

"The Situation Will Most Likely Turn Ugly": Corporate Counter-Insurgency and Sexual Violence at a Canadian-Owned Mine in Guatemala

"La situación podría ser peor": la contrainsurgencia corporativa y la violencia sexual en una mina canadiense en Guatemala

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ABSTRACT

This paper offers a window into the terrain of corporate influence over violence in the mining industry. The research draws on over 300 pages of internal communications and other corporate documents, which were produced by Vancouver-based Skye Resources and released publicly as an affidavit in a civil court case in Ontario, Canada. The documents demonstrate the roles of mining company executives and their collaborators in coordinating events that led to the gang rape of eleven Maya Q'eqchi' women in Guatemala during a 2007 land eviction. Analyzing the documents through a framework of corporate counter-insurgency (co-COIN), the paper explores the importance of international consultants and local elite networks in co-COIN campaigns. The case study explored in this paper contributes to the theorization of public-private repressive forces within co-COIN. The research also offers a visual tool to map actors in other instances of mining violence, which is intended for use by both academic researchers and anti-mining social movements.

Key words: Corporate counter-insurgency, mining, elites, corporate social responsibility, sexual violence.

RESUMEN

Este artículo ofrece un vistazo al terreno de la influencia corporativa sobre la violencia en la industria minera. La investigación empleó más de trescientas páginas de comunicados internos y otros documentos corporativos emitidos por la compañía Skye Resources, de Vancouver, que se hicieron públicos como declaraciones verídicas en un caso de corte civil en Ontario, Canadá. Esos documentos demuestran la actuación de los ejecutivos de la compañía minera y sus colaboradores para coordinar eventos que provocaron una violación tumultuaria de once mujeres

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maya quichés en Guatemala durante un desalojo de tierras en 2007. Al analizar los documentos en un marco de contrainsurgencia corporativa (co-COIN, por su acrónimo en inglés), la investigación explora la importancia de los asesores internacionales y las redes de las elites locales en las campañas de co-COIN. El estudio de caso que se realiza en este artículo contribuye a teorizar sobre las fuerzas represivas públicas y privadas en el ámbito de la co-COIN. La investigación también ofrece una herramienta visual para situar a los actores en otras instancias de la violencia minera, dirigida tanto a investigadores académicos como a movimientos sociales mineros.

Palabras clave: contrainsurgencia corporativa, minería, elites, responsabilidad social corporativa, violencia sexual.

INTRODUCTION

The global spread of Canadian-owned mining projects has left in its wake a trail of environmental destruction and harm to local communities (Deniau et al., 2022; Gordon and Webber, 2019; Imai et al., 2016; Nolin and Russell, 2021). In a pattern of physical violence and dispossession that characterizes the industry, those who dare to resist extraction routinely face eviction, property destruction, legal action, and violence at the hands of public forces and non-state armed groups. Much work has been done by activists and researchers to document this violence. However, little is known about the decision-making processes of mining company executives who attempt to put down resistance. This paper offers a window into the terrain of corporate influence over violence in the mining industry, through the analysis of internal communications produced by a Canadian company in the lead-up to a series of violent evictions in Guatemala.

On January 17, 2007, during the eviction of communities from land claimed by Vancouver-based Skye Resources, members of a joint public-private security force assembled by Skye and its subsidiary, the Compañía Guatemalteca de Níquel (CGN), gang raped eleven Maya Q'eqchi' women. An ongoing, precedent-setting civil court case in Ontario seeks to hold accountable Skye's successor, Toronto-based HudBay Minerals Inc., for the sexual violence that targeted the eleven women that day. The eleven plaintiffs in the case of *Margarita Caal Caal v. HudBay Minerals Inc.*—the survivors of the 2007 rapes—allege negligence and carelessness causing physical and psychological harm. In 2018, over 300 pages of emails, internal reports, expense ledgers, and other communications produced by Skye Resources and CGN were entered into the case as an affidavit and made public by the women and their lawyers (Binks-Collier, 2020; Montgomery, 2018). The public release of Skye's documents provides an unprecedented view into the candid conversations and record-keeping of Canadian

mining company executives. Prior to the availability of this data, accounts of the behavior of company personnel—not only within Skye Resources, but across the mining industry—relied on the testimony of people affected by company actions (Nolin and Russell, 2021), or, in rare cases, on interviews with company executives (Becerril, 2018; Butler, 2015).¹

This paper approaches the trove of Skye corporate communications with two goals. Firstly, the paper aims to analyze the decision-making process behind one instance of violence perpetrated by a Canadian mining company. Given the tangled web of Canadian mining executives—with individuals moving, for example, between major companies active in Guatemala: HudBay Minerals, Barrick Gold, Goldcorp, and Tahoe Resources (LittleSis, 2022)—the Fénix case in Guatemala may be instructive in the examination of other instances of violence perpetrated by Canadian firms at home and abroad (Thomas and Coburn, 2022).

Secondly, this paper aims to contribute to debates on corporate-counterinsurgency (co-COIN). The Fénix case is explored here as an instance of co-COIN, or campaigns led by private corporations that use counter-insurgent tactics to repress opposition to an economic project. An exploration of the constellation of actors present in Skye Resources's co-COIN campaign offers advances in the understanding of how corporations manage the repression of resistance movements through a counter-insurgent approach. Specifically, the Fénix case illuminates the relative roles of public and private actors within co-COIN, as well as the importance of local elite networks in executing co-COIN. The paper also offers a visual framework for mapping actor relations through a co-COIN lens. While advancing towards these two goals, I argue that the study of corporate-led repressive campaigns around extractive projects is lent an important degree of analytical clarity through the application of the co-COIN framework—co-COIN can at once help researchers identify familiar tactics and strategic goals used by corporate actors, while being flexible enough to adapt to specific national and local conditions.

The paper proceeds in seven stages. The first section explores the global context of Canadian mining, and presents an overview of corporate counter-insurgency. This is followed by a brief explanation of methodology and data. The third and fourth sections draw extensively from the corporate source documents to explore Skye's eviction campaign and the violence in which it culminated. The fifth section considers the role of international and domestic consultants in facilitating corporate counter-insurgency at the Fénix mine, while the sixth section explores the network of Guatemalan

¹ An additional 4.2 terabytes of corporate and government data related to the Fénix mine was leaked by the Guacamaya hacker collective in 2022 (*Forbidden Stories*, 2022). Those documents are not analyzed in this paper, but they hold tremendous potential for further research.

elites that was drawn on for the co-COIN campaign. Finally, the paper considers the implications of this case study for future work on corporate counter-insurgency.

CANADIAN MINING COMPANIES AND COUNTER-INSURGENT STRATEGY

The extractive zones surrounding mining projects expose the violence of global capitalism in one of its rawest forms. Multiple forms of violence invade the vicinity of mining projects. Using the typology of violence in environmental conflicts offered by Navas et al. (2018), the violence surrounding mines includes physical attacks (*direct violence*), criminalization (*structural violence*), the undermining of Indigenous social structures (*cultural violence*), long-term health impacts (*slow violence*), and harms to nature such as pollution and biodiversity loss (*ecological violence*). Among these acts of violence, physical attacks against members of communities resisting mining projects stand out as particularly gruesome, and all too commonplace. Scheidel et al. (2020), for example, found that 20 per cent of conflicts surrounding mining projects worldwide involved the assassination of at least one opponent.

As prominent defenders of land, water, and community, Latin American women—and especially Indigenous women—have been on the front lines of struggles against mining (Ulloa, 2016; Venes et al., 2023). Everything about mining-related processes is gendered. From mine labor to the private security industry that guards mine sites, to the social implications of projects, and the forms of violence faced by women resisting mines, women's experiences with mining projects become more detrimental as a result of their gender (Hofmann and Cabrapan, 2021; Joachim and Schneiker, 2022; Deonandan et al., 2017; Deonandan and Bell, 2019). Deonandan and Bell (2019) argue that campaigns against anti-mining activists draw on gendered relations of power in order to silence women's activism. In some instances, this has included the use of rape and other forms of sexual violence intended to extinguish resistance through the control of women's bodies.

The majority of all mining companies in the world are based in Canada (Gordon and Webber, 2019), which makes mining violence a profoundly Canadian problem. In Latin America alone, Imai et al. (2016) found 44 deaths, 403 injuries, and 709 cases of criminalization related to Canadian mining projects between 2000 and 2015. In Guatemala, activists have been murdered at all five operational mine sites in the post-war era (1997-present)—four of which were owned by Canadian companies (Sveinsdóttir et al., 2021; Nolin and Russell, 2021). The Canadian federal government has rejected appeals to regulate the activities of Canadian companies abroad, opting instead to promote corporate social responsibility and to create an ombudsperson position,

which became mired in controversy over its lack of independence and investigative powers (Ciupa and Zalik, 2020). In the absence of federal or global regulation (Coumans, 2017), communities affected by Canadian mining violence have turned to Canadian courts for remedy.

As mining projects face local resistance and global scrutiny, companies have rolled out a package of tactics intended to ensure the operation of their mines, through a combination of physical force and the construction of apparent social license. This combination of "hard" and "soft" techniques (Dunlap, 2019) is recognized as corporate co-COIN—campaigns led by private corporations that use counter-insurgent tactics to repress opposition to an economic project. In its state-led form, counter-insurgency is often referred to as low-intensity warfare, since the strategy pairs armed operations with a combination of economic development, political influence, and the strategic use of information, all aimed at social control within a given territory (U. S. Government, 2009). Counter-insurgency has a long history in campaigns of imperialist control, with roots during the height of European colonialism. Later developments fine-tuned the approach through wars that the United States fought first against the Indigenous nations within its borders, and later overseas in Vietnam, Central America in the 1970s–1980s, and Afghanistan and Iraq in the 2000s (Estes, 2019; Thomson, 2018). During the global War on Terror, the United States increased its reliance on private military contractors and also began to use these officially in armed combat. These recent developments gave rise to the corporate form of counter-insurgency, as veterans of the War on Terror began forming private companies that offered counter-insurgent services not only to the U.S. government but also to corporations protecting extractive projects (Granovsky-Larsen and Santos, 2021; Thomson, 2018).

Early critical works on corporate counter-insurgency (Becerril, 2018; Brock and Dunlap, 2018) trace the first usage of the term to the RAND Corporation, which in 2008 encouraged extractive and other companies to respond to community opposition through a combination of community services and new security practices (Becerril, 2018: 100). Around the same time, a U.S. oil company manager was documented encouraging a corporate audience to look to the U.S. government's counterinsurgency manual in their efforts to overcome social movement-based opposition (Brock and Dunlap, 2018: 35). The diffusion of corporate counter-insurgent strategy and tactics across global extractive industries appears to have occurred in parallel with this early industry encouragement, not necessarily as a result of it. With the key common feature of the presence of counter-insurgency-trained private military and security companies and/or of national contexts with recent domestic counter-insurgent campaigns, campaigns targeting resistance to extractive projects have been identified as taking co-COIN form in, at least, Germany, Guatemala, Madagascar, Mexico, Peru, the United

Kingdom, and the United States (Brock, 2020; Brock and Dunlap, 2018; Brown et al., 2017; Dunlap, 2019, 2020; Dunlap and Correa Arce, 2022; Estes, 2019; Granovsky-Larsen and Santos, 2021; Huff and Orengo, 2020; Solano, 2015). Recent work by Dunlap (2023) and Gelderloos (2022) extends the counter-insurgent logic to more generalized, global reaches, arguing that the discursive base of the “green economy” and the policing of environmental movements, respectively, utilize counter-insurgent strategy to the benefit of corporations.

The 2006–2007 eviction campaign executed by Skye Resources serves as another example of an extractive company utilizing a counter-insurgent strategic framework and co-COIN tactics. Approaching the trove of Skye’s corporate documents through a co-COIN lens provides analytical clarity—using co-COIN as a known strategy allowed this study to identify key tactics and appreciate their roles within a counter-insurgent whole. Reading the Skye files through the co-COIN lens also offers contributions to further the study of corporate counter-insurgency. Specifically, the Fénix case in Guatemala offers an answer to a question posed by Becerril (2018) in his application of co-COIN to the mining industry in Peru. Through an ethnographic study that included candid interviews on security strategy with mining company managers, Becerril explored the case of a company that undermined community resistance through infiltration of activist circles, blackmail, defamation, and targeted attacks. Becerril understood this as evidence of the effectiveness of privately-led repressive campaigns. Where an earlier, state-led attempt to suppress resistance at the same mine only swelled the ranks of community organizing, Becerril (2018: 124) argued that the private campaign succeeded because of its focus on targeting individuals. While recognizing that the lines between public and private repression are blurred, and better understood as a spectrum, Becerril insisted (2018: 124–126) on the analytical usefulness of a distinction between public and private repression, and called for a research program to explore whether “it is true that public repression backfires and private repression does not.”

The case of Skye Resources’s co-COIN campaign suggests that the distinction may not always be useful. The melding of public and private actors in this case shows the importance of the public-private security partnerships even in corporate-led security campaigns. After laying out the details of Skye’s campaign to evict communities from land claimed for the Fénix mine, this paper explores the roles played by a range of actors including international and Guatemalan consultants, and local elite networks. The final analysis discusses these roles in the context of co-COIN, offering a response to Becerril’s research question as well as a visual tool for mapping a range of actors involved in cases of corporate counter-insurgency.

METHODOLOGY AND ACCESS TO THE DATA

The research presented in this paper is based primarily on a set of corporate documents that were produced by, for, or in collaboration with the Canadian mining company Skye Resources. The documents were entered into an ongoing civil court case in Ontario, Canada as an affidavit in 2018, after Skye's successor, HudBay Minerals Inc., was ordered to release communications and other relevant documentation. Lawyers to the plaintiffs released the files publicly, and the documents are accessible freely online (Montgomery, 2018). This paper also draws on the transcripts of testimonies of the women who are plaintiffs in the case, in which each woman narrated details of the violent eviction and gang rapes (Binks-Collier, 2020).

Although I have personally conducted research in Guatemala for many years, no original fieldwork contributed to this paper. My focus on the corporate actors and their collaborators, instead of on the communities resisting the Fénix mine, restricted the research to corporate documents. Nevertheless, I sought the plaintiffs' consent for this research through intermediaries close to the case. Names of individuals and private companies are included in this paper when they have already been discussed widely in the press in relation to the *Caal v. HudBay* case. For other people and companies, those whose names appear in the court documents but not in the press, privacy has been respected by referring to professional titles or roles in the case, rather than names.

In preparation for this paper, I read and coded the corporate documents and plaintiff testimonies specifically through the framework of corporate counter-insurgency. I worked together with Larissa Santos—a student research assistant and collaborator (Granovsky-Larsen and Santos, 2021)—to code the documents with instances of co-COIN strategy and tactics, and together we explored the implications of the case for the broader study of corporate counter-insurgency. The coded data is available on request.² The trove of corporate documents explored here—as well as an additional 4.2 TB of related data available online (see Note 1)—could lend itself to many more research programs, for example to a closer exploration of the participation of transnational corporations within networks of corruption and organized crime (Schwartz, 2021). This research project intended to contribute to the study of co-COIN, while also bringing more attention to the horrific events of the 2007 evictions around the Fénix mine and the corporate decision-making processes that produced them.

² The coded version of the corporate data is included as supplementary data for this article, available on the [Norteamérica website](#). The dataset arranges 240 quotes from the Skye documents and court records in relation to four components of counter-insurgent strategy and 12 co-COIN tactics. Each quote is connected to its source document, date, and a numerical code representing its author.

LAYING THE GROUNDWORK FOR SEXUAL VIOLENCE

The events explored in this article took place within a violent conflict over the Fénix mine that has played out over more than 60 years. The first open pit mine in Guatemalan history, the Fénix project was originally established in 1965 through a 385 square kilometer concession within the municipality of El Estor, on the shore of Lake Izabal in northeastern Guatemala. The 40-year concession was granted to Explotaciones y Exporaciones Mineras de Izabal, S.A. (Exmibal), a subsidiary of the Canadian INCO mining company that was partially owned by the Guatemalan state (Fox, 2015). Since the Indigenous Maya Q'eqchi' communities that had long inhabited the land lacked a formal land title, their removal was taken for granted. A refusal to leave, however, was met with repressive violence in the midst of Guatemala's internal armed conflict and authoritarian governance. As demonstrated below, the tactics used at that time, including the strategic use of rape, mirror those deployed in the present day. A truth commission report published after the war details numerous instances of targeted attacks on Q'eqchi' activists in El Estor, including shooters sitting in Exmibal company vehicles (Cuffe, 2021). Despite only operating for four years in the late 1960s, the Fénix mine concession continued to generate political conflict over the following two decades (Masek, forthcoming).

After the end of the armed conflict in 1996 and the approval of a new mining law in 1997, the Fénix project was again taken up. INCO sold the project to Skye Resources of Vancouver in 2004, and the name of the Exmibal subsidiary was changed to Compañía Guatemalteca de Níquel (CGN). With that transfer, Ian Austin, a former accountant at INCO, became the Chief Executive Officer of Skye Resources, providing important continuity between wartime and post-war corporate management of the Fénix project (Holden and Jacobson, 2008: 330). As Skye and CGN moved toward restarting operations, around a thousand Maya Q'eqchi' families moved back onto land within the Fénix concession from which, they argued, they had been illegally removed by INCO and Exmibal (Binks-Collier, 2020). These families comprised the communities that Skye sought to evict in order to begin nickel extraction. Following the 2007 evictions discussed in this paper, Skye sold the mine to the Toronto-based HudBay Minerals Inc, which became legally responsible for the events overseen by Skye in 2007. The mine changed hands yet again in 2011, and a series of violent attacks on community members, discussed briefly in the conclusion of this article, has proceeded consistently (Masek, 2022).

In September of 2006, faced with the return of Q'eqchi' communities to their traditional land within the Fénix concession, personnel from Skye and CGN started to

engage with police, lawyers, and judges in order to secure their eviction (exhibit M in Montgomery, 2018). Vancouver-based Skye Vice President of Legal Affairs Brooke Macdonald wrote an email to a group of Skye and CGN executives in September 2006 about early steps. He passed on a suggestion from a Guatemalan colleague that they retain the services of Héctor Muñoz, a lawyer who was said to specialize in land evictions and "is the guy the Agriculture Chamber goes to when they have problems." Macdonald also noted that CGN's site manager was planning to talk to the local public prosecutor, "presumably to give the guy a tour of the invaded sites" (exhibit L in Montgomery, 2018).³ The Skye team also received updates about the steps that judges in Coban and Puerto Barrios took towards evictions, and gained audience with the vice ministers of the Ministry of Energy and Mines and the Ministry of the Environment and Natural Resources (exhibits N and O in Montgomery, 2018).

When he was deposed in 2017 during the Ontario court case, Skye's vice president of legal affairs, Brooke Macdonald, stated that "Guatemala is a country where . . . lawyers can go and speak to a judge without the other side present . . . [which is] very strange to anybody coming from a Canadian law school" (exhibit P in Montgomery, 2018). At the moment of the eviction campaign, however, Skye management sought to exert pressure, not necessarily to act within legal norms. Skye's vice president of operations, William Enrico, wrote in December 2006 that "we expect to get the Coban eviction order signed today (likely), but we'll need to pressure on [sic] the Puerto Barrios Judge as someone may have gotten to him" (exhibit S in Montgomery, 2018).

While Skye and CGN management worked to secure eviction orders, they also rejected invitations to settle the dispute through negotiation, and actively blocked a legal challenge to the evictions. The Catholic Church, a local NGO, and the Guatemalan government agency responsible for resolving agrarian conflict each urged or offered to facilitate negotiation. Opinions were in no short supply about the importance of negotiation and the likelihood of violence with an eviction. The director of the local development organization Asociación Estoreña para el Desarrollo Integral, for example, wrote in November 2006 to plead with Skye executives to consider negotiating. "To the contrary," wrote the director, "the situation will most likely turn ugly" (exhibit C in Montgomery, 2018). A Canadian security consultant hired by Skye similarly warned company executives that "a successful outcome is one of peaceful dialogue and negotiations rather than forced eviction" (exhibit UU in Montgomery, 2018).

Nevertheless, Skye consistently rejected invitations to negotiate. "Our position is the same from the Bishop, to the Mayor, to the Campesino," wrote Skye's vice president

³ Direct quotes from the affidavit are taken either from English-language communications or from the certified translations included with the affidavit, and have not been edited for style or spelling. All notes inserted in square brackets are my own.

of operations, William Enrico, in October 2006, “no negotiations while they’re illegally occupying our land—period!” (exhibit B in Montgomery, 2018). Enrico dismissed the state agrarian agency as “leftist controlled” and stated that “we believe this [negotiation] was a trap” (exhibit B in Montgomery, 2018).

In January 2007, the Guatemala social movement organization Coordinadora Nacional Indígena y Campesina (CONIC) presented an injunction (*recurso de amparo*) to stop the evictions on behalf of the communities. CGN’s general manager, Sergio Monzón, responded by telling Skye executives in Vancouver that “we saw two alternatives, either to speed up the execution of the eviction orders or to slow down CONIC’s request” (exhibit R in Montgomery, 2018). After “[calling] our contacts in the PNC [National Civilian Police]” and “[trying] to speak to [Guatemalan President] Mr. Berger,” Monzón concluded that slowing the injunction process was the way to go (exhibit R in Montgomery, 2018). CGN’s hired evictions lawyer intervened by presenting a document intended “to delay the blocking process of CONIC. We hope that with this actions [sic] we will be able to delay CONIC process for at least 2 weeks, which means the eviction orders will be executed within that period of time” (exhibit R in Montgomery, 2018). The tactics proved successful: Skye avoided negotiation prior to the evictions, which went ahead as scheduled, rendering CONIC’s legal challenge ineffective.

As Skye executives doubled down on an insistence to evict, they also engaged in a campaign to assemble public security forces. Even still, the team appeared conflicted about calling in the Guatemalan police. On the one hand, Skye’s chief operating officer, David Huggins, gave “authorization to increase our security presence and to obtain the assistance of the police as required” (exhibit M in Montgomery, 2018). CGN’s General Manager responded by holding a meeting at the national police headquarters and securing the presence of riot police at the mine site (exhibit EE in Montgomery, 2018). On the other hand, the team was wary of a scenario where they might lose control of their security operations. “Given it is Guatemala,” wrote a consultant, “can we really expect them to abide by the ‘correct rules and procedures?’” (exhibit DD in Montgomery, 2018). Skye’s vice president of technology, David Neudorf, added that “their behaviour will be largely outside of our control, except for how we may be able to influence things at the highest levels, i.e. The President or Ministers with direct authority” (exhibit EE in Montgomery, 2018).

In early November 2006, Skye officials noted an initial deployment of “50 unarmed riot police in El Estor who will be called up to enforce the eviction orders” (exhibit A in Montgomery, 2018). A little less than two weeks later, CGN’s general manager reported “a police force of about 125 officers and an army force of about 65” (exhibit PP in Montgomery, 2018). Maintaining these forces entailed the irregular transfer of a great deal of money. In answer to a query by Skye’s chief financial officer about a

statement that Q125,000 (US\$16,250 in 2006 dollars) was paid in just one week in order "to keep the invaders under control," CGN General Manager Sergio Monzón explained that CGN was providing accommodations for the troops: "For the police force we have been paying: hotel, meals and gasoline for the patrols. For the Army personnel, we are not paying hotel, for security reasons they decided to sleep on small mattresses [sic] that we provided, they are staying at the plant cafeteria, for this group we are also paying meals" (exhibit PP in Montgomery, 2018).

These expenses, another CGN employee explains on the same email thread, were paid out unofficially: "We transfered the money to personal account [sic] who is working to coordinate these tasks in EE [El Estor]. He is going to prepare the expenses liquidation at the end" (exhibit PP in Montgomery, 2018). In February 2007, following the two rounds of January evictions, a spreadsheet was provided by CGN to Skye detailing "the total funding in cash as of december 31, 2006 for evictions." The sheet lists 27 payments totalling Q473,909.50 (US\$61,608) for vague expenses such as "second invasion funds transfer," "security funds transfer," and "Rio Dulce invasion Expenses" (see image 1 at exhibit QQ in Montgomery, 2018).

A joint force was assembled, allegedly under the coordination of CGN Chief of Security Mynor Padilla, which involved police, military, and at least 57 private security guards (exhibit MM in Montgomery, 2018). In addition to preparing the physical forces for eviction, Skye and CGN also coordinated information gathering and elements of psychological terror. César Montes, a former Guatemalan guerrilla who CGN hired for consulting and security services, advised Skye to "pressure the people—planes/helicopters, silence, threats of loss of jobs and projects to invaders," as recounted by the vice president of operations, William Enrico (exhibit U in Montgomery, 2018). The intent of the helicopter flyovers was both to introduce the eviction sites to public security personnel (exhibit CCC, EEE in Montgomery, 2018), and to bring fear to community members through association with military flights from the recent armed conflict. "It may be good if our regular flights did some circling over the important areas for psychological impact," wrote Enrico (exhibit T in Montgomery, 2018).

All the while, Skye and CGN worked to stay on top of intelligence gathering, compiling information on leaders and members of organized communities—"we know who the leaders are as well as all of their followers," states a security consultant (exhibit D in Montgomery, 2018)—and relying on unnamed sources in the field—"three friends, their information has been essential for our security" (exhibit KK in Montgomery, 2018). This work was bolstered in mid-December 2006, when the Guatemalan armed forces began to offer support in intelligence gathering and institutional coordination (exhibit OO in Montgomery, 2018).

Image 1
PARTIAL CGN SECURITY EXPENSES
COMPAÑÍA GUATEMALTECA DE NIQUEL S.A.
GUATEMALAN NICKEL COMPANY
GENERAL LEDGER TO DECEMBER 31, 2006

ACCOUNT	DESCRIPTION	REFERENCE	DATE	JOURNAL	DEBITS	CREDITS	BALANCE
1800-0900	Expenses P/A-misc	Initial payment					0.00
1800-0900	PNC support	ANIBAL VASQUEZ	06/10/2006	576-17	5,000.00		
1800-0900	2 nd PNC support advance payment	ANIBAL VASQUEZ	11/10/2006	576-59	5,000.00		
1800-0900	EE Second invasion Support	ANIBAL VASQUEZ	31/10/2006	576-111	23,368.00		
1800-0900	3 rd PNC advance payment	ARMANDO HERNÁNDEZ	11/10/2006	577-10	20,000.00		
1800-0900	CXP-Suppliers-Rep. Expenses Inva	2006-10-004	31/10/2006	562-3		43,934.00	
1800-0900	EE invasion Security contribution	ANIBAL VASQUEZ	31/10/2006	625-4	20,000.00		
1800-0900	Invasion Security Funds Reimbursement	ARMANDO HERNÁNDEZ	21/11/2006	625-34	20,000.00		
1800-0900	Invasion Security funds	2006-10-004	13/11/2006	628-6	30,000.00		
1800-0900	M. Padilla funds transfer	ASOCIACION RAXCHE	13/11/2006	628-7	20,000.00		
1800-0900	Second invasion funds transfer	ARMANDO HERNÁNDEZ	14/11/2006	628-10	75,000.00		
1800-0900	Second invasion funds transfer	BANCO CORPORATIVO, S.A	17/11/2006	628-10	25,000.00		
1800-0900	Security Funds transfer	BANCO CORPORATIVO, S.A	17/11/2006	628-17	35,000.00		
1800-0900	Second invasion funds settlement	ARMANDO HERNÁNDEZ	30/11/2006	628-20	541.50		
1800-0900	Rio Dulce invasion Expenses	39001	30/11/2006	615-1	5,000.00		
1800-0900	Rio Dulce invasion Expenses	41001	14/11/2006	615-1	5,000.00		
1800-0900	Rio Dulce invasion Expenses	42001	15/11/2006	615-1	5,000.00		
1800-0900	Funds reimbursement X Leiva exp PB, RD	3755-681	16/11/2006	638-1		635,161	
1800-0900	CXP-Suppliers- Expense report 2005-11-001 Inva	2006-11-002	30/11/2006	606-2		134,975.50	
1800-0900	CXP-Suppliers- Expenses Report XI-RD,PB	2006-12-005	30/11/2006	606-5		78,638.99	
1800-0900	Remitment invasion security	ARMANDO HERNÁNDEZ	30/11/2006	696-5	100,000.00		
1800-0900	Tree planting	ARMANDO HERNÁNDEZ	14/12/2006	696-17	60,000.00		
1800-0900	A.Hernandez funds settlement	905037	20/12/2006	666-1		4.00	
1800-0900	CPX-Suppliers- Expense report- M. Padilla Inva	2006-12-002	20/12/2006	656-2		20,443.00	
1800-0900	CPX-Suppliers- Expense report Inva	2006-12-001	13/12/2006	656-5		68,262.00	
1800-0900	CPX-Suppliers- Expense report MP Inva	2006-12-001	13/12/2006	656-10		20,241.40	
1800-0900	CPX-Suppliers- Expense report-AH Inva	2006-10-001	13/12/2006	659-7		188,637.00	
GRAND TOTAL							
					473,909.50	512,496.90	(38,587.40)

In a report prepared for CGN, a retired Guatemalan army colonel states that "work has been done to organize a work team . . . to begin a systematic continuous information sharing that will be useful to CGN authorities to take appropriate decisions in a timely manner" and that visits were paid to at least four municipalities in the department (province) of Izabal in order "to analyze the most convenient way to set up an information network" (exhibit OO in Montgomery, 2018).

Eviction orders were issued in early January. A joint force of police, military, and private security assembled on the days of the evictions, and some commanders met indoors on CGN premises immediately prior to heading to the communities (exhibit HH, FFF in Montgomery, 2018). The communities in question were cleared off their land in a series of evictions on January 8 and 9. When members of the Lote Ocho community returned to their land in the days following, Skye executives decided to evict again. "We could have done nothing," stated Skye's vice president of legal affairs, Brooke Macdonald, in court. But he added that "the longer you allow people to maintain there, the bigger and more sturdy structures they build, the more chance of them bringing in weapons, children. That is why we did it immediately" (exhibit HHH in Montgomery, 2018). It was during this third eviction that eleven Maya Q'eqchi' women—community leaders and land defenders facing theft of their territory by a Canadian mining company—were gang raped by public and private security personnel.

JANUARY 2007: ATTACK ON THE WOMEN OF LOTE OCHO

Whereas the eviction of the Lote Ocho community on January 8–9, 2007 was carried out in a more formal manner—with the presence of a public prosecutor and representatives of the human rights ombudsperson—the second eviction, on January 17, 2007, took place as a surprise attack. In their court testimonies, which the women agreed to release publicly, the eleven survivors of the rapes state that they were each at home with their children, in the evening, while most of their husbands were away working in the fields (Klippenstein and Wanless, 2019). Some of the women did not even hear their attackers coming before uniformed men wearing ski masks broke into their houses. Multiple groups spread out across the small and isolated mountain community, each comprised of around seven to nine men who wore a combination of police, military, and private security uniforms. In some cases, the men asked the women where the community leaders or their husbands were, while in others they immediately attacked.

Based on testimonies entered into the public record, each woman was dragged out of her home in front of her children. The women recount having their clothes cut

off with knives, having cloths shoved in their mouths and tied over their eyes, and being held down by men as multiple others raped them. They could hear the screams of the other women. Their children ran away and hid. After the rapes, the men used chainsaws, gasoline, and fire to destroy every house in the village. Of the eleven women raped that day, five had been pregnant before the attacks, and four of these suffered miscarriages within days or weeks (Binks-Collier, 2020). More than ten years later, as they testified in depositions for the Canadian court case, the women described tremendous ongoing physical and psychological pain (Klippenstein and Wanless, 2019).

The details of the rapes read as vindictive acts of gendered violence, intended to silence and remove the community where an eviction had failed to achieve this just days earlier. They also present clear connections to the Guatemalan state's violent strategy during the recent armed conflict. A landmark 2016 trial in Guatemala "established for the historical record that the Guatemalan military deployed sexual violence against women as a strategy of warfare, both to control local populations and to dehumanize the 'enemy'" (Burt, 2019: 73). The 2016 case examined sexual slavery at the Sepur Zarco military detachment, where Maya Q'eqchi' women were forced to inhabit or regularly report to sexual "recreation zones" for soldiers.

Sepur Zarco is located on the outskirts of the El Estor municipality, near the Fénix mine. In addition to the similar location, the tactics used against communities pursuing land claims in 1982 and 2007 are strikingly similar. Burt (2019: 66) writes that soldiers approached villages in 1982 with lists of men who participated in land committees, at which point "soldiers captured and killed or disappeared the peasant leaders, then raped their wives, often in their homes in front of their children, and later burned down their homes and crops." In 2007, Skye Resources employed public forces commanded by veterans of the armed conflict, along with private security guards who were overseen by another such veteran, former Guatemalan colonel and CGN's chief of security, Mynor Padilla (*El Observador*, 2020), to put an end to land claims around the Fénix mine. The resulting eleven instances of gang rape represent a continuation of the strategic use of rape as a weapon (Wood, 2018) that, as during the armed conflict, appears "designed to destroy not just the bodies of the victims, but the broader body politic" (Burt, 2019: 89).

FACILITATING CORPORATE COUNTER-INSURGENCY

The internal communications of Skye Resources—in which executives in Canada corresponded with their mine managers in Guatemala, and with a range of consultants—contain evidence of each of the four components of counter-insurgency. In

the lead-up to the eviction of communities surrounding the Fénix mine, Skye executives worked to establish *political control* within the mine site and its surrounding area by coordinating public forces, influencing public prosecutors and judges, and evading calls to negotiate. The company also deployed *economic assistance* to surrounding communities as an instrument intended to win support (exhibit QQ, RR, SS in Montgomery, 2018). The use of *information* served the eviction plan, as a network of Skye's collaborators produced persons-of-interest files on community members, gained access to legal updates, and benefitted from military intelligence. Finally, the *security* component featured heavily in Skye strategy, as a combined force of police, military, and private security agents engaged in psychological terror tactics, and, during the eviction itself, property destruction and strategic sexual violence.

As is the case in state-led counter-insurgent strategy (U. S. Government, 2009) and other instances of corporate counter-insurgency (Brock and Dunlap, 2018; Granovsky-Larsen and Santos, 2021), the ultimate goal of Skye's campaign was control over territory in order to achieve a broader political or economic goal. Territorial control, in the case of the Fénix evictions, involved both the physical control of land for access to subsoil resources, and control over women's bodies in order to undermine community resistance.

Elsewhere, Larissa Santos and I showed (Granovsky-Larsen and Santos, 2021) that the balance of power within corporate counter-insurgency can lie in the hands of private military and security companies or in the hands of extractive companies. Either way, and while the ultimate strategic control over co-COIN operations lies with private companies, corporate campaigns also rely on coordination with state institutions and public forces. This remains the case with co-COIN operations at the Fénix mine, which were designed and overseen by Skye resources executives (see image 2). Despite the significant involvement of a range of Guatemala-based actors, corporate communications show clearly that each decision ultimately depended on the expressed support of executives in Canada, e.g. exhibit XX in Montgomery (2018); see also exhibit L, M, S, U. Nevertheless, of the individuals and institutions involved in the Fénix co-COIN campaign, there are two categories of actors whose roles can contribute to our understanding of corporate counter-insurgency: consultants to Skye Resources and a transnational network including Guatemalan elites.

The body text of the paragraph-long email appears to contain both questions posed by Skye Resources's vice president of operations, William Enrico, and answers inserted into the same paragraph in reply by CGN General Manager Sergio Monzón.

Skye Resources and its CGN subsidiary employed a range of local and international consultants to advise on human rights, security, environmental, and social concerns (see figure 1). Such consultants have become common sights around extractive projects,

as mining companies worldwide strive to win over local populations and improve public relations through the adoption of so-called corporate social responsibility (CSR) measures. CSR, however, has been heavily criticized as a disingenuous distraction from corporate abuses. Slack (2012) holds that CSR measures lack industry-wide standards or any form of enforcement, and that CSR programs serve as an add-on to unchanged corporate activity. Even when CSR standards are fully met, actual community concerns can remain unaddressed (Banerjee, 2018; Laplante and Nolin, 2014).

Image 2
SKYE OVERSIGHT OF EVICTION PLANS

406

To: Sergio Monzon[smonzon@skye.com.gt]
From: "William Enrico"
Sent: Thur 5/10/2007 3:03:57 PM
Subject: RE: Land Issues

HML_AD06614

Thanks,
Bill

From: Sergio Monzon
Sent: May 10, 2007 7:24 AM
To: William Enrico
Subject: RE: Land Issues

Bill, see my comments below.

Sergio

From: William Enrico
Sent: miércoles, 09 de mayo de 2007 1:57
To: Sergio Monzon
Cc: Brooke Macdonald
Subject: Land Issues


Sergio:
Please give me an update on the legal status of the re-invasions and in particular, the legal actions pending with the fiscal and courts. Bill, we have requested eviction orders for La Unión and Santa María invasions. The ownership of Santa María has been clarified by the court, there is confirmation by them that the land belongs to Boca Nueva. As we discussed previously, we want no re-evictions to take place without the approval of Skye management. I am aware of this. Please assure me that we have all timing of any pending legal actions firmly under control. We do. While we may need to selectively re-evict some areas, we need to be in control of the timing. Clearly understood. If there is any doubt or question about this, we need to discuss this immediately. Not necessary.

Thanks,
Bill

William A. Enrico
Vice President Operations
Skye Resources Inc.
700 West Pender Street Suite 1203
Vancouver, British Columbia
Canada V6C 1G8

Ph: +1 604 602 9500 Ext. 111
Fax: +1 604 602 9510

wenrico@skyeresources.com

This is Exhibit XX referred to in the
affidavit of Amanda Montgomerie
sworn before me, this 4th
day of May, 2007

A COMMISSIONER FOR TAKING AFFIDAVITS

Source: Exhibit XX in Montgomerie (2018).

Within the CSR context, consultants on social and environmental issues play an important role for mining executives who wish to be seen as responsible, but who often refuse to alter the core activity of environmentally destructive extraction within Indigenous territory. CSR-related consultants have track records of contributing to further harm within conflicts over extraction. Coumans (2011) outlines the contributions of anthropologists, development NGOs, and socially-responsible investment companies to company-friendly solutions for community conflicts around a Barrick Gold mine in Papua New Guinea, solutions which failed to genuinely engage with

community wishes. Dunlap and Correa Arce (2022) similarly show how development and human rights NGOs employed by wind factories in Mexico align with both local funding and the violence of *sicario* hitmen. The "social license" required for the wind energy project, Dunlap and Correa Arce argue, is engineered through a confluence of NGO projects, cash, and violence, as some stakeholders are won over with resources while others are simply eliminated.

In the case of the Fénix mine, a range of individual consultants, consulting firms, and development organizations all played roles within the corporate-led counter-insurgent campaign. Corporate communications include mention of five security, environmental, or legal consulting firms that all supported Skye and CGN, along with two people who served as individual consultants, and at least two development-focused NGOs. The role of security and human rights consultants at the mine was complicated. One individual consultant from the United States, who worked for a period of many months to assess and improve security measures at the mine, oversaw a human rights assessment that was damning of company standards, and urged strongly against eviction (exhibit W, AA, BB in Montgomery, 2018). Separately, a Canadian-based firm that was central to Skye executives' conversations about the evictions, also advised against eviction (exhibit V in Montgomery, 2018). Despite urging caution, however, the consultants also contributed to the campaign against community resistance: the individual consultant oversaw information-gathering and coordinated with a Guatemalan consultant who designed the terror-inducing flyovers (exhibit B in Montgomery, 2018), while the Canadian firm drafted media relations talking points intended to deflect international criticism of the evictions (exhibit D in Montgomery, 2018).

Alongside security and human rights consultants, development NGOs worked to legitimize Skye's presence. One of these was the Asociación Raxché, an organization created by Skye and CGN that nominally focused on sustainability issues in El Estor (exhibit D in Montgomery, 2018). The Ontario court documents contain little information about Raxché's work, but they do note the association's budget of US\$500,000 and some financial transactions, including the transfer of Q20,000 (around US\$2,600) to Raxché, requested by CGN Chief of Security Mynor Padilla as a "reimbursement for invasion security funds" (exhibit SS, QQ in Montgomery, 2018). CGN's security logs also show that 13 members of an American non-profit humanitarian organization were flown onto the mine site on January 6, 2007, the first day of the evictions (exhibit EEE in Montgomery, 2018). Skye executives had discussed securing the presence of international human rights organizations during eviction (exhibit AAA in Montgomery, 2018), and the presence of NGO workers may have been intended to fill that role.

Research by Coumans (2011), Laplante and Nolin (2014), Dunlap and Correa Arce (2022), and others suggest that a wide range of CSR actors serve corporate attempts

to legitimize extraction, rather than to genuinely address community concerns. The divergent and contradictory advice provided to Skye Resources executives by security and human rights consultants further supports this claim. That a mining company felt compelled to seek advice on community relations, environmental impact, human rights-focused security measures and more, but then barreled ahead with a shaky and ultimately violent eviction plan, suggests that such measures were largely for show. If the CSR impact of Skye's consultants was negligible, however, the consultants' contributions to corporate counter-insurgency were important.

TRANSNATIONAL MINING AND LOCAL ELITE NETWORKS

Despite the well-deserved notoriety of Canadian mining companies, the violations that occur around any given project depend on more than transnational company executives. The balance of power within a local setting is influenced by transnational corporations, but also by local conditions including the policy context, degrees of corruption and state capture, and the strength of anti-extractivist movements (Silva et al., 2018; Schwartz, 2021). Grassroots campaigns led to bans on mining in El Salvador and Costa Rica (Arévalo Villalobos, 2016; Broad and Cavanagh, 2015), while mining continues to be violently imposed despite community resistance across the rest of Central America.

Guatemala is an extreme example of a state that prevents accountability in the mining industry, a scenario that brings out the worst of the industry's systemic problems. The violence, rights violations, and lack of meaningful community consultation at the Fénix mine are characteristic of the mining sector as a whole in Guatemala. This scenario draws on a long history of domestic elites utilizing the state to advance personal interests rather than the common good (Martínez Peláez, 2009). Across Central America today, and with reference to Guatemala, Bull (2014: 119-121) identifies a "political economy of weak institutions and strong elites," in which state institutions are largely controlled by networks of businesspeople, politicians, and military officials whose ties are based on relationships such as kinship, investment, or organizational membership. Elites in these settings promote what Pearce (2018) refers to as the fragmented security state: a political-legal order under which commercial and property law are enforced, but criminal and civil law are intentionally undermined in order to shield elite interests from scrutiny. Impunity thrives in such settings, and violence, criminal organization, and corruption become accepted norms within such elite-oriented state institutions (Schwartz, 2021).

In Guatemala, access to already corrupted state institutions by a succession of military governments during the 1960s–1980s turned the state into a hollow shell that functioned according to counter-insurgent logic and in order to enrich dominant classes (Schirmer, 1998; Smith, 1990). Following the end of military dictatorship in 1985 and armed conflict in 1996, the partially reformed state continued to act according to the interests of military and organized criminal actors alongside traditional and emerging economic elites (Gutiérrez, 2017). Schwartz (2021) argues that a persistence of informal rules within state institutions—and even within those that underwent significant post-war reform—allowed former military officials and organized criminal groups in Guatemala to regroup within the private sector and continue to benefit from corruption schemes. Schwartz finds evidence for the endurance of “predatory informal rules” in the second of a pair of exposed corruption networks that each extracted funds from Guatemala’s customs agency. After the first ring was exposed in 1996, the customs system underwent significant reform. Nevertheless, as the UN-backed International Commission against Impunity in Guatemala (*Comisión Internacional Contra la Impunidad en Guatemala*—CICIG) uncovered in 2015, a similar ring soon formed again, in order to divide customs proceeds between the state, those overseeing the pilfering, and organized crime. This time, the scheme was carried out by former military officers who now acted from outside of official institutions, which Schwartz understood as evidence of the continuation of informal rules governing illegal activity.

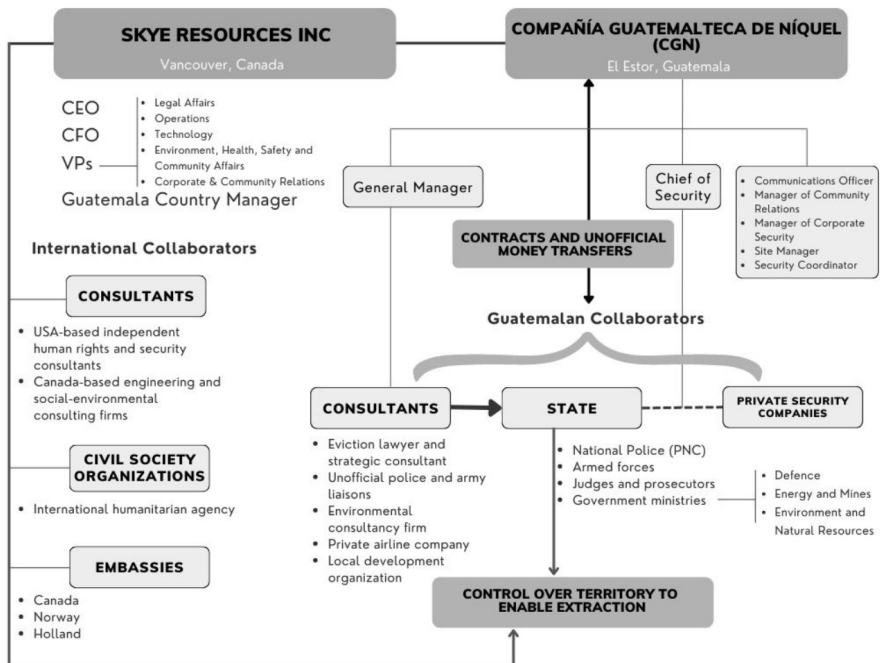
Following the exposure of the corruption ring and the arrest of key operatives including then president and former general Otto Pérez Molina and his vice president, Roxana Baldetti, subsequent Guatemalan administrations targeted both the CICIG and judges and lawyers involved in prosecuting the criminal activity of elites (Schwartz, 2022). The CICIG was forced to cease operations in Guatemala in 2019, and a flurry of legal professionals have fled into exile in the last few years (Blitzer, 2022). The tightened stranglehold that elites control from within and outside of state institutions has only deepened the conviction that Guatemala had become a “mafia state” (Cuffe, 2021; Gutiérrez, 2016).

The informal rules and unofficial power wielded by elites also affect the dynamic interplay of transnational mining and repressive violence in Guatemala. In an exploration of the role of Guatemalan elites in conflicts over mining, Aguilar-Støen and Bull (2016: 23–28) identify a symbiotic relationship between domestic elites and transnational mining companies. Domestic elites facilitate access for transnational mining companies (TNCs) to local investors, provide services such as electricity and infrastructure, and introduce the personal contacts within and beyond the state through which transnational corporations are able to navigate Guatemala’s corrupted political structures. TNCs, in return, present an opportunity for local elites to control

the flow of money related to mining projects which, Aguilar-Støen and Bull argue, serves to maintain the influence that individuals hold within elite networks. Developing this argument further, Sveinsdóttir et al., 2021) demonstrate that the facilitation of mining projects—and, importantly, of public and private security services for those projects—allows elite actors in Guatemala to build the alliances that reproduce their influence within the state and private venues.

A network of elites formed during the campaign to evict communities surrounding the Fénix mine, with implications for research both on domestic elites and mining, and on corporate counter-insurgency. In figure 1, key categories of individuals and organizations are arranged visually in order to show the flows of influence and interests between domestic and transnational actors in the Fénix case. This visualization not only illuminates the specific arrangement of actors in the Fénix case during 2006–2007, but also serves as an example of the elite networks that facilitate corruption and extrajudicial violence in Guatemala.

Figure 1
ACTORS AND INTERESTS IN THE CORPORATE COUNTER-INSURGENT
CAMPAIGN FOR THE FÉNIX MINE



Source: Created by the authors using data from Montgomery (2018).

Skye Resources (populated by its executives in Canada plus its Guatemala country manager) is depicted as working in two directions in order to secure the ultimate goal of control over territory to enable extraction. On the left-hand side, Skye incorporates a range of international collaborators, including the consultants and civil society actors discussed above. On the right-hand side, Skye works through its subsidiary, the *Compañía Guatemalteca de Níquel*, to mobilize contracts and unofficial money transfers in order to gain access to local collaborators. Those Guatemalan collaborators provided access to state institutions, local consultants, and private security.

Corporate communications suggest that Skye executives based in Canada were responsible for overarching strategic planning related to the evictions, and that they retained control over daily decisions (exhibit XX; see also exhibit L, M, S, U in Montgomery, 2018). Those same documents, however, show that the executives relied heavily on Guatemalan intermediaries for access to legal and political influence, as well as to the various branches of the security apparatus that convened for the evictions. Sergio Monzón, general manager of Skye's local subsidiary CGN, emerged as the central liaison who arranged connections for Skye and CGN with consultants, firms, and individuals within state institutions. Many of those connections were in turn made possible by shared membership in graduating classes from Guatemala's military academy between 1981 and 1984 (*El Observador*, 2020). An array of state resources was opened up to Skye and CGN as a result, which spanned across the national police force, the armed forces, public prosecutors, judges, politicians, and ministries.

The informal network that emerged in this case—which is uniquely illustrated through the words of the Canadian, American, and Guatemalan actors themselves in their internal communications—serves as evidence to bolster the findings of work on elites in the Guatemalan and Central American contexts (Aguilar-Støen and Bull, 2016; Sveinsdóttir et al., 2021; Bull, 2014). An appreciation of this local network also advances our understanding of the political component of corporate counter-insurgency. In previous research on co-COIN at the Dakota Access Pipeline in the United States and the Escobal mine in Guatemala, Larissa Santos and I argued that a process of interagency coordination was a central political tactic in counter-insurgent campaigns (Granovsky-Larsen and Santos, 2021). In the Escobal case, an "interinstitutional office" was established in order to coordinate between state agencies and a transnational mining company. At the Dakota Access Pipeline, a private security company joined together with various branches of law enforcement into an "intel group" to coordinate information sharing.

The eviction of communities surrounding the Fénix mine, while displaying the characteristics of counter-insurgent operations, lacked such a public-private coordinating

body. Instead, Skye executives relied on the informal coordination of individuals from within state institutions and private companies, which was facilitated to a great degree by the general manager of Skye's local subsidiary CGN. This has important implications for the study of corporate counter-insurgency, as the transnational corporations that insert themselves into foreign settings may rely on local connections in their efforts to put down resistance. Collaborations between extractive companies, private security, and public forces may be easier to identify than the unofficial dealings between company executives and local powerbrokers. Further research on corporate counter-insurgency would do well to pay attention to dynamics of the local elite networks that facilitate extraction in settings beyond Guatemala.

PUBLIC-PRIVATE REPRESSION AND THE FUTURE OF CO-COIN

As the world barrels ahead unrepentantly through the climate crisis, novel configurations of actors have formed and become commonplace elements in the militarized suppression of movements defending territory and the planet. The counter-insurgent logic presents a strategic framework that both states and corporations utilize increasingly in their attempts to defeat such resistance. Yet while instances of corporate counter-insurgency are by definition initiated and overseen by corporate actors, all documented CO-COIN campaigns have also relied significantly on state resources, including coordination with public forces and the weaponization of the law. In the Fénix case, the eviction campaign led by Skye Resources and its CGN subsidiary could not have succeeded without participation by the Guatemalan police and army, favorable reception by the legal system, backroom conversations with representatives of state institutions, and policy and institutional contexts in both Guatemala and Canada (Schwartz, 2021; Bodruzic, 2015) that encourage pro-mining violence. Even in the ultimate act of violence during the January 17 eviction, the groups of men who gang raped eleven women from Lote 8 stood shoulder to shoulder wearing police, army, and private security uniforms.

Abrahamsen and Williams (2017, 2011, 2009) offer the concept of global security assemblages as a way to grapple with new forms of security operations that merge public and private actors while operating simultaneously at local and global levels. Rather than signalling the erosion of the state's monopoly of violence, the authors argue, the increasing importance of private security actors within tasks once controlled by states points to a security field that has been reconfigured by globalization. The distinction between the public and the private has been blurred to a degree that such categories no longer accurately describe

many security operations. Abrahamsen and Williams find evidence in extractive industries including oil and diamonds (2011, 2009) and Tanzanian gold mines (2017), arguing that the enforcement of these projects demonstrates that the concept of global security assemblages is particularly applicable to: "security provision and governance in complex fragile environments where the centrality of the state cannot not [sic] be taken for granted, and where plurality of security actors is nothing new but where the context and conditions of their existence are changing and interacting with novel, global dynamics" (Abrahamsen and Williams, 2017: 15).

The campaign to secure the eviction of communities from land surrounding the Fénix mine in Guatemala provides an example of corporate counter-insurgency due to its strategic and tactical content. The campaign also serves as an example of a global security assemblage, due to both the composition of armed groups involved and the global nature of a mining project that married transnational managers with a local elite network. In light of this analysis, should corporate counter-insurgency campaigns be considered instances of purely private activity? Becerril (2018: 124-126), in one of the first articles to analyze repression at an extractive project as an instance of corporate counter-insurgency, argues for the importance of a distinction between public and private repression. The key evidence offered by Becerril, drawing on extensive ethnographic research in Peru, is that publicly-led repression appears to backfire and encourage greater resistance, while private repression succeeds due to corporations' targeting of individuals for defamation, intimidation, and physical attack. Becerril references global security assemblages and the reality of blurred lines between strictly public and private spheres, but highlights the analytical usefulness of a focus on private repression. However, three contradictory pieces of evidence throw doubt on this position.

First, research on social movements demonstrates that state-led campaigns do not necessarily contribute to increased resistance. Tarrow's widely respected theorization of movements (2011) shows that the use of force interacts with other elements within the complex, and constantly evolving, political opportunity structure to produce a range of possible results of repressive state violence. In the specific context of Guatemala and El Salvador, Brockett (2005) argued that the application of repressive violence by states interacts with the moment within the social movement organizing cycle that it is applied, leading to a possibility for either movement collapse or resurgence.

A second piece of contradictory evidence is that state actors have been shown to participate in the targeted attacks that appear attributable to private campaigns. In a wide range of cases from Honduras (GAPE, 2017) to the Philippines (Gatmaytan, 2018) and beyond, investigation into the assassination of activists has produced evidence

of blurred public-private spaces within which such attacks are designed and carried out. Finally, the constellation of actors involved in not only the Fénix case explored here, but also in other cases analyzed as co-COIN (Becerril, 2018; Brock, 2020; Brock and Dunlap, 2018; Dunlap, 2019; 2020; Granovsky-Larsen and Santos, 2021) similarly involved blurred terrains of public and private actors that resembled Abrahamsen and Williams's global security assemblages more than strictly private campaigns. While this response to Becerril's proposed research program does not satisfy the apt suggestion to analyze a large number of cases, it does provide initial evidence that a distinction between public and private violence is not necessarily helpful in examining corporate counter-insurgency. In addition to following up on Becerril's suggestion to assess a large number of cases, future research on corporate counter-insurgency could examine the various specific forms that global security assemblages take around promoting co-COIN campaigns. Under that research agenda, the co-COIN framework's flexibility would be an asset: the framework provides clues as to overarching corporate strategy, but allows for configurations of tactics and actors that make for a unique co-COIN campaign in each case.

The theorization of corporate counter-insurgency is in an early stage, pioneered by a small group of researchers who use the concept to highlight the multifaceted hard and soft techniques that corporations deploy in order to overcome resistance. The concept of co-COIN deserves more attention, not only in academic research but also by the people on the front lines of resistance to extractivism. The co-COIN framework could allow organized communities to anticipate and identify common tactics such as interagency cooperation, the creation of persons-of-interest lists, the use of counter-terror language, and criminalization (Granovsky-Larsen and Santos, 2021: 127), while understanding these as pieces in an overarching and coherent strategy. Contributions by Becerril, Dunlap, Brock, and others advance this potential use of co-COIN by activists in important ways.

This paper offers one more contribution that is intended for both researchers and resistance movements: the graphic map of actors in the Fénix case introduced above could easily be adapted for other instances of co-COIN. Stripping away the Fénix-specific details, a similar sketch could be populated with actors involved any given case. A new sketch would need to retain a focus on the corporate actors controlling the campaign as well as their ultimate goals, while threading together the relationships between public and private actors across transnational space, indicating the contribution of each to the co-COIN goal. Such an activity would need to be aware of the potential ramifications for community members when exposing corporate and state actors. Caution should be exercised, and community consent and involvement should always be sought, even when basing research on secondary data (see the methods

section above). Despite this need for caution, the appropriate development of even more tools to trace co-COIN activity could contribute to greater theoretical analysis as well as more effective resistance.

CONCLUSION

The January 2007 forced eviction of Maya Q'eqchi' communities—during which eleven women were gang raped by a joint public-private security force assembled by Skye Resources—did not signal the end of violence at the Fénix mine. In another eviction two years later, CGN's chief of security Mynor Padilla shot community members German Chub and Adolfo Ich: private security guards hacked Ich to death, and Chub was left paralyzed.⁴ Padilla pled guilty in Guatemala and was sentenced to two years in prison for Ich's murder, and another eight months for the shooting of Chub (Prensa Comunitaria, 2021). In 2015, Carlos Maaz Chub, a fisherman protesting the mine's pollution of Lake Izabal, was shot to death by police, and in 2021 martial law was declared near the mine in order to enforce a controversial state-sanctioned community consultation intended to legitimize the Fénix project (Cuffe, 2021; Spalding, 2023). The struggle against the Fénix mine continues, while the corporate managers of the mine (which is now owned by Switzerland-based Solway Investment Group) continue to seek tools to ensure extraction at any cost.

This paper analyzed internal communications produced by the Vancouver-based Skye Resources and their associates, in order to gain rare insight into the decision-making process of mining company executives repressing community opposition. Documents entered into a civil court case in Canada alleging corporate negligence show how mining executives, their consultants, and Guatemalan powerbrokers pressured judges, rejected negotiation, evaded legal challenges, authorized unofficial money transfers, and assembled and housed the joint security force that would be used in the rapes and evictions. At all steps of the way, top Skye Resources executives in Canada were involved in decisions and strategy. That strategy aligned neatly with corporate counter-insurgency, in its mobilization of political influence, economic development funds, information gathering and diffusion, and physical security in order to control territory for extraction and profit. In the gendered context of mining violence, which in turn drew on strategies of rape as a weapon of war from the recent

⁴ The 2009 attack led to two more court cases brought against HudBay in Ontario, in tandem with that of the rape survivors. In "Angelica Choc v. HudBay Minerals Inc.," Adolfo Ich's widow alleges that the wrongful actions and omissions of HudBay, HMI Nickel, and CGN led to Ich's death. In "German Chub Choc v. HudBay Minerals Inc.," Chub is suing HudBay due to the "catastrophic harms" he suffered as a result of the shooting (Klippensteins, Barristers and Solicitors, 2023).

Guatemalan armed conflict, control was exerted over women's bodies in order to repress community resistance.

While Skye executives oversaw decisions and controlled strategy, the campaign to secure eviction relied on a broad transnational network of actors. Consultants from Canada and the United States advised on security, human rights, social, and environmental issues in a manner that both formed Skye's image of corporate social responsibility and facilitated the counter-insurgent campaign underway. In Guatemala, the general manager of Skye's local subsidiary, Sergio Monzón, drew on connections—many of which were formed through graduating classes in the Guatemalan armed forces—to bring into the campaign Guatemalan police, soldiers, judges, prosecutors, politicians, and more. The formation of this network provides further evidence of the symbiotic relationship between transnational mining companies and local elites, especially in the case of Guatemala (Aguilar-Støen and Bull, 2016; Sveinsdóttir et al., 2021).

This paper offered two contributions to the study of mining-related violence and corporate counter-insurgency. First, the unprecedented public release of corporate communications in the case of Margarita Caal Caal v. HudBay Minerals Inc. provided an opportunity to analyze the decision-making process among corporate actors and their allies, a process which could shed light on other instances of repressive violence in extractive industries. Second, the paper intervened in debates over corporate counter-insurgency through an analysis of the relative roles of public and private actors, suggesting that even corporate-led repressive actions best resemble the blurred space of Abrahamsen and Williams's (2017, 2011, 2009) global security assemblages. The paper also offered a graphic tool intended to facilitate the mapping of actors within co-COIN campaigns. As the world economy perches on the verge of a new boom in metals mining (Deniau et al., 2022), researchers and communities in resistance should look to the ecosystem of private and public actors that converge around mining projects in support of extraction and their own interests. Corporate counter-insurgency will likely remain a strategy of choice for mining executives. In order to resist co-COIN campaigns, it is vital to expose key actors and the roles, specific tactics, and the broader strategy utilized by corporate actors seeking control over territory for profit.

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