies to otherwise co-opt and/or delegitimize the anti-mining movement and their narrative (Imai, 2007; Tatham, 2016; Deonandan, 2015).

Mining-related protests did not occur as frequently, and the scale of disruption was not as large in the context of the Cerro Blanco mine. This is because fewer individuals and organizations opposed the mine locally, because of perceived adverse impacts or for ideological reasons (discussed above). Fewer national and international NGOs provided funding, technical, or other support (discussed in [Chapter 7](#)). Consequently, there were far fewer people and resources involved in resistance activities, and far fewer complaints submitted. This posed less of a threat to the mine or the government, which might explain

why the responses in turn were less repressive, and why the overall dynamic of conflict was less intense than in the Marlin mine context. This may also explain why the third dynamic of conflict was significantly less intense, and why no conflict was observed in association with the fourth dynamic.

5.2.4 Rules and Enforcement

Restricted resource and information circulation in accordance with segregated social networks translated into differential influence in the local and central governments, which privileged the elites and excluded those outside of the social network. This explains their historical dominance in Guatemala's governance system in [Chapter 3](#). This pattern of influence in governance institutions translated into three issues relevant to mining-related conflicts: 1) substantive weaknesses in the framework of laws and policies relevant to mining, 2) weaknesses in how those rules were enforced, including inadequate state capacity and presence, and 3) other governance issues such as corruption. These issues were at the heart of some of the key grievances that motivated conflict in the first and fourth dynamics of conflict. They also factored in the strategies and pursued by different groups and their outcomes in all of the dynamics of conflict.

5.2.4.1 Substantive weaknesses in rules

In the context of both the Marlin and Cerro Blanco mines, many of the grievances that motivated protests and complaints in the first dynamic of conflict (protest and repression) stemmed from deficiencies in Guatemala's framework of rules for the extractive sector. These deficiencies shaped the way mining operations took place, and by extension, their impacts on the community. These deficiencies are a consequence of elite influence in the Guatemalan government, which arises from the structure of social interaction described above. Not only do these deficiencies exist in the first place because of elite dominance in Guatemala's governance system and reflect their interests; the persistence of these deficiencies throughout two decades of mining-related conflict at the Marlin, Cerro Blanco, and other

mines in Guatemala reflects the systemic nature of elite dominance, inequality, and exclusion in Guatemala. Attempts to introduce new laws or amend existing laws to remedy these deficiencies have failed precisely because of a lack of political will within Guatemala's Congress. Two examples illustrate how deficiencies in Guatemala's framework of rules for the extractive sector are a product of elite influence in the government and how these deficiencies led to key grievances associated with the first dynamic of conflict at both mines. These examples concern rules for community and Indigenous consultation in the context of project approvals and rules for water. However, these represent two of several grievances that stem from deficiencies in rules.⁶⁶

Primarily in the context of the Marlin mine, a key grievance concerned inadequate respect for Indigenous rights and consultation in the context of mining and other project approval processes. These grievances stemmed from lack of precision in rules on consultation requirements. As discussed in [Chapter 3](#), Guatemala adopted the International Labour Organization's (ILO) Convention 169 on Indigenous and Tribal Peoples in the 1990s and subsequently signed onto the UN Declaration on the Rights of Indigenous Peoples in 2007. However, no further details on how to fulfill those requirements have been elaborated despite at least five attempts. The main reason for this is because Guatemala's Congress has been unable to agree on a framework that would also be acceptable to Guatemala's Indigenous Peoples (Morales Toj, 2019). Either the proposals from the elites in the Congress were rejected by Indigenous communities; or the demands of Indigenous communities were rejected by the elites in the Congress. The Guatemalan government recently adopted a case-by-case consultation approach in response to recent court orders (MEM, 2021a, 2020b, 2021b).⁶⁷ However, these ad hoc processes faced the exact same obstacles.

⁶⁶ Other grievances pertaining to adverse environmental and health impacts, unfair distribution of mine-related benefits, and lack of transparency about mine-related activities all stem from similar deficiencies in Guatemala's framework of rules. Environmental standards for mining are considered too lax, and requirements for mine closure are not specific enough to mitigate ongoing environmental risks. The current 1 percent royalty rate is considered insufficient to generate any tangible society-wide benefits associated with mining.

⁶⁷ These court orders were in the context of the El Escobal and Fenix Mines, see note 31.

Deficiencies in Guatemala's Indigenous consultation was precisely what sparked Sipacapa's grievances concerning the way they were consulted in the approvals process for the Marlin mine. It was precisely what motivated them to self-organize their 2005 "consulta" that led to their decision to reject the mine. Lack of precision in the legal framework explains the Guatemalan courts' decision not to recognize the binding nature of the consulta, which aggravated Sipacapa's unresolved grievances concerning their Indigenous rights and motivated subsequent protests and complaints (Imai, 2007).

In the context of both mines, many environmental and health-related concerns related to ensuring adequate water quality and availability for adjacent communities. These concerns stem from the fact that were, and continue to be, no rules governing the use of water in Guatemala despite at least 28 attempts to introduce legislation to regulate the use of water since the 1990s. All attempts failed, because Guatemala's elite oppose the introduction of royalties on water consumption or penalties for water discharge or contamination (Pocasangre & Gramajo, 2016; Garcia, 2017). Similarly, at least 15 attempts to reform the mining law saw a similar lack of success due to resistance from the mining sector.⁶⁸ As a representative of the National Council for Compliance with the Peace Accords (CNAP) explained:

Guatemala has a lot of resources, and this is why [it] is interested in Indigenous communities, in our land. But what is missing is a government policy, like as established in the peace accords, for the development of those communities. It is in the first place that the government needs to lower itself and listen to the community about what development they want.
(Quotation 121. Representative of the Guatemalan Government)

The statement acknowledges the link between the Guatemalan government's failure to reflect community interests in its development and natural resources policies. It also acknowledges that this failure also fails to implement a host of commitments from the peace accords, linking the two issues.

⁶⁸ A temporary unofficial moratorium on issuing new mining licenses was made in 2011, which was only partially enforced due to the fact that a handful of new licenses were issued during that period (MEM, 2012a, p. 8).

5.2.4.2 Weaknesses in enforcement

Beyond substantive deficiencies in the rules relevant to mining, the patterns of influence and exclusion from policymaking affected the government's capacity and willingness to enforce the rules in place. This was another factor in the distribution of mining-related benefits and adverse impacts and associated grievances, discussed above. Many concerns about adverse environmental impacts related to concerns about deficiencies in mining approvals processes, inadequate environmental and project monitoring, and inadequate enforcement of environmental standards and other preventive measures. When mine-related concerns were raised, government agencies typically sided with the mine. This that the government's heavy reliance on mine-generated information and that this information shaped their enforcement activities. It also reveals how this contributed to enforcement-related grievances.

At both mines, a lack of viable and accessible institutionalized means for resolving issues in the community and law enforcement both factored in the choice of many groups to pursue direct actions to resolve their concerns in the context of all conflict dynamics. Beyond the fact that communities had limited access to justice and other mechanisms to resolve grievances, community attempts to communicate their concerns to the state resulted in little or no action. This was due to government capacity limitations or lack of political will, described above. Frustrations about the lack of action mounted until eventually groups took extreme measures such as roadblocks or protests. At both mines, groups' chose to organize roadblocks and protests in the context of the first and second conflict dynamics, because this was the most effective means for them to articulate their concerns (Noti CV, 2017).⁶⁹ As one community member explained, "I participated in protests to express my perspective towards the mine. [...] Apart from protests, there were complaints. But in the end, they weren't heard due to lack of financial resources" (Quotation 122. Community representative near the Marlin mine).

⁶⁹The one exception that supports this general observation is where NGOs helped community members to submit formal complaints to international forums.

Certain government services were available to groups in the context of the Cerro Blanco mine, but protests continued to be a frequently used option to express concerns and demands because of its effectiveness in attracting attention and because of inadequacies in institutionalized channels for resolving grievances (see Quotation 103). Though protests linked to the first dynamic of conflict were not as frequent in the Cerro Blanco context as they were in the Marlin context, the second conflict dynamic was the most prominent dynamic at the Cerro Blanco mine, as discussed in [Chapter 4](#).

Protests occurred frequently on other issues, such as the privatization of the Rio Mongoy (Guzman, 2019) or poor road conditions (PDH, 2021). However, greater central government presence in Asunción Mita explains why these protests did not usually escalate to violence and why these frequent protests were not heavily repressed or criminalized. Typically, a representative of one of Guatemala's human rights organizations arrived and observed the demonstration, given that their offices were located less than one hour away. Their presence facilitated dialogue and the peaceful negotiation of a solution. As noted in [Appendix 4](#), the fact that the Asunción Mita had a dedicated police presence and greater resources for community relationship building activities also helped to reduce tensions during protests.

Primarily in the Marlin context, the lack of adequate institutionalized mechanisms for resolving interpersonal conflicts and inadequacies in law enforcement helps to explain groups' reliance on threats, violence, or intimidation as a tactic in the third, fourth, and fifth dynamics of conflict. The general absence of law enforcement in the Western Highlands region allowed impunity and community-based law enforcement, or "vigilante justice" (see Figure 5.6; Sharp, 2014). Stories shared by victims of attacks for their resistance against the mine made no mention of police or other justice institutions. Their only source of protection and recourse was from other community members. Otherwise, they withdrew from community life altogether. The following two accounts illustrate this:

The neighbours on the other side of the hill were the ones that were difficult with me. On three separate occasions, they tried to run me over with a car. So, it was hard every time I left my house to go walk, I needed to be very careful. [...] It was related to my opposition to the mine. Because on the other side [of the hill], many people worked in the mine. Because of this, me and my

colleagues felt a strong pressure against us and our position. [...] They wanted to send us to jail, but they couldn't because many organizations came to help us. I was one of the eight women. (Quotation 123. Community representative near the Marlin mine)

I took a position critical of the mine and [...] it converted me into a human rights defender for the people who did not want to sell their land. And later, people in the community threatened them. If they don't want to sell, they don't want to sell. I came to accompany them. Leave them alone. (Quotation 124. Community representative near the Marlin mine)

Lack of institutional support and protection from violence helps explain the prevalence of reprisals in the context of the third, fourth, and fifth conflict dynamics and how individual incidents escalated to wider conflict.

The inability of government organizations to adequately resolve issues in the community was also a key factor in grievances that motivated attacks against government officials in the fourth dynamic of conflict at the Marlin mine. For example, conversations with

representatives of the local peace court revealed their recognition that mining-related conflicts went beyond their competence:

We were involved in hearing and resolving conflicts related to the mine. They are resolved. [...] And later we went up against the exploitation [i.e. the mine]. And we took note that were not capable, because they were not prepared in this "art" or material [did not have technical expertise], for example the vibrations from the mining, and the damaged houses. So, it was better for us to withdraw our presence [in those conflicts]. And what [cases] we saw, and we submitted the cases for consideration by experts. And that's how the cases proceeded.

(Quotation 125. Representatives of the Guatemalan Government in San Miguel Ixtahuacán)

However, community members perceived the inadequate capacity of these organizations to resolve their concerns to signify that they were unjust or corrupt (see Quotation 54). These perceptions motivated

Figure 5.6. Community-based law enforcement



Figure 5.6 displays a sign from the community of San Jose Ixcaniche, located adjacent to the Marlin mine. The sign says that the neighbours are organized against crime 24 hours. This is reflective of a tradition in Guatemala for communities to enforce the law on their own, and will punish crimes occurring in the community by alternative means, including lynching.

attacks and attempts to remove officials from their positions in the fourth dynamic of conflict.

5.2.4.3. Issues related to corruption

Elite influence in the government also affected government decision making and operations in ways that may amount to corruption. Corruption affected the basic context of communities near both mines by undermining access to programs and services, as government officials acknowledged:

The situation of corruption and impunity has been proven. So, this context is what attracts us to continue the struggle against corruption. Because, as well, it is due to corruption that the highways are destroyed [i.e., in poor condition], that there is malnutrition in the country, that there aren't schools or teachers, or that the teacher's don't make sufficient salaries, or that doctors protest due to low salaries or that hospitals don't have supplies or infrastructure, etc. All thanks to corruption. [...] But we forget that [we need to address] structural issues in order to achieve peace in our country.

(Quotation 126. Representative of the Guatemalan Government)

However, it also affected the enforcement of mining rules. This was a key source of grievances associated with the first and fourth conflict dynamics. It also undermined trust in the government's efforts to resolve mining-related conflicts, as noted above.

Government, mine, community, and other representatives shared stories of corruption. None of the stories could be confirmed, but they nevertheless contributed to suspicion towards the government and the mine. On the one hand, representatives of mining companies complained that mining rules were applied inconsistently. Even though a moratorium on issuing new mining licenses was in place since 2011, new mining licenses were still approved (MEM, 2012a, p. 8). This was allegedly due to corruption. Companies that tried to follow the rules were pressured to pay bribes, as a representative explained:

[MEM] do[esn't] give the licenses if there isn't money for the middleman [i.e., pay a bribe]. So, the companies need to violate those laws to reach an agreement with the government officials that will issue the license, but for money. So, from there is where practically everything is mismanaged.

(Quotation 127. Representative of the Guatemalan Mining Industry)

On the other hand, the companies were clearly also benefitting from the corruption, as illustrated by several scandals about irregularities in the approval of licenses that should not have been approved (Cuffe, 2015). This included the alleged irregularities in the approval of the Cerro Blanco license discussed in [Section 5.1.3.1](#), which raised suspicion about mine-related oversight (see Quotation 10).

This also included alleged irregularities regarding approvals related to the Marlin mine and a scandal involving illegal electoral financing. An amendment to the mine's license area was approved in 2015 (Montana, 2015c). However, reports emerged the following year that officials in the Ministry of Energy and Mines (MEM) were pressured to approve the amendment (Pocasangre, 2016; Garcia & Lopez, 2017; GAC, 2019a, p. 62-63). The vice minister of mining that oversaw the amendment became the general manager of Goldcorp's subsidiaries in Guatemala a few months later, including Entre Mares and Geotermia Oriental de Guatemala S.A. The vice minister also approved the license for a geothermal plant to operate at the same site as the Cerro Blanco mine prior to also becoming the general manager of the company (MEM, 2015). A few months later, a second scandal emerged over Montana's vice president funding the political campaign that elected President Otto Perez Molina (Arrazola & Naveda, 2016).

As noted above, mine workers and community members confirmed that many individuals got jobs in the mine because of personal ties and that funds provided by mine to the municipal government were mismanaged. As one representative explained:

What happens is that this money goes to a central bank to gain interest that later the interest isn't audited, and so the mayors, [...] they are free to keep that money for certain things. And it is really strong capital. Apart from this, they can manipulate that money, and move it. Corrupt things, right, which always happen. So, while the mine is there, this is the problem.
(Quotation 128. Representative of the Guatemalan Mining Industry)

Section 5.3 Conclusion

This chapter linked Guatemala's legacy issues with inequality and exclusion to the five dynamics of conflict observed at the Marlin and Cerro Blanco mines. Inequality and exclusion are an emergent and self-

reinforcing product of social interactions within segregated social networks in Guatemalan society. These networks provided the basic foundations of resource and information circulation in the system and produced a series of positive feedback loops that reinforced inequality and exclusion. Resources and opportunities circulated within certain elite networks, with very little exchange outside of those networks. The circulation of very different information in different networks contributed to ideological divisions.

Mining accentuated and reinforced these pre-existing patterns of inequality and exclusion in ways that became relevant to each of the five dynamics of conflict. The distribution of mine-related benefits and adverse impacts shaped key grievances linked to the dynamics of conflict. Pre-existing differences in values and worldview within the community also shaped community perceptions and/or experiences of mine-related benefits or adverse impacts and contributed to community divisions over mining. Material inequalities that were reinforced by differential access to mine-related resources and opportunities affected the capacities of different groups involved in conflict and shaped their conflict strategies the outcomes of those strategies. Pre-existing power inequalities in Guatemalan society, and corresponding differences in ideology, capacities, and influence, affected the rules that govern mining operations and how those rules were enforced. In addition to being a source of grievances that motivated mining-related conflict, it also shaped conflict strategies and their outcomes.

Inequality and exclusion were issues underlying the Internal Armed Conflict and remain ongoing issues in Guatemalan society despite efforts to implement the peace accords. Linking these legacy issues to the social divisions, grievances, and strategies associated with contemporary mining-related conflicts establishes the first intersection between Guatemala's peacebuilding challenges and contemporary mining conflicts. Specifically, ongoing challenges to address legacy issues associated with inequality and exclusion as part of peacebuilding has perpetuated and reinforced them in the context of mining. These issues characterize the dynamics of Guatemala's contemporary mining conflicts.

How Mining Operations are Relevant to Guatemala's Peacebuilding Challenges

Whereas [Chapter 5](#) focused on how pre-existing issues of inequality and exclusion in Guatemala's context are relevant to mining-related conflicts at the Marlin and Cerro Blanco mines, this chapter examines the ways in which the presence and operations of the Marlin and Cerro Blanco mines have in turn impacted Guatemala's efforts to implement the peace accords. This chapter also examines the broader domestic context surrounding mining conflicts and peacebuilding challenges in Guatemala. [Section 6.1](#) examines how the impacts of the Marlin and Cerro Blanco mines intersect with peacebuilding commitments, activities, and challenges identified in previous chapters. The analysis reveals that neither mine has contributed substantively towards formal peacebuilding commitments or activities. Rather, mining has made peacebuilding progress more challenging by exacerbating socio-economic inequalities and by perpetuating and redefining social and ideological divisions in the context of mining-related conflicts, as discussed in [Chapter 4](#) and [Chapter 5](#). This establishes the second argument of the dissertation about how foreign owned mining intersects with peacebuilding.

[Section 6.2](#) examines the broader context surrounding Guatemala's mining conflicts and peacebuilding challenges and emphasizes that these are just two among several other issues that Guatemala currently faces. These other issues are seemingly distinct from mining conflicts and peacebuilding challenges, but they stem from the same challenges related inequality and exclusion described in [Chapter 3](#) and [Chapter 5](#). These other issues have become entwined in mining-related conflicts, complicating efforts to resolve them. As well, these issues, together with mining-related conflicts and peacebuilding challenges, contribute to an overall dynamic in which the Guatemalan government's capacity is sufficient to effectively deal with any one issue. This leads to short-sighted responses that compound each issue, exacerbate the overall situation, and distract Guatemala from longer-term sustained efforts needed to address their root cause—inequality and exclusion. This represents a further peacebuilding challenge and is the third argument of the dissertation.

Section 6.1 Contributions of Mining to Peacebuilding

[Chapter 3](#) previously described Guatemala’s peacebuilding commitments, activities, and challenges in terms of the specific commitments contained within the peace accords. This section considers how mining has contributed to the implementation of these commitments. Noting the shortcomings of these commitments previously described, the discussion also considers theorized causal processes believed to bring about peace, referred to as peacebuilding “theories of change,” and how mining impacts these causal processes. Third, the strategic nature of mine-related societal contributions and its implications for peacebuilding is examined. The discussion reveals that mining operations in the context of both mines interfered with and undermined the implementation of key commitments from the peace accords. Despite limitations in peacebuilding commitments themselves, mining operations further detracted from efforts to address the root causes of conflict, address ideological differences, and (re)build social relationships by reinforcing inequality and exclusion. The inherently strategic nature of mining-related societal contributions has also been counterproductive for the above-mentioned peacebuilding aspects.

6.1.1. How Mining Has Contributed to the Implementation of Peacebuilding Commitments

As discussed in [Chapter 1](#) and [Chapter 3](#), Guatemala’s peacebuilding efforts consist of over 750 commitments across a series of 11 peace accords that address a range of issues (see [Appendix 1](#); SEPAZ, 2017). Though the commitments themselves fell short of the kind of transformation needed to address issues of inequality and exclusion, and though Guatemala encountered a number of challenges implementing those commitments, they nevertheless represent the commitments made in support of peacebuilding. As such, they provide a framework for examining how the Marlin and Cerro Blanco mines contributed to peacebuilding. This section considers how the mines impacted individual commitments from the peace accords and how they impacted peace accords implementation as a whole.

The impacts of the Marlin mine on peacebuilding were more tangible and visible than those of the Cerro Blanco mine. To date, the number and scale of the Marlin mine’s community projects and other engagement activities have been larger than those by the Cerro Blanco mine (see [Appendix 5](#)). However, adverse impacts attributed to the Marlin mine by the community and other stakeholders have also been much more significant than those currently attributed to the Cerro Blanco mine—even though the scale and impact of environmental risks associated with the Cerro Blanco mine are potentially greater. This is because the Cerro Blanco mine continues to be in the construction and approvals phases of its lifecycle and has not yet initiated large-scale gold extraction activities.

The Marlin and Cerro Blanco mines’ community contributions intersected with commitments primarily relevant to three of the peace accords: 1) the Comprehensive Agreement on Human Rights (UNGA, 1994c), 2) the Agreement on Identity and Rights of Indigenous Peoples (UNGA, 1995a), and 3) the Agreement on Social and Economic Aspects and Agrarian Situation (UNGA, 1996f). These commitments fall into four general categories: 1) strengthening human rights, 2) strengthening Indigenous rights, 3) strengthening governance, and 4) strengthening the economy. Overall, the presence and operations of both mines either undermined or complicated the advancement of the commitments. In a few areas, the mines’ contributions contributed to the advancement of peace commitments in principle, though not necessarily in a coordinated fashion with the government. These mainly relate to the economic areas theorized in the business for peace literature as the main contributions of businesses to peace. The mines’ contributions were coordinated with the government in ways could be considered as complementary to peacebuilding in relation to only three of the commitments (see Figure 6.1).

As discussed in [Chapter 3](#), the peace accords included several commitments to support “speedy” economic growth (UNGA, 1996f, Art. 15, 18) and encourage “national and foreign entrepreneurs to invest in the country” (Art. 17). Both mines contributed in principle to these commitments through tax and royalty payments, community investments, and through creating jobs and other economic opportunities.

The Marlin mine claims that it was the single largest contributor to the Guatemalan economy when it operated, but its economic contributions have not actually been very significant, given that the mine only paid a one percent royalty rate, four percent voluntary royalty, five percent tax rate on net revenue, and received various tax exemptions (Montana, 2015a; OCG, 2010; Deonandan & Loaiza, 2016).

However, the mines'

operations conflicted with other commitments in the context of mining, such as those related to protecting and respecting both human and Indigenous rights. This was observed in particular at the Marlin mine. In addition to affirming human and Indigenous rights, specific peace commitments related to the right to Indigenous consultation and right to exercise Indigenous spirituality. The way that mining operated in the country conflicted with the government's commitments to "guarantee the right of communities to participate in the use, administration and conservation of the natural resources existing in their lands" (UNGA, 1994, Art. IV.F.6), because they were not involved in the approval or governance of these projects, and because economic development was prioritized over these other commitments more generally. This conflict was apparent in the Guatemalan government's approval and continued

Figure 6.1. Mining Contributions to Peacebuilding Commitments

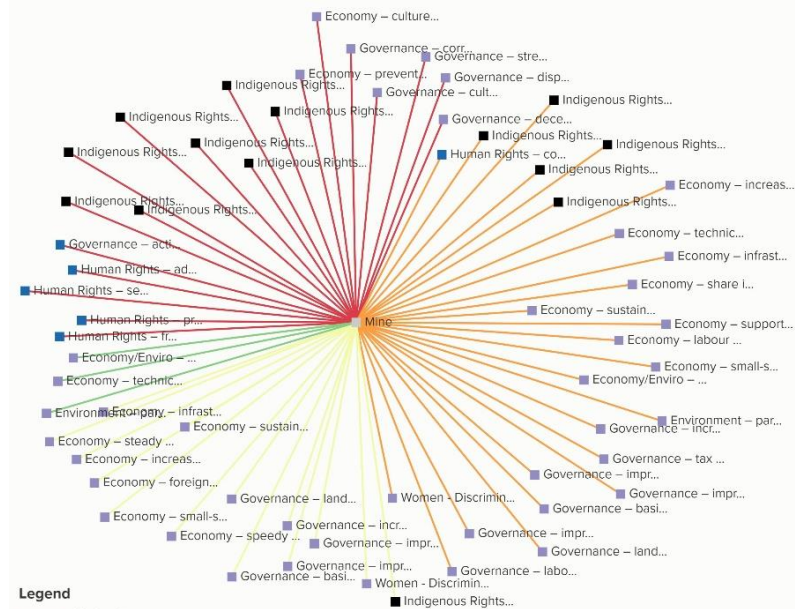


Figure 6.1 colour codes how contributions from the Marlin and Cerro Blanco mines have contributed to types of commitments across three main peace accords. Commitments under the Comprehensive Agreement on Human Rights have a blue square, Agreement on Identity and Rights of Indigenous Peoples a black square, and the Agreement on Social and Economic Aspects and Agrarian Situation a purple square. Where the mines complemented commitments, a green line is shown, where they help in principle, a yellow line is shown, where they complicate efforts, an orange line is shown, and where they undermine the commitment, a red line is shown. The figure shows that overall the mines complicate and undermine most of the commitments in these agreements, and have actively contributed to very few.

support for several development projects in the name of supporting economic growth in Indigenous communities even though a substantial portion of the community did consent to the projects and actively opposed them. Moreover, these projects fundamentally conflicted the community's worldview and values, as discussed in [Chapter 5](#). These projects also involved significant environmental risks that fundamentally affect the health and livelihoods of the surrounding community.

The Marlin and Cerro Blanco mines both committed to respecting human rights through company policy and through the adoption of various international frameworks. In 2009, Goldcorp joined the United Nations Global Compact and Voluntary Principles on Security and Human Rights and acknowledged that its participation committed the company to respect human rights including at both the Marlin and Cerro Blanco mines—both of which were owned by Goldcorp at the time (Goldcorp, 2009a). The Indigenous Peoples Development Plan that the Marlin mine submitted as part of obtaining a loan from the International Finance Corporation in 2004 explicitly acknowledged that Guatemala had committed to implementing the Agreement on Identity Rights of Indigenous Peoples and ILO Convention 169. In the Plan, the mine committed to “comply with both the spirit and provisions of these agreements” (Montana, 2004, p. 9). In 2018, Bluestone Resources adopted a Responsible Resource Development Policy and a Code of Conduct and Business Ethics, which included commitments to adhere to and respect the fundamental human rights of employees, contractors, and other stakeholders (BSR, 2018; 2020d). In 2019, it subsequently adopted a human rights policy, applicable to employees, contractors, or any third-party service provider conducting work or acting on behalf of the company or its wholly owned subsidiaries. The policy committed to respect, promote, and support human rights as set forth in the UN Declaration of Human Rights, including the rights of Indigenous Peoples (BSR, 2019). Despite these commitments, conflict and controversy at both mines complicated and undermined the Guatemalan government's ability to promote society-wide respect for human and Indigenous rights.

As discussed in [Chapter 4](#) and [Chapter 5](#), inadequate consultation was a key grievance against the

Marlin mine. Community members framed other grievances towards the mine in relation to inadequate respect for Indigenous rights, their worldview, and their way of life. Grievances pertaining to adverse environmental impacts or risks associated with both the Marlin and the Cerro Blanco mines were framed in terms of each mine's respective adverse impact on the community's human right to water and other environmental rights. These grievances generated considerable conflict and controversy at both mines, though the conflict has been more violent and widespread in the context of the Marlin mine. Throughout these disputes the Guatemalan government took the side of the mine over the community.

For example, as described in [Chapter 4](#), at the Marlin mine, the government was initially unresponsive to initial grievances that the mine did not adequately consult them. It subsequently failed to recognize the lawfulness of Sipacapa's self-organized consulta (Imai et al., 2007; OCG, 2010, Appendix F; OHCHR, 2010). A second example is the Guatemalan government's lack of responsiveness to concerns about water contamination affecting the community's human right to water, which resulted in a complaint before the Inter-American Commission of Human Rights. In these proceedings, the Guatemalan government also defended the mine (IACHR, 2014). In the context of the Cerro Blanco mine, the Guatemalan government has continued to be unresponsive to complaints submitted by Madre Selva about the environmental risks posed by the mine and irregularities in the approval process for the project (Xmax Productions, 2019b; CPI, 2019). It is beyond the scope of this dissertation to determine whether the mines violated Indigenous or human rights; however, the examples clearly show that the presence of both mines has complicated the Guatemalan government's commitments under the peace accords to uphold and strengthen respect for human and Indigenous rights.

The peace accords also included a number of commitments to improve social services like health and education, enhance basic infrastructure, and increase the capacity and participation of poor and rural communities in the economy (for example, UNGA, 1996f, Art. 16, 20, 21, 23, 35). The Marlin mine (and to a lesser extent the Cerro Blanco mine) undertook community projects that related to these areas. These

included significant investments in local infrastructure. As detailed in [Appendix 5](#), the Marlin mine paved major highways and community roads, constructed and equipped local hospitals and health centres, and constructed and repaired other cultural infrastructure like soccer fields. The Cerro Blanco mine paved community roads, repaired schools, and constructed potable water projects (Entre Mares, 2019a; 2020a; 2020b; 2020c). Beyond infrastructure, the Marlin mine also paid for social services like health and education,⁷⁰ and funded training and support programs for local businesses (Garcia Villavicencio, 2016; Silburt, 2019b). These projects were not necessarily planned and coordinated with the central government, but they advance—in principle—towards the various commitments.

As discussed in [Chapter 5](#), mine-related projects, benefits, and other opportunities may have contributed incremental improvements for their beneficiaries, but these benefits were also distributed unequally. Resources and opportunities in the context of both mines circulated in accordance with a closed “pro-mine” network comprised of local and national elites. This reinforced pre-existing inequalities and exclusion. However, exclusive access to mine-related projects and benefits and the fact that access was conditioned on mine support meant that these contributions neither intended nor achieved society-wide contributions to socio-economic development as committed to in the peace accords. Thus, mine-related projects cannot really be said to be contributing fully to spirit of the commitments related to improving socio-economic development from the peace accords. By contrast, these projects undermined these commitments by reinforcing inequality and exclusion, discussed further in [Section 6.1.2](#).

Additionally, various scholars have previously noted that the provision of basic services by businesses often displaces state roles and responsibilities, creating further challenges (Garvin et al., 2009; Lawson & Bentill, 2014). In Guatemala, a major challenge in providing basic services has revolved around access to programs and services, the quality of those services, and their longer-term sustainability. At the

⁷⁰ The Marlin mine covered salaries for at least 50 teachers in 22 different communities over the life of the mine, provided training for 75 teachers along with teaching materials, and provided scholarships for hundreds of students annually (Silburt, 2019b).

Marlin mine in particular, the mine's provision of programs and services resulted in both the central and local government focusing even less attention on San Miguel Ixtahuacán and Sipacapa than before the mine's arrival. This was potentially because of perceptions that the mine was taking care of basic services for which the central government was responsible. However, the Marlin mine only provided programs and services while it operated from 2005 to 2017. Since the mine closed, most of its community projects have ended. This has created a major challenge for the municipal and central governments to (re)assume financial and administrative responsibility for the programs and manage local expectations. Both the mine and the local government acknowledged this challenge, for example:

But in the end, well, the [health] centre functioned while the mine was operating and was paying for it. But when the mine handed it over to the state so that state could take over, ah! [he lifted up his arms like not wanting responsibility], and it died.
(Quotation 129. Representative of the Marlin mine)

Another example is with the CAP [hospital]. There was a tripartite agreement between the Muni', the mine, and [the Ministry of] Health. The mine paid for construction and equipment, the municipality provided land and local authorizations, and the Ministry of Health provided services, but [now] there are no services! There's not even medicine there. I don't know if there was a specific decision that the Ministry made or not, because it happened before we came into office.
(Quotation 130. Municipal Government representative near the Marlin mine)

This adverse consequence of the Marlin mine's community contributions meant that mine-funded programs and services became the only source of those services in town. Given the unequal access to these programs and services described previously, access to basic services worsened for community members that were against the mine. This helps in part to explain the worsening situation of the community since the signing of the peace accords in terms of various social development indicators (see Figure 3.6, Figure 3.7, Figure 3.8, and Figure 3.9). Thus, despite the potential contributions of mine projects for certain groups, these contributions also complicated the achievement of key commitments from the peace accords to improve society-wide access to basic services and economic opportunities.

The three areas where the Marlin and Cerro Blanco mines complemented the commitments under the peace accords concern commitments to increase access to technical training in poor and rural

areas to increase capacity and participation in the economy. They also concern commitments to promote the conservation of renewable natural resources through incentives programs, and to promote sustainable forestry and agroforestry programs. In these three areas, the Marlin mine (and to a lesser extent the Cerro Blanco mine) worked with government organizations to facilitate access to those programs in the local community. As part of addressing mine-related environmental impacts, both mines needed to do significant reforestation work. Both mines arranged with Guatemala's forestry agency (INAB) to reforest other private land in the community and link reforestation with forest compensation programs. The mines purchased all of the trees and equipment, but instead of replanting trees on the mine site, the trees were replanted on private property of local residents so that those residents could receive financial compensation through forest conservation and agroforestry programs (Montana, 2014b).⁷¹ Despite the mine's complementary contribution to the advancement of these commitments, the contribution also complicated the overall advancement of these commitments, because again, they were distributed unequally and lacked long-term sustainability, as noted above.

As this section has illustrated, the operations and community contributions of both the Marlin and Cerro Blanco mines are relevant to key commitments from the peace accords and efforts to implement those commitments. In a few areas related to economic growth, mine contributions contributed in principle to their advancement, though not necessarily in coordinated fashion with the government. For the most part, however, the mines either undermined or complicated the advancement of commitments by putting the government in a situation where economic development was prioritized over other commitments to respect human or Indigenous rights and by reinforcing inequalities and exclusion rather than advancing socio-economic development for all.

⁷¹ Anecdotal information suggests that there are about 10 participants in a forest incentives program from the neighbouring community of Cerro Blanco. It was not possible to find other information to corroborate this.

6.1.2 Theoretical Discussion on Other Impacts of Mining on Peacebuilding

As discussed in [Chapter 3](#), Guatemala's peacebuilding challenges are partly related to deficiencies in the commitments themselves and challenges in implementing the commitments that were made. Thus, the impact of the Marlin and Cerro Blanco mines on those commitments does not necessarily provide a complete picture of how mining intersects with peacebuilding. The literature on peacebuilding suggests a number of additional dimensions of peacebuilding to which mine-related impacts on society are relevant. Three of these areas are examined here. The first area concerns how mining intersects with broader efforts to address the root causes of conflict—inequalities and exclusion. The second area concerns how mining intersects with deep ideological divisions in Guatemalan society, or “public attitudes.” The third area concerns how mining intersects with patterns of social interaction in society. The peace accords articulated a general intent to “overcome the root causes of conflict” and “comb[an]t poverty, discrimination and privilege” (UNGA, 1996a, 1996b). They also acknowledged that this process should include “consensus-building and dialogue” between both “agents of socio development” and “these agents and State bodies” as well as “effective citizen participation in identifying, prioritizing and meeting their needs” (UNGA, 1996b). These excerpts suggest that these dimensions of peacebuilding informed the design of the commitments to a certain extent. Beyond these general statements, however, commitments in the peace accords did not amount to meaningful contributions in these areas.

These three dimensions of peacebuilding have not received significant attention in the “business for peace” literature to date, as noted in [Chapter 1](#) (Ganson, 2019; Miklian, 2017). As such, the discussion permits an advancement of theory in this area. These three dimensions of peacebuilding also correspond with different features of Guatemala's societal system described in previous chapters. Specifically, the root causes of conflict—inequalities and exclusion—were previously described as an emergent and self-reinforcing behaviour of the system, produced and reproduced by restricted resource and information circulation within segregated social networks. These same patterns of social interaction were also

associated with a major ideological division. As such, the discussion on the ways that mining intersects with these three dimensions of peacebuilding also permit a reconceptualization of these peacebuilding theories in terms of complex system theory. This also builds on the discussion from [Chapter 5](#) to consider the ways in which the presence and operations of mining has in turn impacted peacebuilding, and the reciprocal ways in which peacebuilding and mining impact each other. Each theory is described, followed by an elaboration of how the presence and operations of both the Marlin and Cerro Blanco mines reinforced inequalities and exclusion and perpetuated segregation and ideological divisions. Not only have these impacts contributed to mining-related conflict; these impacts, and the conflicts they engendered, also undermined peacebuilding progress.

6.1.2.1 Relevant peacebuilding theory on root causes, ideological divisions, social interactions

In the peacebuilding literature, efforts to address the underlying issues that motivated conflict in the first place—the root causes of conflict—are believed to help end the conflict and establish peace in certain contexts (Anderson & Olson, 2003; Lederach, 1997; Ricigliano, 2012). Interventions believed to address the root causes include truth and reconciliation processes, social and structural change, and changes to key social institutions, laws, and economic systems (Church & Rogers, 2006).

This theory of change is based on a number of assumptions that have been challenged by scholars (Richmond, 2010, p. 19; de Coning, 2016). These include the assumption that there is a core problem at the heart of a conflict that can be isolated from other factors, that the problem has a direct (linear) causal relationship to conflict, that the problem has remained stable over time, and that the problem can be addressed through a linear sequence of actions (Richmond, 2010, p. 19; de Coning, 2016). Conflict and peacebuilding are neither caused nor solved by simply one factor or in a linear sequence; rather, they emerge and evolve as a result of a dynamic interaction among many factors that are highly context specific (de Coning, 2016). As discussed in [Chapter 3](#), the root causes of conflict in Guatemala—inequality and

exclusion—have remained persistent issues throughout Guatemala’s history. Additionally, the problems of inequality and exclusion are core characterizing features of Guatemalan society that are both multi-faceted in their impacts on society and an emergent result of a myriad of intersecting challenges related to patterns of social interactions, racist attitudes, and the entire framework of Guatemala’s laws and policies. As such, efforts to address this root causes of conflict in Guatemala continues to be a relevant dimension of peacebuilding to which mining impacts are relevant (Bull & Aguilar-Støen, 2019).

Second, the conflict studies and peacebuilding literature consider that conflict and violence emerge, in part, from ideological divisions, prejudices, misperceptions, and/or intolerance. The link between ideology and conflict has only recently begun to receive attention in the conflict and peacebuilding literature, but scholars have emphasized its relevance to conflict by informing actors’ perception of threats or grievances underpinning conflict. In doing so, ideological differences may define the fault-lines of conflict in certain contexts. They may also inform actors’ selection of strategic actions leading to conflict along with responses to those actions (Cohrs, 2012; Harel et al., 2020; Leader-Maynard, 2019). Ideology is also relevant to parties’ willingness to negotiate solutions and the solutions identified (Harel et al., 2020; Keels & Wiegand, 2020). Because of the centrality of ideology to conflict, efforts to transform it and encourage greater tolerance are believed to help to build peace. Key interventions believed to bring about this kind of change include media programs that promote tolerance or the exchange of differing perspectives, inter-group dialogue, and modelling tolerant behaviour through media coverage of such initiatives (Church & Rogers, 2006).

As discussed in [Chapter 5](#), ideological divisions in Guatemala can be understood as a reciprocal result of resource and information circulation within segregated social networks whose members had different material realities, values, and worldviews. Ideological divisions between Guatemala’s elites and the guerrilla characterized the dividing lines of conflict during the Internal Armed Conflict, which revolved around a fundamental disagreement on an equitable political and economic system. Those aligned with

the guerrilla during the Internal Armed Conflict perceived that the system was unfair, because it exploited and disenfranchised the population in favour of the elites. Meanwhile the elites perceived attempts to change the system as a threat to their interests, which was couched in terminology about communism. The particular issues on which this ideological divide centred evolved since the peace accord were signed in the sense that “communism” is no longer a salient point of division. However, lack of substantive change to the structure of social interaction and information and resource circulation has perpetuated this ideological division. Different perspectives on what “prosperity” means in Guatemalan society have also persisted and became relevant to mining-related conflicts. These legacy ideological differences shaped the dynamics of conflict in important ways, as discussed in [Chapter 5](#). Though it is difficult to estimate whether or to what extent the degree of ideological division in Guatemala improved or worsened since the peace accords were signed (Lelkes, 2016), how mining conflicts intersects with ideological divisions in Guatemalan society is relevant to the intersection between mining and peacebuilding.

Third, the conflict studies and peacebuilding literature consider conflict to emerge partly because of a breakdown in social relationships related to social divisions and/or isolation. Social divisions may linger after conflict ends and may be exacerbated by conflict (Cox & Sisk, 2017). By extension, efforts to (re)build social cohesion are important for both conflict prevention and peacebuilding, even if they do not resolve all challenges involved. Scholars have analyzed social divisions and cohesion from both a cultural perspective and in terms of social networks. Both appear to be relevant to Guatemala (Putnam et al., 1994; Coleman, 1994; Argueta & Kurtenbach, 2017). Key interventions believed to build social cohesion include inter-group dialogue, networking, relationship building activities, joint efforts, and practical initiatives to address substantive problems that bring together different groups in-person and online (Church & Rogers, 2006; Haider, 2019; Schirch, 2021).

Social exclusion was one of the main underlying issues that led to the Internal Armed Conflict in Guatemala. As discussed in [Chapter 5](#), inequality and exclusion were attributed to restricted patterns of

social interaction in accordance with segregated social networks. It coincided with ideological divisions as well. This suggests that social divisions are relevant to peacebuilding efforts, which scholars have also recognized (Argueta & Kurtenbach, 2017). Thus, examining how mining intersects with social divisions and cohesion in Guatemalan society is another dimension by which mining and peacebuilding may intersect.

In this overview of relevant theory, it is important to note that the root causes of conflict, ideological divisions, and social divisions are part and parcel of the same general issue of inequality and exclusion in Guatemala even though they are treated as separate issues in *some* of the peacebuilding literature. A systems perspective helps to make this clear. The root causes of Guatemala's Internal Armed Conflict—inequalities and exclusion—are an emergent and self-reinforcing pattern of behaviour produced and reproduced by restricted resource and information circulation through segregated social networks. This links the root causes of conflict to social divisions. The same patterns of restricted information circulation within segregated social networks also contributed to ideological divisions, linking the root causes of conflict and social divisions ideological divisions. As such, how the Marlin and Cerro Blanco mines intersected with these various dimensions of peacebuilding are considered as part of a single discussion.

6.1.2.2 How mining impacts other dimensions of peacebuilding

As discussed in [Chapter 5](#), the Marlin and Cerro Blanco mines reinforced inequalities and exclusion in the communities where they operated. The mines also perpetuated and re-defined pre-existing ideological divisions along new lines associated with Guatemala's extractive development model, even though it is unclear whether or to what extent the mines deepened those pre-existing ideological divisions. These impacts do not align with particular commitments from the peace accords but are broadly significant for these other dimensions of peacebuilding, and complicated peacebuilding efforts in important ways.

As discussed in [Chapter 5](#), both the Marlin and Cerro Blanco mines used pre-existing networks associated with local and national elites for their business dealings and for other strategic purposes,

referred to in this dissertation as the “pro-mine network” in each context. The mines acknowledged that they interacted with “certain individuals, and there is selectivity there” (Quotation 131. Representative of the Cerro Blanco mine). No major efforts were observed that intended to or succeeded in bridging previously disparate social networks. Part of this stemmed from fear of potential consequences, such as attracting greater attention to the mine by anti-mining groups. Nevertheless, in the context of both mines, the exclusive pattern of social interaction within this closed pro-mine network perpetuated pre-existing social divisions in Guatemalan society.

Both mines have become synonymous with Guatemala’s elite class. Though the mines are owned by foreign companies, their subsidiaries, Montana and Entre Mares (now Elevar Resources), are Guatemalan companies. Their executives are from Guatemala’s elite class, like the executives of other major companies in Guatemala.⁷² When the mines were subsidiaries under Goldcorp, the subsidiaries were leaders within key business associations synonymous with Guatemala’s elite class. Montana’s current general manager comes from one of the families of Guatemala’s oligarchy, worked previously in Guatemala’s Ministry of Energy and Mines, including as vice minister (noted previously), and is the vice president of the association of natural resources, mines, and quarries (CanCham, n.d.).

As both mines interacted primarily with Guatemala’s elites, it is not surprising that the mines shared a common ideology with the elites (Bull & Aguilar-Støen, 2019; see Figure 5.3, Figure 5.4, and Figure 5.5). The mines activated these networks to support their interests (for example, GREMIEXT, 2012a, 2012b; MINFIN, 2012). Doing so perpetuated previous ideological divisions between Guatemala’s elites and excluded groups and communities and redefined those divisions along new dimensions related to mining and Guatemala’s “post-conflict” extractive economic model. Beyond simply a missed opportunity to bridge the ideological divide and support societal cohesion, the mine’s selective relationships actively

⁷² The General Manager of Entre Mares, the Guatemalan company that owns and operates the Cerro Blanco mine, is from Finland (Kari Raaska), but other key executives are from Guatemala’s elite class.

perpetuated and redefined those divisions. This not only complicated efforts to address immediate mine-related issues;⁷³ it also complicated broader efforts to build society-wide consensus on a development model and to advance peacebuilding efforts more generally.

Further, the restricted circulation of information, resources, and opportunities within this network reinforced socio-economic inequalities in the local context at each mine. This reinforced the power and advantages of local elites while excluding large segments of the population that already faced disadvantages. Beyond its relevance to grievances and social and ideological divisions associated with various dynamics of conflict, the fact that mining reinforced inequality and exclusion is also relevant to peacebuilding, because it reinforced broader structural issues and perpetuated ideological divisions.

Finally, as discussed in [Chapter 3](#), both mines operated using a top-down and exploitative development model. This model imposed projects on Indigenous communities, often without their consent. It extracted resources from the community without serious regard or input on how the project would support the development of the community. The two mines did not create this model; rather, it was established following the peace accords. However, the participation of both mines in this extractive model perpetuated and replicated the same pattern of exploitation that these communities had historically experienced and had fought to change during the Internal Armed Conflict. Other scholars have recently begun making similar arguments (Nolin & Russell, 2021). Particularly in the context of the Marlin mine, many community members and NGOs in the anti-mine network perceived that the mine continued the same kind of violence and exploitation they had historically experienced. Many also believed that the peace accords were an instrument to enable exploitation, as representatives explained:

We have always moved on territory where we touch economic interests that have a lot of power in Guatemala [i.e., elites]. This isn't a secret, and you can find books [...on] how to make the transition [...] to an extractive model which focused specifically on mining, hydroelectric energy using the country's rivers, and the expansion of monocropping not for food but to burn them for

⁷³ As discussed in [Chapter 5](#), differences in the information that different groups used to support their positions, combined with community and NGO mistrust in the information produced by the mine have been a challenge for ongoing dialogue efforts to address various grievances related to the mine.

fuel. They had been thinking about [these ideas at the time], including at the time that the peace accords were signed. And we took note of this, of this tradition of the peace accords. Because when they signed them, they were creating the conditions to impose this [extractive] model. (Quotation 132. Representative of a Guatemalan NGO)

And [the elites] know that the privileges that they had maintained would be threatened [by the peace accords]. They didn't want to lose their privileges. And, referring to this, the extractive model, and the neoliberal economic model, after the signing of the peace accords, they didn't change anything about that because the left [the URNG] was not in power. (Quotation 133. Representative of a national political party in Asunción Mita)

Thus, the presence and operations of both mines created various challenges for peacebuilding beyond simply the implementation of specific commitments. The fact that the mines interacted mainly with elites reinforced pre-existing inequalities and exclusion and perpetuated and redefined pre-existing ideological divisions around the issue of extractive development made these issues that much more challenging to address. Thanks to mining, wealth and power gaps are that much larger and ideological differences over mining have complicated consensus building efforts. This highlights the complexity of peacebuilding contexts as well as the complexity of businesses impacts within those contexts.

6.1.3 Strategic Dimensions of Mining and Peacebuilding

In making the findings above about how mining has exacerbated socio-economic inequalities and perpetuated social and ideological divisions—all of which are counterproductive for peacebuilding—it is important to emphasize that these were not explicit objectives that the mines set out to achieve. Rather, these impacts are an unintended consequence of narrowly focused strategies to advance mine-related interests. This serves as a third dimension for considering how mine-related impacts are relevant to peacebuilding. In Guatemala, both mines were allowed to self-define their contributions to society. This approach failed to appreciate that business engagements and contributions are highly strategic in nature and are pursued to the extent that they are advantageous to the implementing business. The mines' societal engagement activities and deployment of information and resources primarily advanced mine-

related interests. However, what was advantageous for the mines was neither conducive to the above-mentioned peacebuilding tasks nor the overall objectives related transforming power and societal structures to address inequalities and exclusion. To date, the literature on peacebuilding has not closely examined the intersection between business and peacebuilding from this strategic dimension. This includes companies motivations or strategies to contribute to peacebuilding as well as their rationale or strategy for undertaking a particular initiative or set of activities (Ganson, 2019). The discussion below contributes to this under-examined area.

Closer examination of the Marlin and Cerro Blanco mines reveals that many of their projects and community contributions were strategically deployed to help the mines to advance their interests locally and nationally. Locally, both mines strategically invested in community projects and deployed information in ways that were advantageous to the mine's short-term operations and interests. This included gaining support from key actors in the community, suppressing conflicts, or seeking other benefits. Nationally, the mines pushed for initiatives, such as the Extractive Sector Transparency Initiative or the establishment of a voluntary royalty, that ended up benefitting the mines individually and benefitted the industry as a whole by building in loopholes and avoiding more stringent legal regulation. This strategic dimensions of the mines' contributions to peacebuilding provide a third lens for examining how mining conflicts and peacebuilding efforts intersect.

As discussed in [Chapter 5](#), at the local level, both the Marlin and Cerro Blanco mines strategically engaged key community leaders to disseminate information and ultimately gain community support for mines. This was done to a larger extent by the Marlin mine than the Cerro Blanco mine. On the surface, this approach might appear appropriate; it was framed by the mine as respecting communal structures and processes (Montana, 2003, p. 3-68). However, paying salaries to local leaders to promote the mine created a powerful incentive for them to do or say whatever the mine wanted, as salaries are typically conditional on performance, which in this case, was to promote the mine. The fact that the promoters

were also local leaders leveraged their influence in the community for the benefit of the mine (Silburt, 2019b). The strategic deployment of information about only the mine's benefits (rather than balanced information about risks and benefits) and the dissemination of that information by influential individuals in the community significantly influenced opinions in favour of the mine at the outset. Many community members commented with regret that they initially believed that the Marlin mine would bring benefits, and only later became aware of the mine's risks and harms. This realization became an important factor that shaped negative attitudes towards the mine. In a separate context, mine representatives acknowledged that this was precisely the intent behind working with local leaders:

What happens is that the mayor is already a leader in the community. When someone arrives to occupy that position, they have a charisma, and the people respect, admire, and want him, and this is why he wins the votes to become mayor in that municipality. And, because as mayor he can have a certain influence over the communities and the decisions that they can make for the benefit of the communities and for the benefit of the mine. Perhaps, we use that relation as a mediator between the two [i.e., the mine and the community].

(Quotation 134. Representative of the Marlin mine)

The Cerro Blanco mine used the local mayor and local community development councils to promote the mine and organize community consultations at the outset, following the same strategy as the Marlin mine (MARN, 2007, Anexo 17.3.2). The mine has gained the current mayor's support along with other local leaders. It continues to leverage their influence in the community to maintain support for the mine, as illustrated in Figure 6.2. Thus, both mines strategically engaged and deployed information to gain community acceptance, which the community may not otherwise have accepted.

The Marlin mine also privately negotiated an agreement with the local government for five community projects in exchange for their support for the mine, as a representative explained:

At the beginning of the mine, the community demanded five things. The first was a paved road to connect San Miguel to San Marcos. The second was an institute in San Miguel, a "colegio" [private school] for secondary education. The third was a hospital. The fourth was a [soccer] stadium. The fifth was to improve the central park. These five projects were conditions for [the municipality's] acceptance of the project that the auxiliary mayors and the mayor at the time asked the government for and then asked the mine for.

(Quotation 135. Representative of the Marlin mine)

These projects might appear beneficial to the community, but they reflected the very narrow personal interests of municipal leaders rather than things that were in the general interest of the community. Many community

Figure 6.2. Cerro Blanco Mine: Leveraging Local Leaders



Figure 6.2 shows two of several examples of the mine leveraging local leaders to gain mine support during the approvals process to expand the mine into an open pit mine. The top image shows the mayor of Asunción Mita endorsing the mine for its contribution to the development of the town at the launch of a mine-funded education program (Entre Mares, 2021d). The bottom image shows representatives of the mine, municipal government, and COCODE inaugurating a small mine-funded pavement project. The COCODE representative endorsed the mine: she said that it brought development to the community through infrastructure and jobs for 105 families and that the mine was the “only hope that we have for development and work” (Entre Mares, 2021c).

members resented the construction of the soccer stadium and commented that the money could have been better spent to ensure that everyone had access to potable water. The mine also strategically timed the construction of these projects. The hospital was not constructed until 2011, and the soccer stadium not until 2017. Community members suggested the delay was to maintain the municipal government’s support for the mine throughout its entire operation, because the projects were conditioned on the municipality’s continued support for the mine. Both the agreement and its implementation were strategic maneuvers that primarily benefitted the mine rather than the greater good of the community.

As noted in [Chapter 5](#), both mines also undertook several smaller community initiatives, all of which were conditioned—implicitly or explicitly—on support for the mine. For example, in the context of the COVID-19 pandemic, the Cerro Blanco mine has visibly distributed hygienic supplies in the community in partnership with the municipality (Entre Mares, 2020). It also administered vaccines (Entre Mares,

2021e). The strategy helped gain local support and portray the company as beneficial without actually expending significant resources. These conditioned benefits strategically silenced some community members with concerns about the mine but that also wanted to maintain access to those benefits.

Another example illustrating the strategic deployment of projects in ways that primarily advance mine interests is that several infrastructure projects were framed as community projects when really, they were projects that the mines needed to do anyway. For example, the Marlin mine upgraded a bridge over the Cuilco River and paved the road connecting San Miguel Ixtahuacán to the Pan American Highway so that it could transport heavy equipment to the mine. These projects were in the mine’s construction plan, submitted with the environmental impact assessment (Montana, 2003, Section 3.4.1.1). However, they were framed as community investments (Montana, 2013b, p. 5; see Figure 6.3).

Similarly, the Cerro Blanco mine visibly emphasized that it has paved more than 10,000 square metres of road to date as part of its community contributions (Entre Mares, 2021c). This included the main road connecting the community of Cerro Blanco to Asunción Mita. Again, the 2007 environmental impact assessment revealed that the mine was obligated to maintain these roads,

because it relied on them for its own transportation. The mine also needed to reroute the existing road

Figure 6.3. Excerpt from Marlin CSR Communications



Figure 6.2 Shows an excerpt from a monthly CSR bulletin, which shows before and after photos of a road paved by the mine and claiming that the mine has invested 99.4 million Quetzales (approximately \$12 million US) to improve and create roads. A sub-heading called “building bridges” includes a statement by the head of the mine’s community relations department saying that the mine constructed three important bridges, including the bridge over the Cuilco River.

for its own operational purposes (Entre Mares, 2007, p. 5-85). Thus, many of the projects framed as intended for the communities' benefit were primarily for the mines' benefit.

Even though mine communications about community projects were framed as responsive to community needs, conversations with mine representatives revealed that they were the result of top-down decisions by the mine. Many projects reflected what the mine thought the community needed, rather than what the community had prioritized as most important. As a representative of the mine explained, "The FSM evaluates and sees what are the necessities in the municipality" (Quotation 136). As a result, uptake for many projects was limited, which a mine representative acknowledged:

One of the realities is that the people are not interested in the projects of the mine. [...] For example, in the community El Salitre—this was the community with the most conflict. We had the Fundación Sierra Madre, and there the COCODEs said to the foundation that they didn't want any of their projects directly. Nevertheless, FSM opened their doors so that whatever person could participate in their programs and projects.

(Quotation 137. Representative of the Marlin mine)

At the Cerro Blanco mine, development projects are provided by the Lundin Foundation in accordance with the Foundation's pre-established development priorities.⁷⁴ The mine acknowledged this in saying, "What we are doing is...its arms length but its not arms lenls the Lundin Foundation, and that's our avenue to bring on some broader partnerships" (Quotation 138. Representative of the Cerro Blanco mine)

The decision undertake certain projects also often reflected strategic decisions to gain community support, such as the Marlin mine's negotiation of five projects to gain community support above. Or they were to diffuse community protests associated with the second dynamic of conflict (see Figure 4.3). This was revealed through the Marlin mine's explanation that "There isn't any logic behind [projects undertaken by the mine]. We don't have a specific line where we say that we do X type of project. Everything responds to ad hoc demands [i.e., protests]" (Quotation 139. Representative of the Marlin

⁷⁴ The Lundin Foundation defines four pre-set program areas: 1) education and skills training, 2) social and environmental innovation, 3) economic diversification, 4) local supplier development (Lundin Foundation, n.d.).

mine). A local government representative explained that a similar approach was taken at the Cerro Blanco mine: “What [the COCODEs] do is they come [to the mine] and ask for what they want. And [the mine] give[s] something to this one and the other [...] with the same intention to maintain the community without conflict” (Quotation 140). A clear example of this was the Cerro Blanco mine’s completion of a pavement project in the community of Cerro Blanco in 2021, which was highly publicized to show that the mine supported the development of the community (Entre Mares, 2021c). Not mentioned in these communications was the fact that this project was undertaken in a response to series of roadblocks organized by the community in September 2018, February 2019, and April 2019, demanding road repairs (Telediario, 2018), as discussed in [Chapter 4](#).

Thus, both mines strategically deployed resources to gain community support and/or suppress conflict. However, this means that mine-funded projects and initiatives were often a result of very short-term strategies, such as suppressing conflict. Such initiatives were not part of a broader, coherent plan to ensure that the projects would contribute foundations for longer-term, tangible development. This, combined with the fact that the local governments also lacked the planning capacity, meant that mine investments and royalties did not necessarily contribute to sustainable development in the community. The Marlin mine’s projects translated into very little tangible development in the community now that the mine has ceased operations (COPAE, 2020). Analyzing the mines’ contributions from this perspective also helps to explain why projects in the community only benefitted some groups and not others, and in doing so, why they reinforced socio-economic inequalities, grievances, and conflict.

As discussed in [Chapter 5](#), at the national and industry-wide level, executives of both mines strategically negotiated initiatives both directly and through their industry associations to shape policy in ways beneficial to them. In 2012 the Marlin mine, through the Guatemalan Chamber of Industry, negotiated an agreement with the Guatemalan government that established a framework for the extractive industry to pay a voluntary four percent royalty on production (MINFIN, 2012; MEM, 2012).

The arrangement was viewed as an agreement that preserved the interests of national and international businesses (Batres, 2012). It allowed mines to provide voluntary contributions in the form of community projects (MEM, 2012). This means that mines could implement projects that strategically advance their interests and essentially double count them as voluntary royalty contributions (for example, Montana, 2013c, p. 1). The voluntary royalty also took effect just as the Marlin mine terminated its open pit operations and initiated its closure plans (Montana, 2013d, p. 30; 2012a). As such, the voluntary royalty may not necessarily have contributed a greater value of community projects. Though the Marlin mine's total taxes and royalties paid increased in 2012, it decreased substantially thereafter (Montana, 2015d).

It is also important to note the context in which this voluntary royalty emerged. Over the course of 2010 and 2011, there was significant anti-mining activism across the country, including protests against both the Marlin and Cerro Blanco mines.⁷⁵ After the IACHR issued its precautionary measures requiring the Marlin mine's closure in 2010, the mine was in the process of negotiating an alternate solution. Additional royalties was an option offered to local leaders (Rigalt, 2011). A moratorium on issuing new licenses was also introduced in 2011 along with various proposals to reform the mining law and royalty regime (MEM, 2012a, p. 8; Escalon, 2012). As part of presidential elections during 2010, the candidate that eventually became president promised to increase mining royalties (CAD, 2011; Gurierrez, 2012). Taking in this other information, it becomes clear that the voluntary royalty served a number of strategic interests for the Marlin mine. The agreement was not necessarily intended—nor was it regarded—as being for the broader interest of society. The agreement was announced less than two weeks after the new president took office, which raised suspicions across several sectors of society that it was an electoral

⁷⁵ These were previously described in Chapter 4. For the Marlin mine, they included protests in light of a decision from the ILO and IACHR (see ILO, n.d.; Yagenova & Santa Cruz, 2011). The submission of a complaint to Canada's National Contact Point (GAC, 2011), and an attack on a local human rights defender (AI, 2014). At the Cerro Blanco mine, these included the publication of several studies about the environmental risks of the project (CEICOM, 2010; Lopez, 2010), which resulted in various demonstrations and awareness events (Yagenova & Santa Cruz, 2011), and the kidnapping of resistance leaders (Zarraga, 2014).

favour (Gutierrez, 2012). Though this allegation was never proven, Guatemala's Commission Against Impunity (CICIG) later named Montana's Vice President in connection with an elaborate corruption scheme involving financial contributions to the president's electoral campaign (CICIG, 2016).

Guatemala's enrollment in the Extractive Sector Transparency Initiative (EITI) can be viewed in a similar vein. Following the approval of Guatemala's request to join the EITI, the executive director of Montana at the time became a member of the national working commission to implement the EITI in his capacity as both the head of Montana and as a representative of the mining industry and worked alongside senior government officials and civil society representatives (CNT EITI, 2011a, p. 6). Although all extractive companies were subject to the reporting requirements, Montana's participation in the working commission allowed the company to influence the reporting requirements and how that information would be presented in public reports. For example, Montana pushed for an aggregated (rather than disaggregated) presentation of financial data (CNT EITI 2011a, p. 3; 2011b, p. 2), which was the approach ultimately pursued (EITI, 2013). Participation also allowed Montana to oversee the implementation of those requirements. Thus, the mine's involvement in EITI governance allowed it to influence the initiative in accordance with its interests. Its influence in EITI governance, and its push aggregated data in EITI reports, undermined transparency about how much money was paid to the government in the form of taxes and royalties. Inconsistency between amounts reported in EITI reports and in other documents obtained from the central government and the mine⁷⁶ raise serious questions about the degree to which any of the information was reliable. EITI reports also included amounts associated with Montana's voluntary royalty payments (discussed above); however, it was unclear whether those amounts reflected contributions in the form of community projects only, or whether they also included things like the Marlin mine's payment for professional laboratory services for the central government. Meanwhile both the

⁷⁶ For example, royalties and taxes reported for the Marlin mine in EITI reports (EITI, 2016) do not match information submitted by the Marlin mine to the Ministry of Energy and Mines (Montana, 2015e) or information published by the Marlin mine itself (Montana, 2016b; 2015e). The Cerro Blanco mine was not reporting any royalties at the time.

government and the mine could claim that they were improving transparency without actually doing so (Magul, 2011; Montana, 2011c). The Cerro Blanco mine did not report any such contributions in the various EITI reports even though it made several local contributions discussed above and in [Appendix 5](#). Meanwhile, the Marlin mine, and recently also the Cerro Blanco mine, advertised their affiliation with the EITI as a strategy to develop trust (BSR, 2020c). For example, the Marlin mine's executive director was quoted as saying: "We are leaders in participating in the EITI, which has converted us into a company that seeks a transparent fiscal framework" (Montana, 2013e). The fact that Montana's participation in EITI governance obscured transparency (rather than enhancing it) and the fact that Entre Mares' EITI participation has also not led to greater transparency about its financial contributions suggests that their participation in the EITI is for strategic purposes other than greater transparency for society.

As this section has illustrated, both mines' societal contributions were strategically oriented to advance specific mine interests both locally and nationally. The implication is that mine funding, projects, and participation in initiatives were not necessarily for the greater good of the community or society over the long term, even though they may have been framed as such in company communications. This helps to explain why the mines' interactions and contributions have reinforced inequalities. It also helps to explain some of the grievances against the mines, social and ideological divisions in the community, and mining-related conflict dynamics. As discussed in [Section 6.1.2.2](#), these impacts interfered with and undermined peacebuilding. As they are partly due to the strategic nature of the mines' relationship building and deployment of information and resources, the model allowing the mines to self-determine their societal contributions is another factor in why mining undermined peacebuilding.

6.1.4 Conclusions about How Mining Impacts Peacebuilding

In addition to the fact that peacebuilding challenges related to inequality and exclusion are underlying issues in mining-related conflicts, these conflicts have in turn undermined peacebuilding progress,

establishing a second broad linkage between mining conflicts and peacebuilding challenges. The presence, operations, contributions, and impacts of the Marlin and Cerro Blanco mines complicated efforts to advance important commitments from the peace accords as the Guatemalan government prioritized economic development by means of extractive projects over its commitments to respect human and Indigenous rights and took the mines' side in controversies and conflict. The mines also undermined commitments to advance socio-economic development for all by reinforcing inequalities and exclusion rather than alleviating these issues. The fact that both mines exacerbated inequalities and perpetuated and re-defined pre-existing ideological divisions also undermined broader peacebuilding objectives to address the root causes of conflict—related to inequality and exclusion—and to reconcile social and ideological divisions. The fact that the mines' relationship building and deployment of information, projects, and investments was strategically designed to advance short-term mine interests helps to explain the above-mentioned impacts and why the mines were counterproductive for peacebuilding.

Section 6.2 Common Cause, Myriad Challenges Compounded in Vicious Cycle

Thus far, the discussion has focused on mining-related conflicts, peacebuilding challenges, and how the two are relevant to each other. However, it is important to acknowledge that Guatemala faces various other challenges beyond mining that form part of Guatemala's peacebuilding context. These add another layer to the complexity of Guatemala's peacebuilding challenges and mining-related conflicts. While it is beyond the scope of this dissertation to examine each of these issues in depth, [Section 6.2.1](#) sketches seven categories of issues that form part of Guatemala's peacebuilding context, and therefore, the context in which mining-related conflicts at the Marlin and Cerro Blanco mines have taken place. The discussion reveals that the various issues are also manifestations of inequality and exclusion and that many of the issues are interconnected with each other in ways that reinforce inequality and exclusion. This further builds on the discussion in [Chapter 3](#) and [Chapter 5](#) about how inequality and exclusion emerge

and why these issues have become entrenched and difficult to transform. [Section 6.2.3](#) considers how these other issues and their interconnections are relevant to mining and shows how they have become entwined with mining-related conflicts. This complicates mining-related conflicts and efforts to address them. [Section 6.2.4](#) considers the broader impact and significance of these myriad issues alongside mining-related conflicts and reveals that all of these issues feed into a vicious cycle of problems that has complicated Guatemala's ability to effectively deal with individual issues as well as the situation as a whole. This has distracted attention and resources from longer-term sustained efforts needed to transform the system that has produced these issues, presenting a further peacebuilding challenge.

6.2.1 Guatemala's Myriad Other Issues

At least seven different categories of other issues are relevant to the Marlin and Cerro Blanco contexts, including economic, social, social justice, security, environmental, governance, and migration related challenges (see Figure 6.4).⁷⁷ These are issues that Guatemala faces in general, but each issue is also relevant to both mine contexts. Many of the issues have already been mentioned in previous chapters in connection with either mining-related conflict and/or more longstanding issues related to inequality and exclusion. Disentangling the various issues involved and their interrelations helps to better appreciate the complex ways in which inequality exclusion manifest in Guatemalan society.

6.2.1.1 Economic issues

Economic issues include both widespread and acute poverty, lack of economic opportunities, extremely low wages, and precarious or informal work for large segments of the population. As discussed in [Chapter 3](#), poverty and extreme poverty affected almost the entire population of San Miguel Ixtahuacán and

⁷⁷ The diagrams are excerpts of an interactive social network diagram made publicly available at the following link: <https://kumu.io/asilburt/99-problemas#map-M6LBVPSY>.

Sipacapa, and certain groups in Asunción Mita (see Figure 3.9; INE, 2006, 2013). In both towns, lack of economic opportunities forced community members to accept low wages, precarious work, and/or to migrate to find work. The fact that certain segments of the population experienced poverty and could not access economic opportunities are product of institutionalized and systemic inequality and exclusion.

Figure 6.4. Guatemala’s Myriad Other Challenges

Economic	Poverty, economic opportunities, wages, precarious/informal work
Social	human development, access/quality of basic services, substance abuse
Social Justice	Inequality, exclusion, human rights
Security	Crime, violence, conflict
Environmental	Water, deforestation, climate change, contamination
Governance	Law, enforcement, capacity, corruption, pol will, representation
Migration	Internal/international, in/out

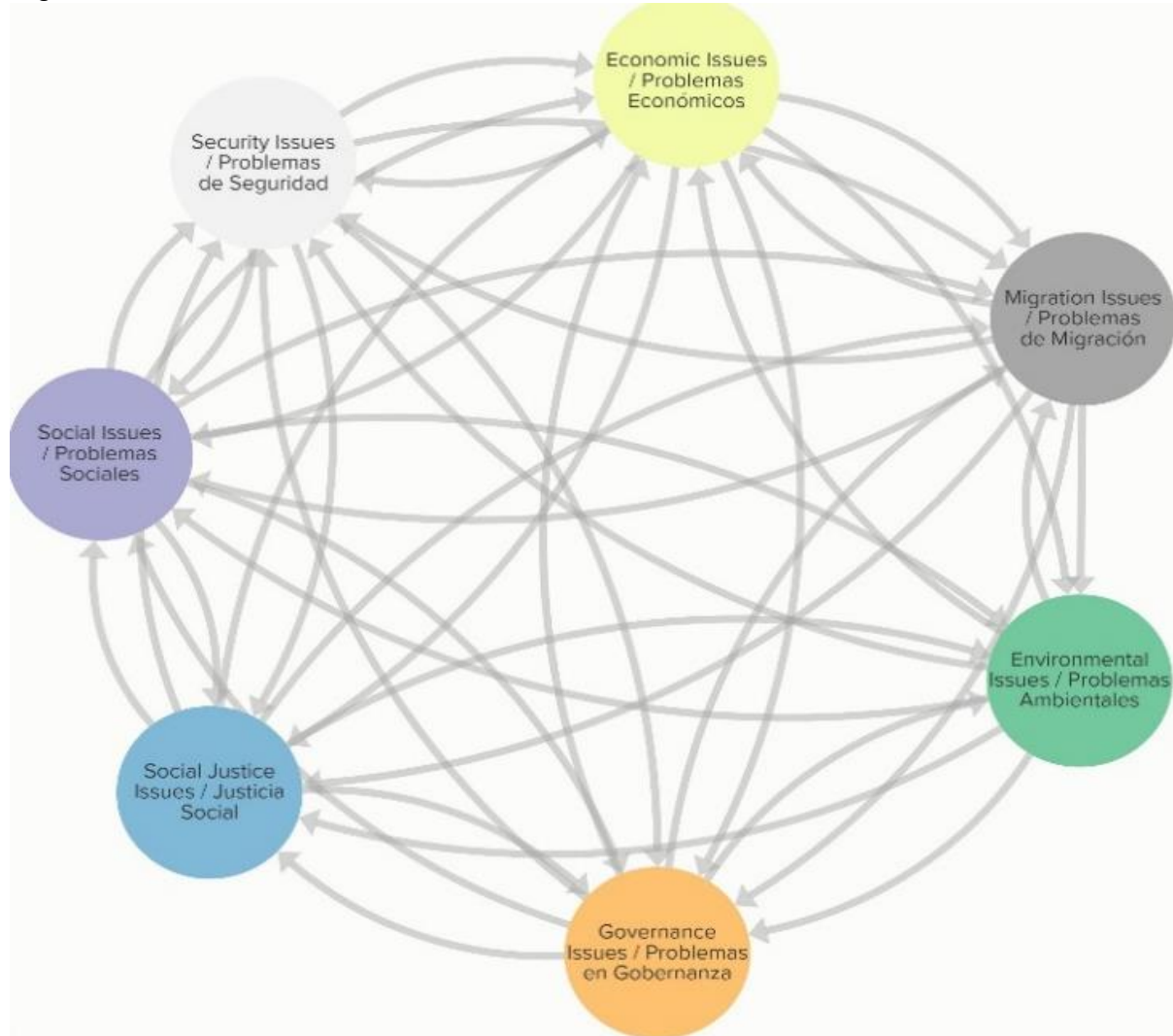


Figure 6.4 lists seven categories of issues that Guatemala faces beyond mining-related conflicts, with examples of the issues included in each category. Each category is visualized as a different colour circle with grey arrows connecting each circle to indicate that issues within each category are connected with other issues. Discussed further in Section 6.2.8 and Figure 6.5.

6.2.1.2 Social issues

Social issues include poor human development outcomes on multiple dimensions, such as level of education, health indicators, malnutrition, food security, and others. They also include insufficient access and/or quality of basic services, such as clean water, education, health, affordable electricity, sanitation, or other basic infrastructure. And they include social problems like substance abuse. San Miguel Ixtahuacán and Sipacapa perform poorly on almost every indicator (Muni SMI, 2010; INE, 2019; L. González, 2014; López & Hernández, 2016; SINSAN, 2015).⁷⁸ The situation of human development in Asunción Mita is a lot better overall, but specific groups in the community face these issues (García Hernández et al., 2013).⁷⁹ To a large extent, social issues stem from deficiencies in the quality and availability of basic services or other government programs to support socio-economic development. As with economic issues, social issues are product of institutionalized and systemic inequality and exclusion.

6.2.1.3 Social justice issues

Social justice issues refer to the multi-dimensional ways in which inequalities and exclusion are experienced by certain groups in Guatemalan society. This includes the general lack of respect for human and Indigenous rights, as well as racism, discrimination, or violence that Indigenous peoples, women and girls, LGBT+ or gender-diverse persons, and other minority groups experience because of their identity. These issues affect the ability of certain groups to access programs and services and the quality of those programs and services. It intersects with the framework of rules in society and their enforcement. As

⁷⁸ For example, San Miguel Ixtahuacán continues to be among municipalities with the worst access to potable water services in the country. Only 16 percent of homes had running water in their homes in 2018. Though not the worst in the country, only 85 percent of men and 71 percent of women in both communities were literate. Only about 84 percent of the population in San Miguel could afford electricity, and 68 percent in Sipacapa; 95 percent of the population relied on firewood for cooking in both communities (INE, 2018). About 50 percent of children in both communities had chronic malnutrition (SINSAN, 2015).

⁷⁹ For example, a socio-economic diagnostic analysis of the municipality indicated that although Asunción Mita fares better than average on various human development indicators, a major gap in socio-economic indicators was also observed in the municipality (García Hernández García Hernández et al., 2013, p. 85-86).

Indigenous communities, members of San Miguel Ixtahuacán and Sipacapa believe that they face inequality and exclusion because of racism.⁸⁰ Though no Indigenous communities are officially recognized in Asunción Mita, Indigenous persons and migrants from El Salvador experience discrimination.⁸¹

6.2.1.4 Security issues

Security issues refer to crime, violence, and social conflict involving the state and at the community or interpersonal level. Examples include repression and criminalization of protests, lynching, murder, violence against women, organized crime, and trafficking of people, weapons, and drugs. Illicit trafficking and organized crime are prevalent in both Asunción Mita⁸² and San Miguel Ixtahuacán⁸³ (to a lesser extent Sipacapa⁸⁴) and have increased in recent years. This may be related to their proximity to the border.⁸⁵ However, trafficking issues are also related to mining, discussed below (Prensa Libre, 2019). In both

⁸⁰ San Miguel Ixtahuacán and Sipacapa both experienced issues related to lack of access to services in Indigenous languages, collective land title, and lack of recognition of Indigenous socio-political structures like “Indigenous mayors.” Educational services, though improving, are in Spanish rather than local dialects. Services provided in local dialects differ in their quality than those provided in Spanish. Government agencies focused on Indigenous peoples have lower status and smaller budgets, as noted by a representative of the central government. “They are secretariats not ministries. They don’t have any authority, but they deliver little projects. For me this is not enough. We need a Ministry to protect the Indigenous Peoples and recognize and protect their sacred spaces, to provide compensation [...], that invests in the community development but with the vision of the Indigenous Peoples. At the very least, for me, it’s necessary 5 percent of the budget even though right now it’s not even 1 percent.”

⁸¹ As a local resident commented, “Those who are discriminated against are other “indios” [derogatory term]. They come and invade our town. [...] They will work for 50Q [~\$10 CAD] per day, but those who are from here don’t want to work for that.” A local Salvadorian migrant commented: “My children in school were called the “Salvadoreños,” singling out the child as different and not belonging in the class. [They started crying] No matter how hard I try; I am not accepted in the community. I have friends, but don’t feel like an equal.”

⁸² See CRN Noticias (2019), O. González (2014), MINGOB (2019b), Prensa Libre (2017a, 2017b). As a representative of a local NGO commented, “Here, there is a lot of presence human trafficking, which is the most common. And as well, trafficking of drugs. So, [they know this], because XXX [name of organization] talks to a lot of people here. Specifically, on the Lago de Güija is where we have seen a number of terrible situations. Because they [traffickers] have travelled a long way, they cross the border, they pass. There is a big increase of narcotrafficking as well. So, it is one of the reasons for which here there are a lot of people with weapons, because of the situation of insecurity.”

⁸³ See Barrera & Contreras (2017), Cifuentes (2016), García (2018). As a local representative commented, “Not just the plantation owners, but also the business dealings of the “narcos.” They get taken advantage of. And they are all in jail. There are so many from San Miguel that are in jail, for selling drugs.”

⁸⁴ For example, MINGOB (2020a).

⁸⁵ San Miguel Ixtahuacán and Sipacapa are about 40 minutes from the Pan American Highway, and about two hours from the border with Mexico. By contrast, the highway runs through Asunción Mita, with the town on the border with El Salvador, 30 minutes from the municipal centre.

contexts, anecdotal information suggests that drug trafficking, human trafficking, undocumented migration, local corruption, and youth gang activity are all interrelated.⁸⁶ As discussed in [Chapter 4](#) in the context of the fifth dynamic of conflict, the most prevalent security and justice issue affecting both contexts is related to violence against women (Marroquin, 2019; Prensa Libre, 2016). Whereas Asunción Mita has a higher rate of crime and assault in general,⁸⁷ lynching is the bigger issue in San Miguel Ixtahuacán and Sipacapa (Alay, 2019; Barrera, 2017). All issues are related to a general lack of economic opportunity in both regions, which incentivized or coerced the involvement of individuals in illicit activities. In the Western Highlands region where San Miguel Ixtahuacán and Sipacapa are located,⁸⁸ these issues are also related to a lack of government presence and a culture of violence was never addressed since the end of the Internal Armed Conflict.⁸⁹

6.2.1.5 Environmental issues

Environmental issues include water quality and quantity issues, deforestation, and contamination, as well as broader issues like climate change (Gálvez et al., 2012). The top environmental concern for local residents in both contexts was water scarcity. Many commented that local water sources have dried up

⁸⁶ Community representatives provided general and personal accounts about individuals who paid a “coyote” to help them enter undocumented into Mexico (and subsequently to the US) but were forced to transport drugs or other illicit goods. This practice has been documented in other sources (Briscoe et al., 2014; Barr, 2018). In both contexts, traffickers owned local construction companies (San Miguel Ixtahuacán) or hotels (Asunción Mita) through which money earned through illicit activities was laundered. Traffickers arranged with the local mayor to essentially turn a blind eye to such operations, usually as a result of financing their electoral campaign (Briscoe et al., 2014).

⁸⁷ Data on local crimes is inconsistently published. In 2013, Jutiapa was reported as having a higher homicide rate than the national average, at 54 homicides per 100,000 persons (vs. 34 homicides national average), the majority of which took place in Asunción Mita with a rate of “74-97” homicides (i.e., about 30-35 homicides overall, INE, 2014a). The homicide rate in San Marcos was much lower than the national average at 14.3 homicides per 100,000 persons; a homicide rate of 0 and 4 reported in San Miguel Ixtahuacán and Sipacapa respectively (INE, 2014b).

⁸⁸ As discussed in [Chapter 3](#), note 19, and [Chapter 5](#), the police left San Miguel Ixtahuacán, Sipacapa, and eight other municipalities in San Marcos in January 2012 due to ongoing violent confrontations between the police and the communities in the context of efforts to root out illicit trafficking since 2005. Police service returned to Sipacapa in 2014 and to San Miguel Ixtahuacán in December 2020 (Lara & Contreras, 2012; Marroquin, 2014; MINGOB, 2020b).

⁸⁹ As discussed in [Chapter 3](#), the level of violence was considerably higher in San Marcos compared to Asunción Mita (see Figure 3.4 and Figure 3.5). Very little in the way of peacebuilding and reconciliation work was undertaken in either region, with the only work undertaken by the Catholic Church.

in recent years, discussed further in [Section 6.2.3](#). The specific causes of individual water sources drying up are not well understood due to lack of detailed investigation into the matter by the government or other organizations. General studies suggest that these issues are a combined result of natural factors and human activities. San Marcos and Jutiapa are arid regions, and arsenic occurs naturally in water (Montana, 2003; Aroche et al., 2013). However, inadequate management of water consumption, household and industrial solid waste,⁹⁰ wastewater management, agricultural runoff, and deforestation have contributed to water scarcity and contamination issues in both towns (AMAR, 2019; García Hernández et al., 2013; Montana, 2003; Orozco, 2016; González, 2014; CTPT, 2005; Galvez et al., 2012; INE, 2015).⁹¹ In San Miguel Ixtahuacán and Sipacapa, deforestation is primarily for firewood and land clearing for agriculture, whereas in Asunción Mita it is for land clearing for agriculture and livestock. Forest conservation and deforestation issues are tackled through a poorly enforced permitting scheme and a poorly remunerated compensation program, noted above (Gálvez et al., 2011; INAB, 2005). San Miguel Ixtahuacán and Sipacapa are in a region with high seismic activity, and deforestation increases the risk of landslides. Both regions also face seasonal flood risks for the same reason (ASOVERDE, 2017; Montana, 2003; SIMSAN, n.d.).

In both contexts, water is at the centre of several conflicts. In San Miguel and Sipacapa, conflicts surged over potable water management in the context of growing scarcity. In Asunción Mita, conflicts surged over attempted privatization of the Rio Mongoy and over industrial water use by large cantaloupe

⁹⁰ Solid waste collection and processing is extremely limited in San Miguel Ixtahuacán and Sipacapa is extremely limited, capturing only about 4-5 percent of garbage produced. Most families burn garbage (in remote communities, 58 percent in San Miguel and 72 percent in Sipacapa) or bring it to an unlined dump located right beside a river (24 percent in San Miguel and 15 percent in Sipacapa). Waste management services are slightly better in Asunción Mita, with 42 percent of waste going to waste facilities; however, 43 percent of garbage is burned, and a considerable portion is dumped in “illegal” dumpsites (INE, 2018).

⁹¹ Very little rain falls annually in Asunción Mita, and it relies primarily on sub-surface water. Despite having abundant water flowing through several rivers, 90 percent of surface water in the municipality is contaminated and unsuitable for human or animal consumption, and in some cases for irrigation (AMAR, 2019; García Hernández et al., 2013). High population density and water-intensive agriculture have put excessive pressure on sub-surface water sources, which are being diminished faster than they can recharge. The problem is exacerbated by deforestation, which undermines water recharge and diminishes soil water-retention capacity (García Hernández et al., 2013, p. 37-40). The situation is similar in San Miguel Ixtahuacán and Sipacapa (Montana, 2003; Orozco, 2016; González, 2014).

farms (Asgeirsson, 2015; CPD, 2017, p. 18; Mi Jutiapa, 2016). As noted above, El Salvador is also concerned about potential water contamination for reasons that go beyond mining (Labrador, 2012; PDDH, 2013).

6.2.1.6 Governance issues related to deficiencies government accountability and integrity

Governance issues related to deficiencies in government accountability and integrity concern the fact that both the central and municipal governments cater to the interests of a small group of elites and consistently fail to address the majority of the population's needs. Government accountability issues include weaknesses in Guatemala's framework of laws and policies on a range of political, social, and economic matters. They also include weaknesses in the enforcement of those rules and weaknesses in state presence and service delivery.

Alongside these issues, the Guatemalan government is also affected by integrity issues, which are that inappropriate practices like corruption are widespread. These separate integrity issues also undermine government accountability to the extent that they further undermine the integrity of government decision-making, misuse government resources, and undermine government accountability. Guatemala's Commission Against Impunity investigated over 124 instances of serious corruption in the central government during its operation from 2009-2018, including acts of bribery, embezzlement, money laundering, trafficking of influence, among other crimes and integrity issues (CICIG, 2018). As noted previously, one case involved Marlin mine senior executives in illicit electoral financing (CICIG, 2016). Another case involved an extensive money laundering and illicit electoral financing with a nexus to Asunción Mita (CICIG, 2015; Monzón, 2019). These cases confirm that corruption is endemic in the central government. Beyond the government's general tendency to cater to elite interests, decision making is based on an exchange of favours, and government officials personally enrich themselves through their offices. These practices affected both mine contexts in a general as well as through specific instances.⁹²

⁹² Discussed in [Chapter 5](#).

6.2.1.7 Migration issues

While the motivations for migration are intimately related to other social, economic, security, justice, and governance issues, migration patterns created additional challenges for both communities. These include “in-migration” challenges, where the arrival of outsiders into the community from other towns or internationally created tensions and integration issues in the community, such as xenophobia and discrimination⁹³ as well as in-migrants’ failure to respect local culture and customs. These also include “out-migration” challenges, where community members leave for other parts of the country or abroad. International out-migration in both contexts is usually “undocumented,” which exposes out-migrants to abuse and feeds into US concerns about illicit migration (Wroughton & Zengerle, 2019). Additionally, out-migrants often abandon the families they left behind in Guatemala, which may exacerbate the pre-existing social and economic issues that motivated migration in the first place.⁹⁴

6.2.2 How Guatemala’s Other Issues are Interconnected

Many of the myriad other issues Guatemala faces are a product of inadequacies in Guatemala’s framework of laws, policies, programs, and services as well as inadequacies in enforcement or delivery of these rules and programs. As discussed in [Chapters 3](#), these deficiencies in rules are part of a system of interconnected organizations, rules, values and perspectives, activities, and resources that privileges elite participation and elite interests. In doing so, the system excludes the majority of the population and neglects their needs and interests. These patterns of inclusion and exclusion and associated ideological

⁹³ Asunción Mita is a destination for Indigenous persons from other parts of Guatemala and migrants from El Salvador, and to a lesser extent, Honduras. These migrants are often exploited at even lower wages than the local population and face significant discrimination as a result of stereotypes that the migrants are associated with crime and violence, which has become a source of conflict. See note 81 for examples.

⁹⁴ About 10 percent of Asunción Mita’s population relies on migration and remittances from migrants in the US (García Hernández et al., 2013). This compounds local economic issues because many residents would rather migrate to the US rather than work in the local community. Family abandonment from mine workers was a common issue reported in the context of the Marlin mine (COPAE, 2020), related to the fifth dynamic of conflict in [Chapter 4](#).

differences were further discussed in [Chapter 5](#) as emerging from a pattern of social interaction and resource and information circulation in accordance with closed social networks. From this perspective, each of the issues described above are different manifestations of inequality and exclusion that emerge from this pattern of exchange in the system. At the same time, interconnections among these discrete issues create feedback loops that transmit the distributional consequences of each manifestation of inequality and exclusion from one issue to another. Not only does this compound both issues; it reinforces inequality and exclusion in the system overall. This makes the system more difficult to transform by means of the same two mechanisms of path dependence discussed in [Chapter 3](#) pertaining to power asymmetries and the interconnectedness of institutional arrangements. One example that illustrates how the interconnectedness of these issues reinforce inequality and exclusion concerns integrity and accountability issues in the Guatemalan government lead to social justice issues, which impact other social, economic, environmental, security, migration, and other issues in ways that compound all of the issues and ultimately reinforce inequality and exclusion in Guatemalan society.

As illustrated in Figure 6.5, government accountability issues have created deficiencies across Guatemala's entire framework of laws, policies, programs, and services as well as deficiencies in enforcement and service delivery. These deficiencies produced inequalities and barriers for different groups in Guatemalan society that undermine their ability to participate equally and effectively in the economy, society, and in governance. For example, inadequacies in the rules that protect and respect the rights and identity of Indigenous peoples and programs and services accessible to them create important barriers that prevent Indigenous persons from accessing jobs and services and from participating effectively in the economy and governance. These are consequences of social justice issues for other social, economic, and governance issues. At the same time, the governance inadequacies responsible for social justice issues have also had adverse impacts for Indigenous communities. Examples include inadequate consultation in the context of extractive projects, resulting in adverse environmental impacts

or lack of recognition of ancestral land titles that result in evictions or criminal convictions (Cojti Cuxil, 2005, p. 28; CPO, 2014; Waquib’ Kej, 2015).⁹⁵ These impacts represent social justice issues relevant to other environmental and security issues. As discussed in [Chapter 3](#) and [Chapter 5](#), these deficiencies are from the elites’

Figure 6.5. How Other Issues Reinforce Systemic Inequalities and Exclusion

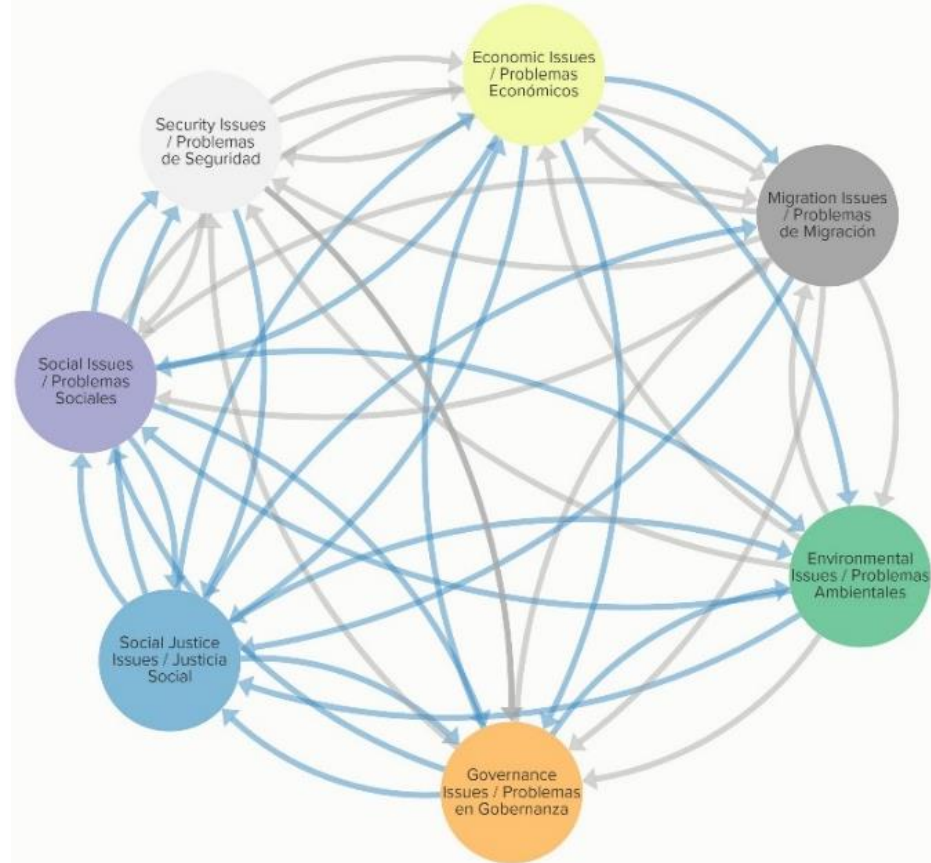


Figure 6.5 shows how social justice issues, represented by a blue circle, intersect with other societal issues in self-reinforcing ways, which are represented through blue arrows. Interconnections that are not relevant to this particular dynamic are in grey. It shows how social justice issues stem from unfair laws and inadequate programs and services; and how they affect the ability of those facing injustices to lobby for change in government, represented by reciprocal arrows with governance issues, represented by an orange circle. However, social justice issues affect social issues, for example, as inadequate access to programs and services translate into poor human development outcomes, which compound the challenges and barriers that certain groups face, as depicted by reciprocal arrows with the purple circle of social issues. And so on.

exclusive access to rulemaking power, which has allowed their racist ideas to inform laws and policies.

⁹⁵ The Secretariat of Agrarian Affairs (SAA) was one of nine government organizations responsible for addressing land and agrarian conflicts. Over 8,500 agrarian conflicts occurred since the signing of the peace accords in 1996 and over 1,500 conflicts were still active in 2018 (SAA, 2018). Many of the conflicts surged because of land titling issues and conservation efforts (see Ybarra, 2010, p. 72). These led to situations where communities living on land they believed as theirs was assigned for other purposes. Often, it was sold to a company or designated as a protected area. When communities resisted eviction orders, they were arrested and charged for “usurpation” of property, “aggravated usurpation,” or “usurpation in protected areas.” The Public Ministry (MP) has over 43,200 cases like this. At the time of fieldwork, the SAA was trying to create a specialized court to handle those kinds of cases to avoid criminal charges as a result of these so called “irregularities” in land titling (SAA, 2018, p. 7).

Though the various social, economic, environmental, and other consequences of social justice issues are problematic in themselves, they have further consequences for other issues. For example, unequal access to or quality of programs, services, and infrastructure (social issues) in Indigenous communities that result from social justice issues create additional barriers for their effective participation in society. Limited access to education and lower quality of education in rural Indigenous regions limit their job prospects to lower paying and more precarious work. This contributes to poverty and represents a further consequence for economic issues. Poverty, though problematic itself, creates further economic barriers to access adequate health, nutrition, and education services. This reinforces these other social issues. Economic and social issues may affect where individuals live and how they rely on the environment, which may affect their exposure to other security, environmental, and/or migration-related issues. Lack of access to economic opportunities may be an important motivator for migration and makes individuals vulnerable to involvement in organized crime or trafficking. Lack of access to potable water and/or reliance on subsistence agriculture (due to poverty or lack of access to services or infrastructure) makes individuals more vulnerable to environmental issues such as water scarcity and/or contamination. These issues may have further consequences for other issues. And so on.

The multidimensional challenges resulting from social justice issues fundamentally limit the ability of affected groups to participate in society. The interconnectedness of these issues compound each other and create barriers for change. The fact that social justice issues lead to other economic, social, and other issues compounds economic inequalities and exclusion. This expands power asymmetries, making them more challenging to overcome over time. The fact that these various issues are interconnected means that change to the system requires a coherent and coordinated transformation laws, policies, programs, and services across multiple issue areas, requiring more changes, and greater resources, effort, and coordination. This reveals the multidimensional ways in which inequality and exclusion manifest in Guatemalan society. It also reveals how the interconnected nature of the issues reinforce inequality and

exclusion and compound the challenge of achieving change. The fact that issues stem from inequality and exclusion and the fact that these issues were underlying issues from Guatemala's Internal Armed Conflict reveals that the various other issues identified above are related to peacebuilding challenges.

6.2.3 How Other Issues Intersect with Mining Conflict

All of the issues described above were present in the operating context of each mine and shaped the way that mining impacted the community. Unpacking the mines' impacts in terms of each of these various issues helps to explain more specifically how and why the two mines reinforced inequalities and exclusion in the communities where they operated and how these issues intersected with mining-related conflict. The interconnectedness of these issues translated the direct impacts of mining into subsequent impacts on other issues in ways that amplified the direct impacts of mining. These indirect, amplified impacts of mining had repercussions for mine operations because they fueled mining-related conflicts and made them more challenging to address. Disaggregating the various issues in the local context helps to show how pre-existing issues in the community shaped how the mine's presence and operations affected the community. This includes issues that did not necessarily have any link with the mine but were associated to the mine through the fact that they formed part of the communities' experiences of mining in each context. The presence of these other issues in the operating context and their interconnectedness other add another layer of complexity to mine operations, community interactions, and mining conflict.

As discussed in [Chapter 5](#) and above, the fact that the Marlin and the Cerro Blanco mines interacted selectively with certain stakeholders, referred to in this dissertation as the "pro-mine network," affected the circulation of information and resources. Over time, this reinforced material inequalities and exclusion and perpetuated ideological differences. Although inequality and exclusion were pre-existing issues in the community, the presence and operations of both mines exacerbated these issues in ways that became relevant to mining conflict. Pre-existing inequalities and exclusion in each context can also

be disaggregated into the seven different categories of issues described above. These included the general lack of state presence in the Western Highlands, and issues with the quality and availability of programs and services for certain segments of the population, and lack of government attention to issues in the community in both contexts. These governance and social justice issues affected socio-economic conditions of certain groups in the community (social issues, economic issues), the security situation, and quality and resilience of environmental resources the community relied on for their livelihoods. These interconnected governance and other issues in the pre-mining context are represented in Figure 6.6.

Figure 6.6. Issues Affecting the Pre-Mining Local Context

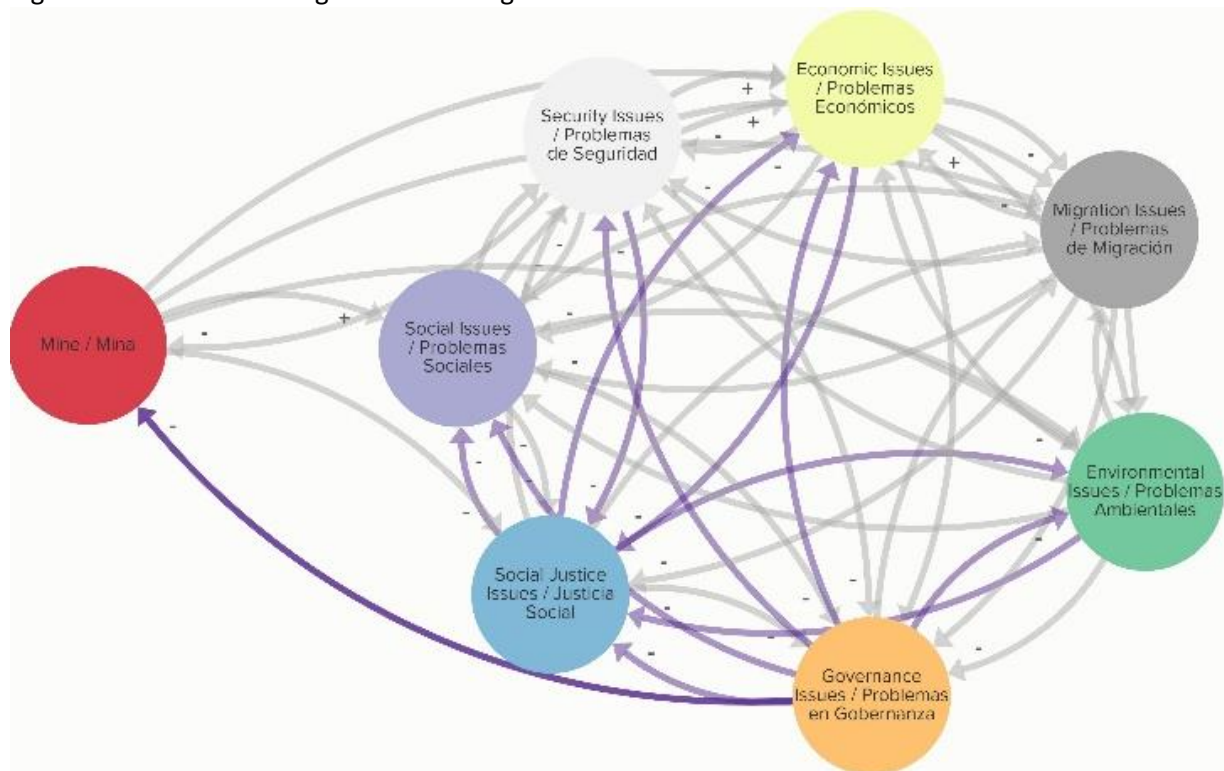


Figure 6.6 shows interconnections among pre-existing issues in the local context prior to the arrival of mining in purple. Grey arrows are interconnections not relevant to this particular situation. Many of these issues stem from government accountability issues (orange circle) related to lack of state presence and/or inadequacies in programs and services for certain segments of the population and government responsiveness to certain issues in the community, with consequences for other social, economic, social justice, environmental, and security issues.

Pre-existing issues in the community affected how both mines' operations impacted the community, as illustrated in Figure 6.7 Taking environment-related impacts of both mines as an example, pre-existing government accountability and integrity issues included lax rules relevant to mining, which

affected the process and requirements both mines needed to follow. As well, lax government monitoring and responsiveness to environmental risks and community concerns affected communities' exposure to mine-related risks and their perception of the government's ability to effectively prevent and respond to issues that may arise. Meanwhile, lack of access to economic opportunities, government presence, and/or availability of services affected certain groups' reliance on environmental resources for their livelihoods (which had broader cultural significance in the case of the Marlin mine). This affected their exposure to mine-related environmental risks. As discussed in [Chapter 5](#), these risks were perceived and felt more acutely in the context of the Marlin mine and intersected with social justice issues related to historical neglect by the Guatemalan government. The example shows how potential mine-related environmental impacts are shaped by a complex interplay of pre-existing issues, relevant to how these impacts are experienced and their significance. This factored in community grievances and conflict.

Figure 6.7. How Mine-Related Impacts Intersect with Pre-Existing Issues

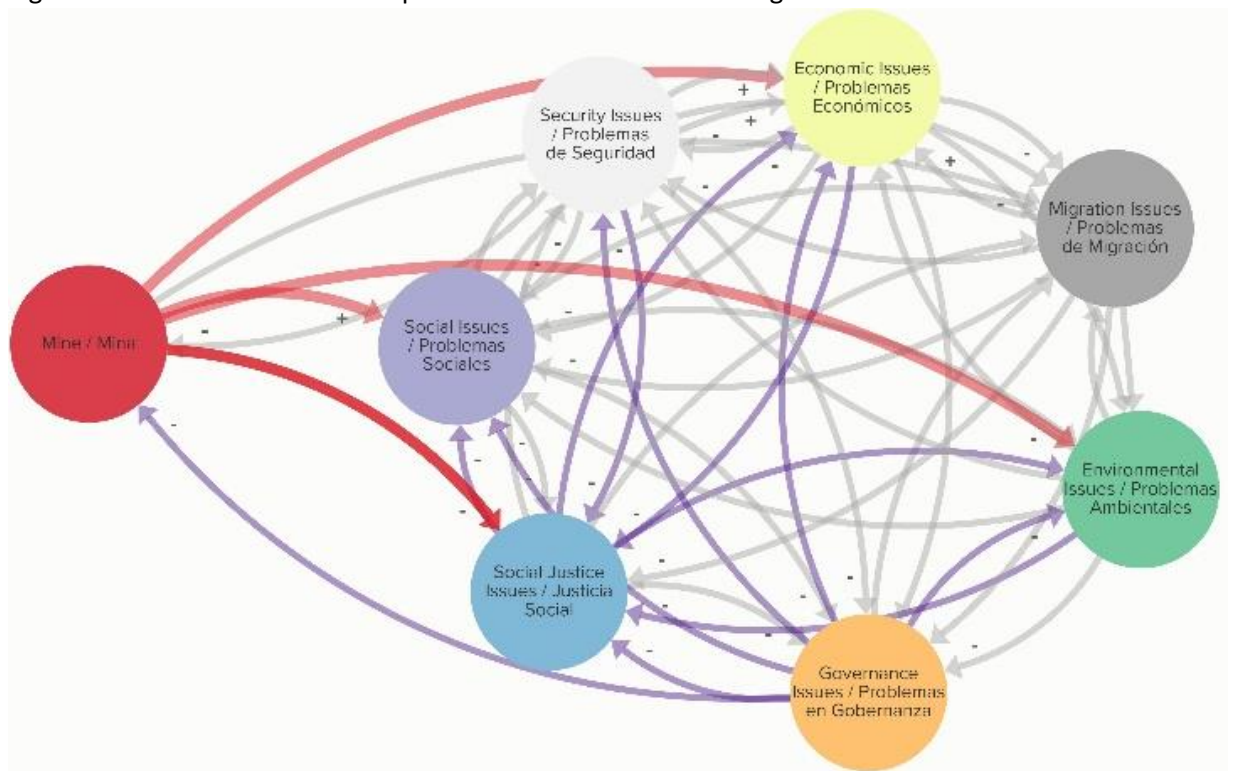


Figure 6.7 builds on Figure 6.6 to show how mining-related impacts, represented by red arrows, intersected with pre-existing social, economic, environmental, and social justice issues in the community in ways (represented by purple arrows) that shaped experiences mine-related grievances by certain groups in the community. Grey arrows are interconnections not relevant to this particular situation.

A second example concerns the salience of longstanding Indigenous rights struggles in the context of both mines. As discussed above and in previous chapters, inadequate consultation and respect for Indigenous rights were key grievances against the Marlin mine. These issues stemmed from deficiencies in Guatemala's framework of laws and norms, and affected the particular activities that the government, the mine, and other organizations undertook in the context of mining. The lack of precision on how to fulfill Indigenous consultation requirements or recognition of self-organized consultations activated these unresolved social justice issues in the context of the Marlin mine. This led to Sipacapa's 2005 consulta.

These issues intersected with the lack of access to programs and services in the region and deficiencies in the quality of programs and services in the community, which made the Marlin mine's community programs and contributions more significant. As access to these mine-related benefits was conditioned on support from the mine, pre-existing social, economic, and social justice issues in the community became entwined with the mine's impacts on the community and other concerns about the mine. The emergence and strengthening of a transnational Indigenous rights network in the 1990s in Guatemala used mining-related issues as opportunities to raise awareness, show solidarity, and shape discourse on issues relevant to Indigenous communities (Bastos & Brett, 2010). As discussed in [Appendix 4](#), San Miguel Ixtahuacán and Sipacapa are both in the process of re-establishing and strengthening Indigenous identity, customs, and governance structures, and mining-related impacts and other issues have become key issues for Indigenous rights activism and political reform.

This dynamic was also observed in Asunción Mita. Even though no self-identifying Indigenous communities are currently officially recognized in Asunción Mita, a small but active Xinca Indigenous community in Jutiapa has been working to strengthen Indigenous identity in other communities, including the community of Shanshul in Asunción Mita. Indigenous activists tried to reframe a local conflict over the privatization of the Rio Mongoy in terms of Indigenous rights an attempt to encourage the community to identify as Indigenous as a strategy to preserve their access to water (CODECA, 2017; Mi Jutiapa, 2016).

Indigenous rights are not presently a key concern related to the Cerro Blanco mine. However, these ongoing efforts to strengthen Indigenous identity within the municipal boundaries may make Indigenous rights issues a salient mine-related issue in the future.

The interconnectedness of societal issues meant that mine-related impacts had consequences for other issues in the community that became grievances towards the mine and had repercussions for mine operations, as illustrated in Figure 6.8. The multi-dimensional nature of inequalities created by governance issues and the interconnectedness of governance, social, social justice, economic, and other issues translated mining-related impacts into a host of other impacts within the community. Unequal access to mine-related benefits (particularly in the context of Marlin mine) exacerbated pre-existing material inequalities in the community in terms of the economic resources of certain groups, and other resources and social supports. Unequal access to mine-related benefits also aggravated social justice issues in the community, because such access became politicized and because mine-funded programs and services resulted in less attention and resources from the central government, leaving those excluded from mine-funded programs and services worse off.

These material inequalities exacerbated by the mine had further social and political consequences in the community. They reinforced the advantages of powerful individuals in the community, who were the main individuals with whom the mine interacted and who benefitted from mine-funded programs. They reinforced the disadvantages of individuals who were already marginalized. This consequence of mine-related impacts, which was shaped by pre-existing factors in the local context, factored in community grievances towards the mine and motivated anti-mine resistance activities associated with the first dynamic of conflict. It also factored in resentment towards local government officials associated with the fourth dynamic of conflict and social divisions in the community more generally.

Figure 6.8. How Mine Impacts Have Consequences for Other Issues

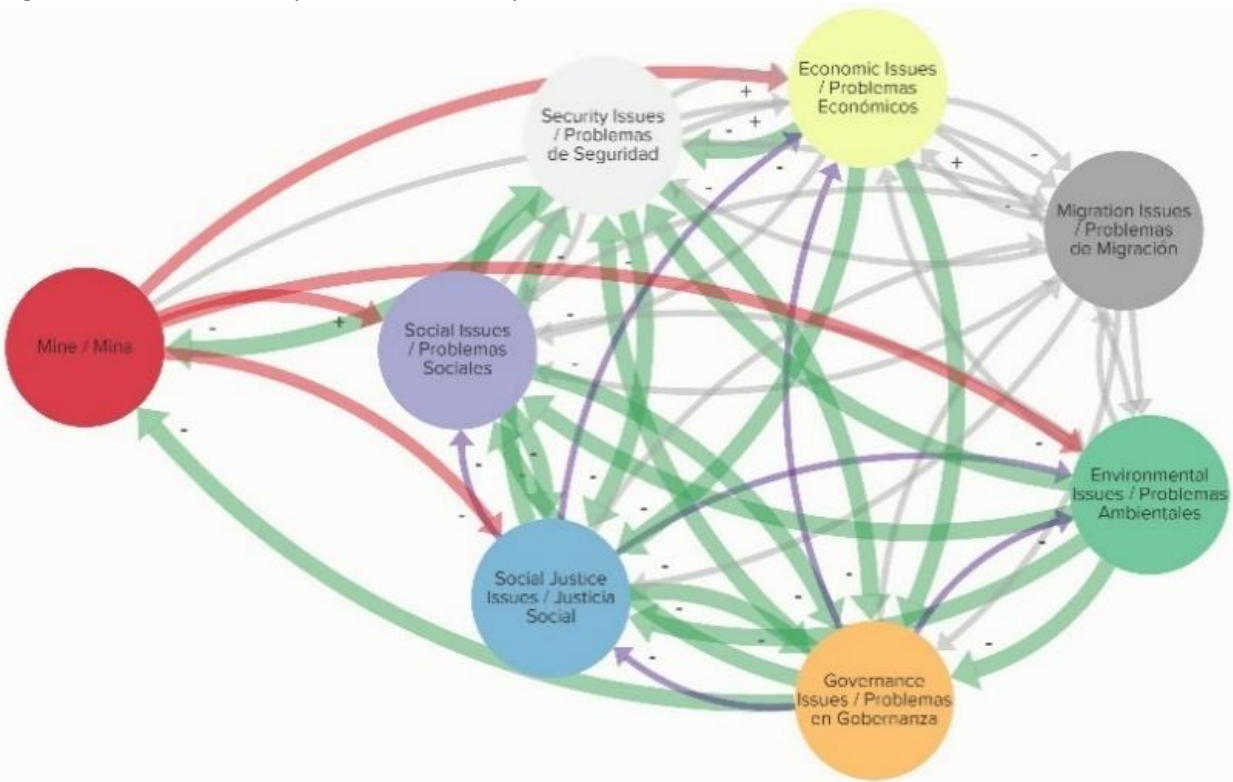


Figure 6.8 builds on Figure 6.7 to show interconnections among societal issues translate mining-related impacts (represented by red arrows) into subsequent consequences on other social, economic, environmental, and social justice issues in the community, which are represented by green arrows. Grey arrows are interconnections not relevant to this particular situation.

Community members commented that local government accountability worsened, because their main source of income came from the mine, as one representative explained: “Because the previous [municipal government] was receiving money from the mine, they didn’t care about anything else, they didn’t have time [to deal with issues in the community]” (Quotation 141. Municipal Government representative near the Marlin mine). These impacts on pre-existing government accountability issues compounded local grievances towards the mine associated with the first conflict dynamic, and fueled mistrust and resentment in the local government associated with the fourth dynamic. To date, the Cerro Blanco mine has not implemented as many community projects or offered as many jobs as the Marlin mine, so the consequences of mine-related impacts on social justice and local government accountability issues have not been as extreme. That said, the fact that the mine interacts primarily with local elites is a relevant factor that may exacerbate local social, economic, and governance issues in the future.

Independent environmental, social, migration, and security-related issues have also become entwined in mining-related conflicts through the fact that these issues coexisted in the community and formed part of communities' experiences of mining—whether or not a direct link can be traced to the mine in either context. Because community members lumped these grievances together with mining-related grievances and took action on them in the context of mining-related conflicts, they became relevant in the dynamics of mining-related conflict. Two examples illustrate this dynamic. The first concerns the association of environmental issues in the community and region—primarily related to water—with mining-related environmental impacts. The second example concerns how the proliferation of other illicit activities near mining projects, such as prostitution, alcohol establishments, and trafficking became associated with mining-related grievances and conflict.

As noted in [Section 6.2.1](#), both mining contexts face a number of other important environmental challenges that are independent from mining. These include issues about the quality and availability of water, deforestation and desertification issues, risks associated with earthquakes and flooding, and climate change. Where these pre-existing issues occur within geographic proximity to mining activities, mining-related environmental impacts can exacerbate these issues (Montana, 2003; Lopez, 2010; Robinson, 2012). For example, mining consumes a significant amount of water, which puts pressure on existing water resources and underground operations may disrupt the local hydrogeological cycle. Preparing the mine site involves land clearing, which may affect water recharge or fragment the ecosystem (Kuma et al., 2002). However, many of these other environmental issues have persisted—and in some cases worsened—for reasons unrelated to the mine.

In the context of the Marlin mine, communities across both municipalities noticed that their water sources began to dry up in recent years. Residents also noticed an increase in human and animal illnesses. Many community members attributed these problems to the Marlin mine, as a representative explained:

And all of the harvest these days in the part below [lowlands] have all dried up. The avocados, oranges, limes. There is a lot of sicknesses in these products now. So, what comes from the mine

isn't good for anything for us. It brought us a big sickness to everything we have here in our community of San Miguel. And the rivers, the springs, they all dried up. There were various springs [before] that are now dried up. These days the rivers are contaminated, for example, the river that goes over there, [the river] doesn't contribute any [water]. The fish, they are all dead. A lot of fish died. So, for this same reason, it is caused by the mine.

(Quotation 142. Community representative from the opposite side of San Miguel)

The possibility that the Marlin mine might have impacted water quality and availability in several communities adjacent to the mine gained traction before the Inter-American Commission of Human Rights (IACHR), which issued precautionary measures to ensure access to water for adjacent communities (IACHR, 2014). Whether the mine disrupted the community's water remains disputed.⁹⁶ However, residents of communities on the other side of the municipality also attributed their water problems to the mine, based on their observation that such problems did not exist before the mine arrived.

Local and regional government representatives attributed the water quantity issues to deforestation, population density, and poor water resource management.⁹⁷ For example:

I have noticed a link between areas of heavy deforestation and the drying up of water sources in the municipality. [...] Nobody focuses on the low areas. Until last year, that is. [...] They deforested that area a lot due to agricultural migration. We are seeing this a lot now. [...] An additional factor is that the construction of water projects facilitated the consumption of water and in doing so increased the quantity of water that each person consumed. When we work on new water projects, they need to estimate the number of individuals that will be consuming the water. We do by estimating the number of people in each house, and then the number of houses to be

⁹⁶ The Marlin mine insisted that there is no contamination associated with the mine (for example, Montana, 2014c, p. 27-33). Central government agencies like MEM, MARN, MSPAS, COPREDEH have also indicated in various inspection reports that there have been no adverse impacts on the environment or health as a result of the mine (for example, MARN, 2014; MEM, 2011; MSPAS, 2014). Additionally, a hydrogeological study was undertaken in 2011, which indicated that the mine did not affect the local watershed (CTA, 2011). However, several reports produced by or with funding from NGOs have had mixed results, with some saying that no contamination could be confirmed but concluding that sufficient risk exists to take precautionary measures (for example, Basu & Hu, 2010; Maest & Kamp, 2010), and others identifying contamination (see e.g., COPAE, 2010; Van de Wauw et al., 2010). However, this information was sometimes exaggerated or misrepresented when quoted by others (for example, COPAE, 2018, p. 32; 2009, p. 4; PBI, 2010). While it is beyond the scope of this investigation to confirm whether or not impacts have been caused by the mine, it illustrates how this information has informed the perspectives of different groups involved in conflict.

⁹⁷ Examples include wasteful water use practices, such as leaving the tap on to discharge water into the surrounding environment (personally observed in over 20 different homes), in other cases, failure to undertake proper maintenance of wells, pipes, etc., and in one instance, the members of the COCODE sold a community's water source to another community to make extra money (without telling their community).

connected to the system. [...] The reality is that there are 17, 18 people in a single house sometimes. In other words, there are double the amount of people living in a single house. (Quotation 143. Municipal Government representative near the Marlin mine)

They attributed water quality issues to inadequate water chlorination practices and contamination from agricultural runoff, household sewage, and poor solid waste management (ASOVERDE, 2017).

The fact that community members do not have clean and sufficient water is an important issue to be addressed in the community, regardless of who or what caused it. To date, however, there has not been any comprehensive study on the definitive source of local water quality or availability issues, because attention has been focused on whether or not the mine caused it. In response, the mine has focused its efforts on demonstrating that it did not cause these issues in other communities, as illustrated in a hydrogeological study undertaken in 2011 that concluded that the mine did not affect the local watershed (CTA, 2011). Efforts to attribute these issues to the mine have consumed significant time and resources that could have been more effective if they focused on addressing the water issues themselves. Local officials experienced significant pushback from community members to establish water use fees to encourage more responsible water consumption and ensure resources to maintain water sources, because community members believed the mine had caused the problem and should therefore pay for it.

A similar situation occurred in the context of the Cerro Blanco mine. Environmental and human rights organizations in both Guatemala and El Salvador raised significant concern about the mine's potential to impact water quality (PDDH, 2013; ACAFREMIN, 2021b). However, the Rio Ostúa and the transboundary Lago de Güija are contaminated by several other sources (AMAR, 2019). Large quantities of pesticides and fertilizers from the large-scale cantaloupe farms run into the river. A company that extracts gravel from the Rio Ostúa stirs up sediment in the river and affects the river's flow patterns. A cement plant on the Salvadorian side of the Lago de Güija has discharged heavy metals into the lake for years (Zarraga, 2014; CTPT, 2005; MEM, 2019b). The Cerro Blanco mine poses a significant environmental risk, particularly given the mine's announcement to undertake open-pit operations (BSR, 2021a). Despite

acknowledging other sources of contamination, the focus on anti-mining groups has been exclusively on the mine. Lack of attention to other sources of contamination leaves those issues unaddressed.

A second example where independent issues have become associated with mining-related conflicts concerns the rise of organized crime, illicit trafficking, substance abuse, and other violence, including violence against women. These issues are separate from mining in the sense that drug trafficking, alcoholism, and prostitution are not planned features of a mining operation. However, these activities often emerge at mine sites to capitalize on mine workers' disposable income (Abbott, 2018; Laite, 2009; Godfrey, 2017). These issues form part of communities' overall experiences of mining and their perception that life has gotten worse since the arrival of mining.

The arrival of the Marlin mine in San Miguel Ixtahuacán and Sipacapa in the late 1990s led to a dramatic increase in drug trafficking, organized crime, alcoholism, drug addiction, and prostitution (Barrera & Contreras, 2017; Cifuentes, 2016; Garcia, 2018; MINGOB, 2020a). The number of alcohol establishments ("cantinas") skyrocketed, and approximately 120 cantinas operated at the peak of the mine's operations (Abbott, 2018). Following an incident during an interview, the participant explained:

That this was a form of intimidation by narcotraffickers. I don't really remember hearing anything about this during the "guerilla" [i.e., Internal Armed Conflict]. But after 2000, I started to hear stories about this kind of stuff. There were vehicles that identified people. I know about six people that are narcotraffickers. But there are about 25 workers in San Miguel. But there were six involved in negotiations.

(Quotation 144. Community representative near the Marlin mine)

The rise of narcotrafficking in the region coincides with a more general trend across Guatemala and Latin America (Woody, 2017; Marcy, 2014). However, the increased visibility of these issues in San Miguel Ixtahuacán and Sipacapa following the arrival of the Marlin mine led community members to associate them with the mine, as one representative explained:

A lot of foreigners came with many practices that are "anti-social" and this caused an increase in alcoholism, drug addiction, prostitution. Because, before the mine, here you could not see those things so easily. But after the mine came, there were more economic resources, and foreigners came from different places, they brought many practices that were not seen here before. [...] I

think that socially these were negative aspects that continue to affect us today. Because the mine left, but these problems have remained. It's bad.

(Quotation 145. Community representative near the Marlin mine)

Alcohol and drug use have become major issues in the town, resulting in familial abuse, family abandonment, and the exacerbation of other social and economic issues in the town. This represents one of the many reasons why many community members believed the Marlin mine was harmful for their community. The rise of these pernicious industries in the region is related to a general lack of economic opportunity in both regions, which both incentivized and made people vulnerable to being pressured into involvement. The lack of government presence in the region allowed these industries to flourish (Lara & Contreras, 2012; Marroquin, 2014; MINGOB, 2020b).

These issues disproportionately affected women (Tatham, 2016, p. 19). In several situations, the abuses had an economic dimension linked to the mine's presence, as discussed in the fourth dynamic of conflict in [Chapter 4](#).⁹⁸ As noted in Quotation 145 above, many workers that migrated to work at the mine brought a culture of alcoholism, consumer power, and an attitude that they could do whatever they wanted because they had lots of money. This illustrates the overlap between migration issues and the fourth dynamic of conflict. This issue was exacerbated by pre-existing economic issues in the community and massive wealth disparity between mine workers and the rest of the community living in extreme poverty. Despite efforts by the mine to improve gender equality by hiring women in various occupations at the mine and by offering services to address barriers to their employment in the mine (OCG, 2010, p. 92),⁹⁹ these efforts did little to change the situation of women in the community, and in some cases made things worse.¹⁰⁰ Thus, the rise of issues like illicit trafficking, alcoholism, and prostitution in connection

⁹⁸ In other mines, violence perpetrated against women has been traced back to the mine, such as the Fenix mine in Guatemala (formerly owned by Canadian company Hudbay), which is currently facing trial in Ontario for abuses including rape and murder by the mine's security guards (Deonandan et al., 2017).

⁹⁹ Examples include organizing a shuttle bus, offering daycare services, and accommodating their family-related care obligations (OCG, 2010, p. 92).

¹⁰⁰ Though the number of women employed in the mine was unprecedented in the region, they represented only about 13 percent of employees at the mine. Interviews with several women in the surrounding community revealed

with the mine's arrival contributed to the community's association between these issues and mining, and factored in community grievances related to mining in the first dynamic of conflict as well as social divisions and community unravelling associated with the third, fourth, and fifth conflict dynamics. The implication is that many issues not currently considered to be a mine's responsibility are associated with its adverse impacts in the community and are therefore made relevant to mining-related conflict.

Despite the fact drug trafficking, organized crime, and migration-related issues are equally present in the Cerro Blanco context (CRN Noticias, 2019; González, 2014; MINGOB, 2019b; Prensa Libre, 2017), these issues have not been associated with mining-related conflict to date. This is because the scale of operations to date have been limited, and no drug, alcoholism, violence, or prostitution-related incidents occurred involving mine workers. However, the prevalence of crime and violence issues in Asunción Mita suggests that these issues could become associated with mining-related conflict in the future. Moreover, the fact that residents have already openly expressed resentments towards incoming migrants suggests that mining-related in-migration could also increase tensions.

As this section illustrated, Guatemala's legacy issues of inequality and exclusion have led to various other economic, social, social justice, security, environmental, governance, and migration-related issues. These interconnected issues became entwined in mining-related conflicts by shaping the mines' impacts on the community and by transmitting mine impacts to other societal issues in self-reinforcing ways. They also became associated with mining conflicts by forming part of the communities' overall experience of mining. Thus, mining impacts the community in ways that are not readily apparent and seemingly small impacts may have repercussions throughout the community and set in motion a dynamic that can lead to conflict. This increases the number and complexity of the issues involved in conflict, and increases the complexity of the conflict dynamics themselves, making them more challenging to address.

several instances in which women employed in the mine were the targets of spousal abuse and social rejection within the community due to the fact that their employment in the mine clashed with existing societal norms.

6.2.4 How Other Issues & Mining Conflicts Collectively Compound Peacebuilding Challenges

Beyond the implications for mining conflict, the coexistence of mining conflicts and these various other issues impact peacebuilding progress. As noted above, all of the societal challenges described above stem from deficiencies in Guatemala’s framework of laws, policies, programs, and services and deficiencies in their implementation or enforcement. These deficiencies relate to lack of political will and elite influence in government; however, the fact that Guatemala confronts such a multitude of issues stretches the government’s attention and resources to effectively address issues individually and collectively (see Figure 6.9). This creates a vicious cycle in which the government responses to individual issues are inadequate, short-sighted, and ultimately lead to more problems. This further stretches the government’s capacity,

further limiting the effectiveness of its response to issues individually and collectively. This repeats the cycle, and compounds individual issues, including mining conflict, and ultimately diverts attention from the root cause of those issues—inequality and exclusion—relevant to peacebuilding.

Figure 6.9. How Guatemala’s Myriad Problems Feed into a Vicious Cycle

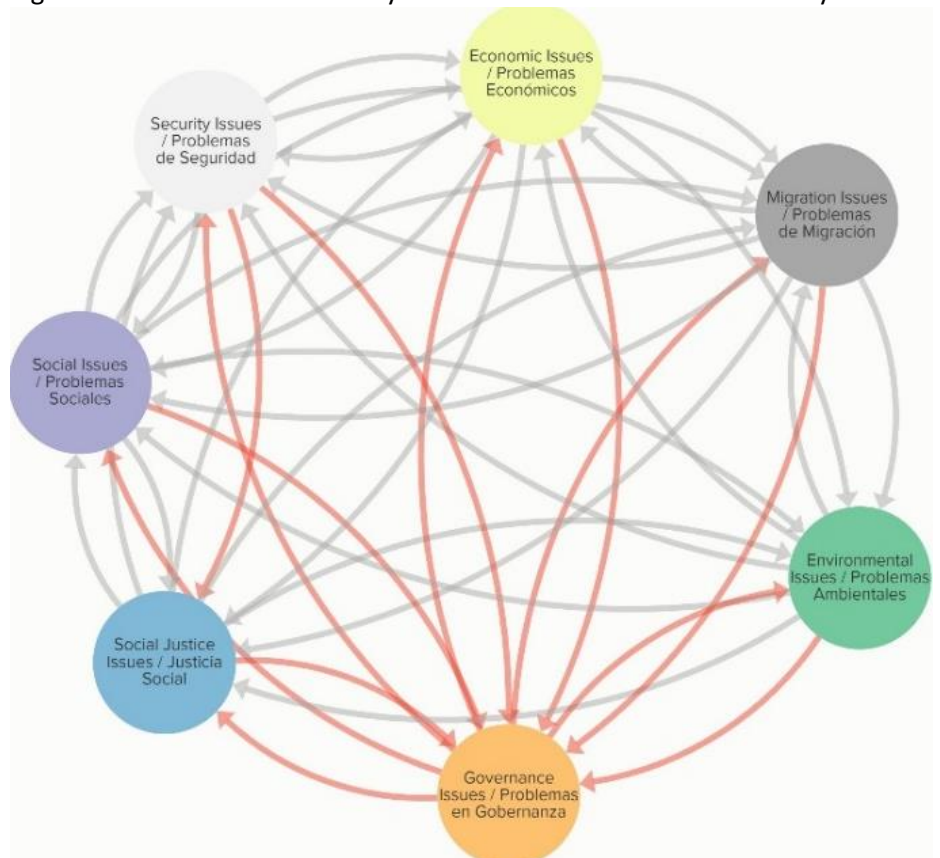


Figure 6.9 shows how Guatemala’s myriad problems stem from deficiencies in Guatemala’s governance framework, represented by orange arrows. It also shows how the myriad problems created by these deficiencies create challenges for the Guatemalan government to deal with. This compounds the government’s already problematic efforts to address those issues, compounding each issue individually as well as the situation as a whole. Grey arrows are interconnections among issues not relevant to this dynamic.

This vicious cycle of problems situation is particularly challenging, because groups perceive the Guatemalan government's preoccupation with other issues as a sign that the government does not care about their concerns. The government's lack of responsiveness to community concerns is an issue, as described above. However, the government's preoccupation with myriad other issues at any given moment in time is another factor that limits the government's responsiveness to issues that arise. Without an effective immediate response to issues and concerns, each progressively worsens and frustrations mount. Eventually the issue reaches a crisis point and groups pursue extreme measures to demand attention to their issue, such as organizing roadblocks or other demonstrations as discussed in the context of the first dynamic of conflict in [Chapter 4](#). As mentioned in that discussion, the government's typical response to these tactics is reactive and short-term: repression, criminalization, or limited commitments to dialogue to end the immediate crisis. These responses do not typically focus on the root cause of the issue that led to the crisis in the first place, which ultimately stems from inequality and exclusion.

Not only is this vicious cycle problematic in itself; it has broader and longer-term implications for development and peacebuilding. The instability created by the ongoing cycle of crisis contributes a mindset and an operational reality where medium or long-term planning becomes impractical, because implementation is constantly interrupted by crises. This narrows and shortens the planning horizon to focus on the current crisis in the immediate term (Sendhil & Shafir, 2013; Haushofer, 2013).¹⁰¹ The reactive and short-term approach to resolving issues diverts attention and resources away from more substantive efforts to address the root causes of those issues.

This is reflected in data on local planning capacity published by the Presidential Planning Secretariat (SEGEPLAN). All government entities are required to develop strategic plans, multi-year

¹⁰¹ Situations of insufficient time, resources, or in this case, stability, influence the psychology of individuals and their decision-making process by narrowing both the time-horizon and priorities. Situations of scarcity also affect other intrinsic motivation and beliefs about the impact of one's actions. In doing so, it affects the substance of decisions taken, and in doing so, affects future situations (Sendhil & Shafir, 2013; Haushofer, 2013).

operating plans, and annual operating plans (SEGEPLAN, 2019a), but sticking to the plan remains an ongoing challenge. In 2016, 79 percent of municipalities were rated as “low” in terms of their ability to develop and implement these plans. San Miguel Ixtahuacán and Sipacapa ranked among the worst in the country, at 283 and 274

out of 340 municipalities, respectively (see Figure 6.10; SEGEPLAN, 2019b).

This suggests that such planning efforts do not orient the work prioritization or day-to-day activities. In addition

to the medium-term plans noted above, all

government entities are expected to align their work to the priorities of a four-year general policy that is announced at the beginning of each Presidential term, a long-term development plan “K’atun 2032” since 2014 (SEGEPLAN, 2014), and importantly, the peace accords. However, it remains unclear to what extent these plans are relevant in the day-to-day work of employees across government agencies.

A further example is the 2016 “Alliance for Prosperity” plan, which seeks to stem the “root causes” of migration to the US: lack of economic opportunities, access to basic services, and violence in the region. The plan wields political clout, because it is a US priority and US development funding is aligned to it (USAID, 2020). However, Guatemala failed to deliver on 70 percent of the Plan’s budgeted (IDB, 2019, p. 6). The commitments that were implemented were mainly infrastructure improvements, training for export-oriented businesses, or a re-branding of existing programs in the Ministry of Social Development

Figure 6.10. Municipal Planning Capacity Across Guatemala in 2016

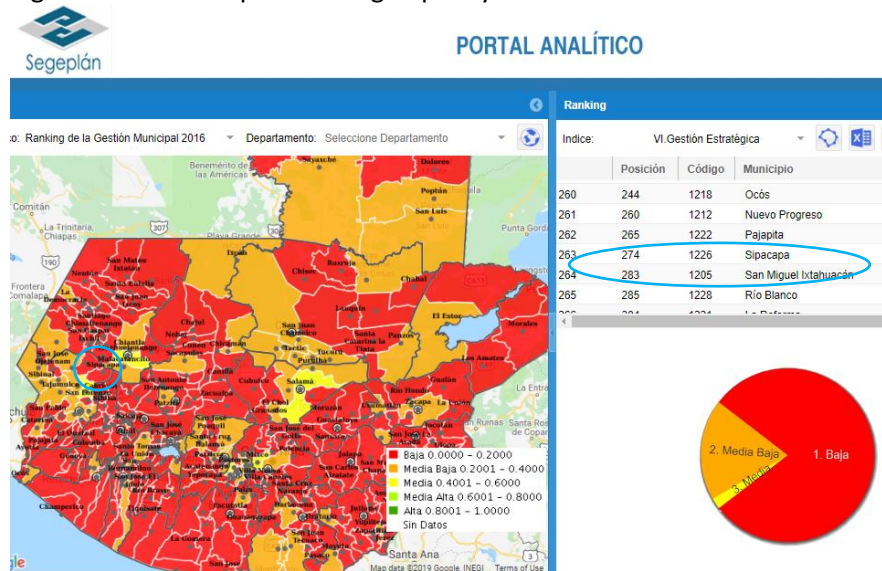


Figure 6.10 shows a map of Guatemala that colour codes each of Guatemala’s municipalities according to their planning capacity. Green is a high level of capacity, yellow is medium level, orange is low, and red is very low, which was the case in the majority of Guatemala’s municipalities. San Miguel Ixtahuacán and Sipacapa are circled in blue both on the map, and in their ranking among Guatemala’s 340 municipalities, revealing that they both experience low planning capacity. Asunción Mita is not displayed.

(p. 11). The “migrant caravans” from Central America to the US that began in Fall 2018 and continue to make headlines indicate the Plan’s limited results. Migration data further confirms that migration flows and remittances from Central America to the US have only increased (CRS, 2021; CABI, 2020; OECD, n.d.).

The vicious cycle of problems and its impact on Guatemala’s planning capacity and horizon is relevant to peacebuilding and the implementation of commitments from the peace accords, because peacebuilding is a long-term transformational endeavour. The presence of myriad other challenges—including mining conflicts—and the fact that Guatemala’s constant preoccupation with them have trapped Guatemala in a vicious cycle of problems undermine Guatemala’s peacebuilding efforts by distracting attention and resources away from longer-term, dedicated, system-wide efforts to address inequality and exclusion at the heart of all of these issues. This is an additional factor that explains why Guatemala has made so little progress towards advancing commitments from the peace accords and why peacebuilding efforts have resulted in very few tangible transformations. It also helps to explain why peacebuilding progress has been so challenging. Inequality and exclusion are a product of elite dominance in the Guatemalan government, which has resulted in laws, policies, programs, and services that reflect their interests and neglect the majority of the population. However, the fact that this core issues led to so many separate but interconnected issues exacerbated it in ways that significantly complicated efforts to address it. Greater resources and effort are required, because the problem of inequality and exclusion is ever-increasing through its constant transmission to and reinforcement by other issues. Addressing the issue requires change to more laws, policies, programs, and services, in coherent and coordinated fashion. The fact that the government already faces challenges to respond to issues individually reveals that the size and scope of efforts to fully address inequality and exclusion is truly overwhelming.

Thus, mining-related conflicts represent one of myriad issues that Guatemala faces in its peacebuilding context. Though these other issues are seemingly separate from mining and peacebuilding, they—along with mining-related conflicts—all stem from inequality and exclusion, making them relevant

to Guatemala's peacebuilding challenges. At the same time, these other issues have become entwined in mining conflicts and form part of the complexity of the grievances and dynamics involved in them. Mining conflicts along with these various other issues feed into a vicious cycle that overstretches the Guatemalan government's resources and attention to effectively deal with any one issue—let alone all issues—resulting in short-sighted responses that only compound each issue and the situation overall. The Guatemalan government's preoccupation with short-term problems distracts from longer-term sustained efforts needed to transform societal structures to address the root causes of these myriad issues—inequality and exclusion, presenting a major challenge for continued peacebuilding progress.

Section 6.3 Conclusion

This chapter examined two additional ways in which Guatemala's mining-related conflicts and peacebuilding challenges intersect. In addition to the fact that Guatemala's peacebuilding challenges have shaped mining-related conflicts, the presence and operations of the Marlin and Cerro Blanco mines and mining-related conflicts complicated the advancement of specific commitments of the peace accords, representing the second argument of the dissertation. The Guatemalan government prioritized economic development through an extractive model over other commitments to respect human and Indigenous rights, and the mines community contributions and impacts reinforced inequalities and exclusion rather than advancing socio-economic development for all. Although many of the commitments in the peace accords fell short of the kind transformative change needed to address systemic inequalities and exclusion that motivated the conflict in the first place, the mines' presence and operations undermined peacebuilding in terms of other dimensions, which concern addressing the root causes of conflict, reconciling ideological divisions, and (re)building social relationships. The mines exacerbated socio-economic inequalities and perpetuated and redefined social and ideological divisions in the context of mining-related conflicts. The fact that the mines strategically deployed relationship-building, community

projects, and information to advance their own interests helps to explain the above-mentioned impacts and represents a further reason why these contributions did not support peacebuilding.

Looking at the broader context, mining-related conflicts are just one of myriad issues that Guatemala faces in its peacebuilding context. Though the various issues are seemingly distinct from each other and from mining and peacebuilding-related challenges, they all stem from the same challenges related inequality and exclusion and are interconnected with each other in ways that reinforce inequality and exclusion. Additionally, these other issues have become entwined in mining conflicts and form part of the complexity of the grievances and dynamics involved in the various dynamics. Mining conflicts and these various other issues feed into a vicious cycle that overstretches the Guatemalan government's resources and attention to effectively deal with any one issue—let alone all issues—resulting in short-sighted responses that compound each issue and complicate the situation overall. The Guatemalan government's preoccupation with short-term problems distracts it from longer-term sustained efforts needed to transform societal structures and address the root cause of these myriad issues—inequality and exclusion, presenting a major challenge for continued peacebuilding progress. Not only does this help to appreciate the complexity of Guatemala's challenges related to inequality and exclusion; it helps to understand why and how they have become entrenched and difficult to transform through peacebuilding. This establishes the third argument of the dissertation.

Global Dimensions of Peacebuilding and Mining Conflict

International organizations and forces have influenced Guatemala's peacebuilding model and affected its peacebuilding progress in important ways relevant to its peacebuilding challenges. This included Guatemala's focus on economic development and foreign investment, including in the extractive industry, which expanded foreign owned mining into Guatemala that eventually led to mining-related conflicts. Beyond the influence of particular organizations, the expansion of foreign owned mining into Guatemala is also a product of globalization. Globalization also affected how mining operates in the country and influenced the dynamics of mining-related conflicts in important ways that expanded the scope and complexity of mining-related conflicts, making them more challenging to resolve. This chapter examines the international dimensions of peacebuilding and mining-related conflict in the context of the Marlin and Cerro Blanco mines to show how international forces feed into many of the challenges and dynamics discussed in previous chapters. This represents the fourth and final linkage between mining and peacebuilding examined in the dissertation. [Section 7.1](#) illustrates how international organizations and forces influenced the content of the peace accords and their implementation, and in doing so, how these forces factored into Guatemala's peacebuilding challenges. [Section 7.2](#) illustrates how globalization contributed to expansion of foreign owned mining in Guatemala and affected how mining operates in the country. In doing so, international forces shaped many of the mining-related impacts that led to conflict. International organizations have also shaped patterns of resource and information circulation in ways that were relevant to the dynamics of conflict in the context of both mines and made them more complex.

Section 7.1 International Influence in Guatemala's Peacebuilding Efforts

As discussed in [Chapter 1](#), peacebuilding emerged in the 1990s as one of several strategies for international intervention in violent conflicts worldwide (UNGA, 1992). Guatemala was one of several countries that received this kind of international intervention (Paris, 2004). International organizations

such as the United Nations (UN), international financial institutions, foreign governments, and international non-governmental organizations (NGOs) have had an important influence on Guatemala's peacebuilding model and progress to date. Building on [Chapter 6](#), international organizations shaped Guatemala's current peacebuilding challenges and mining-related conflicts by pressuring Guatemala to prioritize economic development as part of peacebuilding, which included through foreign investment in the mining sector. International organizations also influenced peacebuilding progress by warping the focus of implementation through their financial contributions and diplomatic interventions.

7.1.1 How International Organizations Influenced the Content of the Peace Accords

International organizations, such as the United Nations (UN) and a handful of foreign governments had an important influence on the negotiation of the peace accords in Guatemala in at least three ways. First, the international community pressured the Guatemalan government to end fighting and brought the parties to the negotiation table. Second, the UN and other foreign governments facilitated, hosted, and advised the parties throughout the peace talks, which affected the negotiation environment and content of the discussions. Third, the international community incentivized peace by offering funds and other assistance to support the implementation of the peace commitments through various channels. In doing so, the international community influenced the substantive content of the peace accords.

As discussed in [Chapter 1](#), at the time that the Guatemalan peace accords were negotiated, international organizations like the UN believed that peacebuilding required measures to strengthen democracy, respect basic rights and freedoms, and a free market economy, which scholars refer to as the "liberal peace" model (Paris, 2011). Peacebuilding was a kind of liberal imperialism that assumed little agency by local actors; was designed, directed, and funded by international actors; and reflected "Western" concepts, logics, and norms (Paris, 2004; Mac Ginty & Richmond, 2013; Brett, 2013; Tschirgi,

2014). These ideas shaped international influence on the negotiation of the peace accords and the commitments that emerged from the negotiations.

As noted in [Chapter 3](#), Guatemala's peace process began as part of regional peace-making efforts in the 1980s. In 1987, the Esquipulas II accord was signed, which committed Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua to work towards ending conflict and establish regional peace. The UN, Organization of American States (OAS), and other countries like Canada and Spain provided important support during this regional peace process. For example, after the Esquipulas II accord was signed, a UN Observer Mission (ONUCA) oversaw implementation and the OAS observed national elections in the region. In the 1990s, the US, EU, and World Bank began conditioning aid on continued progress on human rights, social investment, and progress in peace talks. Although the Guatemalan government was reluctant, these international sources pressured the Guatemalan government to initiate talks with the guerilla in 1990 (Child, 1999; Jonas, 2000, p. 39; Padilla, 1995; Stanley & Holiday, 2002).

International organizations also shaped both the negotiation process and the substantive discussion of the peace talks. Talks between the Guatemalan government and the guerrillas stalled in 1992 and 1993 at which point UN involvement was requested. This helped peace talks to resume (Child, 1999; Jonas, 2000, p. 39; Padilla, 1995). UN mediators had a key role in the Guatemalan peace process from that point on. Colombia, Spain, the United States (US), Mexico, Norway, and Venezuela (referred to as the "Group of Friends") supported the UN's role as moderator and helped to legitimize the peace process (Krznicaric, 2003; Jonas, 2000). For example, the UN mediators influenced the negotiation process, by teaching both sides how to advance their interests in the mediation process through the preparation of documents, formation of delegations, and how to comply with meeting protocols (Krznicaric, 2003, p. 146). Guatemala's elites saw the extent of the UN's influence on the content of the discussions, which prompted their concerns that some of the UN delegates had "leftist" sympathies (Krznicaric, 2003, p. 152). As discussed in [Chapter 3](#), however, the reality was that the resulting commitments in the peace accords

largely represented concessions that were palatable to the elites (Krznaric, 2003, p. 152; Brett, 2013). Reflections of the UN mediator of the peace accords, Jean Arnault, reveal that the final accords embodied the “liberal peace” model and Western attitudes about and how it can be achieved discussed above (Arnault, 2012). As a result, the final commitments were criticized by as one-size-fits-all policy prescriptions that failed to target the structural issues at the heart of the conflict (Brett, 2013).

In particular, during the time the peace accords were negotiated, many countries began adopting neoliberal policies that sought to encourage trade, foreign investment, and privatization. The US, European Union (EU), and international organizations like the World Bank and International Monetary Fund had a major influence on Guatemala’s uptake of these policies. “Structural adjustment” initiatives conditioned loans and other funding to highly indebted developing economies on liberalization reforms, thereby pressuring them to implement the reforms, including opening their economies to free markets and foreign investment in their territory (Bridge, 2004; Babb, 2005). Language in this regard appeared in the peace accords. As discussed in [Chapter 3](#) and [Chapter 6](#), the peace accords placed a major emphasis on achieving “speedy economic growth in order to create jobs and enhance social development” and encouraged “national and foreign entrepreneurs to invest in the country” (UNGA, 1996a).

Roles for international organizations were also built into the peace accords both explicitly and implicitly. This affected the negotiation of substantive issues and resulting commitments because the parties’ assumptions about international involvement shaped their conception of what was possible to commit to and achieve. For example, the parties envisioned the UN to have a key role in verifying the implementation of the peace accords, based on the UN’s recent verification role in other peace agreements in Central America. This was one of the first elements agreed on by the parties and included in the Framework Agreement for the Resumption of the Negotiation Process in 1994 (UNGA, 1994d). UN involvement was controversial, and the mission faced important limitations, but UN involvement factored in the peace talks and resulting commitments (Stanley & Holiday, 2002; Stanley, 2013).

Another important role for the international community during the negotiation of the peace accords was funding. As peace talks progressed, parallel discussions took place about financial contributions and funding mechanisms to support the implementation of the peace commitments. These talks involved the various agencies, funds, and programmes of the UN system, the World Bank, International Monetary Fund (IMF), and Inter-American Development Bank (IDB), and foreign governments (Jonas, 2000; UNGA, 1999a; World Bank, 1995). Both the talks themselves, and the pledges and contributions resulting from them, impacted the negotiation of peace accords, because the parties were able to agree on commitments on such a broad scope of issues believing that the international community would provide funding. Prior to finalizing the peace accords, a trust fund was established to consolidate international contributions for the Guatemalan peace process (UNGA, 1996g). The World Bank and Inter-American Development Bank approved loans and technical assistance that broadly aligned with the areas of action anticipated in the peace accords prior to their finalization, positioning Guatemala for implementation (IDB, 1998; 2004; World Bank, 1995). After the peace accords were signed, even more funding was allocated to implementation, discussed in the following section. By January 1997—two weeks after the signing of the peace accords—\$1.9 billion US had been pledged by the international community to implement the peace accords (Jonas, 2000, p. 168; GAC, 2014b, p. 22).

Knowledge of the peacebuilding funding discussions and of the specific financial pledges built confidence among the parties that sufficient funds would be available to implement the peace accords. This helped build trust in the negotiations and the commitments made. It also influenced the comprehensive scope and nature of the substantive commitments made. It is important to note, however, that while these international organizations agreed in principle to affirm and support implementation of the commitments made (Blum, 2001), public reports by these organizations reveal that each had their own priorities and perspectives on what Guatemala needed. These perspectives were reflected in the kinds of initiatives they funded and associated requirements, discussed further below.

In describing international organizations' influence on the peace process, it is important to acknowledge that this influence faced important limitations and shaped by domestic politics in important ways. As discussed in [Chapter 3](#), Guatemala's elites had an important influence on the peace talks. This affected the Guatemalan government's willingness to negotiate and the palatability of certain reforms on the negotiation table (Brett, 2013; Krznaric, 2003; Jonas, 2000; Stanley & Holiday, 2002). Changes in elite attitudes in 1989 and 1990 towards greater appreciation that peace would be good for Guatemala's economy increased the Guatemalan government's willingness to negotiate (Krznaric, 2003; Jonas, 2000). This helped to generate momentum for the peace talks (Krznaric, 2003; Brett, 2013). Though they were not official parties in the negotiations, the elites had privileged access to the peace talks and considerable sway over the substantive proposals under discussion through social ties with high-ranking government officials. The elites were particularly vocal on issues related to property (i.e., land) and opposed any proposals related to land reform (Krznaric, 2003). Commitments related to such issues were left off the negotiation agenda to lower resistance and build acceptance for the peace accords (Brett, 2013). Thus, the commitments that appear in the peace accords reflect the points where elite interests and the "liberal peace" agenda converged (Brett, 2013). This pattern of international influence on the negotiation of the peace accords—mediated by the influence of Guatemala's elites—set the stage for many of the peacebuilding challenges Guatemala subsequently faced.

7.1.2 How International Organizations Influenced Peacebuilding Implementation

International organizations also impacted the implementation of the peace accords, and shaped which commitments were implemented and how they were implemented through the provision of funding and technical assistance. To a certain extent, international organizations also shaped implementation through verifying implementation and through other diplomatic interventions. The influence of these organizations complicated Guatemala's peacebuilding progress by skewing the focus of implementation

efforts in areas where they prioritized their funding allocations. The outsourcing of programs and services by NGOs to fill gaps in the Guatemalan government's capacity also detracted from much-needed attention to institutionalizing service delivery and achieving consistent and full geographic coverage of program delivery. These observations are consistent with critiques about the liberal peacebuilding model previously articulated by scholars (Paffenholz, 2011).

UN agencies, the World Bank, the IDB, and foreign governments contributed significant funds in the form of loans, grants, and other financial and technical assistance to support implementation of the peace accords. As noted above, donors convened during the negotiation of the peace accords to discuss funding for implementation (IDB, 2004; UNGA, 1999a; Salvesen, 2002). Several funds were established to channel funding for social investments, including a trust fund for the implementation of the peace accords, a Social Investment Fund (FIS), National Peace Fund (FONAPAZ), Solidarity and Community Development Fund (FSDC), Guatemalan Fund for Indigenous Development (FODIGUA), National Land Fund (FONTIERRAS), and others (World Bank, 1997, 1999; IDB, 2004; Serrano, 2002; UNGA, 1997a).¹⁰² Funding also focused on institutional modernization in the Guatemalan government, including the Ministries of Finance, Health, Education, and others. Significant funding also focused on infrastructure development and economic development (World Bank, 2002; IDB, 2004).

The funding contributed by international organizations contributed reflected each entity's own internal priorities and often funding was conditioned on meeting certain requirements (Salvesen, 2002, p. 29). International organizations acknowledged that financial and technical assistance could be used exercise influence on Guatemala (GAC, 2014b, p. 16), and therefore influenced the activities undertaken as part of implementing the peace accords. For the most part, the priorities of international donors aligned

¹⁰² The FIS contributed over \$178.4 million USD in the form of loans for nearly 8,000 social infrastructure and social assistance projects across the country. Contributors included the IDB, World Bank, Japan, Germany, Guatemala, and the Organization of Petroleum Exporting Countries (OPEC), and other NGOs (World Bank, 1999; IDB, 2004). These were implemented primarily by NGOs, discussed later in this section.

with commitments set out in the peace accords. For example, the World Bank's 1995-1998 Country Assistance Strategy for Guatemala focused on supporting peace initiatives, poverty alleviation, and human resource development towards an overarching objective of supporting lasting peace (World Bank, 1995). The IDB's 1996-2000 Country Paper for Guatemala focused on four main areas relevant to the peace accords: 1) inclusion of poor, Indigenous, and rural populations in the development process; 2) expansion and improvement of social services; 3) modernization of the state; and 4) support for the development and growth of the productive sectors (IDB, 2004). UN agencies and major donors such as the US, EU, the Netherlands, Norway, and Sweden, aligned their funding priorities for Guatemala to the peace accords (Pillay, 2006; USAID, 1997; EC, 2007; Biekart et al., 2004; Norad, 2007; SIDA, 2005; GAC, 2014b, p. 15).

However, each of these international organizations had their own vision and priorities for Guatemala, which was reflected in the specific initiatives they funded or conditions they attached to funding. This influenced which aspects of the peace accords saw greater progress and which activities were undertaken in fulfillment of a specific commitment in the peace accords. In particular, the World Bank focused a significant portion of its loans and investments on projects in the Western Highlands region on projects that would help to "consolidate the structural adjustment process" (World Bank, 1995). Additionally, the group of international donors convened during the negotiation of the peace accords made it clear that their financial contributions to Guatemalan were conditional on improved macroeconomic growth (Salvesen, 2002). This reveals how neoliberal ideas and policies shaped how commitments in the peace accords were prioritized and implemented.

As discussed in [Chapter 3](#), neoliberal reforms implemented as part of the negotiation and implementation of peace accords had a major focus on the extractive sector, which was influenced to a large extent by funding and lending by the World Bank, IMF, and other international organizations (Holt-Gimenez, 2008; Abate & Aldana, 2016; Dougherty, 2011). Many of the World Bank and IMF-funded initiatives overlapped geographically with areas of interest for mining exploration. Many of the capacity

building and institutionalization initiatives overlapped with the development of the extractive sector. The World Bank's public lending arm, the International Bank for Reconstruction and Development (IBRD) pushed for infrastructure development, a land tenure system and land fund, natural resource management capacity building, and rural economic development projects (World Bank, 1998; Holt-Gimenez, 2008). Meanwhile, the World Bank's private lending arms, the International Finance Corporation (IFC) and the Multilateral Investment Guarantee Agency (MIGA), approved loans to private companies for major extractive projects, including the Xan pipeline expansion (1998), Zunil geothermal project (1999), Frutera del Pacifico banana plantation (2000), El Canadá hydroelectric project (2002), and the \$45 million USD loan to Glamis Gold for the Marlin mine (2004; Holt-Gimenez, 2008; IFC, n.d.). Nearly one third of the World Bank's lending to Guatemala following the peace accords went directly or indirectly to the Western Highlands region where the Marlin mine is located (Holt-Gimenez, 2008). Thus, under the guise of supporting rural economic development for peacebuilding, the World Bank's lending patterns laid the groundwork for opening the region to foreign owned extractive industries (Holt-Gimenez, 2008). This reveals how international organizations influenced the kinds of activities undertaken as part of peacebuilding through their funding decisions. It also shows how neoliberal ideas shaped peacebuilding through their international organizations' financial leverage in the negotiation and implementation of the peace accords in ways that encouraged the expansion of foreign owned mining in Guatemala. How these, and other forces and factors, shaped the expansion of foreign owned mining in Guatemala and operation of the sector is discussed in further detail in [Section 7.2](#).

In affecting prioritization of projects relevant to the extractive sector, gaps in international financial and technical assistance also resulted in other peacebuilding areas being neglected (GAC, 2014, p. 24). For example, commitments related to improving access to land, such as the establishment of a land fund (FONTIERRAS) and services to resolve land conflicts faced challenges due to lack of funds (Salvesen, 2002). As a representative explained:

At the root of this problem is the policy of modern socio-economic restructuring. The fraction that corresponds to each organization is about 50 percent for the executive [branch of the Guatemalan government], and 25 percent FONTIERRAS, the beneficiary the other 25 percent [i.e., the cost of purchasing land is divided this way]. [...] However, [...] the executive didn't provide their share of the resources. So FONTIERRAS needed to absorb 75 percent of the commitment [i.e., the cost]. And the peasant group with the other 25 percent. What this scenario does is it dismantles the commitment that I mentioned earlier [to make land accessible to the poor]. And it created a serious budget issue for FONTIERRAS in which, according to an analysis that was provided, by 2022 we won't be able to continue operating.

(Quotation 146. Representative of the Guatemalan Government)

Likewise, commitments related to assisting and compensating those uprooted by the war or victims of abuse faced challenges due to lack of funding (Salvesen, 2002). As discussed in [Chapter 3](#), a number of governmental entities were created to achieve certain peace commitments; however, their limited budgets and authority prevented them from achieving their objectives, as a representative explained:

There has been, and continues to be, an enormous amount of racism against Indigenous peoples. For example, current discussions on the budget law for 2019 resulted in the acknowledgement that 0.61 percent of the budget will go to institutions responsible for Indigenous peoples. Its not even 1 percent. [...] There were a lot of expectations among Indigenous peoples and organizations regarding commitments in the [Agreement on Identity and Rights of Indigenous Peoples], as well as the Agreement on Socio-economic Aspects and Agrarian Situation. And even the Agreement on Resettlement of Populations Uprooted by the Conflict, because they have a lot to do with Indigenous peoples. But no, they haven't given importance to the fulfillment of these agreements. The other matter is not just about budget, but there are various organizations concerned with Indigenous peoples. For example, FODIGUA, the Fund for the Development of Indigenous Peoples of Guatemala, CODISRA, the Commission Against Discrimination and Racism Against Indigenous Peoples, the Academy of Maya Languages, DEMI, the Defenders for Indigenous Women, etc. But all of these organizations are low in the rank of the hierarchy of government. They are secretariats not ministries. They don't have any authority, but they deliver little projects. For me this is not enough.

(Quotation 147. Indigenous Politician in Guatemala City)

Patterns of international funding and other influence factored in a number of the societal challenges that the Guatemala currently faces that were discussed in [Chapter 6](#). These include a number of the government's accountability, planning, and capacity issues. The substantial amount of funding that international organizations provided to the Guatemalan government established an accountability relationship with these organizations. However, this diverted attention from strengthening its

accountability relationship with its population. For example, Guatemala is responsible for repaying its loans to the World Bank and demonstrating that expected results were achieved with the funds received. While the funding is helpful to undertake peacebuilding projects, the financial relationship makes Guatemala accountable first and foremost to international organizations: Guatemala achieves results for the World Bank, and not the general population. Scholars often refer to this as an issue with local ownership (Brett, 2013; Norad, 2007; Richmond, 2012). Additionally, funding from international organizations has typically come with reporting and other administrative requirements. However, the requirements are slightly different for each donor or lending agency, which undermines the Guatemalan government's ability to establish and reinforce consistent internal policies and procedures. The focus on meeting the administrative and other requirements of international organizations diverts attention from developing coherent internal controls and accountability to the population. This was also observed in connection with development projects in general, including mining-related governance projects.

While some of the peacebuilding funding was for a longer time horizon, funding and projects were typically for five years. Short-term, ad hoc, issue-specific funding provided by international organizations undermined the Guatemalan government's ability to undertake coherent, long-term planning. Over 20 years later, there is significantly less funding focused on peacebuilding in Guatemala, as international priorities shifted to other countries and issues. For example, Oxfam no longer focuses on peacebuilding in Guatemala. The US and IDB have been focused on the "Alliance for Prosperity" in recent years, which is focused on addressing the root causes of migration towards the US rather than peacebuilding (USAID, 2019). The main source of Guatemala's peacebuilding funding today comes from the UN's Peacebuilding Fund (UNDP, n.d.). Guatemalan government agencies tend to focus on activities for which they are able to obtain funding, rather than activities that are highest priority, as a representative explained:

FONTIERRAS has worked with various organizations, like UNDP, FAO, GIZ [German International Development Agency], AID [World Bank International Development Association or IDA]. For many years, there was a focus on technical assistance the AID helped us a lot with productive products, as well as risk management systems. Same with UNDP. However, there many of these projects

have been withdrawing from the country or changed their focus to focus more on health or education. Right now, we are working with FAO on a research project. The research process focuses on governance processes for land, but it is more training than personal assistance or investments in communities. With AID they have a number of projects developed, but it's not the same as the post-war period. In the 5-to-6-year period following the signing of the peace accords, we received a lot of international support. But now, no.
(Quotation 148. Representative of the Guatemalan government)

This was a general pattern observed in international funding for programs and services. When the funding ended, all activity ended. Thus, the shift in international funding significantly limited momentum to continue peacebuilding efforts. Overall, funding from international organizations diverted attention away from important issues relevant to mining and habituated the Guatemalan government not to undertake action on a certain issue unless it received foreign funding. This created issues related to capacity and political will to address issues relevant to peacebuilding as well as a host of other issues, including mining.

International organizations also affected Guatemala's peacebuilding progress, because they were directly involved in the implementation of the peace accords. This included involvement in monitoring and verifying the implementation of key commitments, which was done mainly by the United Nations Verification Mission in Guatemala (MINUGUA). As well, UN agencies and other international NGOs directly delivered programs and projects. The involvement of international organizations in both of these areas complicated peacebuilding in at least two respects. First, Guatemala relied on these external organizations to address functional and geographical gaps in its capacity and presence only; support was not paired with a focus on developing the Guatemalan government's capacity and responsibility to eventually take over these functions. The eventual withdrawal of these organizations created a major continuity challenge. Second, the patch-work nature of NGO project created issues in terms of reach, coordination, and consistency of programming, related in part to international funding, discussed above.

As noted in [Section 7.1.1](#), UN assistance was requested during the negotiation of the peace accords to verify compliance with the commitments made. The UN Verification Mission for Guatemala (MINUGUA) was established in September 1994 with an initial mandate to verify compliance with human

rights commitments in the Comprehensive Agreement on Human Rights signed in 1994 (UNGA, 1994e; 1994c). Its mandate subsequently expanded to include verification of commitments made in subsequent agreements (UNGA, 1995b), and eventually, the entire corpus of commitments under the Agreement on a Firm and Lasting Peace signed at the end of 1996 (UNGA, 1996a; Manz & Ross, 1996). MINUGUA was empowered to verify compliance with commitments in the peace accords, provide technical assistance, good offices, and public information. Assigning this role to MINUGUA externalized monitoring and enforcement rather than strengthening domestic actors and mechanisms to comply and advance implementation (Salvesen, 2002). MINUGUA's reports over the period it operated from 1994 to 2004 reveal the impact and limitations of its presence and involvement in peacebuilding. One of MINUGUA's positive impacts was a temporary decline in some of the more serious human rights abuses it monitored. This is because MINUGUA's presence encouraged restraint by the Guatemalan army and guerrilla (Jonas, 2000, p. 48; Manz & Ross, 1996). After an initial decline, certain types of alleged human rights abuses increased again, as illustrated in Figure 7.1 (Salvesen, 2002; GAC, 2014b, p. 7, 14). MINUGUA's monitoring the Guatemalan government's progress towards institutional improvements achieved advances within relevant human rights agencies (UNGA, 1997b). However, because MINUGUA's mandate and budget was revisited and renewed every six months, it could not sustain pressure to realize longer-term structural transformations (Pillay, 2006, p. 29). MINUGUA also had an important convening role and helped channel funds and technical assistance to support the implementation of peace commitments and coordinated on-the-ground activities across relevant organizations involved in peacebuilding (Stanley & Holiday, 2002).

International NGOs and UN Agencies also had an important role in the direct provision of programs and projects. The Guatemalan government and international financial contributors like the World Bank and donor countries saw international NGOs as having a direct role in implementing commitments from the peace accords related to socio-economic development, given the Guatemalan government's capacity limitations (Blum, 2001; World Bank, 1995). Donor funds for peacebuilding were

distributed to NGOs to undertake projects across the country related to various peace commitments (Blum, 2001). There is no comprehensive inventory or matrix of all NGOs projects undertaken across the country in support of peacebuilding, and the Peace Secretariat's (SEPAZ) documentation of progress does not go into this level of detail (SEPAZ, 2017). However, examination of dozens of projects implemented as part of peacebuilding revealed that NGO-led peacebuilding projects were a patchwork of initiatives.

Figure 7.1. Alleged Human Rights Abuses Accepted by MINUGUA, November 1994-July 2002

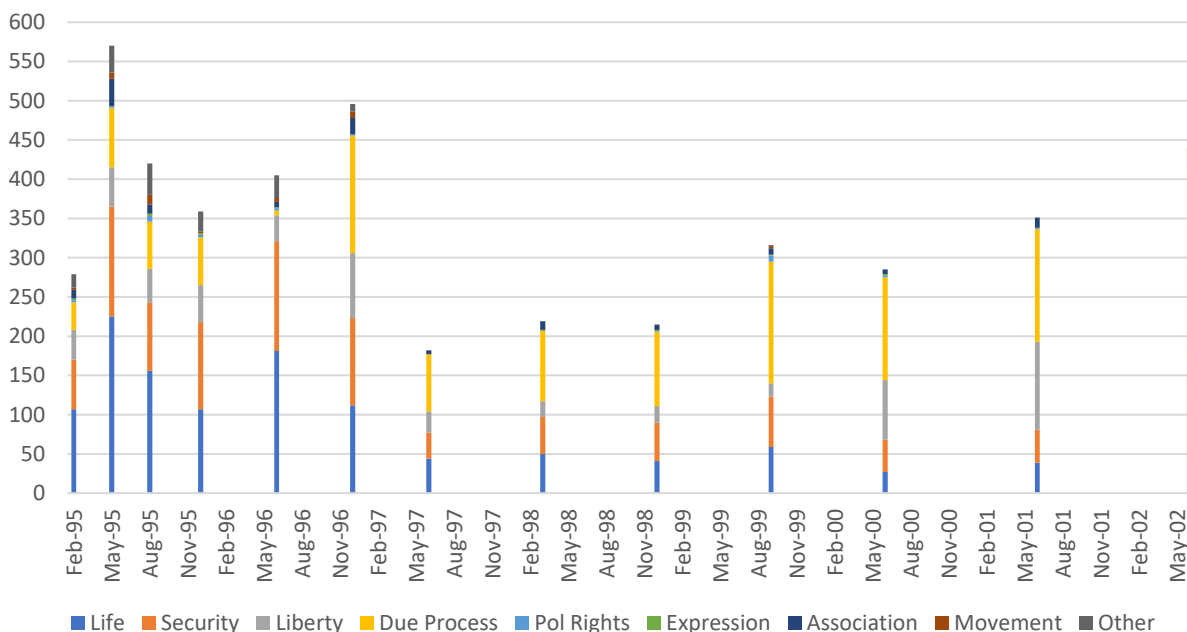


Figure 7.1 provides a breakdown of alleged human rights abuses that MINUGUA admitted and investigated by type of human rights abuse, as reported by MINUGUA in its periodic reports from 1994-2002 (UNGA, 1995c; 1995d; 1995e; 1996h; 1996i; 1997a; 1997b; 1998; 1999a; 1999b; 2000; 2001; 2002; 2003; 2005). The reporting period for alleged human rights abuses varied from one report to the next, making comparisons difficult. However, the figure shows that a major change in the overall number and type of human rights concerns following the signing of the peace accords in December 1996, with fewer alleged abuses related to the right to life (e.g. death threats and assassinations) and security of person (e.g. torture), but a rise in alleged abuses related to due process.

There was little consistency across NGOs involved in the same type of initiative, such as education.

As well, there were major gaps in the geographic coverage of initiatives, as NGOs would independently decide which communities they focused on. As with international development contexts elsewhere, certain communities received significant attention while other communities were overlooked. To a certain extent, programs and resources focused on regions and towns that were most affected by the Internal

Armed Conflict, referred to as the “ZONAPAZ.”¹⁰³ However, the fulfillment of key commitments from the peace accords and the advancement of peacebuilding more generally also required full and consistent coverage of programs and services across the entire country.

As discussed in [Chapter 3](#), very few peacebuilding programs or projects took place San Miguel Ixtahuacán, Sipacapa, or Asunción Mita. All communities across Guatemala—including Asunción Mita, San Miguel Ixtahuacán, and Sipacapa—received funds from the FIS and FONAPAZ to establish its system community development councils (COCODES) in 2004 and to fund local development projects like education, water, health, and other infrastructure, training, and to promote community participation (Muni Asunción Mita, 2007; Van de Sandt, 2009). However, many other initiatives did not reach the communities. Most community members could not recall any major peacebuilding projects. The few projects that were implemented in the communities near the Marlin mine included the following:

- Creation of a peace court in the late 1990s;
- Creation of COCODEs in the early 2000s;
- Gradual expansion of education, including bilingual education;
- Creation of a memorial to commemorate victims from the civil war organized through the Catholic Church in 2014;
- A handful of workshops organized by the Catholic Church; and
- Efforts by the Catholic Church to strengthen Indigenous identity and culture.

These projects were led by the Guatemalan government or the Catholic Church, illustrating the limited reach of NGO-led projects even within the “ZONAPAZ” region prioritized for peacebuilding. In Asunción Mita, near to the Cerro Blanco, it was not possible to identify any peacebuilding activities whatsoever beyond the COCODES and the local peace court.

In addition to the coverage and consistency challenges of NGO-implemented projects, NGO projects faced further challenges in terms of their impact and their sustainability. NGO projects were either “one-off” initiatives like workshops, training sessions, or infrastructure initiatives; or they provided

¹⁰³ The “ZONAPAZ” included the departments of Quiche, Alta Verapaz, Baja Verapaz, Huehuetenango, San Marcos, and Peten, which were the regions that experienced the highest level of violence in Figure 3.5.

time-limited program and service enhancements, for example, to education (see for example, NORAD, 2007). These programs helped address Guatemala's immediate need to assist returning populations to reintegrate into the community (Pillay, 2006, p. 35). However, they did not overcome systemic inequalities in access and quality of basic services. Once NGO-led projects concluded, recipient communities faced challenges to sustain momentum for ongoing program or service delivery due to lack of resources.

NGOs direct delivery of programs also did not necessarily achieve the institutionalization needed to address social issues on an ongoing basis. The direct delivery of a health or education project covers those services (albeit inconsistently) in the short term. However, it does not necessarily help the Guatemalan government's develop the capacity or accountability to provide these services on an ongoing basis at a national, regional, or local level (Salvesen, 2002, p. 2). Instead, NGO projects only deferred the issue. More than 20 years later, the government still struggles to provide access to basic services, as described in [Chapter 4](#). In this sense, outsourcing peacebuilding tasks to NGOs factors in Guatemala's broader peacebuilding challenges related to limited state capacity and presence, which has shaped the pre-existing context in which mining conflicts have taken place. Moreover, the nature of the programs and projects did not add up to the kind of transformations needed to address core peacebuilding issues associated with inequalities and exclusion, discussed previously (Pillay, 2006, p. 34).

Again, in highlighting the role and influence of the international organizations, it is important to note that their influence was constrained by the interests of Guatemala's elites (Krznicaric, 2003). Guatemala did not adopt a number of initiatives that the World Bank recommended, because of concerns about renewing conflict (Holt-Gimenez, 2008, p. 18, p. 21). Despite both pressure and incentives by international organizations and foreign governments to increase taxes, the Guatemala has been reluctant to do so (Salvesen, 2002; Pillay, 2006). It eventually met its commitment to increase income tax to 12 percent of GDP but has still not met its commitment to establish an appropriate land tax regime (SEPAZ, 2017). Because MINUGUA's presence was at the invitation of the Guatemalan government, it could not

force the Guatemalan government to do or not do certain activities (Stanley & Holiday, 2002). Even though MINUGUA did call out breaches and inadequate progress by both the Guatemalan government and the guerrilla, it needed to communicate its reports carefully and the government disregarded many of MINUGUA criticisms and recommendations on certain issues (Jonas, 2000, p. 49; Stanley, 2013).

7.1.3 How International Influence is Relevant to Peacebuilding and Mining Linkages

As this section has illustrated, the international community had an important influence on the negotiation and implementation of the peace accords. Through diplomatic and financial leverage, international organizations pressured the parties to come to the negotiation table. They also shaped content and context of the peace talks, which affected the peacebuilding model that Guatemala adopted. International influence was a factor in the shortcomings of the peace accords, discussed in previous chapters. Guatemala's focus on macroeconomic development, foreign investment, and the development of the extractive sector was partly in response to conditions imposed by international organizations. The intent was to ensure the economic sustainability of peacebuilding and create investment opportunities for businesses, which was prioritized at the expense of more meaningful socio-economic improvements for disadvantaged and excluded communities and ended up reinforcing the same issues of inequality and exclusion that peacebuilding should have been trying to transform. Thus, the international community factored in the extractive development model that brought mining and mining-related conflicts to the communities near the Marlin and Cerro Blanco mines.

International influence on the negotiation and implementation of the peace accords was also problematic because it created an external accountability relationship with donors and lending institutions rather than strengthening accountability to its population. Additionally, international funding, influence, and direct involvement in implementation distorted the focus of peacebuilding efforts to reflect their priorities rather than the areas of greatest peacebuilding need, leaving important geographic and

programmatic gaps and inconsistencies. Outsourcing the implementation of peacebuilding commitments to NGOs also distracted attention from the need to strengthen the government's institutional capacity to assume responsibility for programs and services and created issues in terms of achieving consistent program delivery and full geographic coverage across the country. In this sense, international influence was a factor in governance issues that led to many of the grievances associated with mining-related conflict and other societal issues, as discussed in [Chapter 6](#).

The discussion on how international involvement and influence on peacebuilding has factored into Guatemala's peacebuilding challenges helps to illustrate how peacebuilding systems at the global, national, and local levels are interlinked. It also illustrates the local consequences of international influence in peacebuilding. Ultimately, international influence in the negotiation and implementation of the peace accords left important gaps in how local communities were supported by peacebuilding efforts, including through strengthened the government capacity and accountability. In this sense, international influence in peacebuilding factors in the pre-existing socio-economic context of communities near the Marlin mine, characterized by lack of access to basic services and significant need due to the fact that they were omitted from much of the peacebuilding programming that took place. Thus, international influence factored into the peacebuilding challenges that became relevant to mining-related conflict.

Section 7.2 Globalization and Mining-Related Conflicts in Guatemala

As discussed previously, foreign owned mining expanded dramatically in Guatemala after the peace accords were signed in 1996. Powerful states and international financial institutions like the World Bank had an important influence on this trend through their influence on Guatemala to adopt neoliberal policies as part of peacebuilding, discussed above. However, the expansion of mining into Guatemala was also shaped by the globalization in the economy and the mining industry in particular. In addition to influencing the arrival of many foreign owned companies in Guatemala since the 1990s, globalization has

also affected how the mining industry operated and how individual mines operated. The globalization of the mining industry and the governance of this industry reflect a pattern of coevolution in the global mining governance system by which different features of the system change incrementally and organizations within it adapt in accordance with the changing environment. Both the expansion of mining into Guatemala and the way mining operates in Guatemala are relevant to why mining-related adverse impacts arose in the first place to become a source of grievances and conflict, discussed in [Section 7.2.1](#) and [Section 7.2.2](#), respectively. Globalization also increased the number of external organizations involved directly and indirectly in these conflicts. The globalization of these conflicts and involvement of external organizations shaped the conflict strategies that were pursued in each conflict. This expanded the scope and complexity of the conflicts in ways that has made them much more challenging to resolve and serves as a third dimension by which global forces are relevant to mining.

7.2.1 How Globalization Influenced the Expansion of Foreign owned Mining in Guatemala

The expansion of foreign owned mining in Guatemala coincides with a broader trend in the global expansion of the mining industry globally since the 1950s in terms of the number and diversity of countries where mining takes place and in terms of the scope of environmental disturbance caused by mining activities globally (Humphreys, 2015; Murguía, 2015; Schaffartzik et al., 2016). This trend reflects a pattern of coevolution in the global mining governance system where individual companies adapted their strategies in response to changes in the global system. In doing so, however, these company adaptations also drove further changes in the global system. Individual mining company expanded their exploration activities globally in search of new resources, globalizing the industry. At the same time, these companies were responding to global market dynamics, such as increased demand for minerals by emerging economies like China, Brazil, Mexico, and India. Additionally, the transformation in the global economy from manufacturing to services and rapid increase of information technologies created new demand for

products that rely on certain minerals. Though mineral prices are volatile, a steady rise in the price of gold since the 1970s incentivized gold mining companies to take advantage of the significant profit margin while also taking advantage of opportunities to significantly reduce operating costs by shifting to “developing” countries like Guatemala where wages, electricity costs, and other inputs were significantly lower. These factors, combined with recent technological innovations, made it technically and economically feasible (and profitable) to mine lower-grade mineral deposits that were previously not possible (Bridge, 2004; Humphreys, 2015).

Many countries began adopting “neoliberal” policies during the 1980s and 1990s that encouraged trade and foreign investment. These policies privatized public services and state-owned assets. They reduced trade tariffs, business taxes, and other restrictions on the cross-border movement of capital and the foreign ownership of assets. And they strengthened private property protections and facilitated business start-ups (Babb, 2005). In implementing such policies, many countries also introduced major reforms in extractive sector, which encouraged and facilitated the expansion of mining (Bridge, 2004; Babb, 2005). In the context of these neoliberal policy reforms, countries made further policy changes to lower labour, environmental, and other standards relevant to specific sectors, such as mining. This created a “race to the bottom” as governments competed against each other to attract and retain foreign investment in key sectors by creating the easiest and most profitable operating environment for foreign companies at the expense of environmental integrity and human rights (Babb, 2005; Dougherty, 2011). As noted above, the US, EU, international organizations like the World Bank and International Monetary Fund had a major influence in countries’ adoption of these policy changes through “structural adjustment” initiatives (Bridge, 2004; Babb, 2005). Increased efforts to negotiate free trade agreements and investment treaties during that same period, both bilaterally and multilaterally, provided an additional source and layer of rules against which countries were required to align their domestic policies and legislation that further pushed countries in this direction (Haarstad & Campero, 2012). These included

several treaties between Central American countries and with other parties such as the Dominican Republic (1998), Chile (1999), Panama (2002), US (2004), etc. (OAS, n.d.b.).

As discussed above, Guatemala's adoption of such neoliberal policies as part of peacebuilding was shaped by these broader global trends. Guatemala's adoption of these policies was influenced by pressure from international organizations, it was also influenced by broader pressures about how to remain competitive—and therefore economically viable—in a coevolving global economy. Both sources of pressure were significant for war-torn and economically fractured Guatemala in the context of peacebuilding. As one representative explained:

We note that [Guatemala's mining royalty rate is] only 1 percent when other countries have a much higher royalty rate of 30 percent or more. [...] It generates a lot of doubts. It doesn't enable us to acknowledge that mining is a development theme for the country. [...] It is contributing to society "crumbs," we say. We eat a piece of bread, and the crumbs that fall, this is what we receive. This is to visualize how we think about it. [...] The problem is more structural, the law, it fails to create conditions. [...] If the company doesn't want to continue under the conditions that the country sets out, it's like the girlfriend that leaves.

(Quotation 149. Representative of the Guatemalan Government)

The excerpt acknowledges that Guatemala's royalty rate is lower than that of other countries, which was largely to attract investment. These reforms attracted foreign owned mining companies to Guatemala. As discussed in [Chapter 3](#), where there was previously very little foreign owned mining in Guatemala, neoliberal reforms implemented as part of peacebuilding marked the beginning of a dramatic rise in mining-related activity (see Figure 3.10 and Figure 3.11; MEM, 2006). The number of foreign companies that established subsidiaries in Guatemala increased, and Montana and Entre Mares were among the first (Solano, 2005). Exploration and extraction activities also increased, starting with the Marlin mine. However, as the quote reveals, Guatemala's adoption of these reforms also affected how the mining sector operated in Guatemala, including its impacts on society and contributions to the economy, discussed further in the next section.

7.2.2 How Global Forces Influenced the Operation of Foreign owned Mines in Guatemala

Global forces affected how the mining industry and individual mines operated in the country in at least three ways relevant to the dynamics of conflict observed in each mine.¹⁰⁴ First, the globalization of the mining industry also generated a global division of labour among mining companies. It also globalized the organizational structures of individual mining companies. Third, it re-organized and disaggregated individual mine operations into a network of globally sourced contractors. The increased number and global disaggregation of organizations involved in mining has significantly increased the complexity of mining operations. By extension, this has increased the complexity of mine-related governance.

In addition to the organizations involved in mining operations, the rules that govern mining have also become globally dispersed through a similar pattern of coevolution. This was partly related to the global dispersal of mining companies and the global disaggregation individual mines. However, it is also a separate phenomenon (Auld et al., 2018). The outcome of the disaggregation of the global system of governance for mining has further increased the complexity of mine-related governance by distributing governance functions across multiple organizations and frameworks globally. This further complicates mining oversight and accountability across the global array of organizations involved in mining.

Both of these dimensions of complexity of mining operations and complexity of mining governance increase the challenges associated with identifying, mitigating, managing, and monitoring the mine-related impacts are an important factor in the mining-related grievances and conflict that emerged. In particular, the global complexity of mining operations and mining governance factors in a number of deficiencies in the rules that apply to mining. It also factors in the distribution of mine-related benefits

¹⁰⁴ Other factors may also affect the ways that businesses operate that may be relevant to their impacts on society. These include the general financial model by which businesses typically operate that prioritizes returns for shareholders at the expense of other more sustainable or inclusive models, and notions of what constitutes value-added in the world capitalist economy (Mazzacuto, 2018). These factors also include inadequate business accounting for adverse environmental and other effects of business, which continue to be externalized, and mechanisms and practices that enable the wealthy accumulate and protect their wealth (Bird, 2021). Examination of the full scope of factors was beyond the scope of this dissertation.

and adverse impacts that were grievances in mining-related conflicts, as well as ideological and relational dimensions of these conflicts. These two global dimensions of complexity are unpacked below.

7.2.2.1 The global division of labour in the mining industry

The global expansion of the mining industry discussed above coincided with a shift in how mining companies and mine operations were organized. As companies expanded their operations to other countries, more complex structures emerged. Companies compartmentalized into networks of subsidiaries that operate in different countries and regions. Inputs and services associated with the operation of a mine were externalized to subcontractors (Humphreys, 2015; Sprague, 2015). Mining companies self-organized and took on specialized roles within the mining industry with certain companies focused on mining exploration and others focused on mining operations. Transformations also included an increased exchange of mining assets, such as exploration and exploitation permits, subsidiaries, and physical mine infrastructure. A division of labour emerged where smaller “junior” mining companies concentrated on exploration activities, which larger companies then acquired either at or after the stage of obtaining environmental and operating licenses (Dougherty, 2011). Companies also started to merge with or acquire other companies as strategies for global economic expansion, made possible through the fact that mining companies had become compartmentalized into global networks of discrete subsidiaries that could be carved out of the broader structure and transferred to other companies as part of billion-dollar deals (Vivoda & Graetz, 2017). Middle-sized companies have disappeared as they have become subsumed into the structures of ever-growing mining giants (Humphreys, 2015).

All of these global transformations were observed in Guatemala and characterized its mining industry. For example, Goldcorp became the mining giant it was as a result of a strategy of mergers and acquisitions (see Figure 10.6 and Figure 10.7). Goldcorp and Glamis were both medium-sized companies when they merged in 2006, after both previously merged with and acquired other smaller companies in

the early 2000s. Goldcorp's merger with Newmont in 2019 furthered this trend and made Newmont the world's largest gold company (Pistilli, 2020). Goldcorp executives preferred to acquire mining assets from "junior" exploration companies rather than undertake exploration itself by acknowledging that "greenfield exploration is too risky. It's better to let juniors discover and de-risk projects" (PSPiB, 2016, p. 2). Bluestone Resources' acquisition of Entre Mares and the Cerro Blanco mine in 2017 illustrates this practice of buying and selling mining assets (BSR, 2017a). Another example is Goldcorp's 2010 sale of the El Escobal mine to Tahoe Resources, discussed previously in [Chapter 5](#) (Goldcorp, 2010b).

The coevolution of the mining industry towards a globalized, compartmentalized, and externalized organization of individual mining operations and increased buying and selling of mining assets between companies has created major accountability challenges. In this globally re-organized structure of doing business, a significant amount of activity that takes place at a mine site is done by an evolving network of subcontractors, who provide time-limited labour and specialized technical services for the design, construction, and maintenance of different features of the mine. They may also supply and/or transport materials to and from the mine or perform other financial and strategic functions. Over 150 subcontractors worked for the Marlin mine at various points in its lifecycle (Silburt, 2019c). The sheer number of organizations involved in mining operations creates significant challenges for monitoring operations and associated environmental and social impacts. This includes oversight challenges for the mine itself, external oversight by governance actors, and transparency for stakeholders.

The dynamic of increased buying and selling of mining assets among mining companies also means that commitments made by one company may not necessarily be honoured by the next. A representative of the exploration team that discovered the Cerro Blanco deposit and others revealed that commitments made to the community were not documented as formal commitments by the mine:

We were the entire company and all of its departments, in a single [exploration] team. We opened the way. We started it. We were the ones that arrived at the community, who spoke to them about what the company was looking for, what it wants, and in the future the benefits that the community will gain by means of the [the mine]. And, since the beginning when the team arrived,

they started to do a bit of offerings, in the form of jobs, economic development, health improvements, infrastructure improvements, etc. [...] Only after the mine opens is when they start to name managers for the environment, human resources, etc.
(Quotation 150. Representative of the Cerro Blanco mine)

This means that the companies that eventually acquire the asset may not be aware of community expectations that were created.

The frequent movement of assets is also a challenge for holding companies accountable for adverse impacts. For example, the environmental impact assessment for the Cerro Blanco mine was approved based on a particular mine design. However, after Bluestone Resources acquired the mine, the mine's plans were modified in 2019, which have potentially significant social and environmental implications (Entre Mares, 2019c; CPI, 2019). As mentioned previously, the mine also announced in 2021 that it would pursue open-pit operations, for which it needed to submit a new environmental impact assessment (BSR, 2021a).¹⁰⁵ Many of the jobs and local development projects that were promised to the community during the permitting process have not yet materialized. These promises were made while the mine was under Goldcorp, a substantially larger company with significantly more resources to invest in community projects. It is unclear whether they will be honoured by Bluestone Resources.

The accountability challenge of managing the impacts of a globally dispersed and evolving network of subcontractors in mining operations has only recently attracted attention in mining governance discussions. The OECD Guidelines for Multinational Enterprises and United Nations Guiding Principles for Business and Human Rights consider companies to be responsible for adverse human rights impacts linked to their operations through their business relationships with other organizations like suppliers or contractors (OHCHR, 2011; OECD, 2011; 2014; 2016). Countries have also started to adopt legislation related to supply chain responsibility, such as Canada's customs tariff that prohibits the importation of goods produced with forced labour (CBSA, 2020). Some companies have adopted supply

¹⁰⁵ The mine submitted an environmental impact assessment in November 2021, with approval expected in 2022 (BSR, 2022a).

chain management policies and codes of conduct that apply to contractors or suppliers. A number of voluntary certification schemes for “responsible” supply chains have also emerged, such as the International Cyanide Management Code (ICMI, n.d.). These developments represent an adaptation as part of the same coevolutionary process in the global mining governance system.

Goldcorp became certified under the International Cyanide Management Code in 2009. It also extended the application of its code of conduct to suppliers and contractors in August 2010 (Goldcorp, 2009b; 2010c). This code of conduct would have applied to operations at both the Marlin and Cerro Blanco mines prior to the sale of Cerro Blanco to Bluestone Resources in 2017. Bluestone Resource’s code of business conduct and ethics also applies to consultants and contractors for the company (BSR, 2018d). Due to the sheer number of contractors and how quickly their involvement with a given mine may change, it is difficult to verify the extent to which contractors abide by all relevant rules both by the mine’s management and by external parties such as the government or other stakeholders. Neither mine publicly discloses information in this regard.

7.2.2.2 The Global complexity of mining rules

The challenge associated with monitoring and managing the impacts of a complex and evolving array of subcontractors intersects with a second governance challenge associated with complexity of the rules that govern mines operations (Marques, 2016). There are at least three aspects to this complexity. First, the complexity emerges from jurisdictional challenges associated with foreign owned mining operations. Second, the complexity relates to the fact that many of the rules that emerged to address governance gaps are voluntary (and not legally enforceable). Third, the complexity relates to the sheer number of overlapping rules that exist and apply to different aspects of mining operations.

As discussed above, the globalization of the mining economy put downward pressure on the stringency of laws and standards in host countries and on the strictness of their enforcement as part of

efforts to attract and retain foreign investment (Babb, 2005; Holt-Gimenez, 2005). This “race to the bottom” affected key rules relevant to the governance of the mining sector, by extension, its impacts the surrounding community. As described in previous chapters, limitations in laws and standards relevant to the extractive sector led to a number of important grievances that motivated mining-related conflict. These grievances and conflicts are not unique to Guatemala. Inadequate rules and standards in “host countries” is an issue relevant to company-community conflicts globally (ICMM, 2015).

In response to such challenges and a confluence of forces, such as a confluence of forces a series of mining environmental disasters, civil society activism, and pressure from other stakeholders, mining companies started to adopt supplementary rules from other sources on a voluntary, ad hoc basis. Mining companies were initially reluctant to adopt social and environmental responsibility norms, but these norms are now a central feature of mine governance and the global mining governance system as the strategic operating environment coevolved with changing public expectations that prompted adjustments in company strategies to remain competitive. At the same time, mining companies have in turn shaped the content of these frameworks and the governance system as a whole through their participation in the governance of specific initiatives and other strategic activities. This represents another adaptation that forms part of the coevolution of the global mining governance system. These “other rules” include rules and standards from other countries like the US, Canada, or the EU that would be mandatory for companies operating in those countries but are not legally enforceable in third countries. They also include international standards like those from the International Organization for Standardization (ISO) or the International Cyanide Management Code, which verify compliance but have no further consequences beyond revoking certification or membership for non-compliance or non-renewal. These rules also UN, World Bank, or other mining industry standards for which the verification method is unclear. Companies typically develop internal policies for their operations and other areas of environmental and social governance (ESG), for which compliance is overseen internally. Global awareness raising and activism has

led to a number of voluntary standards and instruments that companies are encouraged to sign onto, such as UN Guiding Principles for Business Human Rights. However, the verification methods are also unclear. Finally, international financial and lending institutions have established standards that companies must satisfy to qualify for loans or other assistance, such as the Equator Principles.

A review of a sample of documentation about the Marlin and Cerro Blanco mines, such as environmental impact assessments and annual reports, identified over 160 different sources of rules that the mines acknowledged as applicable to its operations. Each “rule” is comprised of various provisions that specify particular requirements, meaning that the number of individual requirements that apply to mining operations is significantly greater. These rules covered various technical, operational, environmental, financial, labour-related aspects of operations as well as community relations and corporate social responsibility (see Figure 7.2 and Figure 7.3). Of the rules identified, only about 40 percent were Guatemalan legal requirements, which was the same proportion for both mines and largely the same rules. The only difference in legal requirements were specific conditions attached to approval documents, permits, and other licenses specific to each mine. After Guatemalan requirements, the second most important source of rules were the companies’ internal policies, representing 17 percent of the rules identified for the Marlin mine and 19 percent for the Cerro Blanco mine.

The Marlin mine also adopted a number of voluntary initiatives, which was the third most important source of rules at the mine at 16 percent; however, the Cerro Blanco mine committed to observing international legal instruments such as human rights and labour conventions, which represented 11 percent of rules. As the majority of rules that companies follow are not legal requirements of the “host state” where the companies operate (Guatemala) or the “home state” where the companies are incorporated (Canada, US), most of the rules that govern mine operations are not legally enforceable. This creates an enforcement challenge, because the Guatemalan government cannot enforce standards established by other jurisdictions or organizations. Meanwhile, the organizations that established the

standards cannot necessarily enforce them either, for example, because governments do not have jurisdiction over companies that adopt their standards but are neither incorporated in nor operate in their country. For example, the US government cannot regulate a Canadian company that adopts US standards while operating in Guatemala.

However, even legally binding rules are challenging to enforce. The discussion above and in previous chapters already established Guatemala's challenges with the stringency and enforcement of mining rules. Beyond Guatemalan legal requirements, a handful of Canadian laws also apply to companies incorporated in

Canada that operate abroad related to corruption, transparency, and the handling of private

Figure 7.2. Global Array of Rules Shaping Marlin Mine Operations

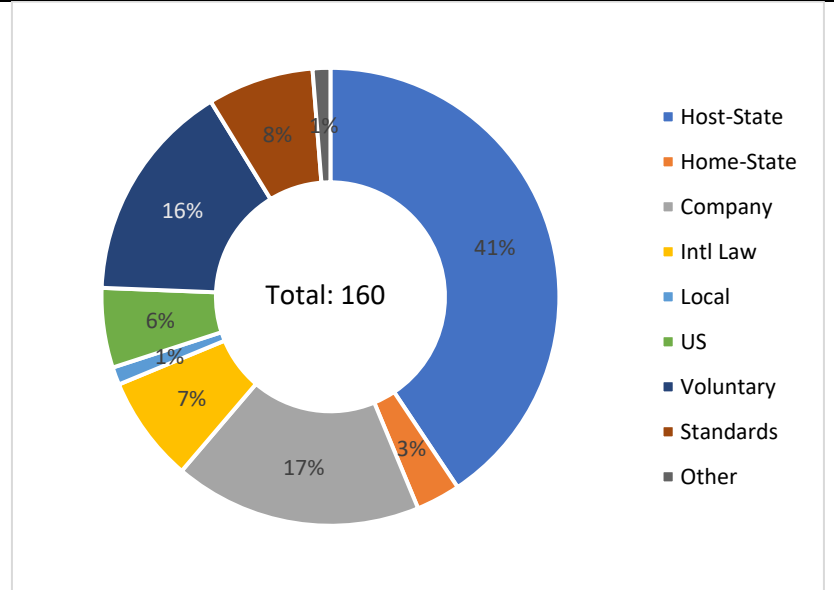


Figure 7.2 breaks down the source of rules referenced in a sample of documentation for the Marlin mine. A total of 160 different laws, standards, or policies, or frameworks were identified. The largest number were Guatemalan legal requirements at 41 percent, coloured in blue and labelled "host-state." However, this means that the majority of rules come from other sources, such as company policies (17 percent, grey), or voluntary initiatives (16 percent, navy blue).

Figure 7.3. Global Array of Rules Shaping Cerro Blanco Mine Ops

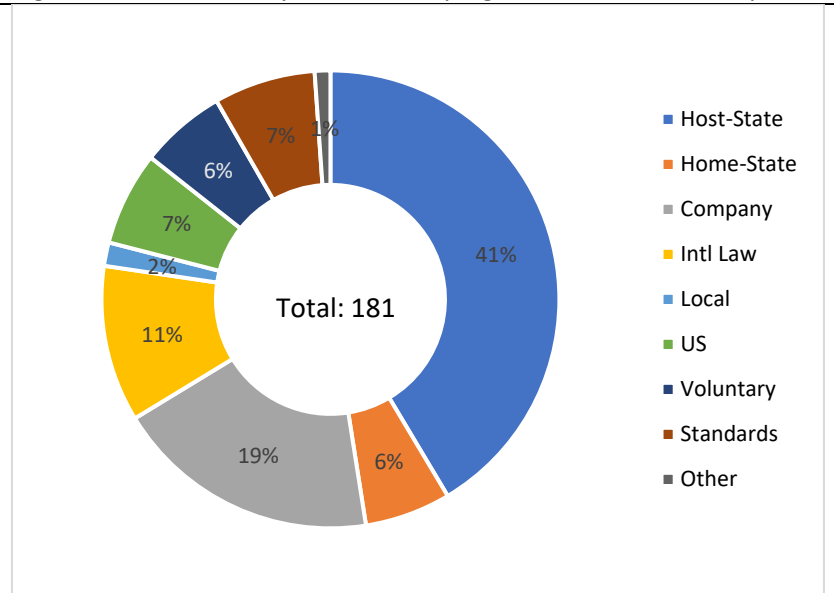


Figure 7.3 breaks down the source of rules referenced in a sample of documentation for the Cerro Blanco mine. A total of 181 different laws, standards, or policies, or frameworks were identified. The largest number were Guatemalan legal requirements at 41 percent, coloured in blue and labelled "host-state." However, this means that the majority of rules come from other sources, such as company policies (19 percent, grey), or international conventions (11 percent, yellow).

information.¹⁰⁶ Beyond this, companies are expected to respect human rights and operate responsibly as articulated in Canada’s Corporate Social Responsibility Strategy (GAC, 2014a; 2022).¹⁰⁷ Canada subscribed to the OECD Guidelines for Multinational Enterprise and the UN Guiding Principles for Business and Human Rights and has established mechanisms to investigate complaints related to non-compliance with the OECD guidelines and/or human rights as articulated in international human rights declarations.

While the consequences for companies’ failure to comply with Canadian legislation applicable to operations abroad could result in a fine or conviction in Canada, it is not clear that this has ever happened. Failure to abide by Canada’s Corporate Social Responsibility Strategy, the OECD Guidelines, respect human rights, or participate in good faith in Canada’s complaint mechanisms could result in the withdrawal of trade commissioner services and other advocacy support. However, this was only “considered” on two occasions, and it is not clear whether support was actually withdrawn (GAC, 2015, 2019c). Non-compliance could also impact the company’s ability to access financing from Export Development Canada or result in other “remedies” that have neither been specified nor applied (GAC, 2017, 2021). Civil society organizations have criticized these consequences as inadequately severe and questioned their effectiveness in ensuring company compliance (HRC, 2018).

Beyond issues with the severity of consequences, enforcement has proven challenging in general and in Guatemala in particular. Enforcement of these mechanisms relies heavily on external stakeholders knowing that requirements and mechanisms exist in another jurisdiction (Canada) in the first place; observing misconduct by the Canadian company and understanding that it constitutes non-compliance

¹⁰⁶ The Corruption of Foreign Public Officials Act (S.C. 1998, c. 34) establishes offences for corruption regardless of location. The Extractive Sector Transparency Measures Act (ESTMA) (S.C. 2014, c. 39, s. 376) requires all entities listed on a stock exchange in Canada, that has a place of business in Canada, does business in Canada, or has assets in Canada that has at least \$20 million in assets to report payments regardless of location (Newmont, 2020; BSR, 2020f). The Personal Information Protection and Electronic Documents Act (PIPEDA) (S.C. 2000, c. 5) requires safeguards for the handling of personal information by companies, which apply if the companies have a “real and substantial” connection between its activities and Canada (OPC, 2019).

¹⁰⁷ Canada first launched a CSR strategy in 2009, and subsequently updated in 2014. A new strategy was released in April 2022 (GAC, 2022).

with those requirements; and knowing where to transmit that information in order for the issue to be investigated. Embassies abroad also have a role in the enforcement of these rules, but Canada's Embassy in Guatemala failed on several occasions to apply these laws and policies and take steps to ensure that Canadian companies respect human rights in Guatemala (Connolly & Kamphuis, 2022). While it is beyond the scope of the dissertation to determine whether or not the mines violated any laws or whether the Canadian or other governments failed in their duties, the following example illustrates the challenge of enforcing rules in Guatemala.

In 2016, a news article was sent to the Canadian Embassy in Guatemala about alleged corruption in the approval of revision to the territorial extension of the Marlin mine's operating license. The article included claims by the Director General of Mining that he was pressured to approve the revision and was subsequently fired for refusing to do so (Pocasangre, 2016; Cabria, 2016). Separately, the Vice Minister of the Ministry of Energy and Mines publicly advocated for the approval of the extension, suggesting that he may have been the source of pressure and/or the one who fired the Director General (Garcia & Lopez, 2017). A few months after the approval, the Vice Minister became the General Manager of Montana, raising concerns about corruption (discussed in [Chapter 5](#)). The incident reveals a conflict of interest at minimum and warranted further investigation into the allegations. Though the Embassy referred the matter to officials at Global Affairs Canada, it is unclear whether or what further action was or could be taken with Goldcorp or Montana (GAC, 2019a, p. 62-63, p. 77-79, 171).

The existence of so many rules, many of which are not legally enforceable, creates further challenges for holding the mines accountable for their commitments and adverse impacts (Smith & Rosenblum, 2011). As described above, the rules that govern mining operations come from diversity of sources and apply to different aspects of mining operations. It is unclear whether or to what extent the mines themselves regard the various rules a part of a cohesive framework, and the two mines have not consolidated rules that they consider applicable to their operations in a single, publicly available source.

The various rules applicable to a mine's operations should be outlined in the mine's environmental impact assessment or mining license. However, both the Marlin and Cerro Blanco mines developed and submitted 15 and seven environmental impact assessments for various aspects of their operations, respectively (see Figure 10.6 and Figure 10.7). The Marlin mine was also required to follow additional requirements by the World Bank and International Finance Corporation in connection with approval of financing for the project. Thus, the rules applicable to each mine are spread across several documents and a significant amount of work was involved in identifying the rules that the mines had committed to following. The work involved in following up on the mine's performance and compliance with each of the various rules and requirements is therefore equally complex for external stakeholders like governments as well as for the mines' own management—especially given the hundreds of evolving subcontractors involved in the project whose compliance should be monitored.

A further challenge was observed with the rules that were cited as applicable to each mine. Many of the rules cited applied to the same aspect of operations but specified differing requirements. For example, water quality was previously mentioned as a contentious issue in the context of both mines. Both mines are legally obligated to comply with water quality standards established by the Ministry of Environment (MARN, 2006; 2019). However, as noted above, these standards are not as stringent as standards established by other jurisdictions or governance organizations, such as the US (USEPA, 2015), Canada (CCME, 1999; HC, 2017), World Bank (IFC, 2007; World Bank, 2015), World Health Organization (WHO, 2017), or Guatemala's National Norms Commission (COGUANOR, 2005). The Marlin mine referenced all of these standards in the mine's environmental impact assessments except for the World Health Organization standards, indicating a commitment to adhere to these more stringent standards (Montana, 2003, p. 523). However, the Marlin mine's annual reports mentioned different standards from one year to the next. Its 2013 environmental compliance reports used the International Finance

Corporation (IFC) and Guatemalan Ministry of Environment standards (Montana, 2013f). Since 2016, these reports only used the Ministry of Environment's standards (Montana, 2016a).

It is not clear that either mine understands any of the commitments they made in proposals, plans, and licenses as permanently binding, as suggested by a representative of the Marlin mine's statement that commitments made in the Mine's closure plan were "a dream, just a plan, subject to change. And the changes should be to adjust the plan in accordance with reality" (Quotation 151. Representative of the Marlin mine). Such statements give the impression that the mines have chosen to adhere to rules that are strategically advantageous to them, as discussed in [Chapter 6](#).

The fact that multiple rules and standards applied to the same aspects of mine operations is relevant to mining-related conflicts, because it creates challenges for stakeholders to understand what the mines obligations are, to contextualize both mine-related impacts and stakeholder expectations, and to verify whether the mines have complied with their various commitments. For example, environmental groups opposed to the Marlin mine assessed the mine's impact on water quality against more stringent international standards to which the mine did not commit and/or was not legally obliged to follow, which was their basis for claiming that the mine contaminated water (COPAE, 2018, p. 19). It is beyond the scope of this examination to determine whether or not the Marlin mine contaminated water or should observe more stringent standards. However, the fact that the mine referenced multiple standards created confusion about which standards to assess the mine's environmental performance against. The existence of differing standards for the same aspect of mine operations was also used by stakeholders in strategic ways that contributed to diverging understandings of mining-related impacts, as discussed in [Chapter 5](#). Moreover, controversy over the mine's adherence to international standards diverted attention from the Guatemala's lax environmental standards and diverted pressure to improve them.

Because the mines' adoption of and compliance with non-legal standards is voluntary, compliance with those standards depends on the mines' own initiative. This raises questions about their motivation

for uptake and enforcement (Chen et al., 2015). Auld et al. (2018) identified several transnational governance initiatives for the gold sector, of which Goldcorp only participated in five: the Conflict Free Gold Standard, the Voluntary Principles on Security and Human Rights, the International Cyanide Management Code, the Extractive Industries Transparency Initiative (EITI), and the International Council on Mining and Metals Sustainable Development Framework. Bluestone Resources does not currently participate in any of these initiatives, though it recently obtained “observer” status in the EITI (discussed in [Chapter 6](#)) and is working towards certification under the International Cyanide Management Code, as noted above (BSR, 2020c). Thus, although a variety of frameworks exist, they have not necessarily affected how the Marlin or Cerro Blanco mines operate due to their voluntary nature.

Uptake and enforcement of non-legal standards is affected by external sources such as lenders, investors, stakeholders, public perceptions, or continued membership in associations or certification schemes. Scholars suggest that societal pressure has encouraged the mine to improve social responsibility in a general sense (Dashwood, 2014). However, investors, lending institutions and other economic factors are a more direct source of influence on companies. Investors and lending institutions provide a crucial source of funds to cover the high start-up costs of mining. This gives investors and lending institutions a degree of time-limited influence over a mine’s operations to the extent that companies rely on this type of funding and for the duration of the financial relationship. This is achieved through conditioning loans and or through shareholder voting. The Marlin mine needed to adhere to International Finance Corporation’s (IFC) standards as a condition of receiving a \$45 million USD loan in 2004. This explains why the mine reported its environmental monitoring activities against IFC standards (IFC, 2004; Montana, 2005c). The IFC requirements were more stringent than Guatemala’s requirements, and during the time in which the Marlin mine was repaying the loan from 2004 to 2009, the mine adhered to those more stringent standards. However, it stopped reporting on IFC standards after the loan was repaid, illustrating the limitations of this type of influence and the influence of external organizations more generally.

The Cerro Blanco mine's recent efforts to improve its social and environmental performance appear to be similarly motivated by access to funding, as Bluestone Resources has been working to secure a \$150 million loan for the mine since 2020 (BSR, 2020e). As a representative of the mine explained:

Yeah, we have submitted [the paperwork] to [be certified under the International Cyanide Management Code]. And almost nowadays, if you are planning to finance with an international bank or reputable party, they will mandate that you [get certified under the Code]. A lot of them will say, even if the IFC isn't involved, they will just say follow the International Finance Corporation's performance standards. So, you have to put all these management plans in place. And one of them is the tailings management plan, and in that it does talk about the ISO certification. [...] And even in the permit application, I believe we are going to need to make those stipulations for managing cyanide so yeah.

(Quotation 152. Representative of the Cerro Blanco Mine)

Prior to this, Bluestone Resources had focused on raising funds through shareholder investments, and the Lundin family has been an important source of financial and technical support. Their influence on the companies' operations is apparent through several recent developments. The Lundin family owns several companies and investment firms in the mining sector. One of the Lundin investment firms acquired a 31 percent stake in Bluestone Resources, which allowed Bluestone Resources to purchase Entre Mares (and the Cerro Blanco mine) from Goldcorp (BSR, 2017). In 2020, Bluestone Resources was subsequently listed among the Lundin Group of Companies (Lundin Group, n.d.), appointed Jack Lundin as CEO (BSR, 2020g), and began using the Lundin Foundation for its corporate social responsibility activities (BSR, 2020c). Statements by the company's president during a shareholder meeting in 2020 suggests that these moves were a result of the Lundin family's influence as a major shareholder in Bluestone Resources: "The Lundin Family Trust holds 26 percent of the company. [...] The Lundin family was our largest contributor on the initial financing we did to acquire [the Cerro Blanco mine] three years ago and has subsequently continued to support. Jack Lundin joined us in January of this year to come in as CEO" (BSR, 2020e).

The Lundin Group's website explains that the organization is not a corporate entity or parent company. Rather, it is a group of companies that shares the benefits of the Lundin Family's expertise, guidance, and funding. The affiliation exists because the Lundin family is a major shareholder of each

company through several trusts (Lundin Group, n.d.). Statements by representatives of Bluestone Resources illustrate ways in which members of the Lundin family have become involved in the operations of the mine as a result of their leverage as a major shareholder. During a shareholder meeting in 2022, the Jack Lundin stated, “One exciting fact is that this is a Lundin Group company, and therefore, my family is committed to advancing this project. [...] So, we do have a line of funding open to bridge any funding gaps that may arise” (BSR, 2022a). During an interview, a representative of the mine explained that “Jack Lundin came in. [...] He is one of the sons of the Lundin Family. [...] Jack, and his father Lukas, who came down as well and met with the President” (Quotation 153. Representative of the Cerro Blanco Mine). This statement revealed that beyond providing funding, members of the Lundin family who are not employees of the mine are involved in its strategic relationship-building activities. In a similar vein, Goldcorp’s shareholders also exerted influence over the company in requiring it to undertake a Human Rights Assessment in 2010 (OCG, 2010, p. 8).¹⁰⁸ However, despite the relatively greater influence that investors and lending institutions appear to have, the companies continue to have a degree of latitude in their operations and strategies to the extent that they are able to control the information that these lenders and investors receive about the mine, discussed in further depth below.

The sheer number and variety of overlapping frameworks and initiatives that claim to improve sustainability or responsible business conduct create a further challenge for companies, as it is unclear which rules are the most relevant or important—especially noting that uptake is strategic. Goldcorp was a larger company and had greater capacity to adopt and participate in several initiatives; however, smaller companies like Bluestone Resources have limited capacity and may not be able to commit to dozens of

¹⁰⁸ Of note, the Public Sector Pension Investment Board (also known as Public Sector Pension Investments), a Crown Corporation established to manage funds contributed to public servants’ pensions, invested funds in Goldcorp. The time period associated with this investment is unclear. At minimum it invested in Goldcorp between 2009 and 2016. Though it had an opportunity to exert influence over the company and claims that it had “an engagement program with an active focus on human rights and environmental issues at their Guatemalan mines,” correspondence with Goldcorp did not indicate that this was raised or what measures were discussed (PSPIB, 2018).

frameworks whose effectiveness is unclear. At the same time, the current array of frameworks does not necessarily address all important dimensions of mine operations (Chen et al., 2015). Important gaps in guidelines and standards concern the responsible consumption and management of water. Goldcorp had its own water strategy but did not commit to any external initiatives, because none existed (Goldcorp, 2017b). Other relevant gaps in guidance and standards concern the distribution of mine-related benefits and adverse impacts, community engagement in explorations, the management of subcontractors (noted above), mining-related migration issues, mine closure standards, and managing community conflict.

Another challenge related to enforcing the above-mentioned rules is that most rely on information provided by the mines. As discussed in [Chapter 5](#), the Guatemalan government relied heavily on information provided by the mines for decision making and oversight functions (for example, Montana, 2016a; 2013d; Entre Mares, 2013). Although representatives of these agencies conducted periodic inspections and monitoring work, mine representatives typically accompanied them, which allowed the mines to influence which parts of mine operations they saw (or did not see) and shape how government representatives interpreted what they observed (for example MARN, 2015c; 2018). The Canadian Embassy in Guatemala was similarly criticized for failing to independently verify information it received from the Marlin mine in the context of mining-related controversies and (Connolly & Kamphuis, 2022).

A few of the standards and voluntary initiatives mentioned above require company-provided information to be audited by an external auditor hired by the company. However, the auditors do not verify or corroborate the information provided.¹⁰⁹ Except for the International Cyanide Management Code where auditors hired by the Code's governing body inspect and certify that mines comply with the Code

¹⁰⁹ For example, Goldcorp was required to submit an "Externally Sourced Gold Assessment" as part of its annual submissions for Conflict Free Gold Certification, which was audited by Ernst & Young (Goldcorp, 2017c, 2016a, 2015c, 2014a). However, the statements were "limited assurance" statements that reviewed only the information prepared in the report by Goldcorp. As such, they were not actually external assessments of Goldcorp's performance.

(Golder, 2009, 2017),¹¹⁰ none of the initiatives independently verify the information provided by the mines. This makes the various frameworks susceptible to companies selectively presenting and framing information to portray compliance, which may omit or misrepresent important details.

For example, Goldcorp obtained and maintained “conflict free” gold certification from the World Gold Council since 2013, claiming that “the gold and gold-bearing material mined by Goldcorp has been done in a manner that does not cause, support or benefit unlawful armed conflict, or contribute to serious human rights abuses or breaches of international humanitarian law” (Goldcorp, 2014). While large-scale “unlawful armed conflict” did not take place for an extended period at the Marlin mine during the reporting periods, conflict did clearly emerge and persist in the communities surrounding the Marlin mine, as discussed in [Chapter 4](#).¹¹¹ It is beyond the scope of this dissertation to determine whether the Marlin mine abused human rights. However, the fact that the 2010 human rights assessment of the mine identified a number of human rights risk areas (OCG, 2010) and the fact that the Inter-American Commission of Human Rights (IACHR) issued “precautionary measures” regarding the mine’s impacts on community water¹¹² indicates that the mine’s year-over-year declarations that it has not contributed to serious human rights abuses is not entirely true (Connolly & Kamphuis, 2022). None of this information was mentioned in any of Goldcorp’s conflict free gold reports.

As discussed in [Chapter 6](#), both mines also participated in the governance of many of these voluntary initiatives, such as the Extractive Industries Transparency Initiative. This allowed the companies to further influence how compliance was assessed and how information about mine compliance was

¹¹⁰ Goldcorp’s compliance with the International Cyanide Management Code depends to a large extent on the fact that the supply and disposal of cyanide to/from the mine is done by a sub-contractor (Dupont) who is certified under the Code (see Golder, 2017, 2009).

¹¹¹ As noted in [Chapter 4](#), in 2013 Marlin mine’s security personnel fired rubber bullets in order to disperse a protest organized in related to labour negotiations with the mine illustrating an example of the mine’s involvement in conflict during the reporting period (Loarca, 2016, p. 32).

¹¹² As discussed in [Appendix 4](#), the precautionary measures were a response to a complaint submitted by the community in 2007 (Pueblo Sipakapense, 2007). They originally required the closure of the mine but were subsequently revised in 2011 to only require efforts to ensure access to drinking water (IACHR, 2010, 2014; COPREDEH, 2015; Loarca, 2016; PDH, 2018c, p. 34; CPD, 2018; CTP, 2019). Proceedings on the matter are ongoing.

portrayed. This points to significant challenges with the reliance on voluntary rules, as the mines are able to heavily influence them their influence over information and through their influence in the governance of the rules. These challenges have important implications for mine operations, impacts, and conflict.¹¹³ The fact that so many rules that govern mining rely on information produced by or influenced by the mines creates undermines the legitimacy of those rules. As noted above, a significant burden is placed on communities and other stakeholders to monitor the mines' activities and compliance, challenge the information provided by the mine, and provide alternate information. This gives the companies a significant advantage in framing of information about their performance and impacts (Jacques, 2016, p. 223-224). However, is also creates a situation where two sets of competing information circulate about the mine: one set is generated by the mine, and the other set is generated by the community and stakeholders. As discussed in [Chapter 5](#), this was a factor in ideological divisions relevant to conflict. It also created a perception by stakeholders that the organizations responsible for governing and overseeing mining did not adequately take community interests and concerns into account. This is what happened with the Extractive Industries Transparency Initiative, and NGOs began developing alternative reports in response to the "lack of transparency in the Extractive Industry" (Yagenova et al., 2015).

Beyond influencing information relevant to governance, the mines also influenced the application of rules that applied to their operations, for example, through lobbying efforts, direct participation in governance, negotiating exceptions and alternate arrangements to the rules, and other strategies. Comprehensive data is not available on how often mining companies are receive exceptions to applicable rules, but government discretion has been previously identified as a widespread issue in mining-related governance around the world (Smith & Rosenblum, 2011). The following number of examples illustrate that both the Marlin and Cerro Blanco mines sought exceptions.

¹¹³ For example, the Marlin mine's involvement in the committee that oversaw Guatemala's participation in the Extractive Industries Transparency Initiative (EITI) shows how the mine sought to influence how information would be presented in ways that undermined transparency (CNT EITI 2011a, p. 3; 2011b, p. 2).

In 2003 Montana was exempted from paying income and value-added taxes, as well as customs tariffs for importing materials and equipment by obtaining the status of an “exporting company” under Guatemala’s maquila (factory) law (Decreto 29-89). Public knowledge about the deal caused significant controversy, and Montana subsequently renounced the exemption (OCG, 2010; Deonandan & Loaiza, 2016). As discussed in [Chapter 5](#), the Ministry of Energy and Mines made an exception to Article 31 of Guatemala’s mining law and allowed the Cerro Blanco mine’s operating license to remain active for more than 15 years even though the mine failed to start extracting minerals within one year of receiving approval (MEM, 2017, p. 643). In the broader context of the Guatemalan government seeking to attract and retain foreign investment, attempts such as these by foreign companies to seek exceptions and make alternate arrangements erode law enforcement. Guatemalans would describe such practices as “trafficking of influence,” though it is beyond the scope of this examination to determine whether or not such acts constitute corruption or contribute to corrupt practices (Garcia & Lopez, 2017).

Thus, beyond affecting the expansion of foreign owned mining in Guatemala, global forces have also affected how mines operate in Guatemala. Operations at both mines consisted of an ever-evolving global network of subcontractors and were shaped by a global array of rules. This significantly increased the complexity of mine operations and mine governance, making it challenging to monitor and track who was doing what, the impact of those activities, and whether those activities complied with all of the various obligations that applied. Alongside this complexity, the Guatemalan government’s interest in attracting and retaining foreign investment in the extractive sector (among others) has further affected the governance of this sector both through downward pressure on the stringency of domestic legal requirements and through making exceptions and alternate arrangements for those requirements.

Thus, the global mining governance system involves a significant amount of industry self-regulation due to the complexity of the operations, rules, and the mines’ influence on the rules and the information relied on to enforce them. Though the system is comprised of a global array of individual legal

and voluntary rules that are all created and enforced by different organizations, the collectivity gives the companies considerable power to define which rules apply and how they apply to them. In terms of Meadows' (2009) leverage points, this represents considerable power to change system structure. Companies strategies for influencing global mining rules share interesting parallels with the pattern of influence exercised by Guatemala's elites domestically. These international dimensions factor into the governance challenges associated with the stringency of the rules and the enforcement of the rules that led to many of the mining-related grievances associated with conflict, described in [Chapter 5](#).

7.2.3 How Global Forces Have Shaped Mining-Related Conflict Dynamics in Guatemala

The global expansion of the mining industry has coincided with a dramatic rise in the number of mining-related conflicts around the world (ICMM, 2015). International factors affected the particular way in which mining-related conflicts emerged and played out in Guatemala in at least three ways. First, global advocacy networks took up various issues relevant to mining, which helped channel financial, technical, and moral support for the affected communities in their struggles against mining. Though international organizations did not necessarily participate directly in conflict activities, they affected the capacity of organizations in the anti-mining network in the context of each mine, the strategies that anti-mining groups pursued in the context of conflict, the narrative about mining, its impacts, and the main issues of the conflicts. The mines also leveraged a global network of allies in the context of conflict and influenced the organizations in this pro-mine network with their version of the facts and policy preferences. The parties engaged a global array of formal and informal mechanisms to address aspects of conflict, which serve as forums where aspects of mining-related conflict dynamics have unfolded.

The involvement of a global array of organizations and mechanisms in the dynamics of mining-related conflict has significantly expanded the scope and complexity of the conflicts in ways that made the conflicts more challenging to address. Important issues in the conflict were obscured or omitted in

discourse about the conflict and in conflict resolution efforts. External influence in the conflict dynamics restricted the range of acceptable options. The expansion of the conflict to global forums compounded capacity issues of the parties. Thus, the globalization of mining-related conflicts has compounded the challenge of resolving the conflicts, which provides a further global perspective on how mining-conflicts have compounded Guatemala's peacebuilding challenges and detracted from progress.

7.2.3.1. Global dimensions of the anti-mining network

Transnational advocacy networks have generally expanded since the 1950s (Keck & Sikkink, 1998). However, transnational advocacy on mining issues increased with the global expansion of the mining industry and rise in mining-related conflicts. In Latin America in particular, these networks saw a dramatic rise during the 1990s as armed conflicts across the region subsided (Deonandan, 2015). These networks helped raise awareness about these conflicts and the issues involved in those conflicts. They also helped validate certain community grievances by supplying facts and arguments about why they are injustices and require attention. As activism around mining-related conflicts increased worldwide, a variety of mechanisms, frameworks, and other initiatives have emerged to respond to mining conflicts and the issues associated with them (see Auld et al., 2018; Bond, 2014).

These transnational advocacy networks are comprised of local, national, and international non-governmental organizations (NGOs), local associations and social movements, media organizations, religious organizations, and governmental organizations. These networks did not form specifically for the anti-mining networks at the Marlin and Cerro Blanco mines. Rather, many of the issues that existing networks for environmental issues, mining, corporate accountability, human rights, and Indigenous rights overlapped with the grievances of anti-mining groups. Organizations across these disparate networks converged with the anti-mining networks in each context. Their support to anti-mining groups helped the anti-mining groups while also advancing their own global agendas. In doing so, transnational advocacy

networks brought together a global array of allies to put external pressure on the Guatemalan government, Canadian governments, and the mining companies to achieve specific changes—the “boomerang strategy.” They used various strategies to generate and deploy information, persuade others, and mobilize action to achieve that objective (Keck & Sikkink, 1998).

The specific international organizations that supported the anti-mining networks in each mining context were described in [Chapter 5](#) and [Appendix 4](#). Their engagement with the anti-mining network influenced the dynamics of conflict in a number of ways. They circulated information about the conflict and associated grievances to the extent that those overlapped with their own agendas, like human rights abuses or environmental issues. This helped raise awareness, build solidarity, incite outrage, and motivate action in support of both local mining resistance and broader agendas on those common issues. Second, they provided financial support and technical assistance on specific issues, which enhanced the anti-mining network’s capacity to pursue certain conflict strategies, such as organizing protests or submitting complaints. This empowered and enabled the anti-mining network to undertake actions that they would not otherwise have been willing or able to do. Third, the selective engagement of international organizations on certain issues but not others shaped the narrative about mining, grievances, conflict, which influenced the positions of anti-mining groups.

Overall, while international organizations’ engagement in the anti-mining network helped overcome certain barriers and increased its leverage in the context of conflict, international involvement also complicated conflict. Selective support and attention on certain issues but not others obscured and omitted important issues from discourse on the conflict, and therefore omitted them from conflict resolution efforts. Notably, international organizations only focused on issues associated with the first dynamic of conflict and did not support issues associated with the other dynamics, as discussed in [Chapter 4](#). International organizations advanced specific positions, such as demanding mine closure. This

narrowed the range of options considered acceptable for dialogue, and complicated constructive dialogue in ways that did not necessarily serve the community.

In the context of the Marlin mine, local anti-mining groups received considerable financial, technical, and moral support from international organizations (Garcia-Ruano et al., 2013), which helped them to submit complaints on behalf of the community, organize protests, and undertake other resistance and awareness-raising activities. These supports were restricted to issues associated with the first dynamic of mining-related conflict (see [Chapter 4](#) and [Appendix 4](#)). For example, the Colectivo Madre Selva helped the community to submit complaints to domestic courts, to the IFC Compliance Advisor Ombudsman (CAO, 2005) and other forums. Madre Selva receives funding from several international organizations from Norway (Norad, 2007), the Netherlands (Van de Sandt, 2009) and others (Sage Fund, 2017). The Centre for International Environmental Law (CIEL) helped the local anti-mining association FREDEMI submit a complaint to Canada's National Contact Point in 2009 (GAC, 2011). Oxfam provided funding to FREDEMI and other organizations involved in the anti-mining resistance. Oxfam also helped organize a petition in 2011 to lobby the Guatemalan government to close the Marlin mine (Hufstadter, 2011). Rights Action and the Maritimes-Guatemala Breaking the Silence Network provided financial support and accompaniment for demonstrations and protests and other resistance activities against the Marlin mine (Rights Action, 2017a; Mckay, 2013). Mining Watch Canada, Rights Action, and other organizations supported the communities in awareness raising activities and sponsored community members to travel to Canada for speaking engagements (MWC, 2004; 2005; 2006; 2007; 2011; Rights Action, 2017b; MISN, 2010; AI, 2018). Mining Watch Canada and other organizations developed a shareholder resolution for Goldcorp's 2011 annual general meeting to suspend Marlin mine operations and lobbied to get Goldcorp removed from the Dow Jones Sustainability Index (Mining Watch, 2011a). They also organized protests during Goldcorp's annual general meetings (MWC, 2012a; MISN, 2015).

As discussed previously, the Cerro Blanco mine has not received the same level of international support or attention to date. However, organizations in El Salvador have been important participants in the anti-mining network, as described in [Appendix 4](#). The Salvadorian network already existed in El Salvador as part of a domestic social movement to ban metal mining. This movement's success in banning metal mining in 2017 has been previously studied and is considered an important example of an effective grassroots social movement (Broad & Cavanagh, 2021). Thus, the refocusing of this network on the Cerro Blanco mine is an important source of support for anti-mining groups in this context.

Guatemalan and Salvadorian organizations form part of a regional network called the Central American Alliance Against Mining (ACAFREMIN), which has been an important organizational force for the anti-mining network. In recent years it organized several events to raise awareness and build solidarity for anti-mining struggles in the region (ACAFREMIN, 2020; 2021a; 2021b; 2021c; 2021d; 2021e). Other international organizations involved in this regional network are described in [Appendix 4](#). International organizations such as Mining Watch Canada, the Maritimes-Guatemala Breaking the Silence Network (BTS), Rights Action, International Allies, Earthworks, and the Institute of Policy Studies (IPS) helped circulate information about the mine and helped raise awareness about community concerns after the mine's operating license was approved (for example, MWC, 2012b; 2011b; Rights Action, 2010; MISN, 2010; COC, 2013). Though international support diminished when the mine was put on hold, international attention, solidarity, and support has started to increase again, with the mine's sale to Bluestone Resources and recent advancements towards full-scale operations that include open-pit mining (see Figure 7.4; BTS, 2021; MWC, 2022; Rights Action, 2021; International Allies, 2021). Figure 7.5. provides an example of what this international solidarity looks like in practice.

As discussed in [Chapter 5](#), the anti-mining network faced several challenges and barriers due to the distributional effects of restricted information and resource circulation domestically. International supports helped circumvent these challenges and helped increase the anti-mining network's capacity. In

particular, it helped anti-mining groups overcome barriers to resolving their grievances through institutionalized channels that avoided violent confrontations. In doing so, international support also influenced the strategies that anti-mining groups pursued, because community members would not otherwise have had the capacity or resources to submit complaints and participate in grievance processes without this international support, and therefore would not have chosen this option on their own. Community members did not pursue this approach in the context of other conflict dynamics, which distinguished the first dynamic from the others.

Paradoxically, however, the knowledge that international

Figure 7.4 Cerro Blanco Anti-Mine News & Social Media, 2013-2021

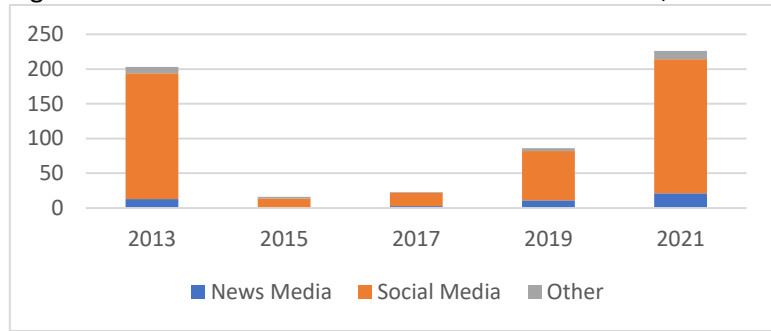


Figure 7.4 shows the number of individual news articles, social media posts, or other media published between 2013-2021, based on a Google Search and all review of public Facebook and Twitter posts. Despite a significant volume of social media posts in 2013, public attention decreased following the announcement of the mine's suspension. Since 2017, the mine has attracted increased attention.

Figure 7.5. International Solidarity for the Cerro Blanco Mine



Figure 7.5 is a Facebook post about an event organized in 2021 as an example of how international organizations supported the Cerro Blanco anti-mining network (International Allies, 2021). Representatives of regional organizations participated, and international organizations were tagged in the post, indicating their affiliation and support for the event.

organizations were in solidarity with anti-mining movement emboldened the movement's members and influenced them to undertake larger scale and more provocative strategies in the context of conflict, representing a kind of moral hazard. This escalated the conflict in certain instances, which made the conflict more challenging to resolve. This is particularly evident when greater degree of international support for the Marlin anti-mining network is compared to the smaller degree of support provided to the Cerro Blanco anti-mining network.

One example at the Marlin mine from [Chapter 4](#) makes this clear and links the conflict dynamics associated with the first and third dynamics of conflict. When the Inter-American Commission of Human Rights' (IACHR) revised its precautionary measures, anti-mining groups organized protests that that attracted upwards of 200 participants. The scale of participation in the protests and the degree of publicity that the IACHR revision and the protests received was to a large extent because international NGOs had circulated information and published solidarity statements. These NGOs included the Network in Solidarity with the People of Guatemala (NISGUA), Collectif Guatemala, the Maritimes-Guatemala Breaking the Silence Network, and Rights Action among others (Rights Action, 2011). The degree of participation and public attention the protests received made them more provocative and threatening to mine supporters. This was a key factor that motivated pro-mine supporters to kidnap, threaten, and beat the anti-mining leaders that organized the protest (Yagenova & Santa Cruz, 2011, p. 2; NISGUA, 2011). A similar observation was made by a community representative near the Cerro Blanco mine:

What is happening is that [NGOs] are exposing individuals in the community to attacks, from those companies [as a result of larger-scale and more public strategies]. We have people that are imprisoned, who have died, pressured, assaulted [in other communities, not Asunción Mita].
(Quotation 154. Community representative near the Cerro Blanco mine)

This does not justify the actions pursued by the pro-mine perpetrators of the attacks. Rather it is to acknowledge that the additional support from international organizations in the context of conflict inadvertently escalated the conflict.

Beyond affecting the capacity of the anti-mining networks and strategies they pursued in the context of conflict, international NGOs also influenced how issues were framed, and which objectives and strategies were considered acceptable. As with other types of advocacy networks (Keck & Sikkink, 1998), the anti-mining network in each mine the context involved a conscious, strategic effort to a distill a shared understanding and framing of the core grievances in order to motivate collective anti-mining action. The international NGOs offering support to the local anti-mining networks typically only supported and advanced issues that fell within their particular mandates or areas of influence. For example, Oxfam has focused on transparency and the right to consultation in Guatemala and Central America. However, this omitted other issues and grievances relevant to the various dynamics of conflict. Though international NGO support was strategically helpful for communities achieve concrete steps towards resolving certain issues, it also distorted the narrative about the mine and mine-related conflict and omitted important grievances. As a member of the anti-mining network for the Cerro Blanco mine acknowledged:

The NGOs have been failing in their strategies, because they are interested in working, but not just for the defense of nature, and the consequences of the community. But rather, it's because this is their work. [i.e., their mandate]. They need to receive funds and respond to the fact that they are prohibited from participating in politics. [...] But because [defending the community] isn't their objective, so I abandoned them. Their arguments, I am not in agreement with them. And what we need to do is take local power and this is why I am supporting the XXX [local political party]. [...The specific NGOs were] Madre Selva, the Catholic Church, and CEICOM from El Salvador, but they are... it's the same thing. They are concerned about other issues in Nicaragua, El Salvador, Venezuela, etc. They identified themselves with those issues, follow them, and develop a strategy, which speaks of lies to deceive the people. As they continued to lie to the people, and on the basis of lies, they achieved an invasion [i.e., persuaded the local community]. [...] There is manipulation about the facts on the part of international organizations. And what happens is that in the meetings, [the NGOs] are always missing a part of the context, of the national, regional, and international situation. And they take advantage to touch on those issues. (Quotation 155. Representative of a national political party in Asunción Mita)

Building on the discussion from [Chapter 4](#), international NGOs only provided support and solidarity for grievances associated with the first dynamic of conflict in either mine context. NGOs did not offer support or assistance to community members to address conflict associated with any of the other

dynamics, except to the extent that they were relevant to the first dynamic of conflict (for example, NISGUA, 2011). However, in the context of the first dynamic of conflict, the international organizations, national organizations, and community members had a distinct narrative about the mines.

In the context of the Marlin mine, international NGOs such as Amnesty International, Mining Watch, Oxfam, and Rights Action emphasized the mine's inadequate respect for the community's right to consultation, environmental risks and contamination, and repression and violence against the community as the main issues (see for example, AI, 2014; MWC, 2010a; Rights Action, 2008; Hufstadter, 2011; Slack, 2011; MISN, 2015). These issues were framed as issues stemming primarily from the mine. The community was portrayed as having a strong Indigenous worldview and customs, which was violated by mining. These NGOs demanded respect for the rights of the community, which for many meant the closure of the mine. They demanded actions by the mine and by the Canadian and Guatemalan governments (AI, 2014; MWC, 2010a; Rights Action, 2008; Hufstadter, 2011; Slack, 2011). The issues and concerns presented are not factually incorrect. As discussed in [Chapter 4](#), all of these were issues and concerns that the communities had raised. However, in framing the conflicts around the above-mentioned issues oversimplifies the conflict. Though NGOs acknowledged that the mine caused divisions in the community, they often portrayed the community as a cohesive bloc when advocating specific measures, for example:

Indigenous Mayan people in the western highlands of Guatemala are concerned about the social and environmental effects of the Marlin Mine, a large industrial gold mine in San Miguel Ixtahuacán, and are asking Oxfam's supporters to sign a petition calling on the government to suspend operations at the mine. (Hufstadter, 2011)

Only the anti-mining network expressed views consistent with the excerpt above. Additionally, the narratives emanating from international NGOs also excluded other important issues, such as the distribution of mine-related benefits, local governance issues, and other social issues in the community that intersected with the mine, as described in [Chapter 6](#).

The narrative of Guatemalan NGOs about the Marlin mine was framed slightly differently. Though

they raised the same exact issues about consultation, environmental impacts, and repression and violence, the issues were couched within the context of national political struggles. For NGOs like Madre Selva, CALAS, CALDH, and the Catholic Church, the issues with mining were about supporting communities in their “defense of life” against injustices and impunity caused by Guatemala’s extractive economic model, neoliberalist policies, and racist political culture (Yagenova et al., 2015, 2020; Melini & Domínguez, 2011; CALDH, n.d.; Diocesis de San Marcos, 2008). For example:

Throughout the country, resistance struggles are emerging in defense of life, territory, and natural resources. The forces of life [...] reject the model of accumulation based on extractive industries. These social forces [...] lead struggles that are clearly democratic against a predatory model of accumulation that threatens the existence of life in all its forms and raise broad opposition [...]. Oil, mining, large hydroelectric dams, deforestation, and mega monoculture plantations are destroying the fundamental means of life of the majority of the population. (Yagenova et al., 2015)

Communities were similarly presented as a cohesive bloc. However, the demands of these organizations went beyond simply a halt to individual mines. They sought an overhaul of Guatemala’s political and economic system, which was believed to be responsible for mining-related adverse impacts, and the advancement of an alternative model.

The ways in which community members framed their concerns about mining was different again. Their issues and concerns were more diverse and were framed in terms of the community’s well-being and their own personal lives. Some of the issues and concerns articulated by community members were captured within in the narratives of international and Guatemalan NGOs, such as concerns about environmental contamination. However, other concerns were not. As discussed in [Chapter 4](#), these included concerns about inequitable distribution of mine-related benefits, about attacks and other injustices perpetrated by others in the community, about injustices stemming from the local government’s failure to equitably resolve mine-related conflicts in the community, and other impacts on the community resulting from the mine’s closure. This is evident in the perspective of one participant:

The mine seemed nice at first, but with the passage of time it became a disaster. In the first place, the people worked. After, because others saw that they had money, they started to uproot things,

to change things. And the mayors came, and they started to destroy the community, there was so much discrimination, so much racism, manipulation. They already had us; you could already see it. They didn't take us into consideration. Because of money. The COCODEs came from the community there, but it was the same.

(Quotation 156. Community representative near the Marlin mine)

In contrast to how the community was portrayed as a cohesive bloc by national and international NGOs, many community members emphasized that the issues in the community revolved around a lack of cohesion within the community and/or differential treatment, as illustrated in the quote above. Many community members wanted the mine to leave. However, at the time that fieldwork was conducted, the mine had already initiated closure activities and so the mine's departure was not viewed as a sufficient solution to the issues the community experienced and continued to face. Instead of the mine's departure, community members also wanted compensation and/or corrections to other damages and adverse impacts caused both by the mine and by other community members (FREDEMI, 2018). For others, however, the damage caused by conflict could not be remedied (see Quotation 68). Thus, international NGOs, national NGOs, and community members framed issues concerning the Marlin mine slightly differently. Issues and objectives expressed by community members that were local and interpersonal in nature were not reflected in the national and international discourse about the mine and did not receive the same level of attention or support as other issues that these NGOs were already advocating.

In the context of the Cerro Blanco mine, the narratives articulated by the mine were even more distinct between international NGOs, national NGOs, and community members. As discussed in previous chapters, the main source of international activism against the Cerro Blanco mine is from Salvadorian NGOs, whose concerns revolved around environmental risks related to potential contamination of water, as illustrated in Figure 7.5 above. These concerns were also framed as a human rights issue (ACAFREMIN, 2021c; PDDH, 2013). As in the Marlin context, Guatemalan NGOs framed their concerns in terms of national political struggles and the need for major political and economic reforms (Madre Selva, 2020, p. 2). However, the main concerns from community members revolved around the fulfillment of promises

about jobs, opportunities, and community projects; lack of transparency about the mines' activities; and a desire fulfill basic needs, such as potable water (see Quotation 43). National and international NGOs have not the community's concerns in their narratives, and it is possible that local perspectives concerning the mine may have been suppressed in national and international discourse about the mine. Thus, slight differences in the mandates and agendas of different organizations in the anti-mining network has affected which issues have been emphasized or left out of discourse about the mine in each context. In doing so, the involvement international involvement in the anti-mining network distorted the narrative about the main issues and concerns towards the mine in each context. As a result, certain issues have been omitted or de-prioritized from the discussion regarding important aspects of mining-related conflict.

Beyond distortions in the conflict narrative, international involvement in the anti-mining movement in the mine context also influenced community members to adopt more extreme and rigid positions regarding the mine. This appears to be because international financial, technical, and other support provided to local organizations in these networks was provided with the understanding that it would be used to advance certain issues or objectives. The provision of support was made conditional—whether explicitly or implicitly—on the advancement of those issues or objectives. In certain instances, funding and other support was withdrawn when local organizations did not use the funds as intended by international provider.¹¹⁴ This influenced the positions or options that were considered acceptable. Specifically, support was provided with the understanding that it was to support “anti-mining” campaigning and awareness raising efforts; it was not intended to help the community to negotiate other solutions with the government, the mine, or other parties involved in conflicts. This has made efforts to find solutions other than mine-closure more challenging. Representatives of Guatemalan government organizations mandated to resolve conflicts noted, based on their experience in mediating dozens of

¹¹⁴ For example, representatives of FREDEMI, the local anti-mining association against the Marlin mine, recounted a story about how funds provided by Oxfam were not allocated as intended. Not only did the issue cause a major rift within FREDEMI; it resulted in Oxfam not providing further funds to the organization.

conflicts across the country, that conflicts of a similar scope and intensity were significantly more difficult to resolve when national and international NGOs were involved:

We have had a number of cases where we established a well-defined committee to resolve the conflict [...but] they generated upheaval, they generated misinformation, etc. so that at the end, the proposal fell. They were not interested in ending the conflict, because they would run into issues in terms of support from the international community. International NGOs were supporting them, and if they would settle, the NGO would stop funding them and possibly abandon them ideologically as well.

(Quotation 157. Representative of the Guatemalan government)

As part of my personal analysis, I have registered all of the protests that have taken place in the country. [...] And this provides insights into tendencies or statistics that are really difficult. This is to say that the majority, something like 60 percent of the social mobilizations are financed by a “sector” [i.e., an NGO]. Imagine. [...] If you record certain information about the protests, for example, the logos/slogans of the people who are protesting. As well, record the behaviour, actors, the method, or why they are organizing this protest.

(Quotation 158. Representative of the Guatemalan government)

As well, many of the grievances expressed by local community members did not necessarily require mine closure to address. As described above, examples included the inequitable distribution of mine-related benefits, attacks and other injustices perpetrated by others in the community, or injustices stemming from the local government’s failure to equitably resolve mine-related conflicts in the community. This is not to say that the way in which the mines were initiated in both contexts was unproblematic. The decision to initiate a mine should involve the consent of the community in the first place. However, restricting the range of available options to requiring mine closure only does not necessarily help the affected communities address all of their concerns. Moreover, requiring mine closure does not respond to the underlying inequalities and exclusion that led to these conflicts. This became clear in the context of the Marlin mine where, after two decades of activism, the mine’s closure in 2017 left many of the community members’ concerns unresolved and prompted a major revision to their positions and narrative. Rather than seeking mine closure—which had already occurred—the anti-mining movement became more focused on demanding compensation for damages (FREDEMI, 2018).

As this section has illustrated, support from international organizations to the anti-mining network in the context of each mine influenced the circulation of information and resources within this network. In doing so, they enhanced the capacity of the anti-mining network and influenced the strategies pursued in the context of conflict. They also obscured or omitted important issues relevant to the conflict and narrowed the range of positions adopted by anti-mining groups. This complicated constructive dialogue in ways that does not appear to have served the community. Thus, even though the mining-related conflicts revolve around long-standing domestic issues relating to inequalities and exclusion, the conflict dynamics were shaped in part by international organizations, which added to their complexity.

7.2.3.2 Global Dimensions of Pro-Mine Networks

The mining companies also adopted globalized strategies to gain support and allies in the context of conflict through distinct networks and patterns of information and resource exchange. This included strategically building and leveraging relationships with organizations such as the governments, industry associations, NGOs, and civil society organizations in the countries where they were headquartered and operated. The mining companies built and leveraged these networks to directly influence organizations with governance or conflict management responsibilities in their favour (as described in [Chapter 5](#) and [Chapter 6](#)), to get allies to advocate on their behalf (see Connolly & Kamphuis, 2022), or to get them to use and circulate the mine's narrative of the situation (Jacques, 2016).

In addition to strategic relationship building with the Guatemalan government, described in [Chapter 5](#) and [Chapter 6](#), Goldcorp influenced the Government of Canada to advocate on its behalf through a variety of different strategies. As both the Marlin and Cerro Blanco mines were property of Goldcorp at that time, these represent examples of the ways both mines leveraged international actors to their benefit. These strategies included official lobbying targeted at Global Affairs Canada to “advocate with the Guatemalan government with respect to the treatment of [its] mine located in Guatemala” (CLC,

2011). This included meetings and correspondence with senior officials at Global Affairs Canada, such as the Deputy Minister of International Trade. It also included frequent meetings and correspondence with Canada's Embassy in Guatemala (GAC, 2019b, p. 254, 265; 371, 373-374; 2019a, p. 39; p. 41-42, 80-83, 188-194). It also provided private air transportation for Canadian government officials and other delegates to travel to the mine on several occasions (GAC, 2019a, p. 21, 22), and wined and dined government officials at dinner and breakfast meetings. This meeting format contrasts to the basic boardroom meetings that government officials held with other stakeholders (GAC, 2019a, p. 104). These efforts enabled the mine to gain a "close relationship with [the] Canadian mission in Guatemala" (GAC, 2019a, p. 181).

Because of the mine's close relationship with Government of Canada, the Canada has undertaken various actions to both promote, defend, and advocate on behalf the company through various channels. For example, when the Marlin mine first began operating, the Canadian Embassy in Guatemala took:

A prominent role in defending Canadian mining investment interests through close cooperation with the Guatemalan authorities and continuous contact with mining companies [...in] dealing with ill-informed communities, as well as a combined effort with various academic, NGO and government agencies to disseminate accurate information about mining. (GAC, 2019b, p. 156).

The Embassy included the World Bank and International Finance Cooperation Officials (who had approved a \$45 million loan for the Marlin mine) in correspondence related to responding to conflict at the Marlin mine (GAC, 2019b, p. 159-160, 332). It also actively promoted Goldcorp's corporate social responsibility (CSR) activities as "best practices" (GAC, 2019a, p. 25-31), and aligned Embassy initiatives to benefit the mine. For example, it paid for CSR consultants to travel to Guatemala to help address issues at the Marlin mine (as a CSR "case study"), which included private meetings for one consultant to advise Goldcorp (GAC, 2019a, p. 1-2, 21). As noted in the quote above, the Canadian Embassy also sought to influence the Guatemalan government in ways favourable to Goldcorp, for example, through legislative reforms (GAC, 2019a, p. 5, 34-35, 174, 509-510; 2019b, p. 178).

Goldcorp and the Canadian government also got the Mining Association of Canada to share its

“Towards Sustainable Mining” framework with the Guatemalan Mining Association “GREMIEXT,” which is normally only available to paid members (GAC, 2019a, p. 35). Following the 2010 Inter-American Commission on Human Rights (IACHR)’s decision to suspend the Marlin mine as a precautionary measure, the Canadian government lobbied the Guatemalan government and sought information from the IACHR on behalf of Goldcorp (Connolly & Kamphuis, 2022). The IACHR subsequently modified its decision in 2011 (IACHR, 2010), though it is not known to what extent Canada influenced the decision. As these interventions occurred in the context of conflict, they had consequences for the conflict dynamics.

As discussed in [Chapter 6](#), the two companies strategically deployed projects, investments, and strategically participated in other initiatives to advance their own interests. These included international projects, investments, and initiatives to cultivate a global network of allies. In Guatemala, Goldcorp sponsored sports teams or sports tournaments for the purposes of raising money for various causes. These efforts do not appear to have any impact or relevance to mining operations or their impact in the local community. And yet, they have resulted in the company receiving over 70 “awards” from organizations that contributed to a positive image and reputation. In 2014 Montana received an award for its “journalistic excellence” from the Guatemalan Chamber of Journalism because it sponsored a journalism conference in Guatemala (Montana, 2015b). As In 2015, it received an award from the US-Guatemala Chamber of Commerce for its “contribution to the community” (Montana, 2015f). It received the City of Vancouver Mayor’s Arts award for sponsoring the construction of buildings such as the Goldcorp Centre for the Arts at Simon Fraser University or Goldcorp Stage at BMO Theatre Centre (BC Alliance for Arts, 2015). These awards and positive image helped the mine counter alternate information about the company in the context of controversies at nearly all of its mining operations abroad.

Like other mining companies, Goldcorp also collaborated with various international development NGOs through multi-stakeholder initiatives like the Devonshire Initiative. Participation enabled Goldcorp and other mining companies to gain allies from the NGO sector, such as World Vision Canada, Plan Canada,

CARE Canada, CUSO International, UNICEF, SOS Children's Villages, and the World University Services Canada (WUSC; Goldcorp, 2016b; Devonshire Initiative, n.d.). Bluestone Resources and the Lundin Foundation are also part of the Devonshire Initiative and worked with UNICEF on specific initiatives (BSR, 2020c). These partnerships helped Goldcorp and Bluestone Resources appear socially responsible.

A number of these multi-stakeholder initiatives received funding from the Government of Canada, for example, to develop skills for local communities where Canadian companies are operating, such as WUSC's "WAGES" project (GAC, 2016; WUSC, 2019). These projects are an additional outcome of company influence on the Canadian government. None of these initiatives focused on Guatemala, but they involved partnerships with Goldcorp (WUSC, 2019). These initiatives have been criticized for using Canadian taxpayer dollars to fund the CSR programs of large mining companies and facilitate the imposition of mines on non-consenting communities. They have also been criticized for politicizing development aid and for cutting funding to NGOs critical of this approach (Moore, 2014).

As this section has illustrated, the mining companies also adopted globalized strategies to gain support and allies in the context of conflict through distinct networks and patterns of information and resource exchange. The mining companies leveraged these networks for the purpose of directly influencing organizations with governance or conflict management responsibilities in their favour, to get allies to advocate on their behalf in the context of conflict, or to affirm and circulate an alternative narrative that portrays the mines positively and undermine the narratives circulated by anti-mining groups. This network has influenced the dynamics of conflict by increasing the number of organizations that support the mine's version of the facts, and by affected how organizations with governance and conflict resolution responsibilities respond to the situation. This has contributed to the social and ideological divisions surrounding the conflicts and made the conflicts more difficult to resolve. An important contrast between the international networks supporting the mines and anti-mining network is worth distinguishing. International organizations influenced the narrative, capacity, and activities of anti-

mining groups. By contrast, the mines are the ones that influenced other international organizations in their networks, supplied information, and got them to undertake specific activities on its behalf.

7.2.3.3. Global forums and mechanisms

International organizations have become also involved in mining-related conflicts, because the parties submitted complaints to a global array of formal and informal mechanisms, which became forums where conflict dynamics unfolded. Various mechanisms emerged in response to mining-related conflicts and governance issues more generally (Haines & Macdonald, 2020). The engagement of these mechanisms to resolve aspects of mining-related conflict at the two mines expanded the geographical scope and number of sites where conflict dynamics took place. The conflicts are no longer restricted to the immediate geographical region surrounding the mines or even Guatemala. In addition to local community, regional courts, and national courts in Guatemala, the dynamics of mining-related conflicts have played out in boardrooms, offices, and streets in Canada, the US, Europe, and international organizations such as the Inter-American Commission for Human Rights, World Bank, as well as on social media.

To a certain extent, the availability of other complaint mechanisms help groups in Guatemala access alternate options to seek justice through non-violent means. This is especially important given the weaknesses in Guatemala's domestic governance system (WOLA, 2019; World Justice Project 2021; 2013) and given the governance gaps created by globalized mining operations (Ford et al., 2020). However, the officials who consider the facts and make findings and recommendations through these mechanisms do not necessarily have the same connection or knowledge of the local context. They do not have the same accountability relationship to the victims as domestic justice institutions, and they do not necessarily have an appropriate institutional design to provide justice for victims. For example, they may not adequately correct power imbalances between companies and impacted communities and may not have the authority to recommend and/or enforce the kinds of measures that will address the root causes

of conflict (Haines & Macdonald, 2020). The findings and recommendations resulting from these grievance mechanisms were contested by the parties, because they did not reflect the facts-on-the ground or are not proportionate to the situation. When one of the parties did not accept the result, they either challenged the decision or submitted a complaint to a different forum. This left no clear end point or final determination on the conflict. Thus, the engagement of multiple grievance mechanisms globally has not contributed constructively to resolving conflict and merely perpetuated the conflict dynamics.

More fundamentally, directing grievances to international mechanisms as a means to address domestic problems diverts attention from weaknesses in Guatemala's domestic system. Communities should have access to justice. However, lack of attention to the Guatemalan government's role in the problem and the need for change has left this problem unaddressed. The engagement of external mechanisms provides a temporary stop-gap solution that fails to address the underlying sources of the problem and distracted attention from issue. This parallels the challenges associated with international peacebuilding implementation support, discussed in [Section 7.1](#).

This has been an important factor in the first dynamic of conflict in the context of conflict at the Marlin mine, and to a certain extent in the context of the Cerro Blanco mine.¹¹⁵ With the help of national and international NGOs, local Marlin anti-mining groups submitted complaints to various international complaint mechanisms, which included the International Finance Corporation's Compliance Advisor Ombudsman (CAO, 2005), Canada's National Contact Point (GAC, 2011), and the Inter-American Commission for Human Rights (IACHR, 2014) among others (e.g., Permanent Peoples Tribunal, 2014). In each of these complaints, the outcomes of these proceedings were contested by either the community or the mine. The complaint submitted to the Compliance Advisor Ombudsman in 2005 concluded that the

¹¹⁵ In 2012, Salvadorian NGOs say they submitted a complaint to Canada's Extractive Sector CSR Counselor (GAC, 2018). However, it does not appear that any action was taken in response. Beyond this, the Cerro Blanco anti-mining network only submitted complaints to Guatemalan and Salvadorian forums, such as Guatemala's and El Salvador's Human Rights Ombudsman offices (PDH, 2016; PDDH, 2013), the Congressional Commission for Indigenous Peoples (CPI, 2019), Public Ministry, and Ministry of Environment (MARN, 2017b).

mine would not pose significant risks to water quality or water access and attributed issues concerning consultation to a difference in understanding about the purpose of consultation. The recommendations focused on measures to enhance dialogue, participation, and transparency with the community, which did not satisfy the local anti-mining groups. In response, they submitted complaints to other domestic (PDH, 2010) and international forums, including the Inter-American Commission for Human Rights in 2007 for the same issues (Pueblo Maya Sipakapense, 2007; IACHR, 2014).

As noted previously, the outcomes of the IACHR proceedings only led to further contestation and conflict. The IACHR issued precautionary measures in 2010, requiring the suspension of the mine (IACHR, 2010), which the Marlin mine contested and lobbied the Guatemalan government (along with the Canadian government) to revise (Connolly & Kamphuis, 2022). Anti-mining movement and its global supporters also organized protests to counter the Marlin mine's lobbying efforts (Goldcorp out of Guatemala, 2010; MWC, 2010a, 2010b). As described above, the IACHR's subsequent revision of the precautionary measures to merely require measures to ensure community access to potable water sparked a flurry of activism and protests by the anti-mining network and their global supporters (Yagenova & Santa Cruz, 2011, p. 2). In response, pro-mine supporters kidnapped, threatened, and beat the anti-mining leaders that organized the protests (NISGUA, 2011). Beyond controversy and violence surrounding the revision of the precautionary measures, the IACHR has been unable to ensure their full implement and proceedings in this regard remain ongoing (CTP, 2019). In this sense, rather than helping to resolve conflict, the IACHR proceedings and outcomes merely fed into and perpetuated the conflict dynamics.

Though a direct link to conflict was not observed as clearly in the context of the Cerro Blanco mine, a similar dynamic of submitting complaints to different forums was observed in response to their unsatisfactory outcomes. After an investigation by Guatemala's Human Rights Ombudsman concluded that the relevant parties should monitor the situation (PDH, 2016), a new complaint was submitted to the Ministry of Environment in 2017 (MARN, 2017b), and subsequently to the Congressional Commission for

Indigenous Peoples in 2019 (CPI, 2019). Though to date the complaints have mainly been submitted to Guatemalan and Salvadorian government agencies, international forums could be engaged in the future.

As this section has illustrated, global forces influenced both the outbreak and the dynamics of mining-related conflict at the Marlin and Cerro Blanco mines in several ways. The expansion of mining into Guatemala in the first place is a product of global forces, and therefore factors in the emergence of mining-related conflicts. The mines themselves and the framework of rules that affect how mines operate in Guatemala have also globalized. The globalized nature of operations and governance are therefore an additional factor affecting the deficiencies in mining rules and their enforcement. As such, it factors in many of the adverse impacts and grievances that led to conflict. A global array of organizations became involved in the dynamics of conflict to support anti-mining groups, the mining companies, and served as forums where aspects of the conflict dynamics unfolded. International involvement in mining operations, governance, and conflicts expanded the number of organizations involved directly and indirectly in the conflict dynamics and expanded their geographic scope. International support to anti-mining groups increased their capacity and influenced the strategies they pursued in the context of conflict. It also obscured the narrative about the key conflict issues and narrowed the range of acceptable options in ways that complicated the resolution of conflict. The mine's engagement of international actors contributed to social and ideological divisions in the context of conflict that also complicated resolution. The engagement of external forums merely exported the conflict to other forums only led to further contestation, perpetuating the conflict, and distracted attention from addressing deficiencies in Guatemala.

Considering the ways that international organizations have become involved in mining conflict in terms of Meadows' (2009) leverage points, transnational advocacy networks have mainly affected the structure of information and resource flows and the resources and information available to anti-mining groups, which have relatively minor influence on transforming issues in the systems that are leading to conflict. The global strategies of mining companies have mainly affected the flow of information and seek

to influence organizations that have influence over the rules of the system, which has much more of an impact on the system itself. The emergence of additional forums and mechanisms for handling mining-related conflict has contributed additional organizations with power over the rules. This has dispersed the power to change system structure, making it more challenging to address the systemic issues underlying mining-related conflict. Considering that the complexity of the globalized mining governance system has allowed the mining companies to have significant influence over the rules and their application, global involvement in mining-related conflicts has not supported affected communities and has only increased the challenge of resolving the systemic issues underlying the conflict.

The involvement of global organizations in mining operations, governance, and conflicts mirrors the ways that global, national, and local systems relevant to mining intersect in peacebuilding systems in interesting ways. On the one hand, the involvement of international organizations in the anti-mining networks has transnationalized and directly influenced those networks in ways that have affected their capacity and strategies. It also re-oriented their narratives and positions. As with international involvement in peacebuilding, international involvement in mining conflicts has left important gaps in how local communities were supported in the resolution of these conflicts, as anti-mining groups are only supported to the extent that the issue aligns with international agendas. At the same time, the globalization of mining governance has contributed new rules to the system and shifted power away from Guatemala to be dispersed across a global network. This both diminishes the role and influence of the Guatemalan government in mining governance and diverts attention from its capacity and accountability issues relevant to preventing and addressing key grievances that led to mining conflict and their root cause—inequality and exclusion. The globalization of mining governance has also given companies greater discretion to influence how those rules apply to their operations. Thus, international influence in mining operations, governance, and conflict has similarly undermined the ability of organizations—whether at the local, national, or global level—to mitigate and respond to the issues that lead to mining conflict.

Section 7.3 International Dimensions of Mining and Peacebuilding Linkages

As this chapter has illustrated, international influence on the peace accords and their implementation made foreign owned mining a feature of Guatemala's post-conflict peacebuilding and development model. In doing so, international influence has directly shaped the expansion of foreign owned mining in Guatemala and connects Guatemala's peacebuilding challenges with mining-related conflicts. Additionally, the international community has influenced both Guatemala's peacebuilding model and the operation of the mining sector in similar ways that have contributed to challenges in both systems, which were identified in previous chapters as relevant to intersections Guatemala's peacebuilding challenges and mining-related conflict. International influence in peacebuilding affected the nature of the commitments made in the peace accords and how those commitments were implemented. Therefore, international influence in peacebuilding has to a large extent shaped many of Guatemala's peacebuilding challenges. Lack of attention to inequalities and exclusion, including attention to government capacity and accountability issues, and gaps in the coverage of short-term, program-based services delivered by NGOs contributed to the pre-existing socio-economic and governance context that affected how mining impacted communities and led to many of the grievances associated with mining-related conflict.

International influence in mining governance has similarly failed to either directly address issues related to inequality and exclusion or support capacity to transform features of the system that have contributed to these issues. Instead, international influence has contributed to a dispersal of rules relevant to mining, and by extension, the power to transform those rules. This undermined the ability of the Guatemalan government and other organizations to understand, monitor, and enforce rules relevant to mining, and allowed mining companies greater influence over how those rules apply to them. At the same time, international influence in mining conflicts increased their geographic scope, the number of organizations involved, obscured understanding of the core issues involved, and dispersed authority to resolve them in ways that made them more challenging to resolve.

Important parallels in the strategies pursued by international organizations to assist domestic actors in the context of both peacebuilding and mining-related governance and conflict are worth noting. International organizations contributed technical and financial support to various aspects of peacebuilding and mining governance to the extent that it aligned with their own priorities and agendas. Doing so has affected which issues received attention and obscured or omitted important issues. International organizations, frameworks, and mechanisms also sought to fill gaps in Guatemala's domestic governance system. However, this diverted attention from important peacebuilding and mining governance challenges. These include deficiencies in Guatemala's framework of rules, deficiencies in government capacity, participation, and ultimately, the lack of political will and government accountability to the population writ large. In the same way that stop-gap international peacebuilding support failed strengthen Guatemala's governance capacity, the various initiatives, forums, and mechanisms that emerged to address mining governance gaps exported and dispersed governance functions and diverted attention from deficiencies in Guatemala's domestic governance system and undermined its already deficient ability to effectively regulate the mining sector.

Though Guatemala's peacebuilding and mining governance challenges originate from domestic issues related to deeply entrenched inequalities and exclusion, international influence increased the complexity of the system by adding more organizations and rules into Guatemala's governance system, by orienting governance structures to international values and perspectives, and by obscuring key issues. This distracted attention from the root causes of the problem, and dispersed authority to make and enforce the rules. In doing so, international influence has undermined the capacity of local, national, and international actors to enforce the rules of the system or transform it. Rather than transforming domestic patterns of information and resource exchange, the involvement of international organizations and frameworks has simply added more elements into the system elements in ways that have perpetuated and entrenched the system. This is because international involvement has not fundamentally altered

power asymmetries and has made the institutional arrangement more interconnected and difficult to transform. These limitations of the system have allowed companies significant discretion to self-regulate.

It is important to note that these impacts are likely an unintended consequence of the fact that individual organizations and mechanisms have emerged and become involved in Guatemala's domestic peacebuilding and mining context on an issue-specific basis without considering the collective impact of the individual organizations and mechanisms becoming involved. However, these unintended consequences also reveal the multifaceted ways in which international organizations and forces have influenced Guatemala's societal system and international influence has become institutionalized in both Guatemala's peacebuilding and mining governance systems in problematic ways.

Conclusion

[They sighed] In my opinion, to achieve peace we need to revise and analyze and discuss and achieve consensus on a change in the economic model of the country. If this doesn't change, nothing else will change. There is a lot of inequity, inequality, in the distribution of wealth, which is the result not just of the private sector but the tax structure. There is a lot of corruption, a lot of impunity, inequality, inequity, a lot of reconcentration of wealth in a few hands. If we don't change the economic model, nothing will change.

(Quotation 159. Representative of the Guatemalan government)

This dissertation examined the complex interconnections between business and peacebuilding by using a complex systems approach to comparatively analyze two foreign owned mines in Guatemala that have generated controversy and conflict: the Marlin mine and the Cerro Blanco mine. Four overarching ways were identified in which the systems associated with mining and peacebuilding intersect. This chapter brings together the four intersections to answer the research question and considers the significance of the findings for research, policy, and practice. [Section 8.1](#) revisits the four intersections between foreign owned mining operations and peacebuilding efforts intersected in Guatemala, including insights emerging from the similarities and differences observed between the Marlin and Cerro Blanco mines. [Section 8.2](#) discusses the advantages of using a complex systems approach for this examination. [Section 8.3](#) returns to relevant literature and discusses the significance and contributions of the dissertation to ongoing debates and gaps in theory and knowledge. [Section 8.4](#) considers the practical implications of the findings.

Section 8.1 The Complex Intersection between Mining and Peacebuilding

How do foreign owned mining operations and peacebuilding efforts in Guatemala intersect? This dissertation identified four overarching ways in which challenges associated with foreign owned mining in Guatemala are shaped by and in turn contribute to broader peacebuilding challenges. Beginning with features of Guatemala's peacebuilding context, inequality and exclusion were identified as core issues that Guatemala struggled to address through peacebuilding. Inequality and exclusion were a legacy of Guatemala's colonial system and were key issues that led to Guatemala's Internal Armed Conflict. Despite

commitments to address these issues as part of peacebuilding, they have been difficult to transform.

Inequality and exclusion have become entrenched in society through at least two path dependent processes, which explain why they have been so difficult to transform. First, inequality and exclusion were institutionalized in Guatemala's governance system and economy in multifaceted ways, which increased the number of system elements that would need to thoroughly change, increasing the difficulty of change. Second, the issues of inequality and exclusion and their institutionalization in Guatemalan society reinforced power asymmetries in ways that increased the power and incentives of Guatemala's elites to preserve the status quo. Meanwhile, these power asymmetries increased barriers and undermined the capacity of those disadvantaged by the system to transform it.

Guatemala's failure to address these issues as part of peacebuilding perpetuated and reinforced them in its "post conflict" economic and political system. This included the mining sector, which expanded significantly as a result of key reforms introduced as part peacebuilding. Inequality and exclusion were key issues underlying a number of grievances associated with mining-related conflict, which serves as a first way that Guatemala's peacebuilding challenges have shaped the dynamics of mining-related conflict.

At least five distinct dynamics of mining-related conflicts were distinguished in the context of the Marlin mine, three of which were observed in the context of the Cerro Blanco mine. Each dynamic involved a distinct set of organizations, grievances, and patterns of interaction and violence. The mines were directly involved as an actor in only two of the dynamics, where the grievances that motivated conflict were related to adverse impacts caused by the mines. This contrasts with previous research on extractive sector conflicts and the media's portrayal of conflict, which only focus on one of the dynamics that revolves around mine opposition motivated by adverse environmental and social impacts.

Deeper examination into the conflict dynamics revealed that differences in the local context explained differences observed in the grievances and conflict dynamics between each context. These differences stem differences in how inequality and exclusion manifested in each context. This was further

illustrated through an analysis of patterns of social interaction, which distinguished four segregated sub-networks. These networks represent the basic structure of resource and information circulation in Guatemala. There was little interaction between sub-networks, and these sub-networks coincided with socio-economic disparities and ideological differences, revealing that inequality and exclusion were an emergent result of restricted information and resources circulation within these segregated networks. This structure existed before the arrival of the two mines, but both mines leveraged these existing networks to form a new pro-mine network during their operations. Mine-related benefits and adverse impacts were distributed in accordance with these networks, illustrating how the mines reinforced inequalities and exclusion through their operations. These sub-networks characterized the dividing lines of different dynamics of mining-related conflict, linking issues of inequality and exclusion to the conflict dynamics. The dividing lines of mining-related conflict were also the same as those that characterized the Internal Armed Conflict in the context of the Marlin mine, establishing continuity in the groups, ideologies, and patterns of inequality and exclusion to present-day mining conflict.

The communities near the Marlin and Cerro Blanco mines had very different socio-economic circumstances and histories, including different experiences during the Internal Armed Conflict. These differences were relevant to differences in the particular dynamics of mining-related conflict observed. The communities near the Marlin mine were historically excluded and oppressed. This affected how the Marlin mine's presence and operations impacted the community. Ongoing frustrations with the persistence of inequality and exclusion were an important element in community grievances related to mining and explains why mining-related issues activated fundamental grievances about defending territory, grievances towards other community members, and grievances towards the local government. This historical experience was also reflected in the strategies pursued in the context of conflict and explains why community members pursued extreme measures to receive attention for their concerns. This also helped explain why the scale of participation and intensity of conflict have been much greater.

Whereas the entire community was historically excluded and oppressed in the Marlin context, the region near the Cerro Blanco was area where elites lived and controlled large tracts of land. The town as a whole is more affluent and receives greater government attention, but inequalities between rich and poor persist. In contrast to the general neglect of the Marlin region, the Cerro Blanco region experienced a more direct form of control and oppression by local elites as the main employers in the town. Very little violence occurred during the Internal Armed Conflict as local resistance was quickly suppressed. A small group of community members have reservations about the mine, but resistance activities at equivalent points in the mine lifecycle and history saw far less participation and were less violent.

The fact that foreign owned mining operations reinforced and perpetuated pre-existing inequalities and exclusion in Guatemala represents a second way in which mining controversy and conflict has in turn undermined peacebuilding. Mine-related benefits and contributions may in theory contribute to certain peacebuilding goals related to economic development and providing access to basic services. However, these benefits were not significant, due to Guatemala's low royalty and tax rates and due to the fact that the number of jobs and economic opportunities created by mining are limited. The limited benefits that mining did contribute were also distributed unequally and did not benefit those requiring greater attention and assistance to correct historical injustices. Because the mines leveraged existing social networks to circulate mine-related information and resources, mine-related benefits primarily benefitted elites and reinforced inequalities and exclusion. Mine-related adverse impacts also disproportionately impacted vulnerable populations, reinforcing their disadvantages. Though mining was not an issue that characterized divisions during the Internal Armed Conflict, it also became a new focal point for conflict that perpetuated ideological divisions along the same lines as the Internal Armed Conflict. By increasing power asymmetries, mining made these issues more difficult to transform through peacebuilding, and in doing so, undermined peacebuilding efforts.

Beyond the fact that operations at both mines were associated with human and Indigenous rights

issues, the Guatemalan government responded to mining-related controversies by prioritizing and supporting the mines over other commitments to human and Indigenous rights. This represents another peacebuilding setback. These adverse impacts of mining on peacebuilding are because reforms to Guatemala's mining governance framework perpetuated the status quo and because Guatemala allowed the mines to self-define their contributions to society. This allowed them to use their community contributions strategically to advance their own interests. Though the communities near the Marlin and Cerro Blanco were both affected by inequalities and exclusion, differences in the local context meant that peacebuilding challenges had a different significance for each community. These issues had added significance for communities at the Marlin mine as Indigenous peoples within Guatemalan society.

Beyond the issues of mining and peacebuilding, Guatemala also faces a number of other societal issues that form part of the mining and peacebuilding context. Though seemingly separate, these other issues also stem from inequality and exclusion. In this sense, mining conflicts are just one issue emerging from these peacebuilding challenges in Guatemala. However, these other issues became entwined in mining conflict and increased the complexity of those conflicts. Additionally, mining conflicts together with Guatemala's various other issues fed into a vicious cycle that further undermined the Guatemalan government's capacity to effectively deal issues individually and collectively. This resulted in short-sighted responses that compounded each issue and led to further problems, perpetuating the cycle. The interrelatedness and self-reinforcing nature of Guatemala's confluence of problems increased and complicated the overall task of addressing all issues. It also distracted and dispersed the Guatemalan government's attention and capacity to address the underlying inequalities and exclusion that led to the emergence of each issue, as well as longer-term sustained efforts needed to transform the system. This presents an additional challenge for continued peacebuilding progress and serves as a third intersection between mining-related conflicts and Guatemala's peacebuilding challenges.

A fourth and final intersection between mining and peacebuilding concerns the ways in which

international influence on both peacebuilding and mining factored in both Guatemala's peacebuilding challenges and mining conflicts in ways that link both issues. The international community influenced on the negotiation and implementation of the peace accords through the provision of funding and other assistance. This affected which aspects of the peace accords received greater attention and funding and therefore affected the extent and nature of peacebuilding progress achieved. Guatemala's adoption of neoliberal reforms that opened the country up to foreign owned mining was a result of foreign influence even though it also catered to the interests of Guatemala's domestic elites.

The nature of international involvement in both peacebuilding and mining governance shares important parallels. Both focused on addressing deficiencies in Guatemala's domestic governance system and capacity through international means. In the context of peacebuilding, international NGOs directly provided programs and services on behalf of the government and the international community encouraged foreign companies to invest and provide economic development. The mining sector similarly involved foreign companies. A global array of subcontractors arrived in Guatemala to undertake various aspects of mining operations. Myriad frameworks, standards, forums, and mechanisms emerged to govern specific aspects of mining operations and address mining-related grievances. International organizations also became involved in the dynamics of conflict through providing assistance to anti-mining groups or the company. Though intended to address domestic deficiencies and capacity issues, international involvement increased the complexity of mining operations, mining governance, and mining conflicts in a way that diverted important attention from deficiencies in Guatemala's framework of rules, government capacity, and lack of political will. It also dispersed key mining governance functions, which undermined the ability of local, national, and international to enforce or address issues in the system as a whole. Although the globalization of the mining sector, mining governance, and mining-related conflicts is a product of a gradual coevolutionary process, these features of the global mining governance system intersected with Guatemala's domestic governance system in ways that only further entrenched the

system by increasing the system's complexity and by dispersing power to change the system. This is ultimately problematic for efforts to transform that system as part of peacebuilding.

Section 8.2 The Advantages of a Complex Systems Approach

This dissertation sought to understand the complex ways in which mining and peacebuilding challenges intersect in the context of two mines in Guatemala by using a complex systems approach. The framework that guided research and analysis brought together the work of several scholars and conceptualized mining and peacebuilding contexts as a social-ecological systems comprised of interconnected organizations, rules, values and perspectives, activities, and resources. These configurations collectively produce and reproduce patterns of behaviour that evolve over time through specific processes. Methodologically, the framework helped to focus information gathering and analysis. It also helped to guide analysis about how these features of society are interconnected, distinguish systems at different scales, and discern emergent patterns. It also helped to make sense of changes (or lack of change) observed in these emergent patterns of behaviour over time.

Although the scope of the examination focused on the intersection between mining and peacebuilding at two mine sites in Guatemala, the framework accommodated a broad range of factors, their global dimensions, and their interconnections. This helped to overcome a number of limitations in the existing literature on peacebuilding, mining, and global governance. Though this approach required collecting and analyzing a significant amount of primary and secondary data, the approach helped to move beyond identifying individual factors to consider how those factors interrelate and contribute to broader patterns. This was particularly helpful for reconciling divergent findings from previous studies.

In particular, the framework and methodological approach helped meaningfully engage a diverse range of participants and integrate their diverse and often conflicting perspectives, as discussed in [Chapter 2](#). The framework explicitly took account of the values and perspectives of different organizations

in society, which helped contextualize participants' responses and glean insights about the factors they considered important in forming their opinions about certain events or issues. This enabled comparative analysis across different groups in society and led to important insights about common socio-economic and ideological features of certain sub-networks in [Chapter 5](#). Though considerable interpretation was required, the approach allowed participants' perspectives to be reflected directly in the research.

A complex systems approach also helped answer the research question in a number of ways. Analyzing Guatemala's peacebuilding and mining challenges as complex systems helped discern how the two systems intersect. It also provided a means for unpacking the complexity of the challenges associated with Guatemala's mining-related conflicts and peacebuilding challenges. It helped reveal and explain why Guatemala's challenges with inequality and exclusion are so entrenched and difficult to change: their institutionalization in society in multifaceted, interrelated ways and because of power asymmetries. The fact that this institutional arrangement is a product of the attitudes and interactions among Guatemala's elites and reinforces their interests and advantages (while excluding and exploiting others) reveals the political dimensions of the system and the lack of incentives for those in power to change.

Additionally, a complex systems approach helped establish how inequality and exclusion were relevant to Guatemala's mining, peacebuilding, and various other challenges—even if these issues may appear to be unrelated. The centrality of inequality and exclusion to myriad issues explains why peacebuilding and mining confronted challenges and why Guatemala's mining governance and peacebuilding model were problematic in general. Efforts to address individual challenges will not be successful in achieving meaningful change without attention to the underlying issues related to inequality and exclusion. The reason why peacebuilding efforts confronted challenges and did not result in greater societal transformation is because they did not meaningfully address these underlying issues. International support and involvement in peacebuilding also failed to recognize and address these issues and did not equip domestic actors with the capacities to transform the system.

In a similar vein, efforts to address mining governance issues and mining-related conflicts in Guatemala have only focused on the immediate impacts of mining without attention to their underlying causes. The perpetuation of inequalities and exclusion in Guatemala's mining model explains why the many of the mining-related grievances emerged and led to conflict, why efforts to address these conflicts have not been successful, and ultimately why mining undermined peacebuilding process. The global array of frameworks, standards, forums, mechanisms, and other forms of international support that emerged in response to controversy and conflict in the extractive sector were similarly unresponsive to issues related to inequality and exclusion and only increased the complexity of the system making the situation that much more difficult to navigate and transform. Although the features of the global governance system for mining emerged as a process of coevolution, the way this system intersected Guatemala's domestic governance system has reinforced inequality and exclusion.

In appreciating the magnitude of Guatemala's challenges and lessons learned from current efforts to address them, a complex systems perspective offered helpful insights and potential strategies for achieving more meaningful change, discussed in [Section 8.4](#). These insights are also relevant to a number of debates across different fields, discussed in the next section. Overall, the insights that this research revealed makes a case for the expanded use of complex systems theory in research, policy analysis, and other practical applications. The framework developed for this dissertation also expands and refines the application of complex system theory for research and analysis in the context of peacebuilding and mining. As such, this dissertation establishes a foundation for future research and analysis of mining activities in other conflict-affected contexts using a complex systems approach.

Section 8.3 Research Contributions

As discussed in [Chapter 1](#), the complex intersection between foreign owned mining and peacebuilding is relevant to literature on peacebuilding, extractive sector governance and conflict, global governance, and

complex systems theory and methods. The findings and insights of the dissertation are relevant to a number of theoretical gaps and debates from across these various fields. While this examination focused on dynamics specific to Guatemala, insights from this research can guide research in other contexts and may suggest broader insights relevant to theory and practice.

8.3.1. Contributions to Peace, Conflict, and Peacebuilding Literature

The rationale for doing this research responds to the expanding role of private companies in peacebuilding efforts—Business for Peace—premised on the superficial notion that the positive economic contributions of businesses help to advance peacebuilding efforts. This dissertation found that operations at the Marlin and Cerro Blanco mines were relevant to peacebuilding in terms of some of the dimensions discussed by scholars, namely, their socio-economic and sociopolitical contributions. However, the particular causal mechanisms by which businesses are theorized to contribute to peacebuilding were not observed. This is because the impacts and potential contributions of businesses to peacebuilding are complex and context specific. Any theories and arguments about how businesses may impact peacebuilding must carefully consider the ways in which business operations intersect with core features of the peacebuilding context and how the operations and other contributions of businesses support or complicate peacebuilding commitments and transformations underway.

In Guatemala, inequality and exclusion were core peacebuilding issues that the operations and impacts of mining complicated. However, these issues affected the communities near the Marlin and Cerro Blanco mines differently. The presence and operations of both mines intersected with various features in the local context, including seemingly unrelated societal issues. All were relevant to understanding mining-related conflicts. Of note, legacy issues related to inequality and exclusion manifested in Guatemalan society in myriad interrelated ways, including through Guatemala's framework of rules, patterns of social interaction, and the emergence of other societal issues. These manifestations

affected both the nature and enforcement of rules and standards relevant to mining, and therefore, how mining operations took place. These manifestations also affected how mining impacted the local community and how mine-related benefits and adverse effects were distributed. Various factors in the peacebuilding context affected the way in which businesses—in this case mines—contribute to peacebuilding and impact society more generally. Arguments and theories about how business can consistently contribute to peacebuilding are not universal. Careful attention to analyzing and understanding the local context is needed.

In Guatemala, inequalities and exclusion manifested in restricted patterns of information and resource circulation within closed social networks. The fact that both mines leveraged these existing social networks for the purposes of their operations reinforced pre-existing inequalities and exclusion in both a socio-economic and sociopolitical sense. Thus, even though the presence and operations of the mines were relevant to peacebuilding in terms of these same dimensions, the dissertation finds that the mines undermined efforts to transform socio-economic and sociopolitical issues as part of peacebuilding. In a similar vein, many of the grievances associated with mining-related conflict stemmed from deficiencies in Guatemala's framework of rules relevant to the mining sector and deficiencies in their enforcement. The expansion of foreign owned mining in Guatemala was a result of policy reforms adopted by the Guatemalan government as part of peacebuilding.

It is important to note that the Guatemalan government had a large influence on how mining operations intersected with peacebuilding in Guatemala. On the one hand, the Guatemalan government reduced taxes and royalties and made other exceptions for foreign owned mining companies, which limited the extent to which the two mines contributed even superficial benefits to peacebuilding, as theorized in the business for peace literature. On the other hand, the Guatemalan government prioritized foreign owned mining over other considerations, such as its commitments to respect human and Indigenous rights. Lack of political will and a deficient framework to guide mine-related contributions to

society more constructively were important factors that help to explain the why the mines reinforced inequalities and exclusion. In absence of such a framework, the strategic nature of the mines' relationship building, resource deployment, and participation in voluntary initiatives advanced company interests first and foremost over societal goals such as peacebuilding. This suggests that, when left to their own devices, company advancement of their own interests does not necessarily align with societal goals or achieve the kind of impact desired. It also suggests that companies cannot be expected to contribute constructively to society and peacebuilding without further guidance. This reiterates the need for company contributions to society to be structured by a carefully designed and equitable framework.

Many of the features of Guatemala's societal context, peacebuilding model, and mining model may be common across peacebuilding and mining contexts—particularly given the influence of international organizations in both peacebuilding and mining governance. However, it is important to note that the particular ways in which mining and peacebuilding were observed to intersect in Guatemala were ultimately unique to Guatemala's particular context may not necessarily characterize other contexts. These insights support the general argument that the potential contribution of businesses to peacebuilding is not automatic or intrinsic and that myriad other factors shape the context and contributions of businesses, including features of the local peacebuilding context (Miller et al., 2019; Mayer et al., 2020). While the presence and operations of business may be relevant to certain dimensions of society and peacebuilding, the nature of their impacts and contributions depend on how those impacts have been structured through the governance models for business and peacebuilding, and how that model intersects with other dimensions of society.

Beyond the significance of this research to the Business for Peace literature, this dissertation is also relevant to debates in the literature on peacebuilding political economy, critical peacebuilding, environmental peacebuilding. This helps to establish linkages between the Business for Peace literature and these other literatures. Analyzing the linkages between mining and peacebuilding by using a complex

systems approach has also helped to incorporate complex systems concepts and methods into these other literatures through complexity-informed research contributions. Noting that deeper exploration of the literature was not possible given the number of relevant fields, the general contributions of this dissertation to each of these fields are presented below.

This dissertation supports the arguments within the peacebuilding political economy literature about the inherent limitations of economic liberalization, globalization, and neoliberalism as strategies to promote peace and stability (Selby, 2008). Inequality and exclusion were pre-existing issues in Guatemalan society to be addressed through peacebuilding. However, the adoption of neoliberal policies and encouragement of foreign investment in the extractive sector as part of peacebuilding, which coincided with the globalization of the extractive sector and extractive sector governance, were important factors that contributed to the reinforcement of inequality and exclusion in society. This dissertation deepened understanding about how neoliberal policies and the globalized governance reinforced inequality and exclusion in Guatemala by mapping the multiple ways in which inequalities and exclusion manifested in Guatemalan society and how interrelated issues created self-reinforcing feedback loops.

Specifically, mine-related benefits and adverse effects were distributed unequally and circulated in accordance with a pre-existing set of closed social networks. Neoliberalism factored in this dynamic because the Guatemalan government prioritized economic development by means of foreign owned extractive projects without further attention to how resources were being distributed. It also prioritized this neoliberal and extractive development model over other peacebuilding commitments related to the strengthening human and Indigenous rights or strengthening basic services. These observations are consistent with challenges with neoliberalism identified by other scholars (Pankhurst, 2008; Herring, 2008), but contribute more detailed insight into complex ways in which neoliberalism has complicated peacebuilding. Given that neoliberalism creates an increased role for individual businesses in society and has been accompanied by a global dispersal of both company operations the governance for those

operations, neoliberalism is an important factor in the dynamic that shapes the impacts and potential contributions of companies to peacebuilding. This links the peacebuilding political economy literature to the Business for Peace literature. Given that economic liberalization, globalization, and neoliberalism have been associated with challenges related to inequality and the prioritization of economic development over other peacebuilding commitments, company impacts and contributions to peacebuilding may also lead to similar challenges in contexts where these policies are adopted, such as in Guatemala. At the same time, the contributions and impacts of companies as a result of neoliberal policies further contribute to arguments about the inherent limitations of economic liberalization, globalization, and neoliberalism as strategies to promote peace and stability.

This dissertation also supports many of the arguments in the critical peacebuilding literature about the limitations of international influence in peacebuilding and the liberal peacebuilding model more generally (Richmond, 2018; Sending, 2011). It contributed detailed insights into the complex ways in which international influence and involvement in peacebuilding has factored into many of Guatemala's current peacebuilding challenges. International support was largely in accordance with international priorities and agendas, such as neoliberal reforms and foreign investment. The expansion of foreign owned mining in Guatemala is largely a product of this international influence. In doing so, support from international organizations failed to acknowledge or support the transformation of inequality and exclusion. Lack of attention to these issues not only failed to appropriately transform these issues; it further reinforced them as part of peacebuilding. While the individual contributions of international organizations may have contributed to superficial advancements at a micro-level, they did not cumulatively achieve the kind of impact needed to transform underlying issues of inequality or exclusion. It also failed to strengthen domestic capacity and accountability, and ultimately overlooked important locally specific peacebuilding issues. The dissertation also identified important similarities in the way the international community has become involved in mining governance, discussed in the next section. The latest Business for Peace model,

which seeks to engage foreign companies as peacebuilding actors, implies a similar challenge with the role of companies as peacebuilders. This suggests that the many of the critiques of liberal peacebuilding are relevant to the business for peace literature. As the dissertation has illustrated, the contributions of foreign mining companies illustrate the limitations of international involvement in peacebuilding, relevant to these critical peacebuilding debates.

Third, insights on the complex linkages uncovered between mining-related conflicts and peacebuilding challenges in Guatemala help refine existing theories about the relationship between the environment and peacebuilding. In contrast to other theories that suggest that conflict may emerge over contested access to high-value resources like gold (Rustad et al., 2012), conflicts at the Marlin and Cerro Blanco mines were not about contested exploitation of gold, and this was not the reason why the conflicts were relevant to peacebuilding. The conflict dynamics concerned the distribution of mine-related benefits and opportunities as well as the distribution of mine-related adverse impacts. These impacts intersected with community reliance on other resources relevant to their livelihoods, such as water quantity and quality, soil quality, and the integrity of the environment more generally. The distribution of mine-related benefits and adverse impacts was significant to the conflict, and peacebuilding, because it had to do with underlying inequalities and exclusion in society. The fact that myriad conflicts with similar grievances emerged in other sectors further emphasizes this point.

The theoretical nuance suggested by these insights is two-fold. First, the environment and environmental resources are not separate issues or points of contention to be addressed in peacebuilding; rather the environment serves as a site or context that reflects broader societal structures and power dynamics and therefore serves as a site where core conflict issues manifest and play out. In this sense, how environmental resources are governed can serve as an important indicator that can be monitored as part of peacebuilding in order track progress in broader societal transformations associated with peacebuilding. Second, beyond individual resources, the integrity of the entire ecological system is

relevant to peacebuilding as something with which communities have an interdependent relationship, as something communities rely on for their livelihoods, and as something that can be adversely impacted by any activity that takes place in society and not simply resource extraction. This has further implications for the potential role and impact of businesses in peacebuilding contexts beyond debates about business for peace (discussed below). The environmental resources that companies are permitted to consume, the environmental impacts of their operations, and how all of this is regulated, may intersect with deeper underlying issues of conflict in ways that can unintentionally trigger or exacerbate conflict. The individual and collective impact of business operations and should therefore be considered as part of peacebuilding.

Thus, by using a complex systems approach to examine how mining and peacebuilding intersect, this dissertation has contributed more detailed insights to a number of ongoing debates in the literature relevant to the role and potential contribution of businesses to peacebuilding, the challenges of neoliberalism and international involvement in peacebuilding, and about the role of the environment and natural resources in peacebuilding. In doing so, it has also furthered the use of complex systems theory and methods in each of these sub-fields relevant to peacebuilding and helped integrate literature on peacebuilding complexity into these other literatures.

8.3.2 Contributions to Mining, Conflict, and Governance Literature

Beyond the literature on peacebuilding, the insights and findings of the dissertation are also relevant to the literature on the operation and governance of extractive industries, the social and environmental impacts of mining on society, and how these impacts are relevant to conflict. Many of the same social and environmental risks that scholars previously identified were observed in the context of the Marlin and Cerro Blanco mines and factored in grievances associated with the first and second dynamics of conflict. However, at least five different dynamics were distinguished in the context of the Marlin mine, three of which were observed in the context of the Cerro Blanco mine. Each dynamic involved different

organizations, grievances, and patterns of interaction and violence not previously identified by scholars. This reveals that extractive sector conflict is more complex and involves a broader set of issues than previously believed by scholars. In particular, how mine-related benefits and adverse impacts were distributed, and how this coincided with pre-existing patterns of inequality and exclusion was central to understanding the dynamics of conflict. This points to the need for scholars to consider how mining-related impacts intersect with the local context in understanding mining conflict.

Despite similar risks of adverse impacts at the Cerro Blanco mine, the same scale or intensity of conflict was not observed at equivalent points in history or in the mine's lifecycle. Differences in the local socio-economic context between these two communities explain these differences. Contextual factors affected how particular impacts were experienced in the community and the significance of those impacts. In Guatemala, this was shaped to a large extent by inequality and exclusion. This was particularly important for understanding other dynamics of conflict that took place that were not directly related to mine-related adverse impacts, such as attacks against local government officials, attacks perpetrated by pro-mine groups against anti-mining groups, or conflict arising from patterns of violence against women.

Additionally, the fact that the dynamics of mining-related conflicts coincided with patterns of inequality and exclusion reveals that the causes and dynamics of mining-related conflicts share important parallels with the conflict dynamics associated with Guatemala's Internal Armed Conflict. This suggests an important linkage between the peace and conflict studies literature and the literature on social conflict, which currently explain the emergence and dynamics of conflict in very different ways. Important parallels were observed between the dynamics observed and existing theories within the conflict studies literature. A full survey of theories of conflict within the conflict studies literature is beyond the scope of this dissertation; however, the following examples illustrate the potential applicability of conflict theories to extractive sector conflicts. The first dynamic of conflict resembles a situation of conflict escalation where the lack of progress of social movements (from state repression) escalates the tactics and conflict

(Ryckman, 2019). Theories on the impact of violent conflict on social cohesion and social capital may also help explain the third, fourth, and fifth dynamics of conflict (Ramos-Vidal et al., 2019). These parallels suggest that mining-related conflicts can be analyzed and understood using the same theories, tools, and techniques as traditional conflicts, offering a linkage between the literatures on “social conflict” and conflict studies and peacebuilding. However, further research and analysis is needed in order to confirm and better understand the nature of these linkages.

These insights have implications for existing discourse and recommended practice on mitigating and managing mine-related adverse impacts and conflict. The current distinction between the two types of conflict leaves important gaps related to how companies should respond to conflict. For example, OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas (OECD, 2016) and the Conflict Free Gold Standard (WGC, 2012) require heightened measures in the presence of “armed conflict.” However, none of the conflict dynamics observed at the two mines meet this definition. This allowed Goldcorp to claim that gold produced at the Marlin mine was “conflict free” between the time that it adopted the Conflict Free Gold Standard in 2013 and the mine’s closure in 2017 (Goldcorp 2014, 2015a, 2016, 2017c, 2018). Additionally, scholars have taken issue with the fact that mines tend to operate as enclaves, attributing the issue of inequality and exclusion to mine governance (Bird, 2016). Although mining reinforced inequalities and exclusion, Guatemala’s issues with inequality and exclusion precede and are independent of mining. Focusing only on the mine’s responsibilities to mitigate and address adverse social and environmental impacts directly arising from mining may not be enough to mitigate conflict. These insights point to the importance of developing a deeper understanding the local context and its complexity to understand how certain impacts will be distributed within the community, how they will be experienced by certain groups, and how they may intersect with other pre-existing issues in the community. Additionally, the global array of frameworks and mechanisms that emerged in response to discrete mining issues and impacts do not necessarily address the local contextual

factors or encompass the entire extent of the dynamic that escalates mining-related adverse impacts to conflict. As with the critiques with international involvement in peacebuilding, the globalization of governance for the extractive sector has dispersed the authorities relevant to the mining sector in ways undermines the ability of domestic actors—or any actor—to constructively improve governance. These gaps created by the system allow companies significant discretion to define which rules apply to them, how they apply, and control information about their compliance. In doing so, the globalization of extractive sector governance perpetuates the governance deficiencies that led to adverse impacts in the first place. This further links the critical peacebuilding literature to the literature on global governance.

Thus, the use of a complex systems approach has uncovered insights that challenge and refine existing theories about the causes of mining-related conflict and discourse on good practice for mitigating and managing adverse impacts and conflict. These insights have also identified important linkages with the peace and conflict studies literature and critical peacebuilding literature.

8.3.3 Contributions to Literature on Global Governance and Private Authority

Insights about the involvement of a global array of organizations, frameworks, and forums in mining governance and the dynamics of conflict and how this involvement complicated these conflicts are relevant to the global governance literature in a number of different ways. These insights contribute to existing literature on fragmentation and rise in private governance arrangements (Clapp & Dauvergne, 2011; Sassen, 2007; Auld et al., 2019; Büthe & Mattli, 2011; Haufler, 2012) by showing how the fragmentation of governance across policy issues and across a global array of forums and mechanisms has not necessarily helped to resolve mining-related conflicts. The dissertation also reveals some of the unintended consequences of engaging international organizations in the dynamics of mining-related conflict, relevant to the literature on transnational advocacy networks (Keck & Sikkink, 1998).

The fact that organizations and advocacy networks self-organize around specific issues, such as the environment, human rights, Indigenous rights, and mining is a symptom of fragmentation in the global governance system. At the same time, it further contributes to fragmentation and unevenness in the focus of governance. The specialization of NGOs and their involvement in mining-related conflicts on specific issues has created challenges for navigating diverse perspectives, priorities, and positions when defining the conflict narrative, positions, and strategies. No one NGO or advocacy network encompassed all of the issues involved in the conflicts or viewed their role as supporting a resolution to the conflict as a whole. In a similar vein, part of the reason why individual mechanisms and forums were unable to fully resolve the conflicts stems from the fact that their mandate and/or jurisdiction was restricted and could only address part of the problem and due to the availability of a wide variety of options.

The transnational nature of mining operations is an important factor in the challenges of governance. It involves foreign owned companies, a global array of sub-contractors, and transnational environmental risks. However, the involvement of a global array of external organizations, forums, and mechanisms further globalizes the conflict, and increased its complexity. The intent of engaging additional organizations, forums, and mechanisms was to assist on one or more aspects of these conflicts. International assistance helped the parties in important ways. Collectively, however, these efforts did not help to resolve the conflicts. This points to the need for greater attention to and analysis of the emergent properties of the broader global governance system that has been created and whether its various component parts are collectively adding up to the kinds of outcomes that were intended.

Insights from this dissertation also contribute detailed insights that support observations made by other scholars about how corporate power is privileged within the globalized governance system that has emerged (Bailey et al., 2015; Jacques, 2016; Ong, 2006, p. 19). Mapping the complexity of the globalized governance system for mining has revealed that companies have a lot of influence within the system. While the two mines were influenced in their uptake and adherence to non-legal standards to a

certain extent by external sources like lenders, investors, and stakeholders, the mines appeared to have considerable leeway in which rules they chose to follow, given that the majority of the rules that shaped their operations were non-legally binding. Enforcement of all of the rules depended to a large extent on information provided by the mines themselves. As well, both mines were able to influence other organizations involved in governance through their strategic participation in initiatives or strategic deployment of information and resources. This suggests a potential linkage between some of the challenges with the ability of this system to adequately respond to mining-related conflicts, as well as potential linkages to the governance deficiencies underpinning the adverse social and environmental impacts that lead to conflict. Thus, the use of a complex systems approach has uncovered insights that support and build on existing knowledge about the challenges associated with the global governance system for mining and potential linkages to other literatures.

Beyond the literatures discussed above, the insights of this research may also be relevant to research in other fields, such as Latin American studies, Indigenous studies, security studies, and development studies. This research contributes to the advancement of interdisciplinary research by contributing insights based on the use of complex systems theory in other disciplines, such as peacebuilding, extractive sector governance, and global governance. As well, the insights from this research help to link literatures from diverse fields, as described above.

Section 8.4 Practical Implications

Beyond its relevance to scholarly debates, insights about the complex intersection between mining and peacebuilding are also relevant to current policy and practice in peacebuilding, including the role of companies and of extractive sector governance in peacebuilding. Insights from this research are also relevant to current approaches to extractive sector governance, the handling of social conflict in the extractive sector, and responsible business conduct. As this research has focused on two active conflicts

that continue to affect real people in Guatemala, the research insights suggest potential actions that the mines, the Guatemalan government, local communities, and international organizations can undertake to respond to immediate conflict issues and work towards meaningful system-wide transformations. Noting that further research would be required in order to formulate more concrete policy prescriptions, high-level implications of the research insights are presented below.

At a basic level, the research revealed that a complex systems approach was useful for conceptually linking different issues and how they are interrelated. This is strategically useful for building coalitions and political will for change. It may be particularly helpful in a context, like Guatemala, where those in power have little incentive for change on their own. The examination also identified that the structure of social networks and patterns of information and resource circulation in society were important feedback loops that transmitted and reinforced inequality and exclusion. Thus, attention to social networks and patterns of interaction and exchange may be useful for identifying leverages points for broader transformations on these issues. However, merely bridging connections is not enough, as other attitudinal and capacity-related factors affect whose voices are listened to. It is also necessary to transform the relative capacities of domestic actors to transform Guatemala's governance and economic system, the system's "mindset" and societal attitudes.

These insights have clear implications for the current ways that the international community has been supporting countries like Guatemala on mining and peacebuilding related issues. Though Guatemala has major deficiencies in its governance framework and capacity, it will never address those deficiencies if the capacity and responsibility to address them is exported internationally. Greater attention and pressure are needed to continue addressing deficiencies in Guatemala's domestic governance system. Any international support should be focused on connecting excluded segments of society to decision-making power, information, and resources. Up-front technical and financial assistance may be helpful to enhance the capacity of excluded segments of society in the immediate term. However, it is not a

replacement for larger systemic transformations to address the source of barriers to information, resources, and access and enhance capacity on an ongoing basis.

These insights have implications for businesses that are operating internationally and in conflict-affected contexts. Careful attention is needed to how their operations intersect with features of the local societal system. Many mines regard responsible business conduct and community engagement as activities on the side of mining operations. They do not thoroughly consider the ways in which their presence and operations may impact the community, and do not manage those impacts as part of core mine operations. Particularly where societal transformation efforts are underway, such as in peacebuilding contexts, attention to how business operations intersect with aspects of those transformations is needed to ensure that they do not impede or complicate those efforts.

In Guatemala, this requires particular attention to how business operations intersect with social networks and patterns of information and resource exchange to ensure that business helps to bridge divides rather than reinforce them. Moreover, the strategic way that the two mines deployed projects and investments and participated in governance initiatives reveals that companies should not be left to their own devices to decide what they will adhere to or contribute to. A more comprehensively thought-out and structured regime is needed to ensure that all relevant dimensions of business operations are transparently monitored, including their contributions and other impacts on society. A complex systems approach is useful in both regards. It would help companies to identify, analyze, and address the complex impacts of their operations on society. It would help policy- and decision-makers account for various factors in the governance context, understand how myriad rules and programs contribute to overarching outcomes, design coherent approaches, and monitor and adjust those approaches as needed to ensure that individual elements collectively contribute to their desired outcomes over time.

8.4.1 Implications for Peacebuilding

Four main insights from this dissertation are relevant to peacebuilding policy and practice. First, peace negotiations and peace accords need to more explicitly consider how they engage the societal systems they seek to transform. Second, the international community needs to support peacebuilding more appropriately. Third, the design of broader peacebuilding transformations needs to consider all sectors of the economy, including the extractive sector. Fourth, the design of broader peacebuilding transformations also needs to consider the presence, operations, contributions, and impacts of companies individually and collectively. A complex systems approach will be useful in all of these respects.

One of Guatemala's major peacebuilding challenges was that peace commitments and their implementation fell short of the kind of transformation needed to address those core issues (Brett, 2013). This became clear when analyzing Guatemala's peace accords and peacebuilding challenges from a complex systems perspective. As such, peace negotiations and resulting commitments need to focus more explicitly on the features and dynamics of the societal system that have collectively contributed to core peacebuilding issues and tailor peacebuilding interventions to more meaningfully target those features.

Echoing the calls of complexity scholars (Brusset et al., 2016), greater uptake of complex systems approaches in peacebuilding research and practice would help practitioners distinguish and analyze key features and dynamics of societal systems that contribute to underlying peacebuilding issues and forces that constrain transformation of these issues. In Guatemala, the analysis identified a number of interrelated factors that contributed to inequality and exclusion that constrain more meaningful change. In particular, the analysis suggests that greater attention to transforming patterns of influence in the government and elite dominance in society more generally—the power to change system structure—could help overcome Guatemala's entrenched power asymmetries and overcome barriers to change. The analysis also suggests that a thorough review (and reform) of the country's entire framework of laws and policies is also needed to correct the multifaceted ways in which inequality and exclusion have become

institutionalized in society—the rules of the system. This could help overcome another important barrier to change arising from the interconnectedness of the institutional framework. These two areas of intervention correspond with the two mechanisms of path dependence that reinforced inequality and exclusion in Guatemalan society and made them challenging to change. This is not to say that transforming these issues will be easy. Transformation will undoubtedly be conceptually and logistically difficult and highly political as it entails major transformation in the foundations of power in Guatemalan society. However, critical reflection and analysis of the system and the systemic features that peace commitments seek to transform is needed to set realistic expectations about the feasibility and impact of commitments made and direct attention and efforts appropriately to achieve those commitments. These implications are relevant to all actors involved in peace negotiations, including the combatants, mediators, and other organizations providing support.

International influence and involvement in the negotiation and implementation of Guatemala's peace accords complicated peacebuilding several ways. It warped the focus of peacebuilding to align with international priorities and agendas. International influence, conditionality of funding, and other diplomatic pressure also created an external accountability relationship rather than strengthening accountability to its population. Outsourcing peacebuilding implementation to NGOs distracted attention from and ultimately failed to strengthen the Guatemalan government's capacity to assume responsibility and effectively deliver on key programs and services on an ongoing basis. Although scholars and the UN itself have since acknowledged the importance of local ownership in peacebuilding and capacity building, it remains an ongoing challenge to achieve in practice (Campbell, 2020; Donais, 2012; UN, 2016).

The use of a complex systems approach and use of Meadows' (2009) leverage points as conceptual categories revealed the importance of building local capacity and ownership from a systems perspective. Building local capacity is essentially strengthening local power to change system structure. This is an important leverage point to realize further system-wide transformations, both in general and in

Guatemala in particular. As noted above, the fact that this power remains concentrated among a small group of elites is an important barrier to change. International support neglected this aspect of Guatemala's societal system or failed to address it directly. Thorough treatment of what appropriate international support to strengthen the power of local actors to change system structure might entail is beyond the scope of this dissertation. However, the following areas were identified for future discussion and research. The capacity of the business sector, as one of several sectors of society seeking to influence policy, is shaped by a number of different factors (Handley, 2008, p. 12). These include a sufficient and independent resource base, knowledge, technical, and strategic abilities, the ability to autonomously self-organize and undertake the necessary involved in achieving change, the ability to build consensus and unify diverse interests and perspectives into a common vision and set of propositions. These factors broadly align with the basic elements of the conceptual framework used in this dissertation: organizations, rules (self-organization), values and perspectives (consensus), activities (technical/strategic ability, self-organization), and resources. These serve as different dimensions by which local capacity can be strengthened through international support. As discussed in [Chapter 2](#), however, it is important to keep in mind that this power is relative and may be shaped by inequalities in a number of different ways, to which any international support must be sensitive.

In general, the international community should avoid directly providing products, programs, or services. Resource contributions may help enhance the capacity of domestic actors at the outset. However, international support should focus on establishing a sustainable, ongoing, independent resource-base as a greater contribution towards enhancing capacity. As discussed in [Chapter 5](#), attention to local networks and patterns of resource and information flows could help in this regard. Additionally, the international community must allow domestic actors to define and prioritize the substance of local agendas themselves. International organizations can avoid influencing this process by not pre-determining which activities they fund or assist. The international community can and should assist

domestic parties to develop analytical capacity to understand the societal context and design appropriate interventions. However, such assistance should not instruct or direct the parties' attention to specific features of the system that the international community feels should change based on their "expertise." All of these insights are relevant to current discourse on business for peace and the potential ways that companies, as external actors, can contribute to peacebuilding processes, discussed separately below.

As noted above, an important linkage between Guatemala's mining and peacebuilding challenges was that the same structural issues characterizing Guatemala's political and economic system—inequality and exclusion—also manifested in the mining sector. While this dissertation focused on mining in particular, similar issues were also observed in other economic sectors and areas of governance, discussed in [Chapter 6](#). The implication is that the commitments contained within peace agreements and their implementation need to explicitly consider how they may impact and be impacted by different sectors of the economy or areas of governance, such as mining. Guatemala prioritized economic development as a precursor for peacebuilding, depoliticized economic development, and disassociated its economic development strategies from its broader peacebuilding context. This created a major blind spot about how the extractive sector and foreign investment in this sector intersected with the broader peacebuilding context and other commitments. Even though mining was not a specific issue from the Internal Armed Conflict, it became an important site where legacy issues were perpetuated and reinforced.

Thus, the analysis underpinning peacebuilding negotiations and planning should dedicate explicit attention to different economic sectors and areas of governance, their significance within the broader societal system, and how they may intersect with peacebuilding commitments or efforts. This should include consideration of the role of foreign investment. In addition to considering reforms to relevant policies and governance practices in each of these sectors as part of broader peacebuilding efforts, issues in these sectors should be tracked and monitored as progress indicators towards achieving broader societal transformations. These implications are relevant to any actors involved in the negotiation and

implementation of peace accords, including the combatants, mediators, and other organizations providing support. They are also relevant to the domestic and international organizations involved in the governance of different economic sectors and businesses, including foreign owned companies operating in those sectors, discussed below.

Finally, this dissertation demonstrated that the Marlin and Cerro Blanco mines were relevant to Guatemala's peacebuilding challenges, because they reinforced pre-existing patterns of inequality and exclusion. These issues are beyond the ability or responsibility of either mine to solve for society and are ultimately Guatemalan government's responsibility to address as part of peacebuilding. That said, companies are inevitably part of the local peacebuilding context. Their presence and operations affect that context for better or worse. Simply complying with the established framework may reinforce an unjust system. Who a company interacts with and how benefits and adverse impacts are distributed within the community can activate and escalate underlying issues. This may increase with the size and scope of business operations and community contributions, though the nature of companies' impacts on society are ultimately context specific. Those involved in the negotiation and implementation of peace accords need to carefully assess how business operations may intersect with the peacebuilding context and specific transformations underway to ensure that companies are not reinforcing issues that peacebuilding seeks to transform.

It was evident through this research that many of the challenges that emerged in the context of mining were due to a lack of awareness and explicit attention to these dimensions of mining, their impacts on society, and their relevance to peacebuilding. That said, the mines' community contributions were designed to advanced company interests first and foremost, which did not necessarily benefit society more broadly and created additional challenges. Self-defined company contributions were clearly problematic, particularly as a strategy to support peacebuilding. Building on the implication above, company contributions to peacebuilding must be guided by peacebuilders and carefully designed to align

with broader peacebuilding goals and tasks. In Guatemala, this requires attention to avoid reinforcing patterns of inequality and exclusion and support transformation of those issues. As with other international support for peacebuilding, companies should avoid directly providing products, programs, or services. They should focus on strengthening local capacity for peacebuilding—the power to change system structure—in areas relevant to company operations. This could include strengthening community capacity to demand government accountability and strengthening government capacity to be accountable, for example, by connecting feedback loops between communities and the government.

8.4.2 Implications for Extractive Sector Governance and Responsible Business Conduct

The same insights highlighted above in the context of peacebuilding also have implications for current approaches for extractive sector governance, the management of social conflict in the extractive sector, and responsible business conduct. In the same way that the international community's contributions to peacebuilding need to adjust, the global extractive governance system needs to focus on strengthening domestic capacity and accountability in extractive sector governance. Current approaches for managing extractive sector conflict need to treat these conflicts like any other conflict and support the resolution of the conflict as a whole rather than addressing individual issues. Finally, responsible business conduct is not appropriate for resolving broader societal issues and should not be used as a solution in this regard.

Important parallels were observed in the strategies pursued by international organizations to assist domestic actors in the context of peacebuilding, extractive sector governance, and the management of extractive sector conflict. The globalization of mining governance exported and dispersed key mining governance functions in a similar strategy as peacebuilding to fill jurisdictional, capacity, and accountability gaps. This simultaneously diverted attention from addressing weaknesses in Guatemala's domestic governance system and undermined the government's ability to effectively regulate the mining sector. Paradoxically, through the emergence of additional frameworks and mechanisms intended to

overcome limitations of domestic governance systems to oversee globalized mining operations, the globalization of mining governance has increased the complexity of the governance system making it more difficult for the Guatemalan government and stakeholders to keep track of, access, and participate in governance, or address specific governance issues. Increasing the elements and organizations in the global mining governance system has entrenched the system, making it more difficult to transform. An important and problematic feature of the global mining governance system is that it privileges corporate power by allowing corporate participation in governance and by relying on information provided by the companies without independent verification. This allows considerable industry self-regulation. As such, the assumed necessity to “bypass the state” needs to be revisited (Bartley, 2018). Global governance actors need to refocus more explicitly on strengthening the capacity and accountability of domestic governments.

This dissertation illustrated that the dynamics of mining-related conflict engaged several issues and go beyond the direct impacts of mining. Existing theories about these conflicts as arising only because of mining adverse impacts are superficial and miss important issues and aspects of the conflict context. Additionally, the fragmentation of the global mining governance system into individual policy issues, such as environmental issues or human rights, and the dispersal of governance authority and functions across a global array of organizations has not helped to prevent or resolve mining-related conflicts. Organizations, mechanisms, and frameworks for supporting the resolution of extractive sector conflicts need to focus on the entire scope and complexity of the conflicts, including how they intersect with features and dynamics of the societal system. A complex systems approach may be a useful tool for practitioners to distinguish different dynamics of conflict, understand how they intersect with underlying issues and other societal challenges, and support the identification of appropriate solutions. As above, any external support needs to focus attention on building capacity for change.

Finally, in examining the complex intersection between mining and peacebuilding, the dissertation revealed that underlying issues associated with mining and peacebuilding—in this case

inequality and exclusion—were beyond the ability or responsibility of either mine to address. These were ultimately the Guatemalan government’s responsibility to address. Additionally, none of the frameworks for responsible business conduct, either in existence or adopted by the two mines, are equipped to address these issues. Moreover, the strategic way that the mines deployed community investments and participated in societal initiatives to advance their own interests reveals that self-defined responsible business conduct initiatives were not appropriate for resolving broader societal issues. Therefore, they should not be marketed or leveraged as a solution in this regard. Companies should be expected to behave responsibly. However, companies need to carefully assess the impact of their presence and operations in order to understand how they intersect with broader features and dynamics of the societal systems in which they operate, as noted above. It was beyond the scope of this investigation to examine and assess the appropriateness and/or effectiveness of existing tools, such as Impact and Benefit Agreements, for this purpose or identify specific adjustments required. However, future research should focus on this area.

Companies are gaining an increasingly formalized role in peacebuilding and development initiatives (Hönke, 2014; UNGC, 2013, 2015a, 2015b; PBC, 2020). Given the potentially problematic role that companies can have during conflicts and rise in company-community conflicts in the extractive sector worldwide, the appropriateness of their role requires further examination (Tripathi, 2008; ICMM, 2015). The complex intersections between mining and peacebuilding examined in this dissertation reveal companies’ impacts and potential contributions to peacebuilding are complex and context specific. It is necessary to consider how business operations intersect with core features of the peacebuilding context, because businesses and their impacts and contributions to society are conditioned by pre-existing features in the local context and may in turn support or complicate peacebuilding transformations underway. Companies are part of the peacebuilding context and must be considered in peacebuilding. However, they cannot be left to their own devices. Any role for companies must be guided by peacebuilders and carefully designed to ensure alignment with broader peacebuilding goals and tasks.

The impacts of companies in the context of peacebuilding and globalized governance system that has emerged for the extractive sector and responsible business conduct also share important parallels with the involvement of international organizations in peacebuilding and point to common challenges relating to empowering domestic actors. The overall complexity of the system that has emerged to support peacebuilding and extractive sector governance has created further challenges for domestic actors to navigate it and ultimately transform the societal issues the system intended to address.

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¹¹⁶ In approximately October 2021, Entre Mares de Guatemala S.A. changed its name to Elevar Resources and began transitioning its social media and other communications to the new name over the course of the next few months. References may use both names depending on the publication date; however, they both refer to the same entity.

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Appendices

Appendix 1. The Guatemalan Peace Accords

- 1) Comprehensive Agreement on Human Rights (March 29, 1994; UNGA, 1994c)
- 2) Agreement on Resettlement of the Population Groups Uprooted by the Conflict (June 17, 1994; UNGA, 1994b)
- 3) Agreement on the Establishment of the Commission to Clarify Past Human Rights Violations and Acts of Violence that have Caused the Guatemalan Population to Suffer (June 23, 1994; UNGA, 1994a)
- 4) Agreement on Identity and Rights of Indigenous Peoples (March 31, 1995; UNGA, 1995a)
- 5) Agreement on Social and Economic Aspects and Agrarian Situation (May 6, 1996; UNGA, 1996f)
- 6) Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society (September 19, 1996; UNGA, 1996e)
- 7) Agreement on the Definitive Ceasefire (December 4, 1996; UNSC, 1996)
- 8) Agreement on Constitutional Reforms and the Electoral Regime (December 7, 1996; UNGA, 1996d)
- 9) Agreement on the Basis for the Legal Integration of the Unidad Revolucionaria Nacional Guatemalteca (URNG) (December 12, 1996; UNGA, 1996c)
- 10) Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements (December 29, 1996; UNGA, 1996b)
- 11) Agreement on a Firm and Lasting Peace (December 29, 1996; UNGA, 1996a)

Appendix 2. Additional Details on Methods

1. Criteria for Information Gathering and Analysis.

The following criteria guided information gathering and analysis in accordance with the conceptual framework (Figure 2.6) and epistemological framework (Figure 2.10) as discussed in [Chapter 2](#).

Figure 10.1. Criteria for Identifying and Prioritizing Relevant Parts

System Part	Analytical	Empirical	Intersubjective	Examples
Organizations	- Mentioned in official documents as involved	- Participates, contributes to, affected by activities associated with mining/peacebuilding	- Acknowledged as relevant to mining, peacebuilding, context	- Subcontractor - Community adjacent to the mine - Peacebuilding NGO
Rules	- Applicable to the operating context - Mentioned in official documents		- Acknowledged as relevant to mining, peacebuilding, context	- Company policies - Peace accords - Laws - Standards - Customs/traditions
Values & Perspectives	- Mentioned in official documents		- Conscious acknowledgement of it/relevance - Interpreted as relevant from responses/ behaviour	- Mistrust - Desires - Concerns
Activities	- Applicable to mining, peacebuilding, context - Mentioned in official documents - Key inputs, outputs, capacities	- Observed as part of mining, peacebuilding, context - Observed inputs, outputs, capacities	- Acknowledged as involved/relevant to mining, peacebuilding, context - Acknowledged as relevant to inputs, outputs, capacities	- Water use - Construction - Contamination - Meeting/event - Violence
Resources	- Applicable to mining, peacebuilding, context - Mentioned in official documents - Key inputs, outputs of mining, peacebuilding, context	- Observed as consumed, transformed, or affected by, affecting mining, peacebuilding, context	- Acknowledged as consumed, transformed, or affected by, affecting mining, peacebuilding, context - Acknowledged as otherwise important to the context	- Land, water, air, forest, flora/fauna - Money - Information - Capacity - Tools/technology

Figure 10.1 lists the analytical, empirical, and intersubjective criteria that helped distinguish whether something constituted a relevant part of a mining or peacebuilding system, along with some examples.

Figure 10.2. Criteria for Identifying and Prioritizing Connections Among Parts

Connection	Analytical	Empirical	Intersubjective	Examples
Among Organizations	- Mentioned in official documents	- Observed interaction	- Acknowledged relationship	- Contractual relationship - Involved in conflict - Regular communication - Members of working group
Organizations & Rules	- Rules apply to that organization - Mentioned as contributor	- Official paperwork demonstrating compliance	- Acknowledged applicability - Acknowledged influence/contribution	- Licences/permits - Compliance reports/inspections - Governance committee member
Organizations & Values/ Perspectives	- Mentioned in official documents		- Conscious acknowledgement of it/ relevance - Interpreted as relevant from responses/ behaviour	- Organizational values, priorities, concerns, positions
Organizations & Activities	- Mentioned in official documents	- Observed as by/ associated with an organization;	- Acknowledged link/ relevance	- Program - Protest
Organizations & Resources	- Mentioned in official documents	- Observed as consumed, transformed, or affected by, affecting an organization	- Acknowledged link/ relevance	- Spending - Lack of resources - Land use (e.g. agriculture)
Rules & Values/ Perspectives	- Mentioned in official documents		- Acknowledged link/ relevance	- Explicit protections - Legal gaps
Activities & Values/ Perspectives	- Mentioned in official documents		- Acknowledged link/ relevance	- Implementation priorities - Lack of enforcement - Motivation/ rationalization for action

Figure 10.2 lists the analytical, empirical, and intersubjective criteria that helped determine whether and how parts were interconnected.

Figure 10.3. Indicators for Identifying Emergence

Function	Description	Indicators
Organization	Emergence establishes an organizational structure among parts	Behavioural rules established, observed, or acknowledged (e.g., roles and responsibilities, division of labour, coordination)
Hierarchy	Organizational structure, but with asymmetric relationships	Behavioural rules established in which the influence of some agents within the system is unequal (some have more/less)
Novelty	Emergence establishes a sustainable new entity with distinctly different characteristics and behaviours	New and different characteristics and behaviours from the individual parts
Memory	Frozen structure or processes which arise through non-linear interactions.	Behavioural rules, information, and experience that get preserved over time
Functionality	A new process emerges that carries out work which is used by another entity	The entity collectively produces services, outputs, or deliverables
Measurement	New ability for sampling the environment	The entity collectively is able to take in and process information or materials
Localisation	Emergence restricted to the non-linear interaction among a restricted set of parts	One of the above observed among a restricted set of parts
Context	Localized memory used differently within the system	Behavioural rules, information, and experience that get preserved over time but in ways that are used differently among different sets of parts
Symbolism	Ability of entities to recognize patterns	The entity collectively is able to recognize patterns & doing so, it behaves differently

Figure 10.3 summarizes McDonald & Weir's (2006) functional categories of emergence. They were intended to help the researcher to distinguish emergent patterns of behaviour but did not prove to be as useful as expected, as discussed in [Section 2.3.4](#).

Figure 10.4. Criteria to Gauge Change in System-wide Patterns of Behaviour

Leverage Point	Indicators	Examples	Δ
Constants, numbers, parameters, Size of buffers	Change to quantity/quality of resources available for use/consumption Change to a resource's capacity to withstand change Change or organization's capacity to withstand change	Change in land, money, information, people Change in quantity of resource reserves (e.g., water, money), resilience, social capital	Smallest System Impact → Largest System Impact
Structure of material stocks & flows Length of delays	Change to the layout of infrastructure, supply chains, social networks Change to the amount of time it takes to respond to information about the system or changes in the system	Change in suppliers, vendors, partners, source of resources, destination of outputs/waste Change in community response time, mine response time, government response time to issues or incidents	
Strength of negative feedback loops	Change to the strength/impact of checks and balances in the system	Change in strength of civil society and government organizations (PDH, CICIG, justice system, elections) to address injustice/ disincentivize self-serving behaviour	
Strength of positive feedback loops	Change to the strength/impact of incentives/ advantages of self-serving behaviour in the system	Change in the power/influence of elites in government, the economy, and society.	
Structure of information flows	Change to how information circulates in the system	Change in social networks, communications technology, freedom of the press, transparency	
Rules of the system	Change to formal and informal rules that authorize or sanction certain types of activities	Change in laws, policies, standards, customs	
Power to change system structure	Change to the capacity of some/all organizations to change any/all of the other leverage points	Change in the ability to directly change other components of the system, prevent change in the system, or demand change/prevent change by others	
Goals of the system	Change to the overarching purpose of society	Change in the economic model or the interests and objectives that the government seeks to achieve	
Mindset, paradigm from which system arises	Change to the overarching values, beliefs, assumptions that inform other system components	Change in racist attitudes towards Indigenous peoples, beliefs about well-being, the environment, etc.	
Power to transcend paradigms	Change to the ability of society to recognize its own values, assumptions, beliefs and appreciate those of others	Change in societal polarization, reconciliation.	

Figure 10.4 lists criteria based on Meadows' (2009) leverage points. They helped gauge the extent of system-wide changes observed over time.

Figure 10.5. Criteria to Consider the Nature of System-wide Changes

Theory	System-Wide Change	Other Observations
Path Dependence	None	- Amplification of the current system-wide behaviour over time - Positive Feedback Loops
Coevolution	Gradual	- Adaptation to other changes
Critical Transition	Sudden and dramatic	- Critical slowing down and/or flickering

Figure 10.5 lists the criteria, based on a review of relevant literature, that helped distinguish changes in system-wide patterns of behaviour.

2. Recruitment Materials for Structured Interviews

A range of information materials were developed to engage participants in interviews, including a recruitment letter ([English](#), [Spanish](#)), recruitment poster ([English](#), [Spanish](#), [Mam](#)), recruitment brochure ([English](#), [Spanish](#), [Mam](#)), and a video recording ([English](#), [Spanish](#)). These information materials were posted on a website for the research project (<https://asilburt.wixsite.com/mappingcomplexity>) and physical copies were provided to anyone that was interested in learning about the research project.

Materials developed to enable informed consent included a consent information sheet ([English](#), [Spanish](#), [Mam](#)), a consent form ([English](#), [Spanish](#)), and a script for obtaining consent ([Spanish](#)).

3. Questions for Structured Interviews

Interviews were divided into six sections, as follows:

- Part 1: Explanation of the research to date and feedback
- Part 2: Contextual information about the participant and their relationship to the situation
- Part 3: Their work and activities
- Part 4: Their interactions with others
- Part 5: Their perspective about peacebuilding
- Part 6: Addressing any gaps

Part 3, 4, and 5 of the interview script were slightly different depending on which kind of organization they came from: A) Government, B) Mining, C) Community, or D) Peacebuilding. This is indicated in these sections of the interview script below.

Part 1: Explanation of the research to date and feedback

Interviews began by offering to give an optional explanation of the research project and the results to date ([English](#), [Spanish](#)) with the purpose of soliciting their feedback. This explanation was supported by [visual diagrams](#). If participants were interested in doing this part of the interview, all participants were asked the following questions:

- 1) **Does this approach of thinking about the challenges related to mining and peace efforts as part of a big web of connections make sense to you?**

Probing Questions:

- Was it difficult to understand?
 - How do you understand your context?
 - In what ways is your perspective similar or different from this perspective?
- 2) **Apart from any differences you may have mentioned, when you think about the context as a big web as I just described, do you think that I have understood the context accurately or appropriately?**

Probing Questions:

- I am very aware that because I am not from here, I may have fundamentally misunderstood something about the situation.
 - I hope that in offering my interpretation I have not offended you or made something that is important for you seem unimportant. It is not my intention, which is why I am asking your perspective.
- 3) Finally, is there something in particular that is missing and that is important to include?**

Probing Questions:

- Is there a fundamental element that I may have missed?
- Are there any particular “people” or “activities” or “rules” that I may have missed?
- Have I incorrectly made a connection between two different things or is there an obvious connection that I am missing?

Part 2: Contextual information about the participant and their relationship to the situation

After completing Part 1, or if participants chose not to do that part, four general questions were asked to participants to understand their relationship to the Marlin or Cerro Blanco mines. Doing so helped contextualize the information and perspective they would provide on other questions. The following questions were asked to participants in all groups:

- 1) What is your connection to the region near to the [Marlin/Cerro Blanco] mine(s)?**

Probing Questions:

- Do you live here, work here, or is your work related to this region?

- 2) How well do you know the region?**

Probing Questions:

- Have you lived here/worked here long?

- 3) How have you been involved in and/or affected by mining activities in the region?**

- 4) How have you been involved in and/or affected by activities to “make peace” since the peace accords were signed?**

Part 3: Their work and activities

Questions about the work and/or activities were tailored to each participant group, because their knowledge and experience were different. Questions for A) Government representatives sought to

understand the how mining governance was organized and operated in practice. Questions for B) Mining representatives sought to understand how mining was organized and operated in practice. Questions for C) Community representatives sought to understand key aspects of their life and work in the community order to understand how they might interest with mining or peacebuilding. Questions for D) Peacebuilding representatives sought to understand how peacebuilding efforts were organized and operated in practice. Questions are presented below according to each group.

A) Government

1) What are the key activities within the government involved in the governance of mining in Guatemala?

Probing Questions:

- What are the activities involved in the approval of licenses for exploration or operation, environmental permits, to ensure compliance with regulations related to mining, the environment, labour, health, etc., or to collect royalties or taxes?
- Are there specific programs related to mining?
- How do you ensure that all of these activities are coordinated or aligned?
- What kinds of inputs or outputs do these activities involve in terms of information, resources, or approvals?

2) How are these activities divided within the government? Which ministries or sub-units are responsible for which activities?

Probing Questions:

- Who makes legislation and regulations? Who makes sure they are followed? Who is responsible for labour standards in mining?
- Who is responsible for receiving royalties and taxes?
- What does your ministry do with respect to mining?
- What do you do in particular?

3) Reflecting on the work of your ministry in general, and your job in particular, what are the key resources you need to do your work well? Do you think you (or your ministry) has the resources it needs to do so?

Probing Questions:

- What information do you (or your ministry) need do your job?
- What skills or experience do you (or your ministry) need?
- What kind of cooperation or relationships do you (or your ministry) need?

- What kind of attitudes or goals motivate you (or your ministry) in your work?
- 4) How does the government ensure that everyone is working together and effectively? Are there formal or informal rules that everyone needs to follow?**

Probing Questions:

- How do you know when your work is “good”?
 - Are there goals or expectations in your work contract? Does your ministry (or the government in general) have goals that they are working to achieve?
 - Does your ministry (or the government in general) follow certain formal “rules” like laws or policies regarding mining?
 - To what extent do you think that everyone is following those rules? Do you need to make sure that everyone is following them or are they something “natural” that everyone follows automatically?
 - Who ensures that these rules are followed? With what frequency? Do you think that it is necessary that they check?
 - Are there any informal norms or rules that you, your ministry, or the government in general follows?
 - Is there a specific culture in your workplace? Is the way you act at work different than at home or in a different ministry?
- 5) What do you think is the overarching objective that the government is trying to achieve regarding society in general, and regarding mining in particular?**

Probing Questions:

- Is the government trying to facilitate mining, to support development for the whole society, to protect the environment, or to advance certain interests?

B) Mining

1) What are the key activities involved in the operation of a mine?

Probing Questions:

- What are the key activities in terms of extracting minerals? E.g., how do you extracting the soil, separate the mineral from the ore, bring it to the market?
- What kind of inputs and outputs do these activities involve in terms of environmental resources (e.g., water), chemicals, equipment, etc.
- What kind of monitoring and supervision activities are done?
- How do you ensure that these activities are synchronized?
- What does management of a mine involve?
- How does internal communication work with your management? With what frequency does it occur?
- What other things does the company do as part of the management of the mine? E.g., investors or strategic planning?

2) How are these activities divided? What are the different “units” that do these activities?

Probing Questions:

- Is there an organizational chart? How do you know who to talk to about a particular activity?
- What about contractors? Which type of activities are done by internal staff and which are done by contractors? Why these activities and not others?

3) How do you make sure that all workers and contractors are on the same page? Are there formal or informal rules or codes of conduct that everyone follow?

Probing Questions:

- How do you make sure that everyone follows the code of conduct?
- How do you know if certain workers are working “well”?
- There are certain policies on the parent company’s website, do they apply to this mine as well? Who made them? How do they translate into the work you do? Are there other policies for each work unit?
- To what extent does everyone follow these policies? Who is making sure that everyone is following them?
- Do you think it is necessary to check that they are being followed?
- What happens with laws and other voluntary commitments? How do you make sure that everyone follows these rules?
- How would you describe the “culture” in the mine is there a way of behaving that is different than when you are with your family?

4) In your opinion, what are the goals that the mine is trying to achieve? How do these goals translate into the work you do in the mine?

Probing Questions:

- Are their performance objectives for workers to achieve? How are those communicated to workers?
- At the end of the day, the mine is likely trying to produce gold, but in your opinion, is the mine trying to do anything else? (e.g., employee satisfaction, sustainable development)

5) To what extent have you personally adopted the goals and rules of the mine? Do you personally feel passionate about what the mine is trying to achieve or are your goals different?

Probing Questions:

- For example, from my experience working in the government, there are some employees who are very passionate about the work and others who want to go home at 5pm or want to get a promotion. To what extent is this the same in the mine?
- Why did you want to work in the mine in the first place?
- Certain rules might seem to be unnecessary, e.g., to address climate change, why do you continue to follow them? Because you believe in their importance, or do you fear consequences?
- How is your relationship with your colleagues? Do you work well with them or are there challenges or tensions? With what frequency?

C) Community

1) How is life here?

Probing Questions:

- How is your relationship with other members of the community?
- Where do the majority of people work? In what kind of work?
- How does the community reach decisions? Are there specific organizations or processes that are used?
- Are there official or unofficial rules about how to behave?
- How does the community resolve conflicts?
- What are the things that you value most in your life? Is this something personal or do you think everyone in the community shares the same values?

2) In what way is your life connected to the environment?

Probing Questions:

- Where do you get your water from?
- Where do you get your food from?
- What is your main source of income or livelihood?
- Do you have any cultural practices related to the environment?

3) How is the relationship between the community and the central government?

Probing Questions:

- Is there a lot of interaction with the government? With which ministries or organizations?
- How are those interactions?
- What kind of activities does the government do here?
- Do people have a lot of interest in politics and debates that are taking place in the capital?
- Do you think the government helps the community?

D) Peacebuilding

1) What are the key activities involved in peacebuilding in Guatemala?

Probing Questions:

- What are the activities involved in reconciliation, reintegration, Indigenous or land rights, security sector reform, etc.

2) How are these activities divided? Which organizations or ministries are responsible for which activities?

Probing Questions:

- Who is in charge of reconciliation, law reforms, Indigenous rights, security sector reform, etc.?
- What does your organization do?
- What do you do as part of your role within that organization?

- How do you know about all of the different activities and responsibilities? Is there a map or list of programs?
- 3) Reflecting on the work of your ministry in general, and your job in particular, what are the key resources you need to do your work well? Do you think you (or your ministry) has the resources it needs to do so?**

Probing Questions:

- What information do you (or your ministry) need do your job?
 - What skills or experience do you (or your ministry) need?
 - What kind of cooperation or relationships do you (or your ministry) need?
 - What kind of attitudes or goals motivate you (or your ministry) in your work?
- 4) How do you ensure that everyone is working together and effectively? Are there formal or informal rules that everyone needs to follow?**

Probing Questions:

- How do you know when your work is “good”?
 - Are there goals or expectations in your work contract? Does your organization have goals that they are working to achieve?
 - Does your organization follow certain formal “rules” like laws or policies?
 - To what extent do you think that everyone is following those rules? Do you need to make sure that everyone is following them or are they something “natural” that everyone follows automatically?
 - Who ensures that these rules are followed? With what frequency? Do you think that it is necessary that they check?
 - Are there any informal norms or rules that you, your organization, or society in general follow?
 - Is there a specific culture in your organization? Is the way you act at work different than at home?
- 5) What are the goals that your organization is trying to achieve regarding peacebuilding? To what extent do you think this objective is shared by others involved in peacebuilding or in society in general?**

Probing Questions:

- It is likely that you are trying to achieve “peace” but are there specific objectives or minimum standards that you are working to achieve?
- 6) Reflecting on everything we just discussed (about the activities, people, rules, and objectives of your organization related to peace), how do you feel about it? What motivates you to do all of it?**

Probing Questions:

- Why did you want to work in your organization in the first place? E.g., do you believe in what it is doing, or did you just want a job?
- What are you personally trying to achieve in your work and career?

- Some of the required rules, processes, or activities in your organization might seem unnecessary; why do you follow them? E.g., do you believe in them, do you respect your boss, or do you fear the consequences?
Thinking about your relationship with others in your organization, like colleagues, your boss, or your employees, how is your relationship with them? Do you work well together, or are there tensions or challenges? With what frequency?

Part 4: Their interactions with others

Questions about interactions with others were also tailored to each participant group, due to their different proximity to mining and peacebuilding. Questions for A) Government representatives sought to understand their interactions with other organizations and society as part of mining governance. Questions for B) Mining representatives sought to understand their interactions with the government, community, and environment. Questions for C) Community representatives sought to understand their perception of interactions with mining and peacebuilding or how they impact their life. Questions for D) Peacebuilding representatives sought to understand how peacebuilding efforts intersect with society. Questions are presented below according to each group.

Group A. Government

1) Who do you work with regarding mining (your ministry in general, or you in particular)?

Probing Questions:

- Do you work with other units within your ministry? With other ministries?
- Do you coordinate activities or share information with others?
- Do you work with other stakeholders like companies, NGOs, local government, international governments, or international organizations?

2) What happens as part of these interactions? Is there something in particular that you exchange or a specific result that is produced?

Probing Questions:

- Do you receive documents or information? Do you provide something in return?
- Do you share information?
- Do you receive products?
- Do you consult anyone or seek their approval?
- Do you make decisions?
- How frequent do these interactions happen?

- 3) **On a scale from 1-10 (1 is not important, 10 is very important), how important are these interactions to your work? To mining in general?**
- 4) **When you think about these interactions, what kind of formal or informal “rules” affect how you behave or interact with them? Do you think that they are also using the same rules as you? Why or why not?**

Probing Questions:

- Are you required to have this interaction because of certain rules?
 - Are there certain customs or ways of interacting that should be followed?
 - Are there certain things that you should or should not do or say as part of these interactions?
- 5) **How would you describe your relation with these other organizations? How do you feel about the interaction in general?**

Probing Questions:

- Are they professional, without any particular problems, or are the interactions challenging in any way?
- Do you think that you share the same goals or values? What is the same and what is different?
- Do you work well together or is it difficult?

B) Mining

- 1) **With which stakeholders does the mine interact with as part of its operations?**

Probing Questions:

- Do you work with government ministries? At the departmental level as well? Municipal government? With NGOs or community organizations?
 - Do work with other businesses or service providers?
 - What aspects of mining do these interactions concern?
- 2) **What happens as part of these interactions? Is there something in particular that you exchange or a specific result that is produced?**

Probing Questions:

- Do you receive or submit documents or information? Do you provide or receive something in return (e.g., approval, money)?
 - Do you share information?
 - Do you receive products?
 - Do you consult anyone or seek their approval?
 - Do you make decisions?
 - How frequent do these interactions happen?
- 3) **When you think about these interactions, what kind of formal or informal “rules” affect how you behave or interact with them? Do you think that they are also using the same rules as you? Why or why not?**

Probing Questions:

- Are you required to have this interaction because of certain rules?
 - Are there certain customs or ways of interacting that should be followed?
 - Are there certain things that you should or should not do or say as part of these interactions?
- 4) How would you describe your relationship with these other organizations? How do you feel about the interaction in general?**

Probing Questions:

- Are they professional, without any particular problems, or are the interactions challenging in any way?
 - Do you think that you share the same goals or values? What is the same and what is different?
 - Do you work well together or is it difficult?
- 5) Thinking about the environment, how does the mine depend on or impact the environment (positive or negative)?**

Probing Questions:

- What about land, minerals, water, infrastructure, other things?
 - Negative impacts could include potential contamination of water, soil, dust, but is there something else?
 - Positive impacts could include access to energy, jobs, investments in the community, but is there something else?
- 6) Thinking about the local community, and perhaps Guatemala in general, in what way does the mine depend on or impact the society (positive or negative)?**

Probing Questions:

- What about labour, local suppliers, businesses or service providers for transportation or accommodation, cohesion in the community, other things?
 - What about international relations, markets, commodity prices?
 - Positive impacts could include support for local economic development, government revenue, direct programs, but is there something else?
 - Negative impacts could include the creation of inequalities, changing the local culture, causing grievances, but is there something else?
- 7) How do you feel about the local community and about Guatemala in general?**

Probing Questions:

- Do you like working here, or is it difficult in anyway? How so?
- During your interactions with the community (as part of your job or outside of work) how do you think of these interactions?

C) Community

- 1) Without naming anyone in particular, which groups, organizations, or companies interact with the mine?**

Probing Questions:

- Which groups or companies work in or with the mine?
- Who does the mine talk in the community to regarding projects, problems, or other things? The government or someone else?
- Have you ever interacted with the mine or others associated with the mine? What was the situation or interaction?

- 2) What activities take place or what is exchanged between the mine and these organizations as part of those interactions?**

Probing Questions:

- Are there certain customs about how to interact, that are or are not followed? How so?
- What is your perspective on these interactions? Are they good, bad, easy, hard, a lot a little, important, stupid?

- 3) How has your life changed since the mine arrived?**

Probing Questions:

- Has your source of income change?
- Has your environment changed?
- Have your relationships with other community members changed?
- Have the people who live and work here changed?
- Are there new or different challenges here? How so?
- Are there new or different conflicts here? How so?

- 4) What is your perspective or feelings towards the mine?**

Probing Questions:

- Do you like that the mine is here or was here? Why or why not?
- During your interactions with the mine, how did you feel about the interaction? How do you feel about the mine because of that interaction?

- 5) (Marlin Mine only) With the mine's closure, have you noticed any further changes in the community?**

Probing Questions:

- Has your source of income change?
- Has your environment changed?
- Have your relationships with other community members changed?
- Have the people who live and work here changed?
- Are there new or different challenges here? How so?
- Are there new or different conflicts here? How so?

D) Peacebuilding

1) Thinking about the environment, how does your organization depend on or impact the environment (positive or negative)?

Probing Questions:

- Do you have projects related to public services like water, energy, infrastructure, or something else? Or related to environmental issues like land rights, forests, agriculture, etc.
- Negative impacts could include potential contamination of water, soil, or garbage, but is there something else?
- Positive impacts could include access to energy, investments for sustainability in the community, but is there something else?

2) With which stakeholders does your organization interact with as part of its work?

Probing Questions:

- Do you work with government ministries? At the departmental level as well? Municipal government? With NGOs or community organizations?
- Do work with other businesses or service providers?
- What is the purpose of these interactions or what aspects of your work do they concern?

3) What happens as part of these interactions? Is there something in particular that you exchange or a specific result that is produced?

Probing Questions:

- Do you receive or submit documents or information? Do you provide or receive something in return (e.g., approval, money)?
- Do you share information?
- Do you receive products?
- Do you consult anyone or seek their approval?
- Do you make decisions?
- How frequent do these interactions happen?

4) When you think about these interactions, what kind of formal or informal “rules” affect how you behave or interact with them? Do you think that they are also using the same rules as you? Why or why not?

Probing Questions:

- Are you required to have this interaction because of certain rules?
- Are there certain customs or ways of interacting that should be followed?
- Are there certain things that you should or should not do or say as part of these interactions?

5) How would you describe your relationship with these other organizations? How do you feel about the interaction in general?

Probing Questions:

- Are they professional, without any particular problems, or are the interactions challenging in any way?
- Do you think that you share the same goals or values? What is the same and what is different?
- Do you work well together or is it difficult?

Part 5: Their perspective about peacebuilding

Questions about participants' perspectives about peacebuilding differed depending on their level of knowledge about peacebuilding. Questions are presented below according to each group.

A) Government

- 1) What are the key activities that the government is trying to do to build peace? Do you think the work of your ministry is related to these efforts in any way? How so?**

Probing Questions:

- Do you know of any activities involved in reconciliation, reintegration, Indigenous rights, land rights, security sector reform, etc.?
 - Are you aware of any programs or initiatives to help build peace that were implemented in the region? Who did it? Was it throughout the entire country or only in that region?
- 2) What do you think is the biggest challenge related to the history of conflict and current peacebuilding efforts?**
 - 3) Since the peace accords were signed, what has been the biggest change (negative or positive) you've noticed in the region or in Guatemala in general? Do you think this change is related to peacebuilding or something else?**
 - 4) Thinking about the same time period, is there something you've noticed that hasn't changed but that you think is important for peace in Guatemala? Why is it important? Why hasn't it changed?**

B) Mining

- 1) Has the mining company contributed to peacebuilding efforts in any way, either locally or on the national level?**

Probing Questions:

- Was the mine involved in reconciliation efforts among certain groups?
- Did the mine support legislative reforms?
- Did the mine participate in efforts to strengthen Indigenous rights or to address discrimination?

- Were these efforts with the objective of helping peacebuilding at a national level or because they were useful to the mine in some way (e.g., you needed to do them anyway)?
- 2) **This context, of a civil war and ongoing peacebuilding efforts, has this affected your life or work in the mine in any way?**

Probing Questions:

- Has the way the mine operates been affected by this context (e.g., new rules, security)?
 - Has this made the mine's work more or less difficult in anyway? e.g., interpersonal relationships
 - Has this ever been an issue of discussion among colleagues at work?
- 5) **What do you think is the biggest challenge related to the history of conflict and current peacebuilding efforts?**
 - 6) **Since the peace accords were signed (or since you began working in the mine), what has been the biggest change (negative or positive) you've noticed in the region or in Guatemala in general? Do you think this change is related to peacebuilding or something else?**
 - 7) **Thinking about the same time period, is there something you've noticed that hasn't changed but that you think is important for peace in Guatemala? Why is it important? Why hasn't it changed?**

C) Community

- 1) **On a scale from 1 to 10 (1 is not a lot, 10 is a lot), how much do you know about the peace accords and the commitments contained within them? Can you explain why you chose that number?**
- 2) **What do the peace accords mean to you in your life?**

Probing Questions:

- Do they have symbolic significance or is it just a piece of paper?
 - Have community members ever spoken about them?
 - Has the government ever talked about them?
- 3) **(If they chose a number of 6 or higher) Are you aware of any peacebuilding programs or initiatives that were done here?**

Probing Questions:

- Who did the project? The government? An NGO? The Community?
 - Who was it for? Was it something that was done across the country or only here?
 - Did you participate in that program? Who did?
- 4) **Since the peace accords were signed (or since you began working in the mine), what has been the biggest change (negative or positive) you've noticed in the region or in Guatemala in general? Do you think this change is related to peacebuilding or something else?**

- 5) **Thinking about the same time period, is there something you've noticed that hasn't changed but that you think is important for peace in Guatemala? Why is it important? Why hasn't it changed?**
- 6) **What do you think is the biggest challenge related to the history of conflict and current peacebuilding efforts?**

D) Peacebuilding

- 1) **What do you think is the biggest challenge related to the history of conflict and current peacebuilding efforts?**
- 2) **Since the peace accords were signed (or since you began working in the mine), what has been the biggest change (negative or positive) you've noticed in the region or in Guatemala in general? Do you think this change is related to peacebuilding or something else?**
- 3) **Thinking about the same time period, is there something you've noticed that hasn't changed but that you think is important for peace in Guatemala? Why is it important? Why hasn't it changed?**

Part 5: Remaining Gaps

The final section of the interview asked two general questions that sought to address any gaps in the conversation or clarify aspects of the discussion:

- 1) **Reflecting on mining activities and peacebuilding, is there anything else we haven't talked about but that you think is important to talk about?**

Probing Questions:

- Is there an organization that is involved or that should be involved in these activities?
 - Are there specific issues related to mining and peacebuilding that we haven't talked about?
 - Are there other issues that are not related but they are still relevant to the situation?
 - Is there another way that mining and peacebuilding might be connected to each other that we haven't yet discussed?
- 2) **Is there anything else that you would like to add, clarify, or modify about our conversation?**

At the end of the interview, I thanked the participant for taking the time and for sharing their perspective and reminded them about what I would do with the information, how I would store it, and my next steps in the research process.

4. Implementation of University of Waterloo Human Research Ethics Requirements

As discussed in [Chapter 2](#), the University of Waterloo Human Research Ethics Committee considered fieldwork and information gathering through interviews to be high risk. No deviations from research ethics requirements occurred, but efforts to respect research ethics created awkward situations with the research participants. A description of these situations and how they were handled is provided below.

To avoid bringing up traumatic experiences, I did not ask questions about Guatemala's Internal Armed Conflict or probe for specific details on abuses incurred in relation to contemporary mining conflicts. Participants were comfortable to express their perspective and describe their experience to me. Representatives of the Guatemalan government, the mine, the community, and NGOs shared a lot of details with me. Though no questions about sensitive matters were asked, many participants shared graphic accounts of their experiences and events that occurred in the community anyway. In these situations, the participant was given space to finish their story and their experience was respectfully acknowledged before moving on to the next question. For example:

She commented that she isn't as informed about the peace accords. But she has some information. For example, her uncle was kidnapped four times. She personally remembers two times, but she never asked her mother what happened. The other two were a long time before the two times that she remembers. The ones that she can remember were in 1985 or 1986, or perhaps both years. She heard that when they kidnapped him, they stripped him naked and brought him somewhere. And so, that's how it was. They were going after him. And she remembers it a bit, but her grandmother told her this, and it made her really upset. For this, it gave people a lot of fear, mostly at night but also during the day. Her uncle that went, his name was XXX [name removed] and the other one was named XXX [name removed]. And now maybe six or seven years ago they found their bodies.

(Quotation 160. Community representative near the Marlin mine)

In a few instances, the risk management procedures created more issues than they solved. The procedure of not recording personal information, of using voice distortion, and of holding the interview in a private location made a few participants nervous. They asked questions about why it was necessary to use voice distortion or why they needed to leave their current location and would ask questions about the purpose of investigation again. The use of voice distortion suggested that the research was with a

larger organization like a government, court, or mine, which raised suspicions. In these situations, participants were reassured that the research was with the University of Waterloo and the measures were to ensure their safety. Some of the participants preferred to have someone with them or to discuss the matter as a group. In one situation, the participant asked for a colleague to take a video recording of the interview so that they could later post it on social media. In these situations, the wishes of the participant were respected after explaining the details of the interview and potential risks.

Most participants provided personal details about others even though I explained that I would not gather personal information, as illustrated in Quotation 160 above. On several occasions the participant seemed offended that I did not ask their name and responded to the first question by stating their full name and occupation. These details are on the audio recording of the interview but were not included in any notes or coding to preserve confidentiality. Many participants were interested in staying in touch with me by WhatsApp, Facebook, or email. These wishes were respected, but I did not contact them and allowed them to initiate contact with me to respect the ethics requirement.

It was not possible to find a professional interpreter for the local dialect spoken in Sipacapa (near the Marlin mine). Instead, local representatives were recruited as research assistants who were well known in their community and who could speak both Spanish and the local dialect. The assistants were available during interviews. In all cases the participants already knew, trusted, and had already shared their story with the research assistants. Although some the participants had previously given public statements about their experiences, efforts were made to preserve confidentiality. Except for three interviews where an interpreter was used, all interviews were conducted in Spanish. In these situations, the research assistants left the area where the interview was conducted to preserve confidentiality.

The recruitment materials were translated into Spanish and Mam, but nobody wanted the written information in Mam, as it is an oral dialect. While classes increasingly take place in Mam, the language is not taught in schools. This means that very few people know how to read or write in Mam. This was the

same for the local dialect of Sipacapa. Considering this, and given the difficulties encountered in finding an interpreter, written materials were not translated into the local dialect and the focus was on providing unofficial interpretation and ensuring the participant understood the orally communicated information.

As anticipated, Internet connection was insufficient to upload confidential material to a secure cloud location during fieldwork activities near the Marlin mine. Information was stored on an encrypted hard drive and encrypted USB key and was backed up online after returning to an urban centre. No major security incidents occurred while conducting fieldwork that affected the safety of the researcher, participants, or information gathered. That said, I felt that I was being watched and talked about while doing fieldwork in the small mining towns. In a few instances, I discovered that the mine had asked other community members about me (discussed in [Chapter 4](#)). On three occasions, participants preferred to conduct the interview outside and men on motorcycles passed by every 10 minutes. The interview was far enough from the road that they could not overhear the discussion. The participants explained that the motorcycle men were doing surveillance for the mine or were associated with local narcotraffickers. It was not possible to confirm these accounts. In these situations, I offered to move the interview somewhere else, but the participants preferred to continue in the current location.

To avoid the circulation of rumours about me, I was as transparent as possible about why I was in each town and what I was doing. As noted above, I met with the municipality at the outset of fieldwork in each town. At their invitation, I spoke about my research at the monthly municipal development council (COMUDE) meetings. I distributed information materials about the project widely so that anyone could contact me to ask questions or participate. I spoke to the pastors of the Catholic and Evangelical Churches in each region, who made an announcement about my research to their congregations. I also attended weekly services at both churches increase their familiarity with me. I also spoke to vendors in the local markets, so that they could provide information to others in case they asked. This approach seemed to be effective. As I spoke to more organizations in each region, people became more familiar with me.

Appendix 3. Timeline of Key Events



(Continued)

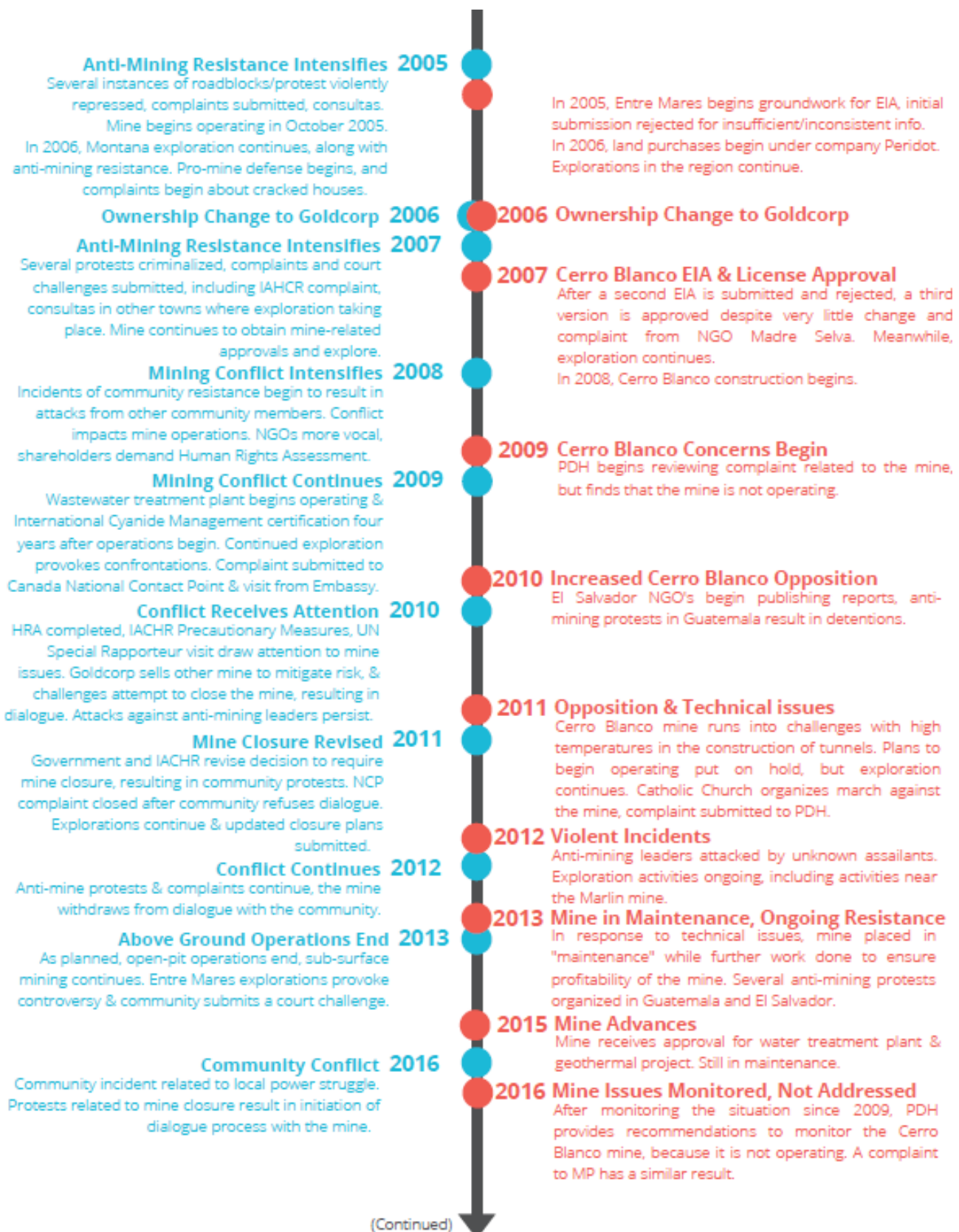




Figure 10.6. Marlin Mine Timeline of Key Events and Ownership at Different Mine Lifecycle Phases

Year	Lifecycle	Parent	Subsidiary	Key Events
1996	-	Montana Gold Corp. (Canada)	Montana Exploradora de Guatemala S.A.	Montana Exploradora de Guatemala S.A. incorporated (33011-141-119)
1996	Exploration	Montana Gold	Montana	Reconnaissance License issued "HORIZONTES"
1998	Exploration	Montana Gold	Montana	Marlin deposit discovered
1999	Exploration	Montana Gold	Montana	Exploration License issued for 100,000 km2 area in San Miguel, Sipacapa, Concepción Tutuapa (SEXR-388)
1999	Exploration	Montana Gold	Peridot, S.A.	Land purchases began
2000	Exploration	Francisco Gold	Montana	Francisco Gold acquires Montana Gold Corp.
2002	Exploration	Glamis Gold	Montana	Glamis Gold acquires Francisco Gold
2002	Exploration	Glamis	Montana	Exploration license extended (LEXR-388)
2003	Exploration	Glamis	Montana	Exploration license extended (LEXR-388)
2003	Approvals	Glamis	Montana	Environmental Impact Assessment initiated (Res. 014-2003/CRMM/lila)
2003	Approvals	Glamis	Montana	First EIA approved (Res. 779-2003/CRMM/EM)
2003	Approvals	Glamis	Montana	Mining License Issued (LEXT-541)
2004	Approvals	Glamis	Montana	Forest license issued (DR-VI-016-M-2004)
2004	Approvals	Glamis	Montana	Montana purchases land from Peridot
2004	Approvals	Glamis	Montana	\$45M US Loan by International Finance Corporation (IFC)
2004	Construction	Glamis	Montana	Mine construction begins
2005	Approvals	Glamis	Montana	Sipacapa consulta
2005	Approvals	Glamis	Montana	400,000Q compliance bond issued (26561)
2005	Operations	Glamis	Montana	Mine begins operations
2006	Approvals	Glamis	Montana	Environmental licenses issued (0002-06/DIGARN, 0116-06/DIGARN)
2006	Operations	Goldcorp	Montana	Goldcorp merger with Glamis
2007	Operations	Goldcorp	Montana	Additional EIAs approved for underground operations (Res. 1114-2007/ECM/KC)
2011	Operations	Goldcorp	Montana	Additional EIA approved for mine tailings (Res. 1501-2011/DIGARN/ECM/caml)
2011	Operations	Goldcorp	Montana	Additional EIA approved for mine closure (Res. 3498-2011/DIGARN/ECM/hapc)
2012	Operations	Goldcorp	Montana	Additional EIA approved for mine closure (Res. 2058-2012/DIGARN/LTCTCT/arg)
2013	Ops/ Closure	Goldcorp	Montana	Open-pit operations end (underground continue)
2015	Operations	Goldcorp	Montana	Additional EIA approved, modifying the mining license area (Res. 01736-2015/DIGARN/DCA/LRSV/om/mh/lr)
2017	Closure	Goldcorp	Montana	Underground operations end
2019	Closure	Newmont	Montana	Newmont merger with Goldcorp

Figure 3.12 provides a timeline of key events for the Marlin mine and tracks mine ownership at each of those events, based on several sources (Montana; 2003a; 2005; 2011d; 2011e; 2012a; 2015c; 2017a; 2017b; OGC, 2010, Appendix A; IFC, 2004; Goldcorp, 2006; Newmont, 2019).

Figure 10.7. Cerro Blanco Mine Ownership and Key Events throughout Mine Lifecycle

Year	Lifecycle	Parent	Subsidiary	Key Events
1996	-	Mar West (Canada)	Entre Mares de Guatemala, S.A.	Entre Mares de Guatemala S.A. incorporated (184328-316-142)
1997	Exploration	Mar West	Entre Mares	Exploration License issued (Jutiapa II, SEXR-164-97)
1998	Exploration	Glamis Gold	Entre Mares	Glamis Gold acquires Mar West
2000	Exploration	Glamis	Entre Mares	Exploration license extended (SEXR-164)
2003	Exploration	Glamis	Entre Mares	Exploration license extended (SEXR-164)
2004	Approvals	Glamis	Entre Mares	Environmental Impact Assessment initiated (Res. No 1356-2004/MAGC/EM)
2005	Approvals	Glamis	Entre Mares	Exploration license extended (SEXR-164)
2006	Approvals	Glamis	Entre Mares	EIA initially rejected (Res. 1016-2006/ECM/KC)
2006	Approvals	Glamis	Peridot, S.A.	Land purchases begin
2006	Approvals	Goldcorp	Entre Mares	Goldcorp merger with Glamis
2007	Approvals	Goldcorp	Entre Mares	Exploration license extended (SEXR-164)
2007	Approvals	Goldcorp	Entre Mares	EIA approved for underground operations (2613-2007/ECM/LP)
2007	Approvals	Goldcorp	Entre Mares	Mining license issued (LEXT-031-05)
2007	Approvals	Goldcorp	Entre Mares	Environmental & Construction Licenses Issued
2008	Construction	Goldcorp	Entre Mares	Mine construction begins
2010	Construction	Goldcorp	Entre Mares	Extension requested for construction period
2011	Construction	Goldcorp	Entre Mares	Additional EIAs approved for mine tailings (Res. 416-2012/DIGARN/UCA/ODGR/hapc)
2011	Construction	Goldcorp	Entre Mares	Mine has challenges with tunnel construction
2013	Construction	Goldcorp	Entre Mares	Mine goes into “maintenance,” work to examine mine profitability.
2015	Construction	Goldcorp	Entre Mares	License cancellation process from lack of activity; results in continuation of license.
2017	Construction	Bluestone Resources	Entre Mares	Bluestone Resources acquires Entre Mares & Geotermia Oriental de Guatemala, S. A. from Goldcorp
2020	Construction	Bluestone	Entre Mares	Investment/Partnership with Lundin Mining
2021	Construction/ Approvals	Bluestone	Entre Mares	Bluestone announces open pit mine operations, initiates EIA
2021	Construction/ Approvals	Bluestone	Elevar Resources	Name change from Entre Mares to Elevar Resources
2021	Construction/ Approvals	Bluestone	Elevar Resources	Environmental Impact Assessment submitted for open-pit operations, currently awaiting approval.

Figure 3.14 provides a timeline of key events associated with the Cerro Blanco mine at various stages of the mine lifecycle, and tracks ownership of the mine at each of those events. It was developed based on several sources, including Entre Mares (2005; 2007a; 2007b; 2011), Yagenova et al. (2020), BSR (2017b; 2021a, 2022a), MEM (2007a; 2008; 2011), CAD (2013), Williams (2020).

Appendix 4. The Structure of Social Interactions in Guatemala

Examples are provided below illustrating the dynamic of social interaction and information and resource circulation within the four main sub-networks that were distinguished in the context of both the Marlin and Cerro Blanco mines: 1) the central government network, 2) the municipal government network, 3) the pro-mine network, and 4) the anti-mine network. Examples are also provided illustrating gaps in interaction between 1) the central government and society, and 2) the municipal government and society.

1.1 Central Government Network

The central government network is comprised of departments and agencies in the Guatemalan government that interact with each other in fulfilling their roles and responsibilities through institutionalized processes or due to roles and responsibilities relating to a common issue or policy area. The network was comprised of the same organizations in the context of both mines. Interactions in the context of mining governance illustrate the general pattern of interaction within this network.

Guatemala's Ministry of Energy and Mines (MEM) and Ministry of Environment and Natural Resources (MARN) are the two main entities responsible for regulating mining activities. Aspects of mining-related operations also involve a dozen other government agencies, including the Ministries of Labour and Social Welfare (MINTRAB), Economy (MINECO), Finance (MINFIN), Communications, Infrastructure, and Housing (MINCIVI), Culture and Sports, National Defense (MINDEF), the National Forestry Institute (INAB), Health and Social Assistance (MSPAS), and others. Efforts to address mining-related conflicts involve additional organizations such as the Presidential Commission for Dialogue (CPD), the Human Rights Ombudsperson (PDH), Presidential Commission for Human Rights (COPREDEH),¹¹⁷ the Public Ministry (MP), National Police (PNC), Ministry of Governance (MINGOB), National Disaster

¹¹⁷ In July 2020 COPREDEH, along with the Peace Secretariat—SEPAZ—and the Secretariat for Agrarian Affairs—SAA—were disbanded and folded into a new commission called the Presidential Commission for Peace and Human Rights (COPADEH) (Gonzalez, 2020). I use the names of the institutions that existed at the time.

Reduction Coordination Network (CONRED), and others. All of these agencies receive their authority and budget from Guatemala's Congress, which is comprised of elected officials responsible for passing laws.

MEM and MARN interact to review and approve mine proposals¹¹⁸ and undertake mine inspections. Additionally, ad hoc inter-departmental committees address mine-specific issues, including those at the Marlin and Cerro Blanco mines (see MARN, 2016a, 2016b, 2016c; MARN, 2013a).¹¹⁹ Senior officials appointed to these, and other agencies form part of a broader elite network. Interactions relevant to policy and decision-making take place informally as a result of these social ties (Ericastilla, 2016).

These organizations interact with each other on a regular basis and interact with each other significantly more than they do with other segments of society. However, interactions among these organizations are limited to exchanging information and providing updates about how each organization has fulfilled their respective responsibilities. Collaboration and assistance is not extensive. These limitations became apparent in the context of responding to issues that arose at the Marlin and Cerro Blanco mines. The organizations have neither the authority, resources, or political will to do anything beyond their immediate responsibilities to help another organization or problem solve collectively. This resulted in a tendency to shift the burden, leaving the original problem unresolved, which was apparent from information provided through interviews:

The laws are very lazy. They are not very severe or pointed or exact. From here, there is a clash between the environmental law and the mining law, and there are many spaces like that. And this is just the starting point. Apart from this, there isn't any coordination, or it's really difficult in many cases.

(Quotation 161. Representative of the Guatemalan government)

Two examples illustrate limitations in cooperation among entities of the central government that were relevant to key issues related to dynamics of conflict at the Marlin and Cerro Blanco mines.

¹¹⁸ MARN sends a copy of the environmental impact assessment to MEM for review and receives their comments for consideration in their review and decision. MARN decides whether to approve the environmental impact assessment. Once approved, MEM decides whether or not to issue a license (see Iturbide & Samandu, 2010).

¹¹⁹ For the Marlin mine, the committees were focused on closure-related activities and issues. For the Cerro Blanco mine, the committees were focused on mine-related inspections.

1.1.1 Marlin Mine Precautionary Measures

At the Marlin mine, the Guatemalan government's ongoing failure to implement "precautionary measures" issued by the Inter-American Commission of Human Rights (IACHR) to protect the community members' human right to water appears is partly related to lack of coordination and lack of willingness by various government agencies to undertake actions that go beyond their immediate responsibilities. In 2007, a group of 13 (later expanded to 18) communities adversely affected by the Marlin mine¹²⁰ submitted a complaint to the IACHR. They alleged that their Indigenous right to consultation had been violated, and consequently their main water source was disrupted in terms of quantity and quality (Pueblo Sipakapense, 2007).¹²¹ In May 2010, the IACHR requested the suspension of the mine and decontamination of community water sources. In December 2011, it revised its decision and required the Guatemalan government to ensure that the 18 communities have access to potable water and ensure that the water is not contaminated by the mine (IACHR, 2010).¹²² This was an example illustrating the first dynamic of conflict in the context of the Marlin mine in [Chapter 4](#).

At the time of fieldwork, a number of community members did not have access to potable water, and a process was ongoing to follow-up on the IACHR precautionary measures. During a hearing of the Congressional Commission on Transparency and Honesty on February 19, 2019, representatives of various government agencies communicated the steps they took to address the issue. According to the agencies, all had fulfilled their responsibilities. And yet, communities still did not have access to potable water (CTP, 2019, p. 4-5). It became clear through their responses that the issue arose due to limited cooperation. The

¹²⁰ The communities involved were Tres Cruces, Escupijá, Pueblo Viejo, La Estancia, Poj, Sipacapa, Pie de la Cuesta, Cancil, Chual, Quecá, Quequesiguán, San Isidro, Canoj, Ágel, San José Ixcaniché, San José Nueva Esperanza, San Antonio de los Altos, y Siete Platos.

¹²¹ The petition included several alleged human rights violations, which were directed against the Guatemalan government, including: 1) judicial guarantees and protection, 2) protection of dignity, 3) freedom of thought and expression, 4) private property, 5) political rights, 6) equality under the law, 7) the right to Indigenous consultation under ILO Convention 169, 8) the right to water.

¹²² The process of seeking justice through the Inter-American Commission on Human Rights is part of a longer process of seeking justice through domestic channels that began in 2005 (IACHR, 2014; Pueblo Sipakapense, 2007).

Institute for Municipal Strengthening (INFOM), responsible for overseeing construction, did not take further action, because information they received indicated that the water projects had been constructed. They were not responsible for ensuring that water flowing through the pipes reached recipients (p.3), which they said was the Ministry of Environment's (MARN) responsibility. However, MARN indicated that they fulfilled their responsibility, which was only to verify water quality at the source. They were not responsible for verifying whether water was actually flowing through the pipes either (p. 7). The Presidential Commission for Human Rights (COPREDEH), responsible for overall implementation of the precautionary measures, did not pursue further action, because information they received from all of the other agencies indicated that advances had been made (p. 3). The Human Rights Ombudsman, who was responsible for ensuring that central government agencies respected human rights in general, indicated that they fulfilled also their responsibilities because they visited and communicated with the relevant ministries, even though the issue remained unresolved (p. 7).

1.1.2 Cerro Blanco Reactivation Hearings

Efforts to investigate the mine's compliance with applicable laws and policies encountered challenges because of the same lack of coordination and lack of willingness by government agencies to go beyond their immediate responsibilities. The initial approval of the Cerro Blanco mine prompted Guatemalan and Salvadorian NGOs to commission studies that pointed out important flaws in the design of the mine and environmental impact assessment (Lopez, 2010; Robinson, 2010). However, a complaint submitted to Guatemala's human rights ombudsman (PDH) in 2009 did not result in any action beyond a recommendation that MARN ensure that the Cerro Blanco mine addresses the recommendations in the studies commissioned by NGOs (PDH, 2016).

Bluestone Resources' acquisition of the mine in 2017 and advancement toward operations reactivated questions about the mine's legal status. In 2018 and 2019, the Congressional Commission on

Indigenous Peoples held hearings to ensure that the mine complies with the law and recommendations issued to date (CPI, 2019; Xmax Productions, 2019b). Again, government representatives shifted the burden of responsibility to other agencies. The Ministry of Energy and Mines (MEM) said they were not responsible for verifying the mine's compliance with the environmental impact assessment, but MARN said they only inspect the surrounding environment and not the mine's technical aspects (CPI, 2019).

1.2 Municipal Government Network

The second sub-network observed in the context of both the Marlin and Cerro Blanco mines is referred to in this dissertation as the municipal government network. This sub-network is comprised of equivalent sub-units within or associated with the municipal governments in each context. These entities interacted with each other in providing programs and services in the municipality, through participation in institutionalized forums, and/or because their roles and responsibilities relate to common issues.

In the context of the Marlin mine, there were two separate sub-networks comprised of equivalent entities associated with the municipal governments of San Miguel Ixtahuacán and Sipacapa, respectively. In the context of the Cerro Blanco mine, the network was comprised of entities of the municipal government of Asunción Mita. To illustrate the pattern of interaction within the municipal government, examples are provided below of the interactions among municipal government entities as part of general institutionalized processes or roles and responsibilities, given that the municipal governments in either context did not have any direct role in mining governance.

1.2.1 Marlin Mine: Municipal Government of San Miguel Ixtahuacán

At the time of fieldwork, the municipal government in San Miguel Ixtahuacán was comprised of the Municipal Council—headed by the mayor—and about 15 sub-units responsible for programs and services

related to health, infrastructure, education, and other areas.¹²³ The Mayor had representatives called “Auxiliary Mayors” in each of the municipality’s 62 communities, who were responsible for delivering information and facilitating decision making in the communities. Each community also had a community development council (COCODE), which was a liaison between each community and the municipal government and submitted and implemented infrastructure projects on behalf of the community. All of these entities formed part of the Municipal Council (COMUDE), along with all NGOs and major businesses in the municipality. The COMUDE met on a monthly basis to discuss municipal matters and reach decisions. Committees are established under the COMUDE to bring together organizations and coordinate activities in specific issue areas like education, environment, or water.

It is important to note that the municipal government’s capacity and degree of institutionalization has evolved over time. The system of municipal and community development councils was created in 2002.¹²⁴ The municipal government also expanded in its size and functions as a result of receiving royalties from the Marlin mine. Since approximately 2014, institutionalization within the municipal government and participation in municipal governance has improved as a result of the USAID project Nexos Locales (Nexos Locales, 2015), as a representative of the project explained:

Nexos Locales is a USAID-funded local governance project that started in June 2014 until June 2020. We work in 44 municipalities in the Western Highlands. The project seeks to strengthen municipal governments so that they can plan better, budget resources better, implement programs with more transparency, while at the same time strengthen the capacity of civil society to participate in local decision-making processes and set the local development agenda. [...] We noticed in the first few years that each municipality had a different starting point, and practically

¹²³ Specifically, the sub-units were: Municipal Secretary, Finance Office (DAFIM), Municipal Services, Human Resources, Municipal Projects Office (DMP), Internal Audit, Cultural House, Municipal Judge, Women (DMM), Water and Sanitation (OMAS), Municipal Office Economic Development, Sanitation and Nutrition (OMDEL-SAN), Health, Education, Youth, Watersheds (OMC), Forestry (OFM), Management of Natural Resources (UMGAR), along with others such as the municipal library, voluntary firefighters (Muni SMI, 2019).

¹²⁴ Community development councils and municipal development councils are part of a national development system, which was created in 2002 to implement a commitment from the peace accords to facilitate decentralization and development in the country as well as promote participation in development (Decreto No. 11-2002). The system establishes a hierarchy of development councils starting at the community level (COCODE), who aggregate at the municipal level (COMUDE), departmental level (CODEDE), regional level (COREDE), and finally at the national level (CONADUR) (SEGEPLAN, n.d.).

all of them started at the “negative side of zero” [i.e., not only did they not have capacity; they had bad practices that needed to be dismantled].

(Quotation 162. Representative of an international NGO)

Since the Marlin mine closed and royalties and other contributions ended, the local government evolved again to access other funds and reduce expenses, as a municipal government representative explained:

The effect is not just that the people that worked in the mine no longer have work, it’s an impact on all of the [municipal government] services, because of the change in the municipal budget, etc. [...] When [the municipal government] came in [to office], there had been 80 million Q [~ \$16 million CAD] just from the mine. And they [the previous municipal government] spent it all on projects that weren’t worth it. Nothing on water or education or health if not everything. The stadium cost 12 million Q [~ \$2.4 million CAD; a new, state of the art soccer stadium was constructed right beside an existing a soccer stadium]. Why was that urgent or necessary? [...] So much money disappeared before. There is a lot of necessity, but they didn't prioritize the needs of the people.

(Quotation 163. Municipal Government representative near the Marlin mine)

As with the central government network, interaction among entities in the municipal government network did not always translate into effective collaboration. Municipal sub-units did not work extensively with each other on matters that overlapped. This duplicated efforts and wasted resources. At least four different sub-units had responsibilities related to water: Municipal Services, OMAS, OMC, and OMF. Though they all knew each other and participated in the same COMUDE meetings and sub-committees, each sub-unit independently organized activities on the same topics. Likewise, three different municipal offices organized activities with youth in schools on similar topics related to well-being, skills development, and recreation, without coordinating with each other, as a representative explained:

There are many organizations that have resisted this [cooperation with the municipality] a bit, because the focus is slightly different. [They say] “We’re not about this, we’re about this other thing.” But we have coordinated on occasion with other organizations, for example, to strengthen [cultural] understanding among children. It was in June about 2 years ago [2017]. We coordinated on courses related to English, courses to make crafts. We’ve had someone to come in and give a workshop about moral values, focusing a bit on youth pregnancy, communication with parents, etc. Unfortunately, I repeat that the funds that the centre manages are... [limited]. This year, he went to the capital to talk to some friends to see if there are other organizations can collaborate on funds, because this year the budget doesn’t permit them to continue their objectives.

(Quotation 164. Municipal Government representative near the Marlin mine)

As the excerpt indicates, the duplication is related to the fact that municipal programs and services served other political purposes. This perspective was also articulated by other representatives in the community:

At the beginning of the year, we spoke to the municipality to see if they could invest a bit or give something to the rehabilitation centre, but the municipality said they will create their own centre for rehabilitation and “if you want send us your patients.” It is a duplication, but it’s not a situation that we can agree to, because they [the municipality] always do things in accordance with their own interests. As well, in the health centre [CAP, Centro de Atención Permanente] there aren’t very good services, so meanwhile we have a clinic in the Parroquia to attend the people a bit. (Quotation 165. Representative of the Catholic Church)

1.2.2 Cerro Blanco Mine: Municipal Government of Asunción Mita

The municipal government network in Asunción Mita was similar in structure to the network in San Miguel Ixtahuacán. The municipal government of Asunción Mita was comprised of the Municipal Council headed by the mayor, though with only 10 sub-units responsible for municipal programs and services (as compared to 17 in San Miguel; Muni Mita, 2020).¹²⁵ Asunción Mita also appears to also have auxiliary mayors in each of its 63 communities, who are responsible for delivering information and facilitating decision making in the communities. However, it was not possible to find any information about what these individuals do in practice, suggesting that this institution may not have the same importance as it did in San Miguel Ixtahuacán and Sipacapa. Each community also has a community development council (COCODE), which was a liaison between each community and the municipal government (Muni Mita, 2020). The Municipal Council, municipal government units, COCODE representatives, representatives of central government agencies with programs and services in Asunción Mita, NGOs, and other relevant organizations in the municipality—including the Cerro Blanco mine—participate in monthly Municipal Development Council (COMUDE) meetings (Muni Mita, 2019a). The meetings were more business-like

¹²⁵ Municipal Secretary, Finance Office (DAFIM), Municipal Services, Municipal Projects Office (DMP), Internal Audit, Municipal Judge, Office of Women, a Municipal Social Worker, a Municipal Pharmacy, and individuals working part-time on Nutrition and Forests.

and less collaborative than the COMUDE meeting observed in San Miguel Ixtahuacán. Meetings were to communicate decisions by the Mayor to COMUDE members rather than to reach decisions. It was not possible to find out any information about COMUDE sub-committees.

Compared to the municipal government of San Miguel Ixtahuacán, the size and range of services provided by the municipal government of Asunción Mita smaller. It was not as directly involved in the provision of health or education services, which were administered by regional branches of the central government. Instead, it focused on strictly municipal matters, such as local infrastructure, the local market, public lighting, and garbage services. The larger range of programs and services provided by San Miguel Ixtahuacán's municipal government is likely due to the limited reach of the central government in the region, requiring greater municipal involvement in these areas. The municipal government of Asunción Mita had more information available on its website and had greater institutional capacity than the municipal government of San Miguel Ixtahuacán. This may explain why Asunción Mita has not received any targeted financial or technical support for local governance. However, the town is part of a tri-national system across 59 municipalities of Guatemala, El Salvador, and Honduras under the Plan Trifinio, which might be a source of institutional support (SINTET, n.d.). Compared to San Miguel Ixtahuacán, there was greater coordination and collaboration among organizations with similar functions in Asunción Mita. For example, consistent accounts were provided from the municipal Office of Women, the local hospital, and central government entities such as the Public Ministry (MP), the police, and the Peace Court about the support available for women victims of violence:

The DMM [Municipal Office for Women] is part of the network against violence against women. It includes Asunción Mita, [and the neighbouring communities of] Agua Blanca, and Santa Catarina Mita. We are three municipalities. So, every month we meet to understand the "routes" [to get help] [...] and to orient the people who are victims of whatever situation, because they don't know whether they need to go to the Ministry [MP] or the police, or CAIMI [local hospital], or what, and so the people fall, going around lost, and so we want to avoid the people going around lost. So, the DMM as well, we help.

(Quotation 166. Municipal Government representative near the Cerro Blanco mine)

1.3 Pro-Mine Network

All relevant examples of the pro-mine network are discussed directly in [Chapter 5](#).

1.4 Anti-Mine Network

The Anti-mine network is fourth and final sub-network relevant to the Marlin and Cerro Blanco contexts, comprised of local, national, and international NGOs that interact in connection with mining resistance activities in each context. The network is distinct in each mine context, though some national and international NGOs are part of both networks. Examples of interactions among organizations associated with the anti-mining movement in each context are presented below.

1.4.1 Marlin Mine: Anti-Mine Network

As discussed in [Chapter 3](#) and [Chapter 4](#), the Marlin anti-mining movement began as a collaboration among several community associations in San Miguel Ixtahuacán and Sipacapa when the community first learned that a mine would be constructed in their community during the exploration phase and early approvals phase. The local Catholic parishes of both towns supported these community associations. In 2009, they formed into a broader association called “FREDEMI” (Frente de Defensa Miguelense or the Resistance Front of the People of San Miguel Ixtahuacán), as a representative explained:

We started the struggle here in San Jose [Ixcaniche] against the [Marlin] mine, and I led the movement since 1998 [...]. We found ourselves in disagreement with the mine, because they didn't convince me with what they were saying. Like I told you, I was a health worker, and I know a lot about the environment and contamination of the environment. [...] And hijo! cabal! [child, I tell you!] that's where I started the struggle. At that time FREDEMI didn't exist yet, but first the people were alarmed, and we organized a movement for eight communities, I united eight communities. And we were in resistance, but unfortunately, because the mine is strategic, when they saw all of those that arrived at our meeting, they started to give work to each one of those individuals. And they left us completely alone [this is exaggerated]. And because I was alone, I got in contact with Honduras to see the same mine [San Martin] they [Glamis] did there, and I went there to know that mine with the NGO Madre Selva.

(Quotation 167. Community representative near the Marlin mine)

FREDEMI remains an informal association today, even though its members tried to form a “civic committee” to run a candidate for local mayor in local elections since 2011.

Various organizations across Guatemala provided support and solidarity to this collective of local associations, primarily national human rights and environmental NGOs: the Colectivo Madre Selva, the Pastoral Commission for Peace and Ecology (COPAE), the Council of the Maya People (CPO), Environmental and Social Legal Action Centre of Guatemala (CALAS), the Centre for Legal Action in Human Rights (CALDH), and the Office of Human Rights of the Archbishop of Guatemala (ODHAG). For example, since 2006, the Catholic Church, supported the anti-mine movement through COPAE through environmental monitoring and other studies, such as on cracked houses and post-closure impacts (COPAE, 2007; 2009; 2020; Diocesis de San Marcos, 2008). The Colectivo Madre Selva helped the community submit complaints to domestic and international bodies, including the International Finance Corporation’s (IFC) Compliance Advisor Ombudsman (CAO) in 2005 and the Inter-American Commission for Human Rights (IACHR) in 2007 (CAO, 2005; Pueblo Sipakapense, 2007). Madre Selva also helped raise awareness about the adverse effects of mining and connected them to experts, as a representative explained:

At the beginning it was with the communities, this was the objective and part of their vision. They are communities that very often come to ask us for support in terms of informing them about the projects, and their impacts, and as well on the strategies they need to follow in order to defend their rights. And what we do mainly is we accompany them in all of those processes and legal actions so that they can have their rights as communities and as Indigenous peoples. So, this brought us into a situation in which we needed to include what you said at the beginning, looking at the environmental part, the social part, the legal part, the part of alliances, in order to move forward in the struggle, and mobilization actions which are necessary to unite follow-up efforts on the legal processes.

(Quotation 168. Representative of Guatemalan NGO)

Local anti-mining groups at the Marlin mine also received support from International NGOs that worked in Guatemala or on mining, environmental, or human rights issues, such as Oxfam, Amnesty International, the Center for International Environmental Law (CIEL), Mining Watch Canada, Rights Action, the Maritimes-Guatemala Breaking the Silence Network (BTS), the Network in Solidarity with the People

of Guatemala (NISGUA), International Accompaniment Guatemala (ACOGUATE), and others, discussed further in [Chapter 7](#) (Goldcorp Out of Guatemala, 2010). As a representative of the movement explained:

International NGOs helped them with the movement, like Oxfam, Amnesty International, Rights Action, Breaking the Silence, ACOGUATE, NISGUA, as well the United Church. As well, CIEL, they were the ones that brought us when we prosecuted the mine in 2009 in Canada to the National Contact Point. [...] It was XXX [name removed] [who helped them with the IACHR case]. He didn't do this work for free. The Parish provided a lot of support, in terms of time, sometimes the Parish paid his salary, but mostly in terms of food and lodging when he would come here.
(Quotation 169. Representative of the Catholic Church)

Communities and local associations across Guatemala communicated with each other on social media and expressed solidarity for each others' local struggles (FREDEMI, n.d.; Deonandan, 2015). However, communities did not provide material or technical support to other each other, likely due to limited capacity and resources. National and international NGOs provided financial and technical support.

Support from these NGOs was crucial to enable the anti-mining network to undertake its resistance activities, as many of the local groups involved in this network lived in situations of extreme poverty and would not otherwise have had the resources. As one community member explained:

I am going to be 73 years old this year, on February 25. [...] And, but for this, one needs to work, because when one is married, they need to work, they need to struggle, because before, the house provided food [i.e. they lived off of the land], but before with my father he didn't eat [i.e. they were too poor], so we needed to go with my uncle. So, she ate at the food houses [Indigenous communal kitchens], so we ate herbs before, thanks to God. But now, we need to work [in order to buy food]. Now, if we don't work, there isn't anything. So, look how I am still struggling. And I am already old, but I am still working, struggling, and for this is why we need to give time for the kids [delivering babies]. Because if not, we are not going to eat.
(Quotation 170. Community representative near the Marlin mine)

The fact that many of the members in the anti-mining resistance efforts lived in poverty presented a number of capacity-related challenges for this network, as a member of the movement explained:

I was in the struggle intensely for three years, as the coordinator of FREDEMI. But we spent all of our own resources. That makes us remember when we have thought about when we were coming and going, and everything we did with our own resources. And it's not easy, especially because there is a lot of poverty and unemployment. And we are still using what little resources we have to defend our rights. [...] It has been really complicated [difficult]. For this, the social struggle has been thanks to the efforts of everyone. And many people have maintained it. They arrive at the

meeting, unite their own money, and they go, sometimes, without even eating. But they go to the meeting to find out what is the message. It is a terrible history about the struggle.
(Quotation 171. Community representative near the Marlin mine)

Representatives from various groups in the community described challenges with inter-group cooperation in the network related to resource administration, the contributions of different members, and the fact that many did not perceive personal benefit from participating in the movement. For example:

XXX [name removed] withdrew [from FREDEMI] as well. Or, what I mean, is that they established a resistance working group [i.e., their own initiative], and XXX [name removed] left. And XXX [name removed] left as well. But he left because we found out that he was involved in corruption, here with us, in the resistance. [...] He was stealing money that the [NGOs] had given us, for FREDEMI, when they came to visit us. But, in the end XXX [name removed] took the money for himself, and not for the resistance.
(Quotation 172. Community representative near the Marlin mine)

But like I already told you, we could not [unite the entire community against the Marlin mine]. We were not able to enter more than 20 communities, that already issued their "actas" [formal decision] that they were not in agreement with all of the impacts that the mine had, and said that the mine should go, should end. But there are more than [46 of the 67] communities [of San Miguel Ixtahuacán] that have not yet joined. So, we don't even have half. So, they say that because they are not beneficiaries, they won't participate in the roadblocks and other demonstrations, because what will they receive. This is what I hear from all of them.
(Quotation 173. Community representative near the Marlin mine)

Though many individuals might have had private concerns with the mine, fear of repercussions also deterred many from participating actively in resistance activities, as one representative explained:

When I go on the radio, I am always afraid afterwards that someone might attack me in the street because of what I've said. The idea is to raise awareness, but nobody leaves you to feel cold on your back [i.e., nobody leaves you alone]. When I go on the radio, or when I travel, or when I go abroad, I am always afraid. I'm not afraid of the military, or that I might run into them; but it's a fear of all of the threats from the companies, for being a human rights defender. [...] So, I feel that at any moment I could receive a threat or problem. To date, this hasn't actually happened, but I am afraid, because I hear about it happening to others.
(Quotation 174. Community representative near the Marlin mine)

Nevertheless, the level of local, national, and international interaction within this network was remarkable considering the challenges they faced.

1.4.2 Cerro Blanco Mine: Anti-Mine Network

As noted in [Chapter 4](#), the Guatemalan anti-mining movement was driven mainly by the NGO Madre Selva and the local Catholic Parish, rather than by grassroots organizations. Community members of Asunción Mita did not express the same scale or intensity of anti-mine sentiments as compared to communities near the Marlin mine. As a community representative stated, “Everyone will always be in support of the mine when there are jobs for the community” (Quotation 175. Community representative near the Cerro Blanco Mine). That said, individuals with concerns about the mine went to COCODEs or the local Catholic parish for support. For example, downstream from the mine, communities located around the Lago de Güija were concerned about potential contamination or a temperature change from mine-related discharge into the Rio Ostúa, as their livelihoods are based on fishing. These were communicated through COCODE representatives to the mine, as representatives explained:

The problem of the community is that we have always been for [concerned about] the fact that all of the water from the river [Ostúa] goes into the lake [Güija], like I said. So, the [Cerro Blanco] mine discharges water into the river. Their water is treated within a treatment plant, and many people from the community already know this, but the people have not stopped saying that this water will not contaminate the lake, one day [i.e., the people are not reassured]. And this is the problem that the people have in the community. Because the discharge goes into the river, so we cannot say that it won't contaminate, because we will suffer it if does contaminate. There remains a risk. With mining, there is always a risk that there are effects on the water in the lake. So, these are the preoccupations that the community has for this system. Because if there is a river, and then a lake, there is always contamination. So, this is the biggest preoccupation of the people. That [the mine] will go and contaminate the lake, and through it, and the fish, and that it will stay that way.

(Quotation 176. Community representative near the Cerro Blanco Mine)

Look, right now, [the mine] made us another invitation and we went. Last Thursday we went at their invitation. And so, [there is] not so much [conflict/issues in the community] as you're talking to me. And I spoke to the Engineer there [title for mining officials], and he told me, we are not going to deceive you, but we have all of these processes so that we don't bother the water going into the lake [Güija]. So, not so much [of a problem], but it could be.

(Quotation 177. Community representative near the Cerro Blanco Mine)

As noted previously, Madre Selva initially raised concerns about the mine's environmental impact assessment, and subsequently worked to raised awareness about mine-related issues in the local

community and submit additional complaints about the mine to various forums including Guatemala's Human Rights Ombudsman (PDH) and Public Ministry (MP) (MARN, 2007; MARN, 2017b). The Catholic Church began supporting Madre Selva in 2008, which helped to attract greater participation within the local community (Yagenova et al., 2012, p. 263). Madre Selva and the Catholic Parish organized several events such as workshops and demonstrations in Asunción Mita, as representatives explained:¹²⁶

XXX [name removed] and his NGO [Colectivo Madre Selva] is the one that made the complaint against the mine. [...]. XXX is the one who has done a lot of follow-up on the process. [...] At the level of the Parish, we are initiating, or they have done workshops with our friends in El Salvador: CRIPDES. They are like a civil society organization, not a religious organization. [...] And with them, above all, with this network in El Salvador, there have been a number of meetings, with XXX from Madre Selva as well, and XXX [name removed], and the "neutral" state of El Salvador, they have made complaint after complaint which arrived in the Supreme Court of El Salvador, with JPIC. [...] So, we are working a lot with Madre Selva and [...] JPIC.
(Quotation 178. Representative of the Catholic Church)

My work with respect to the Cerro Blanco mine was to try to organize the people and inform the communities about the consequences that these projects bring to the communities. Because the company [Entre Mares] and the government authorities are supposed to talk about the "benefits" [emphasized this word] that the projects bring, but not they don't talk about the costs. So, I was working on that. But I was just working with the Catholic Church. So, we are working hard to inform the people, to the religious leaders in the communities. Some [people in the community] are in agreement [with the Church], but others are committed to the mayor and with the mine. Because they [the mine] have done something small for them, like, they painted a school, or they fixed a road. So, they can't be counted on, even though they are part of the Church.
(Quotation 179. Representative of a Guatemalan NGO)

Madre Selva and the local Parish worked with a handful of other NGOs. Collaboration among other Guatemalan NGOs included solidarity in the form of public statements against the Cerro Blanco mine. NGOs also worked together on time-limited strategic initiatives. It was clear from conversations with representatives of these organizations that the relationships were strategic alliances rather than ongoing relationships. Collaboration occurred because the anti-mining resistance overlapped with other

¹²⁶ For example, the Parish organized a march in 2011 against the mine (Yagenova & Santa Cruz, 2011). In December 2018, the Parish hosted a workshop on adverse impacts from the Cerro Blanco mine (Panorama Noticias, 2018). The Parish hosted a political debate for the 2019 election, which was facilitated by Madre Selva (Mita Noticias, 2019).

issues, such as better living standards for peasants, which provided an opportunity for those organizations to raise awareness (see Quotation 155). For example, strategic cooperation occurred with the Peasant Unity Committee (CUC), the Colectivo Cristiano por la Vida (a regional Christian network), Indigenous organizations, and the political party of the National Revolutionary Unity of Guatemala (URNG) (Yagenova & Veliz, 2009; Marcha Indígena, 2014; Yagenova & Santa Cruz, 2011).

Internationally, the anti-mining network received significant support in El Salvador. This included widespread support in the municipality of Metapán on the Salvadorian side of the Lago de Güija, by local and national Salvadorian NGOs, such as the Centre for Research on Investment and Commerce (CEICOM), the Christian Committee for Displaced Persons in El Salvador (CRIPDES), the National Roundtable against Metallic Mining (NMFM), the Association for Economic and Social Development (ADES), the Association of Women Environmentalists of El Salvador (AMES) and Eco-feminist movement of El Salvador. It also included Salvadorian government entities, such as the Ombudsman for the Defense of Human Rights (PDDH), the Ministry of Environment (MARN), and the Legislative Assembly (ACAFREMIN, 2021b; 2021d; Orellana, 2018; PDDH, 2013; PDH, 2019, 2018a; Asamblea Legislativa de El Salvador, 2012). The Salvadorian anti-mining network has lobbied the Guatemalan government directly and through Salvadorian government agencies, as illustrated during a meeting between the two governments:

The others are preoccupied about the project [Cerro Blanco mine] for El Salvador, but as well we [PDDH] are committed to undertake whatever action [...] So, in the same sense, I think that what we want is the work [i.e., the follow-up actions to be done]. We have a mandate that is really synonymous with concrete actions. In this sense, what we look at is in the hands of the population outside of our territory. [...] And in the case of El Salvador, our Ministry of External Relations activated the commission of that [concerning the Cerro Blanco mine] right now is being used for everything around the three patrols that had been put on the issue. And on that they have already developed relations with the Guatemalan Congress, where the Ministry of External Relations signaled precisely that. [...] Its clear that you need to follow-up on it here.

(Quotation 180. Statement by PDDH to PDH during a meeting observed in May 2019)

The Salvadorian anti-mining network organized several events independently and together with Madre Selva and the Catholic Church (CRIPDES, 2018; JPIC, 2013a; JPIC, 2013b; Yagenova et al., 2012, p. 263).

Guatemalan and Salvadorian NGOs form part of a small regional network called the Central American Alliance Against Mining (ACAFREMIN), which organized several events to raise awareness and build solidarity for regional anti-mining struggles (ACAFREMIN, 2020; 2021a; 2021b; 2021c; 2021d; 2021e). Other international organizations in this regional network include the Justice and Peace and Integrity Commission Service (JPIC) and the Central American Network for the Defense of Transborder Waters (RedCAT). Beyond this regional network, the Cerro Blanco mine has not received the same level of attention among international NGOs as the Marlin mine. Support to date is limited to solidarity statements by Mining Watch Canada, the Maritimes-Guatemala Breaking the Silence Network (BTS), International Allies, Earthworks, Institute of Policy Studies (IPS), and others (International Allies, 2021). This international dimension is discussed in [Chapter 7](#).

1.5 Gap Between Central Government and Society

The first gap concerns the general lack of interaction observed between the central government and society in the context of each mine. It was observed to a certain extent in the context of both mines but was significantly more pronounced in the context of the Marlin mine, representing a key difference between the two contexts. Examples for each mine are provided below.

1.5.1 Marlin Context: Government-Community Interactions

As noted in [Chapter 3](#), state presence in the Western Highlands has historically been limited, including in San Miguel Ixtahuacán and Sipacapa. Various indicators illustrate the lack of state presence and lack of interaction between the state and communities near the Marlin mine, such as the lack of government offices and services like police and justice institutions, limited access and quality of health and education services, and sporadic programming by other government departments like the Ministries of Agriculture (MAGA), Social Assistance (MIDES), and others. Community representatives described their interactions

with the central government in similar fashion: “If there is very little interaction with the mayor, it is even less with the central government. So, yes, we hear about their interventions on the radio, or television, but beyond that nothing” (Quotation 181. Community representative near the Marlin mine). In the context of mining governance, this lack of interaction included lack of government responsiveness to mining-related issues raised by the community, as a community member explained:

Here there is no presence of the central government. [...It affects life in San Miguel because of] the lack of health services, and more specifically, related to the mine as well. Because there is no public attention by the government about the mine’s activities. And when the mine came, [the government] viewed it as a big opportunity. Because if the government would have attended the different communities with the different services, and all of this, then perhaps the people might not have that necessity [for conflict].

(Quotation 182. Community representative near the Marlin mine)

One exception that illustrates the gap was recent dialogue efforts between the community, the central government, and the mine, as government representative explained:

In this country, never before have we dialogued, and it is always [the state] giving a response with a focus that is bothersome and with repression to the people that don’t think the same. So, it is an opportunity for the whole society in Guatemala to re-establish those dialogue processes. Precisely, for this we, and me in particular, we put a lot of emphasis on the possibility for dialogue in which there was a lot of “golden” opportunity. Why? 10 communities are requesting dialogue. Imagine! And the municipality wants to dialogue. We could not believe! And the company said it was fine, let’s talk. Let’s dialogue. So, it’s an opportunity, and I don’t think a moment like this will happen again in my life. To have a possibility for dialogue, even though each group is coming to the table with their own vision.

(Quotation 183. Representative of the Guatemalan Government)

Otherwise, interactions between the central government and the communities near the Marlin mine were limited to those associated with sporadic programming, when the police and military responded to protests, or when community members choose to travel to a regional hub or Guatemala City to submit a complaint and/or participate in judicial proceedings.

1.5.2 Cerro Blanco Context: Government-Community Interactions

As discussed in [Chapter 3](#), though Asunción Mita experienced the same lack of interaction with the central

government in the context of mining governance, government presence in Asunción Mita and the region was visibly greater. The local peace court, National Police (PNC), Public Ministry (MP), Military (MINDEF), Social Security Institute (IGSS), Ministry of Agriculture (MAGA), Ministry of Education (MINEDUC), and Secretariat for Special Projects of the President's Wife (SOSEP) had offices in town (SIMSAN, n.d.). The Ministry of Health (MSPAS) ran a hospital called the Centre for Integrated Maternal and Infant Attention (CAIMI). Finally, the Ministries for Social Development (MIDES, 2020; 2017c), Governance (MINGOB, 2019; 2018), Secretariat for Nutrition and Food Security (SESAN, 2018, p. 42-43), and others ran various projects.

Some of the rural communities in Asunción Mita only had health posts and primary schools, equivalent to communities in San Miguel and Sipacapa. However, the local and regional transportation network and infrastructure were more developed, making it significantly easier to move around and access services in the municipal centre or the regional capital of Jutiapa. The significantly better access to programs and services in Asunción Mita might be due to geography, as Jutiapa is not as mountainous as San Marcos. However, it is likely related to the level of attention the region has received from the central government in terms of infrastructure investment and local government capacity and resources.

Whereas San Miguel and Sipacapa had an issue with access to services in general, the issue in Asunción Mita was related to unequal access and quality of services for economic reasons, discussed in [Chapter 3](#). Despite greater government presence in Asunción Mita, many of the public services offered were not very effective. Those who could afford preferred private services to get better service. Local residents commented that the services or medication at the local hospital ("CAIMI") were not good and many preferred to go to private clinics. For example:

CAIMI [is where people go when they get sick, but] it is complicated for me. It is a problem, because there are times where they don't attend you well. [...] I could send my brother there, dying, and it's hard to get attention. [...] The facility has the capacity to be a hospital. But there aren't services like there should be. Its better if you've got 100 Q [~ \$20 CAD] to go and pay [to go to a private clinic] and you don't have to wait. Because [otherwise], they give you a note and a glass of water, because there is no medicine. And you know that there are lots of people who don't have the resources [to go to a private clinic] who go to the hospital to seek help with

medicine, or some help with the pain. But there isn't anything, so what do these people do? They borrow money to visit a doctor. [...] A private doctor. Ohh! [There are] a ton [of private doctors]! (Quotation 184. Community representative near the Cerro Blanco mine)

Although most families had access to primary education in all communities, students needed to travel to the municipal centre to access middle school or high school education. Only the families who owned vehicles or could afford to pay for transportation sent their children to middle or high school while the children of poorer families started to work after grade six. Further, families that could afford it preferred to send their children to private schools, which offered better quality education. Thus, although services were available in Asunción Mita, access and quality of services was affected by socio-economic factors.

Thus, although the central government had greater interaction with the community in general, interactions were unequal among subsections of the local population, which factored in community challenges. On the one hand, central government representatives found it much easier to work with the community and build trust:

Yes, definitely the culture in Asunción Mita is really different than other places where I have worked. Here it is easier for the police to integrate within the community, for this same trust that exists. The people are very friendly, and for that it is a lot easier to get their willingness to cooperate with the police. And, as well the programs and projects that they have done were a lot easier [to implement]. Because it's not as difficult for us to have that relation to be close to them. (Quotation 185. Representative of the Guatemalan Government)

On the other hand, an ongoing challenge in the community was that individuals tended to take matters into their own hands and resorted to threats and violence to resolve personal conflicts—even though resources and supports were available to peacefully resolve them. This tendency, combined with a culture for wearing and using arms across the Southern and Eastern parts of Guatemala, helps explain the high rate of violent crime in the region, discussed in [Chapter 4](#). This may be related to unequal access to services, as local representatives suggested:

Yes, there are conflicts between families, like what happened with the water situation [Rio Mongoy]. And we try to make the people understand that the way to resolve problems is through dialogue so that they don't continue fighting. We can have a dialogue to resolve the situation. Because there are lots of people that act and then think, and they need to think and then act. So,

thanks to God we have the ability to be there. And, the government doesn't listen at all, which is why we are investing in trainings.

(Quotation 186. Community Representative near the Cerro Blanco mine)

When they [people in the community] make a complaint, then we arrive on time, but [the justice institutions] don't give it attention. And when they go to detain [the perpetrator], it could be that [the perpetrator] paid [the police] so that they don't detain them. And there is the corruption, so there is the problem. [...] There is a perception that crimes of violence against women are worth less than others. Yes. And [the justice institutions] don't really investigate what happened, and so they reduce it to that, and that hurts the women. That makes it that it [violence] happens more often, they relate it to something casual, and they don't investigate the roots of the problem. And this is the problem.

(Quotation 187. Municipal Government representative near the Cerro Blanco mine)

1.6 Gap Between Municipal Government and Society

The second gap concerned a lack of interaction between the municipal government and the local community in the context of each mine, which was also more pronounced in the context of the Marlin mine than the Cerro Blanco mine. As with interactions between the central government and community, the local government's interaction with the community in Asunción Mita was not equally responsive to the needs of all sub-sectors of the community.

1.6.1 Marlin Mine Context: Government-Community Interactions

In the communities near the Marlin mine, the general lack of government presence made other sources of support more important for community members. This included support coming from other organizations in the community, such as the Church, or NGOs, or the mine. As less than a dozen NGOs were operating in San Miguel Ixtahuacán and Sipacapa, the Catholic Church was an important source of alternate service provision in the community, as a representative explained:

The Parish has a lot more of a presence in the community than the municipal government. Perhaps the municipality gives to their people, but the Parish gives support at a general level. Those working in the clinic, which are receiving medicine for free, they are not just people in the Catholic Church. Same thing with the rehabilitation centre, and those that received scholarships. They are not just Catholics, but rather people that have need. As well, they have given toilets and

stoves and chimneys. So, yes, the Church attends to the people in need. And these are all services that should be handled by the municipality, but the municipality doesn't do it.
(Quotation 188. Representative of the Catholic Church)

This gave the Church a lot of influence in the community.

Collaboration between the municipal government and other NGOs in the community was limited, representing another dimension of this gap in interaction. NGOs participated in municipal development council (COMUDE) meetings, but felt that they had limited input into local decision making, as a representative commented:

Right now, we participate in the COMUDE, even though our participation isn't relevant. But, at the very least, we go [they laughed] to listen, and we look at the questions there. It's just that when we give our opinions, it doesn't have any weight. But, at the very least, we are there, hopefully, moving forward, we can get more involved in decision making.
(Quotation 189. Representative of an NGO near the Marlin mine)

Limited collaboration also duplicated efforts on similar issues or goals. As noted above, the Catholic Church's health clinic duplicated municipal health services. The Catholic Church also organized cultural programming to strengthen Indigenous identity, which overlapped with the municipality's Cultural House.

Though San Miguel Ixtahuacán and Sipacapa are poor and are excluded in a general sense, a local elite class can be distinguished within the community who has historically dominated local politics and owns all major local businesses, as a representative explained:

The political system is constructed in Guatemala by "caciques" [local elites]. Note that in San Miguel Ixtahuacán, there are caciques. [...] So, the politicians here are ones that I know. [...] Sometimes they run as mayor but if they don't win, they still have power. A cacique is a powerful person that is historically powerful, and this is a legacy of the colonial system. And they are powerful with economic resources.
(Quotation 190. Representative of the Guatemalan Government)

For example, the current mayor of Sipacapa is the son of the former mayor in San Miguel Ixtahuacán. As discussed in [Chapter 4](#), this family owns the main bus route that connects the two towns to larger urban centres, which is an extremely lucrative business. They also own a local construction company that did business with both the municipality and the Marlin mine. The former mayor of San Miguel Ixtahuacán

subsequently became a representative in Congress (Cabria, 2016; Loarca, 2018, p. 38). San Miguel and Sipacapa's elites are distinct from Guatemala's national elite ("the oligarchy"), but the local social structure was relevant to how wealth and power circulated in the community (discussed in [Chapter 5](#)). Local elite influence in local governance affected the reach of programs and government responsiveness.

For example, information on government to programs, and access to those programs, was typically shared in accordance with the social network of the program administrators. Wider information sharing and participation often did not occur. Community representatives felt that access to local services was selective and depended on personal connections or political affiliations. For example:

[The COCODEs] have a fundamental role, even though there are some that want to take advantage. They always put down their families, or they send a few people that aren't as poor, but who always want to do a game that isn't correct.

(Quotation 191. Municipal Government representative near the Cerro Blanco mine)

We don't have sufficient schools. But in the city centre there are these services. They have a health centre. But I don't have a lot of interaction with the municipality, because the mayor that is in power right now, his father is the one that brought the [Marlin mine] in San Miguel. Because [the mayor of Sipacapa] is from San Miguel, but he lives in Sipacapa.

(Quotation 192. Community representative near the Marlin mine)

In addition to the municipal government, there is also a traditional Indigenous governance structure in both San Miguel Ixtahuacán and Sipacapa, which shaped local politics and society. This structure was more pronounced in Sipacapa than in San Miguel Ixtahuacán, but groups in San Miguel have been working to re-establish and strengthen the authority of this Indigenous structure. It was difficult to obtain concrete information about this structure and how it intersects with the municipal government, but it was clear that the municipal government and the Indigenous government were separate systems. The Indigenous governance system had its own traditional leaders with moral authority in the community.¹²⁷ The coexistence of the two systems created tension in local politics, as illustrated by recent

¹²⁷ The Pueblo Maya Sipakapense is an official organization affiliated with the broader Indigenous organization "CPO" (Council of Maya Peoples), which has its own system of authority and decision-making process (CPO, 2016).

efforts by the Council of the Maya Sipakapense Peoples to denounce corruption by the former mayor of Sipacapa (Garcia, 2019). Efforts to re-establish traditional leaders in San Miguel Ixtahuacán caused a local power struggle, as one representative explained:

Here in the “House of the People” [municipal government office], the mine is here and the authorities who are co-opted by the mine. The mine wants to remodel the House of the People without the knowledge of the mayor. So, we. There are six of us who came to ask what is going on. We took note that the mayor has already gotten up and at the root of that is that they need to change the ancestral authority. [...] We need to do it ourselves as an Indigenous community, as the Maya People and do it. Because if not, whatever person could come and take power [through a democratic election]. And we don’t want it like that. The [Indigenous] communities have their own autonomy. (Quotation 193. Community representative near the Marlin mine)

This also factored in the relationship of many community members had with the municipal government, which became relevant to mining-related conflicts. The Council of the Maya Sipakapense Peoples organized the 2005 consulta where local community members voted against having the mine in their community (CPO, 2016). This organization submitted the complaint to the IACHR in 2007 (Pueblo Maya Sipakapense, 2007). In sum, the municipal government did not represent a neutral option for inclusive service delivery, which affected the ability and strategy of community members to access certain services.

1.6.2 Cerro Blanco Context: Government-Community Interactions

As noted above, there was considerably more interaction between the municipal government in Asunción Mita and the community both directly and through COCODEs. However, access to government services and local government responsiveness to the community was unequal. In describing the challenges that their community faced, and the local government’s lack of attention to those challenges, representatives were apathetic about the lack of attention and did not expect the municipal government to do more:

Look, I will tell you. I understand that it is negligence by the mayor and by the government. It is negligence, and there, they know that we need to put our gloves on [put pressure], that there is a lack of resources to do that. You know well that with money, you can do many things. But, as we don’t have anything, we don’t achieve anything. [...] We are always in the struggle, that one day we will have. (Quotation 194. Community representative near the Cerro Blanco mine)

[Laughing] We are accustomed to it, and that that [the municipality] den[ies] us things. Because, right now, if I were to make a request—and I've submitted so many requests—none of them get approved. And if they approve one, it is beautiful. And we get the signature, and the date, and everything. But we are accustomed to submitting our requests and not getting it approved. (Quotation 195. Community representative near the Cerro Blanco mine)

This apathy appears to be related to Asunción Mita's local power structure. As discussed in [Chapter 3](#), the local power structure in Asunción Mita and the broader region of Jutiapa was historically dominated by a handful of elite families that owned large amounts of land. Their power and influence at the local level was evident through the fact that they held positions of power at the local level as mayors or within the municipal administration.¹²⁸ Many local buildings like schools were named after them. Some of these families overlapped with Guatemala's national elite and held positions of power at the national level as politicians and key officials in the military and other departments (Casaus Arzu, 1992).¹²⁹ This had a major impact on the local culture and economy, as representatives explained.

But here, this town is sold [co-opted]. Like politically, they are sold. They are kidnapped by the meloneras, by the mine, and by the mayor. So, this “troika” these three, they have everyone so submitted, that they feel like they can't do anything. And for the other part, there are people from here that receive deals [pre-sales] from the mayor, from the mine, they are the ones giving land to the melonera. And for this, they don't say anything out of convenience. Not because of fear, I don't think. Because the truth is that it doesn't have anything to do with fear. [...] There are a lot of people who are poor and who don't have land. So, [...] they live in houses that their owners gave to them [i.e., they rent land]. [...] Loan me some land to work [on], give me one manzana [unit of land] to work on. [...] And so, there are a lot of people who work like this. [...] Because here land is really expensive. [...] The large landowners are the ones who have rented their land or sold it to the melonera. And this has maintained the same inequality. [...] The melonera here across from the school, when they fumigate at that melonera, for at least three days, the young men get sores, years later [i.e., this has been happening for years]. But nobody says anything. Nobody will tell you anything. [...]because] the people work at the melonera. Nobody will tell you that they arrived at the melonera to protest against it. [...] At the very least, people will say no [i.e., don't protest]. Here, you won't find any of that. And if you find someone that thinks this, they are stupid, because what are they doing to do. Against those people [the elites], there isn't

¹²⁸ 40 percent of employees on the payroll came from local elite families. The remaining employees shared the same last names, suggesting family ties (Muni Mita, 2019b). Many of the representatives in the municipal government got their position because of personal connections to the mayor as their professional background had nothing to do with their current work in the municipality, and it was clear that a number of the employees on the municipal payroll were in redundant positions, such as the 51 employees (out of 186 employees, or 27 percent of municipal staff that are listed as “masons” or “helpers to masons” or the 21 staff that are listed as doing “maintenance.”

¹²⁹ See notes 14 and 15, [Chapter 3](#).

anything you can do. They have a lot of money. And for which all of the people are stupid and don't want to do anything. So, they suffer in a fatalistic way. Because despite their wishes, they can't do anything. I tell you, but there is nothing that can be done.

(Quotation 196. Representative of the Catholic Church)

What happens is that the [poor] people [...] will make a "daily" wage. This is about 20Q [~\$5 CAD]. [...] Basically, 20Q is not enough to live off of. Its not enough. And when these job opportunities come up, like the ones in the case of the mine, well, this is a tremendous opportunity. We cannot say "no, its better that the mine leaves." Because if the mine goes, this will leave the people worse off. [...] So, the people won't say anything.

(Quotation 197. Representative of the Guatemalan Government)

The quotes above reveal that the poor are beholden to the elites, because they rent land from the elites or work for enterprises owned by the elites. The fact that the elites are synonymous with the local government and derive benefits from other businesses in the local economy, such as the mine and the cantaloupe farms ("meloneras"), creates a power dynamic where the poor perceive that they cannot challenge the interests of the elites and that nothing can be done. This influenced the apathy and lack of action by community members to articulate their interests or concerns. This is a crucial feature of the local context that distinguishes Asunción Mita from San Miguel Ixtahuacán and helps to explain differences in the dynamics of mining-related conflicts observed between the two contexts.

Like San Miguel Ixtahuacán and Sipacapa, few NGOs operate in Asunción Mita. Unlike the Marlin context, however, the Catholic Church and NGOs did not provide local services in Asunción Mita. Instead, these organizations focused on the more typical activities of civil society organizations, like sports and recreation (SIMSAN, n.d.).¹³⁰ As Church representatives explained:

Here, in this zone, the Church doesn't have that kind of social ministry, or assistance, or with the part of integral human development. We don't have that. [...] Our church plan for the society, we are focusing on three priorities, which are the Ministry of Family, and the Ministry of the Integral Economy [never mentioned the third one]. [...] But we don't have more social investment here in Asunción Mita. [I asked why]. Part of it is that there is poverty in Asunción Mita, and it's not evident, because here in Mita many go to the US.

(Quotation 198. Representative of the Catholic Church)

¹³⁰ NGOs listed as operating in Asunción Mita include volunteer firefighters, Scouts, Alcoholics Anonymous, Miteco Youth, Miteco Diaspora Association of Los Angeles, California, Retired Miteco Association (AJUM), Miteco Friends Club, Fundabiem (foundation for disabled persons), nursing home (APAM), Miteco Sport and Social Clubs, etc.

Us, as pastors in the community, we are at the service first and foremost to God, as Evangelical Pastors. [...] It is first and foremost to preach the gospel. In the second place, visit individuals, pray for them. And see their physical development. [...] For example, so that a nice Church can fall [alluding to the massive church under construction behind us]. A nice pastoral house. With nice land, where the people can be comfortable.

(Quotation 199. Representative of the Evangelical Church)

To provide services, the municipal government coordinated with other non-local NGOs on specific occasions, such as special training programs, health services “medical days,” or to facilitate access to equipment for disabled persons (Muni Mita, 2018b; 2016; 2015). As noted in [Chapter 5](#), the Cerro Blanco mine has not been involved in local service delivery thus far, and the bulk of its community contributions have been small infrastructure projects and donations of supplies (see [Appendix 5](#)).¹³¹ Individuals relied on private services where government services were lacking—if they could afford it. In this sense, access to local services did not intersect with politics pertaining to the mine to the same extent that it did in the context of the Marlin mine, which may also be a relevant factor that explains why community divisions related to the mine were less widespread in the context of the Cerro Blanco mine than the Marlin mine.

¹³¹ Example provided in note 57, [Chapter 5](#).

Appendix 5. Mine-Related Community Projects and Investments

Based on a review of publicly available information about the mines,¹³² examples of community projects and other engagements undertaken by the Marlin and Cerro Blanco mines are organized into five themes: 1) Human and Indigenous rights, 2) Environment, 3) Socio-economic development, 4) Infrastructure, and 5) Transparency and good governance. This is not necessarily a comprehensive list of projects, and they do not include activities that the mine is legally obligated to do, such as environmental monitoring.

Figure 10.8. Marlin Mine Projects, Investments, and Initiatives¹³³

Theme	Projects, Investments, Initiatives
Human & Indigenous Rights	<p>External initiatives: Voluntary Principles on Security and Human Rights, UN Global Compact, UN Guiding Principles on Business and Human Rights, OECD Guidelines for Multinational Enterprises, World Gold Council Conflict-Free Gold Standard, Catalyst Accord</p> <p>Goldcorp policies: Human Rights Policy, Security Policy, Goldcorp Diversity Policy</p>
Environment	<p>External initiatives: Carbon Disclosure Project, International Council on Mining and Metals Sustainable Development Framework & Guidelines, International Cyanide Management Code, Mining Association of Canada Towards Sustainable Mining, Policies, Guidelines, Walt Watchers Energy Reduction Program</p> <p>Goldcorp policies: Sustainability Policy: Health, Safety, Environment and Social Performance, Water Stewardship Strategy, Towards Zero Water Initiative</p> <p>Community Projects: Reforestation, organized training and information sessions on topics relevant to the environment, donated materials to relevant organizations to facilitate responsible management of natural resources</p>
Socio-economic development	<p>Goldcorp policies: Community Contributions Policy, Corporate Social Responsibility Policy, Policy to Seek Surface Rights</p> <p>Education projects: Paid salaries of teachers, provided scholarships to students, provided training to teachers, provided equipment and supplies to schools, gave talks and workshops on topics related to environment, safety, etc., developed teaching materials and tools, donated school supplies, equipment, and facilities</p> <p>Health projects: Provided equipment and supplies to health centres, organized health training, provided access to healthcare services</p> <p>Economic development: Provided equipment and supplies to farmers, technical assistance to local residents, specific businesses, veterinary training, services, equipment, incentives/opportunities linked to mine requirements such as reforestation, organized capacity building sessions on economic, organizational, environmental topics, organized commercial events/opportunities to attract business, post-closure economic transition projects</p> <p>Local governance: Sponsored, organized, contributed to community events, collaborated with local government organizations on topics related to safety and emergency management, developed studies, plans, evaluations, on topics relevant to governance and economic development, participated in community meetings, organized capacity building sessions for individuals in governance positions on topics relevant to governance, donated leftover materials to relevant organizations (e.g. chemicals, machinery, land) with closure</p>

¹³² There were too many sources to list here. See Silburt (2019b), Garcia Villavicencio (2016) and all of the entries for Montana, Goldcorp, Entre Mares/Elevar Resources, and Bluestone Resources in the sources cited.

¹³³ Includes initiatives of Goldcorp, Montana, and the Fundación Sierra Madre.

Infrastructure	Constructed, repaired, expanded infrastructure for 1) transportation (roads, bridges, guard rails, signa, power lines), 2) social infrastructure (municipal buildings, community kitchens, sports and recreation), 3) education (schools, library, school kitchens), 4) health and sanitation (health centres, potable water tubing and treatment, bathrooms), 5) economy and productivity (market space, irrigation systems).
Transparency and good governance	External initiatives: Global Reporting Initiative, Extractive Industries Transparency Initiative (EITI), Devonshire Initiative Goldcorp policies: Global Supply Chain Policy, Third Party Due Diligence Standards, Disclosure, Confidentiality and Insider Trading Policy, Code of Conduct, Government Payments and Contributions Policy, Investment Framework, Shareholder Engagement and Say on Pay Policy

Figure 10.9. Cerro Blanco Mine Projects, Investments, and Initiatives¹³⁴

Theme	Projects, Investments, Initiatives
Human & Indigenous Rights Environment	External initiatives: Voluntary Principles on Security and Human Rights, UN Global Compact, OECD Guidelines for Multinational Enterprises BSR policies: Human Rights Policy, Diversity Policy BSR policies: Responsible Resource Development Policy, Sustainability Strategy Community Projects: Reforestation, constructed ecological pathway, donated materials (e.g., trees) to relevant organizations for reforestation, collaborated on government reforestation program
Socio-economic development	Health projects: Provided equipment and supplies to health centres, including equipment and supplies in the context of COVID-19 Economic development: Provided equipment and supplies to select families during COVID-19, donated supplies to support government-led initiatives Local governance: Sponsored, organized, contributed to community events, participated in community meetings, donated supplies, equipment, money to government organizations in the community, including Plan Trifinio, provided training events for local government organizations
Infrastructure	- Constructed, repaired, expanded of roads, bridges, power lines - Collaborated with local government to maintain local infrastructure - Constructed, repaired, expanded educational infrastructure like schools - Constructed/provided assistance to repair health and sanitation infrastructure like potable water tubing, treatment, mechanical wells
Transparency and good governance	External initiatives: Extractive Industries Transparency Initiative (EITI) “supporter status,” Global Reporting Initiative, Equator Principles BSR policies: Code of Business Conduct and Ethics, Anti-corruption and anti-bribery policy, Conflict of Interest Policy, Whistleblower Policy

¹³⁴ Includes initiatives of Bluestone Resources (BSR), Entre Mares/Elevar Resources, and the Lundin Foundation.