



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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13 December 2016

Excellency,

I refer to your letter of 3 November 2016 and for the information provided in response to the Committee's letter of 27 May 2016 concerning allegations of violations of the rights of indigenous women in the village of Lote Ocho in Guatemala by the employees of a Canadian company Hudbay Mineral Inc., and the filing of a negligence claim against the company before Canadian courts by the victims due to their alleged lack of trust in the legal remedies offered in Guatemala.

The Committee would like to thank your Government for its replies, and takes note of the information provided therein, particularly with regard to the initiation of investigations regarding the above-mentioned allegations and the measures adopted to guarantee the rights of indigenous peoples and to hold foreign companies accountable for violations of the rights of indigenous peoples in Guatemala.

The Committee would be grateful to receive updated information on the case of Ms. Caal and ten other women (case no. MP001-2016-99403) before 3 April 2017.

The Committee also wishes to reiterate its recommendation to protect the rights of indigenous peoples, and take concrete measures to: (1) ensure the effective prosecution and punishment of individuals responsible; (2) ensure the provision of effective remedies to Ms. Margarita Caal Caal and ten other women; (3) prevent forced evictions of indigenous peoples from their land and ensure the effective implementation in practice of the right to free, prior and informed consent; (4) hold foreign companies accountable for violations of the rights of indigenous peoples and local communities in the State party.

The Committee wishes to remind the State party that its next combined 16th and 17th periodic report is due on 20 December 2017, and would like to request that the State party provide updated information in its report on the above-mentioned concerns.

Her Excellency Ms. Carla Maria Rodriguez Mancia
Permanent Representative of Guatemala
to the United Nations Office
Geneva
e-mail: onusuiza@minex.gob.gt



Allow me, Excellency, to reiterate the wish of the Committee to continue to engage in a constructive dialogue with the Government of Guatemala, with a view to assisting it to implement the Convention effectively.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Anastasia Crickley".

Anastasia Crickley
Chair

Committee on the Elimination of Racial Discrimination