



CUPE Internationalist

International Solidarity Committee Newsletter • November 2008

Why CUPE Members Must Oppose Canadian Mining Corporations Investing in the Americas

In the last decade, Canadian mining corporations such as Corona Gold, Talisman, Sky Resources, Gold Corp (formerly known as Glamis Gold) initiated several mining projects in the Americas representing billions of dollars in investments. For example, GOLDCORP INC and other mining corporations are already exploiting various mines in the United States, Mexico, Guatemala, El Salvador, Honduras and Colombia. According to the Canadian Embassies' representatives, and the C.E.O.s representing the Canadian mining corporations, they are promoting 'sustainable development', creating jobs and helping the communities where they invest. However, according to the indigenous people in Mexico, Guatemala, Honduras and Colombia, labour unions and organizations like Rights Action, Mining Watch and Friends of the Earth, investments by these companies have resulted in social conflicts, water contamination, deforestation, health problems, human rights abuses and the displacement of indigenous communities. What should be most alarming for CUPE members is the fact that their pension funds, OMERS, are being used by these mining companies to carry out the above mentioned activities.

At the other end of the spectrum, community organizations, municipal councils, unions and indigenous organizations have been resisting those mining investments in multiples ways, which include holding referendums and community consultation to determine whether or not their communities want mining. For instance, the community consultations held in Mexico, Guatemala, Honduras, Costa Rica and Peru have rejected these mining projects. As a result, local governments have resorted to violence to impose the mining projects led by Canadian corporations, clearly contributing to the violations of human rights of these communities. At the same time, the corporations are not only applying pressure on local governments, but also using all the provisions of the trade deals available to them.

In December 2003, Glamis Gold (now Gold Corp) filed a legal claim for arbitration under Chapter 11 of the North America Free Trade Agreement (NAFTA) in the United States. It argued that its mineral property rights had been taken without compensation. Therefore, Glamis Gold asked for compensation equal to the market value of the project prior to the passage of the new Californian laws, which effectively blocked the project, an estimated \$50 million dollars. The new laws specified that back filling of open pit mines on or near sacred sites or areas of special concern is required and that reclaimed land must have substantial beneficial use. Glamis Gold argued their case based on a Chapter 11 provision claiming that there must be fair and equitable treatment of foreign investors. As in the case of Guatemala and Honduras, the Imperial Valley project was a concern to the local communities due to the anticipated volume of water to be consumed annually from the desert groundwater. This area was also significant for its archaeological, historical value, its religious and cultural sites sacred to the Quechan Indian Nation, as well as the natural habitat for the desert's wildlife.

When the U.S. government denied the permit based on these factors, Glamis Gold sued. Clearly, free trade agreements support corporate rights over indigenous, state, and national rights to self-determination. One of the excuses the local government is using for not cancelling the license issued to the Glamis Gold "Marlin project" in San Marcos, Guatemala, is that it will be too costly for the country. Daphne Eviatar poses the question, "How can a multinational corporation that objects to local environmental, health and safety sue a national government?"

That license is provided under NAFTA" (Washington Post, August 14, 2005: BO1).

However, now that the Central America Free Trade Agreement has been ratified, it will provide the same right to Glamis Gold Ltd. and other corporations operating in Central America. Today, it is evident that Gold Corp, the Canadian mining corporation operating in Cerro Blanco, Mexico, San Marcos, Guatemala and Valle del Siria in Honduras, are not interested in rural or community development; what they promote is the exploitation of silver and gold at any cost. Those costs include numerous social, cultural and environmental implications to the indigenous communities every where they have mining operations.

The worst nightmares of indigenous peoples living in the communities where Gold Corp is operating regarding environmental contamination have been confirmed. On May 25, 2006, the communities of Sipacapa and San Miguel Ixtahuacán in Guatemala became alarmed with the news of a truck accident, which was transporting chemical substances for the Marlin mine. The accident occurred in the department of Huehuetenango and as a result of the accident, the truck spilled boric acid and hydroxide of aluminum in the waters of the Pucal river. Thus far, neither the mining company nor the government has provided a credible answer about the accident. To complicate matters, the current mining code does not have any serious environmental regulations, insurance and penalties for these kinds of accidents. The government representatives also lack the experience and technical skills for environmental protection, particularly with respect to protecting water and life.

To certain extent, the resistance to mining has been successful in building national and regional movements (Central and South America) and maintaining pressure on mining companies, as well as the local governments in Mexico, Guatemala and Honduras and the international financiers. However, in order to prevent future mining developments, the forces opposing mining in Central and South America confront many challenges, such as the increasing violence, including death threats and killings. One of the factors impeding a more successful resistance toward mining is the fragmentation within the social movements. Thus, defining political priorities within the local communities

and building a stronger unity among the leadership would be important in building a stronger movement against mining. With respect the impunity, on January 14, 428 families were violently evicted by police and the army in the area of El Estor, Izabal, Guatemala. In addition, there is ongoing intimidation, kidnappings and killings against indigenous and non-indigenous leaders who are opposed to mining. In the cases of Guatemala and Mexico, the national political scenarios are complicated by the increase violence, in particular against women. 1.

In terms of political priorities, the affected communities in Central and South America and their leadership have to decide whether or not they want to make mining, land, community development and human rights central issues in their local elections. At the same time, the movement against mining has to give serious consideration to their international work and make it central in their strategy, more specifically, exposing the unethical and shameful practices of the Canadian mining companies, creating awareness as well as building strong links with the First Nations in Canada, the labour movement and progressive NGOs. Finally, the challenge for us, CUPE members is whether or not we want our pension funds to be used in that kind investments that instead of helping communities in the Americas are contributing to contaminate the environment, violence and displacement of the indigenous communities.

Edgar Godoy
President, CUPE Local 2191.

1. According to the Amnesty International (2005) Report, Guatemala: No Protection, No Justice: Killings of Women in Guatemala indicates that the number of women murdered annually has risen from at least 163 women in 2002, to 383 in 2003, to over 527 in 2004. Furthermore, the report states that from 2001 to 2004 the Inter-American Commission on Human Rights registered the murder of 1,188 women in Guatemala

CROWN BUYS FANTINO'S SILENCE WITH BRANT'S FREEDOM - Update from the Tyendinaga Support Committee

On September 29th, 2008, a conviction for three counts of mischief was entered against Mohawk spokesperson Shawn Brant for his role in the CN rail line and Highway 401 blockades that took place in April and June 2007.

Brant has been ordered to stay on the Tyendinaga reserve for three months and to be on probation for one year. Originally, the Crown had been asking for 12 years in jail.

Last Spring, CUPE Ontario passed a crucial resolution demanding that the politically motivated charges against Shawn be dropped and Mohawk land be returned immediately. While Shawn Brant will face no more jail time for the blockades and will not go to trial, there are still 16 people from Tyendinaga facing criminal charges for defending their community.

The critical issues that prompted the Mohawks of Tyendinaga to take action have yet to be addressed. Most households in the community have been unable to drink the water from their own taps for the last decade. For the past 18 months, the reserve school, with 300+ students ranging in age from 2 to 13, has had its water deemed unfit for human consumption. In addition, the lands that comprise the Culbertson Tract and Simcoe Deed have yet to be returned, despite all levels of governments' admission that the lands do legitimately belong to the Mohawks of Tyendinaga.

In Shawn Brant's case, the dramatic turn-around by government lawyers came after disturbing details of OPP impropriety, abuse of practice, and the flouting of policing guidelines created after the Ipperwash Inquiry were made public in July of this year, following the lifting of a publication ban on Brant's preliminary hearing.

Abuses revealed included OPP Commissioner Julian Fantino's personalized threats to Shawn Brant, orders to have snipers and armored personnel carriers on standby, and the presence of an undercover police officer posing as a media

cameraman. The preliminary hearing also revealed that the OPP used an obscure section of the Criminal Code to implement an emergency wiretap of Brant and other Mohawks' telephone conversations, on June 28th, 2007, even though the National Day of Action had been publicly planned for months.

Going to great lengths to keep this critical information from becoming known, the Crown succeeded in keeping the material under a publication ban for nearly a year. The release of these damning details prompted calls for the firing of OPP Commissioner Julian Fantino. Pretrial motions would have seen Commissioner Fantino subpoenaed to answer for his conduct leading up to and during the 2007 Aboriginal Day of Action.

The remaining 16 community members have been charged in relation to events in April 2008, when Mohawks from Tyendinaga were subjected to an unacceptable escalation of police tactics, including the drawing of guns by OPP officers on unarmed community members. At the time, the OPP laid unfounded, fear-mongering claims, saying they saw 'one long gun' at the quarry reclamation site, a land reclamation that the Mohawks have been holding for more than a year, as part of their struggle for the return of the Culbertson Tract. The language of the alleged threat is not unfamiliar to Native people in Ontario. In 1995, Stoney Point First Nations man Dudley George was shot and killed by the OPP during a land reclamation at Ipperwash Provincial Park, after an officer thought he saw him holding a "long gun," though the protesters were in fact unarmed.

Despite these findings, it appears that Ontario continues to opt for the criminalization of First Nations people over the resolution of outstanding land issues. The Ipperwash Inquiry policing recommendations are being flouted by the OPP and, in particular, by Chief Julian Fantino.

Since the blockades of 2007, CUPE Ontario passed resolution #38 in support of the Mohawks of Tyendinaga, NDP MPP Peter Kormos called for the firing of Fantino, and thousands of people have attended events, made donations and signed petitions in support of the Mohawks and their demands.

Shawn Brant's arrest and the excessive prison sentence sought by the Crown were part of attempts to destabilize the community of Tyendinaga. But the Mohawks of Tyendinaga remain united, and continue to fight for what should already be theirs: land and clean water.

Would your local be interested in an educational workshop about the Mohawks of Tyendinaga, receiving educational materials, or finding out more about how to support the community? Please email us: support.tmt@gmail.com

November 2008 Update Back off Tyendinaga Mohawk Territory: Colonial Government out of First Nations Communities

At time of writing, Tyendinaga Mohawk community members are being targeted for their opposition to an expensive new police station, paid for in part by the Federal Government of Canada, as well as their opposition to quarry operations where no adequate environmental assessments have taken place.

The Band Council in Tyendinaga put up half the money (\$1 million) for the new cop shop, located in close proximity to the reserve school, while the Ministry of Public Safety and Security put up the other half of the funding. Plans were made for this roughly \$1.9-million facility, even though children attending the reserve school have not been able to drink the water at the school for nearly two years, and the funds could well have been spent to address the general lack of safe water on the Territory and poor housing conditions.

A month ago, on September 24th, 2008, the new police building was put on hold after community members blockaded the intended site of the building. Such demonstrations took place again in late October, forcing the trucks delivering the building to turn around. At present, several dozen community members are facing arrest and criminal charges.

The people targeted for arrest are Longhouse people who maintain scrutiny over Band Council operations and spending. However, this situation has gone beyond an internal community issue. We are now seeing

an unprecedented attempt to criminalize and jail any effective opposition that exists in the community. This should be seen as an attempt by colonial governments to silence and imprison those people who believe in the strength and dignity of the Mohawk Nation and who will stand in its defence.

Resolution# 38 Passed at May 2008 CUPE Ontario Convention

CUPE Ontario will:

- With Indigenous communities and human rights organizations develop an educational campaign about the exploitation of native land, resources and the Indigenous struggle for self determination
- Issue a public statement calling on the OPP and the Attorney General of Ontario to stay

charges against Shawn Brant, who faces serious time in a federal penitentiary; and calling on CN Rail to abandon its multi-million dollar lawsuit.

- Lobby the provincial/federal governments to return lands rightfully belonging to the Tyendinaga Mohawks and cease exploitation of resources, in accordance with the

UN Declaration on the Rights of Indigenous Peoples, passed by the UN General Assembly, September 2007.

Because:

- First Nations' lands have been continuously occupied by others without consent/compensation; and
- Over 800 unresolved land claims and broken treaties exist, erecting serious obstacles to First Nations' self-sufficiency; and

- First Nations have been forced to take action to bring unresolved issues to the attention of government and the public; and
- Strikes and other forms of economic disruption led by unions are considered legitimate manifestations of protest; and
- CUPE has adopted many resolutions-statements of support for First Nations.

Brick by Brick: Building Labour Solidarity with Palestine

From 30 May – 1 June 2008, the Toronto-based Labour for Palestine, organized a conference, “Brick by Brick: Building Labour Solidarity with Palestine”.

Over 90 trade unionists attended the conference, with the majority from Toronto and Quebec. Other cities represented included Vancouver, Ottawa and Winnipeg. The majority of registrants were from public sector unions. Five participants came from the United States, most affiliated through U.S. Labour Against the War. Members of CUPE Ontario were active in organizing the conference and many CUPE members were among the attendees.

The conference aimed at bringing together workers and unionists from across the continent to strengthen networks in solidarity with Palestinian workers. Workshop sessions included introductory sessions on how to get active in unions and union structures, developing and delivering educationals, and building effective solidarity campaigns. Much of the discussion utilized material prepared by CUPE Ontario in its educational campaign around boycott, divestment and sanctions.

The conference opened with presentations by Manawell Abdul Al, member of the executive committee of the Palestinian General Federation of Trade Unions and Paul Loulou Chery, Secretary of the Confederation of Haitian Workers. Representatives from the Canadian Union of Postal Workers (CUPW), CUPE Ontario and the

Federation nationale des enseignantes et des enseignants du Quebec (FNEEQ) also gave greetings.

Other conference speakers included:

- Salim Vally, a South African active in the South African Trade Unions National Education Committee during the 1989-93 period and active in the Palestine Solidarity Committee in South Africa, who outlined parallels between apartheid South Africa and today's apartheid in Israel.
- Lynda Lemberg, from the Ontario Secondary Schools Teachers Federation, talked about her experiences in solidarity with Central America and South Africa in the 1980s and '90s, and underscored the importance of delegations of workers.
- Sam Gindin, former education director for the Canadian Auto Workers, raised the problem of labour movement defeats in the recent period and the weakness of our collective capacities. He argued that both unions and social movements need to work together to transform the situation.

The conference agreed to organize a cross-union delegation to investigate the situation of Palestinian workers, establish a continent-wide union activist network, and begin production of a regular quarterly bulletin.

Adam Hanieh, CUPE Local 3903

CUPE Ontario International Solidarity (IS) Committee—Who We Are

The International Solidarity (IS) Committee was set up in recognition of the global nature of the struggle for workers' rights. It works to educate members on the situation faced by workers and communities globally by bringing representatives of other unions to Ontario and acts as a forum to share information about the connections between our lives and the work of others abroad. The IS Committee is an activists and member-driven committee. We view global solidarity, not as an optional struggle within our union, but as an integral part of a 'fighting trade union movement'. IS Committee meetings are open to all CUPE members and their community allies and are held the **2nd Wednesday of each month from 6:30-8:30pm.**

Upcoming meetings: December 10th & January 14, 2009.

For more information contact:
Email: odintersol@members.cupe.ca
Phone: 416-299-3999 ext 401

Send your e-mail to subscribe to our Global Solidarity List-Serve

Upcoming Global Solidarity Events:

1. **Canadian Corporate Mining Teach-In:** focusing on impact of Canadian corporate mining in the Americas and labour/community/community-based resistance to this neo-liberal agenda [**November 15th from 1pm-4pm @ CUPE 4400, 1482 St. Bathurst St. West, Suite #200.**]

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2. **``Festival of Resistance``:** commemorating International Human Rights Day (Dec 10th) and featuring cultural performance, food and speakers from Philippines, Colombia, Sri Lanka and Palestine [**3pm-6pm (December 7th from 3pm-6pm @ Steelworkers Hall, 25 Cecil St.)**].

3 **Anti-FTA Visit by Colombian Union Leader:** Jesús Lorenzo Brochero. leader of Sintracarbon, Colombian union representing workers in Cerrejon coal mine, one of the largest open pit coal mines in the world will be visiting the Toronto/Hamilton from **Dec 5th-8th**. Brother Jesus' visit is part of the of Canadian Labour Congress' (CLC) upcoming campaign to "Stop the Canada-Colombia Free Trade Agreement" [**contact IS Committee for more information.**]



INTERNATIONAL SOLIDARITY COMMITTEE

Editorial Committee: Iliam Burbano, Edgar Godoy & Adam Hanieh.

The views expressed in this newsletter are those of the committee and do not necessarily reflect policy adopted by CUPE Ontario.