

Q'AXAN RICHIN TOJB'ALIL

VII DERIVADA

PA KAQCHIKEL

(Traducción de la Sentencia
VII DERIVADA al Kaqchikel)

Q'ATÖY TZIJ (CORTE SUPREMA DE JUSTICIA), K'O CHUPAM RI JUN MOLAJ WINAQI' RICHIN TOB'ÄL TZIJ (TRIBUNAL DE AMPARO): Iximulew, juk'al waqxaqi' q'ij richin ri ruwaq ik' richin ri juna' wok'al waqlajuj.

I) Ek'o chupam ri q'at k'o kib'i chupam la wuj re'. II) xqatz'at ri wuj richin nyi'ox to'ik xk'utux ruma **CENTRO DE ACCION LEGAL-AMBIENTAL Y SOCIAL DE GUATEMALA (CALAS)**, ruma ri winäq kitaqon pe, ri q'atöy tzij Pedro Rafael Maldonado Flores, chirij ri **CHITÜY WINÄQ RICHIN UCHUQ'AB'ALIL CHUQA' ELEB'EL (Ministerio de Energía y Minas)**. Ri winäq xwayox xtzijon akuwi' xub'ij ri q'atöy tzij sik'in chupam la wuj re'.

K'ULWACHITAJNÄQ

- A) **Ajilab'äl q'ij xkiya' ri wuj richin xkipob'a' ki'**: juk'al waqxaqi' q'ij richin ri ruwaqxaq ik' richin ri juna' wok'al kajlajuj.
- B) **Ri xkich'ojij**: "ri ri'oxik ri wuj richin nkilesaj saqapwäq chuqa' q'anapwäq pa tinamital San Pedro Ayampuc chuqa' San José el Golfo richin Iximulew, rub'i' "PROGRESO VII DERIVADA" ajilab'äl ri wuj LEXT- wa'ix kak'al kajlajuj- wa'ix waqxaqi' (LEXT 054-08), ryi'ox chare ri mokaj, Exploraciones Mineras de Guatemala, Sociedad Anónima, yari' k'a ma xuya' ta ruq'ij ri k'utuxik chike ri amaqi' taq winaqi' richin ri tinamital San Pedro Ayampuc chuqa' San José el Golfo, ri nb'ix pa ajilab'äl jun, retal cholajil a, b chuqa' c; nojel ri nb'ix pa atowab'äl waqxaqk'al b'eleje' ri ntzijon chij ri amaqi' taq winaqi' pa kaxlan atowab'äl richin samaj chuqa' ri tzijonib'äl b'elejlajuj chij ri xub'ij ri Tunutinamital chirij ri rucholajem ri amaqi' taq winaqi'".
- C) **Ajilab'äl q'ij xb'ix ri najin nch'ojix**: ruma ri rub'eyal ri najin nch'ojix ma xb'ix ta.
- D) **Ri xkusas ruma ri wuj xch'ojix**: majun xkusas ta.
- E) **Ri nkisujuj**: maxyi'ox ta q'ij chike ri amaqi' taq winaqi' richin ri tinamital San Pedro Ayampuc chuqa' San José el Golfo richin Iximulew, richin ye'apon, maxk'utux ta chike nab'i'el .

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl ka'i'.

RI XB'ANO' RICHIN XKIYA' RI TOB'ÄL TZIJ

A) Ri xkib'ij ri mokaj xiyi'o ri ch'ojinik chuqa' achike nub'ij chupam ri wuj xtz'ib'ax nqalessaj la jun ch'utirisanem re': a) rik'in ri ajilab'äl juk'al ka'i' q'ij richin ri rulaj ik' richin ri juna' wok'al waqxaqi', ri molojil Exploraciones Mineras de Guatemala, Sociedad Anónima, xuk'utuj chara ri Chitüy Winäq richin uchuq'ab'il chuqa' eleb'al (Ministerio de energía y Minas) jun wuj rub'i' Progreso VII Derivada, richin nuya' q'ij chike richin nkilesaj q'anapwäq chuqa' saqapwäp, pa jun retal ulew xwil pa tinamital San José del Golfo chuqa' San Pedro Ayampuc, richin Iximulew. Pa jun ramaj k'o juk'al waqxaqi' juna' chupam; b) Pa juk'al wuqu' q'ij richin ri ruluaj ik' richin ri juna' woq'o' waqxaqi', ri peraj nwetan ri ulew pa Iximulew rub'i' Catastro, pa rulewal k'amajay richin eleb'al pa ri wuj ajilab'äl DIC-CIM- juq'o' lajk'al b'eleje'-wa'ix waqxaqi' (DIC-CIM-609-08), xkib'ij chi xkich'ob' rij ri k'utuxik xb'an chike chirij ri telechanem chirij ri Progreso VII Derivada, xkitz'et chi k'o ri kachuy juq'o xe'otok'al, ri tz'ib'atal al pa rukojilab'äl q'ajanil chuqa' ri laq'an qupijuch' xkusax akuchi' k'o wa ri retal ulew. C) ru ma ri cholmayij DIC.SM. DM- oxk'al julajuj- woq'o' b'eleje' (DIC-SM.DM-71-2009). Pa kab'lajuj richin ri rox ik', richin ri juna' wok'al b'eleje', ri tunuwachinäq ri yetz'ito ri rucholajem ri eleb'el, xub'ij chi ri rab'ajul ulew "q'anapwäq chuqa' saqapwäq", yari' ützi b'i'aj xkitz'et rije', xkitz'et chi ri retal ulew ützi xkitzu', ma nuya' ta k'ayawal pa kik'aslen ri winaqi' chuqa' ri ruch'ulew; d) ri tuniwachinäq ri chin nyi'o na'oj ri chitüy richin uchuq'ab'il chuqa' eleb'al (Ministerio de Energía y Minas), pa cholmayij rajilab'äl juq'o' julajuj-VII-woq'o' julajuj (411-VII-2011), pa kaji' q'ij chi ri ruwuq ik' richin ri juna' woq'o' julajuj, xkib'ij chi je nkiya' ri wuj richin nlesas rajab'ul ulew rub'i' Progreso VII Derivada.

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl oxi'.

Yari wuj ri' xkitz'et chuqa' ri Q'atöy Tzij (consultoría richin Procuraduría General de la Nación), pa wuqu' q'ij chare ri ruwuq ik' richin ri juna' woq'o' julajuj; e) pa juk'al lajaj richin ri rub'elej ik', richin ri juna' woq'o' julajuj, ri chitüy richin uchuq'ab'il chuqa' eleb'al , pa solk'ayewal, xyi'ox pa retab'al q'ij waqxaqq'o' waqxaqk'al kajk'al (3394), xuya' ri wuj richin nlesas ri rab'ajal ulew chara ri molojil Exploraciones Mineras de Guatemala, Sociedad Anónima, rub'i' Progreso VII Derivada, xyi'ox q'ij chara rajaw ri ulew, ri nub'ij pa ri wuj, chi nulesaj q'anapwäq chuqa' saqapwäq, pa lajaj choj yo'etok'al, pa juk'al wo'o' juna'; Ri Centro de Acción Legal-Ambiental y Social de Guatemala, xuya' jun tob'al tzij chirij ri Chitüy richin Uchuq'ab'il chuqa' Eleb'al (Ministerio de Energía y Minas)

, ruma nkib'ij chi maxyi'ox ta q'ij chi yeb'apon, yech'ob'on, chuqa' nk'utux chike ri amaqi' taq winaqi' ek'o pa tinamital San Pedro Ayampuc chuqa' San José el Golfo, ruma ma xe'apon ta ri winaqi' richin yari' tinamital, maxk'utux ta chike ri winaqi' richin nkib'ij je chuqa' mani' chi ri samaj nb'an pa ki tinamit, ri nb'ix pa atowab'äl waqxaqk'al b'eleje' richin ri moloj kaxlan richin ri samaj pa ruwi' ri amaqi' taq winaqi', taj xyi'ox ri wuj richin nkilesaj rab'ajäl ulew rub'i' Progreso VII Derivada; f) Ri nkik'utuj: tub'ix chara ri Chitüy Winäq richin ri Uchuq'ab'il chuqa' Eleb'al (Ministro de Energía y Minas), chi nab'ey k'o chi nk'utux chike ri winaqi' chirij ri samaj nb'an pa kitinamit, akuwi' nub'ij pa kaxlan moloj richin samaj, achike nkib'ij ri winaqi' k'ari' nuya' riwuj chike ri molojil yek'utun.

B) Caso de Procedencia: majun nub'ij

C) Taqotzij max oxta ruq'ij: tzijonib'äl oxk'al waqi' richin ri Cholk'aslemal richin Iximulew.

RICHIN NUKUSAJ RI Q'ATÖY TZIJ (CORTE SUPREMA DE JUSTICIA)

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl kaji'.

Iximulew, ajilab'äl ka'i', retal cholaj a), b) chuqa' c), waqi' richin ri atowab'äl richin ri Kaxlan Moloj richin Samaj, b'elejlajuj richin ri Rub'ixik richin Tunitinamital richin ri achamaq'i' taq winaqi'.

RUB'ANİK SAMAJ CHIRIJ RI TOB'AL TZIJ

- A) Tob'al tzij yi'on paqe': xb'ix pa solk'ayewal, rik'in ajilab'äl q'ij julajuj richin rujulaj ik', richin ri juna' woq'o' wolajuj, xb'ix ruma la jun molaj re'.
- B) Röx taj winaqi': b.1) Exploraciones Mineras de Guatemala, chuqa' b.2) Q'atöy Tzij (Procuraduría general de la Nación)

Nuk'uxik ri wuj akuchi' ntzijox ri k'ayawal: xyi'ox pe ruma ri Chitüy Winäq richin ri Uchuq'ab'il chuqa' Eleb'al (Ministro de Energía y Minas) Erick Estuardo Archila Dehesa, chupam ri wuj xub'ij: c.1) ri xyi'o ri tob'al tzij k'o chi nuk'ut ri achinaq k'o rub'eyal, chupam ri' ek'o: ri xkich'ojij, ri k'amöl b'ey ri najin nki k'ut chi xyi'o q'ij chi xb'an ri samaj ri', ri k'ayawal nb'anataj rik'in ri xyi'ox q'ij chi nb'an ri samaj ri', ri wuj ri' ma ek'ota pe chupam la jun tob'al tzij re'; c.2) chupam ri tzijonib'äl ru ajilab'äl juk'al chupam ri Taqotzij richin Tob'al Tzij, Ruk'util ri winäq chuqa' richin k'aslemalil, richin rusik'ixik ri natawuj ri nch'ojix ri xyi'oxqa chupam, xiyi'ox rub'ixik chara ri xyi'o' ri wuj pa juk'al oxi' q'ij richin rujulaj ik'richin ri juna' woq'o' julajuj, xb'ix chike ri q'atb'al tzij richin ri tinamital akuchi' nb'an wi ri samaj pa lajuj q'ij chara ri nab'ey ik', chara ri juna' woq'o' kab'alajuj, "...taj xq'axyan ka'i' juna' taj xyi'ox ri wuj, ruma ri' maxyi'ox ta ru q'ij ri tob'al tzij...", c3) pa k'isb'al xub'ij chi ri wuj re' majun rub'anik, majun ruchuq'a' ruma ri tob'äl tzij xa pa rub'i' jun winäq b'enaq wi, majun winäq xtukowin nb'ij chi b'enaq pa kib'i' jun mokaj winaq, taj majun kich'ab'äl ri winaqi' b'enaq t apa ri wuj, xew ri b'in pa tzijonib'äl juk'al wo'o' richin ri Taqotzij richin Tob'äl tzij, Ruk'utik ri winäq chuqa' Cholk'aslemal, chirij ri Ch'ojib'anel richin rucholajem k'aslemal chuqa' Chitüy ak'axanela', yari' jub'a' nb'ij..."

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl wo'o'.

Centro de Acción Legal y Ambiental de Guatemala, mankowin ta nuya' samaj richin cholk'aslemal taj
k'o jun rajowaxik richin xa jun winäq chirij...".

Nojixik rij: maxyi'ox ta q'ij chara ri ramaj q'ij richin ntz'et rij ri wuj, ri juk'al wo'o' q'ij chara ri rukab'
ik', richin ri juna' woq'o' waqlajuj; xak'amox richin nch'ob' rij ri k'ayawal: d.1) ajilab'äl wuj SEXT-
wa'ix kak'al kajlajuj-wa'ix waqxaqi' (SEXT-054-08), richin ri Chitüy richin ri Uchuq'ab'il chuqa' Eleb'al
(Ministerio de Energía y Minas); chuqa' d.2) ri nkib'ij ri ruchojmil chuqa' rutob'äl.

- C) Chikiwach kenojel: xb'anataj pa waqlajuj q'ij, chara ri rok'al ik', chara woq'o' waqlajuj juna', xkanajqa
chupam ri wuj, ajilab'äl wolajuj- woq'o' waqlajuj (15-2016).

RI NKICH'OJII RI MOLOJIL

- A) Ri xyi'o ri wuj**, xutzijoj ri xub'ij pa wuj ri xuya' nab'i'el pa tob'al tzij richin cholk'aslemal.

Ri Chitüy richin ri Uchuq'ab'il chuqa' Eleb'al (Ministerio de Energía y Minas), ri k'amöl b'ey xq'at, ri
achin Juan Pelayo Castañon Stormont, xub'ij chi ri tob'al tzij richin cholk'aslemal majun pwaq ki yi'on
ta qa' richin nk'usx rij, chupam ri: b.1) ma k'o ta chik pa rajilab'äl q'ij, yari' nutz'ila' ri juk'al tzijonib'äl,
richin ri Taqotzij richin Tob'al Tzij, k'utik winäq chuqa' Cholk'aslemal; b.2) Akuwi' nkanaj, ru ma
maxb'anta akuwi' nejowax nab'i'el kari' nkiya' ri ch'ojinik richin cholk'aslemal; b.3) Ri rub'eyal ri wuj
xyi'ox, ri winaqi' xkiya' ri tob'al tzij majb'ey xkipob'ata ki', chupam ri ramaj q'ij nub'ij ri kak'al waqi'
tzijonib'äl richin ri taqotzij richin eleb'al (Ley de Minería), ruma ri' ma nk'ax ta ri nub'ij ri tob'al tzij
xkiya'; b.4) Ma qetzij ta ri k'o chupam, ruma xa jun winäq xyi'o ri wuj, chuqa' nb'ix chi ma ützi chi ja
nun winäq nb'ano jun samaj pa rub'i' jun chik winäq, "... ru ma ri' majun ta k'a ri mokaj winäq chirij ri
nk'utux, xew nub'ij pa juk'al wo'o' tzijonib'äl, richin ri taqotzij richin Tob'al tzij.

RICHIN NUKUSAJ RI Q'ATÖY TZIJ (CORTE SUPREMA DE JUSTICIA)

Tob'al tzij Ajilab'al oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'al waqi'.

Tob'al Tzij, K'utunik ri winaq chuqa' ri Cholk'aslemal, chirij ri Ch'ojib'anel richin rucholajem k'aslem chuqa' richin ri Q'atöy Tzij (Ministerio Público)...”, b.5) Rix rajona richin xyi'ox ta q'ij chara ri tob'al wuj, ri nub'ij chupam ri b'eleje' tzijonib'al richin ri xkib'ij ri tunitinamital, ri nub'ij chi ri Saqamaq' yari' ri molaj k'o chin b'ano ri k'utunik chuqa' k'o chi yorto' ri achamaqi' taq winaqi', Ma yata ri Chitüy richin ri Uchuq'ab'il chuqa' Eleb'al (Ministerio de Energía y Minas) nb'ano ri k'utunik. Ru ma ri' xk'utuj chi matyi'ox ta q'ij ri tob'al tzij xkiya'. C) Ri Q'atöy Tzij (Procuraduría general de la Nación), röx molaj ri k'o chi nkitz'at ri tob'al tzij xyi'ox, taj xk'is ri molaj akuchi' xepeyox wa xkib'ij: ri k'o chi nk'utux, xew k'a ri nrajo' jun winaq richin nuk'utuj to'ik chare ri cholk'aslem, ru ma ri nub'ij chi ri samaj najin nb'an nutz'ila' rucholajem chuqa' chara ri rujuyu', yari' k'a maxwil ta pa ri tob'al tzij xuya'. Pa k'isb'al nub'ij chi, ri ramaj q'ij yari' jun chik chike ri achinaq xtz'itox, chuqa' maxb'an t apa ri ramaj q'ij xb'ix. “...ri molaj xyi'o ri wuj tob'al tzij, xe'el chupam ri ramaj q'ij, chuqa' xa pajb'ey xb'an ta, chuqa' ma qatzij ta k'o pa ri tob'al tzij, ya ri' k'a k'o chi xkib'an ta, ru ma k'a ri' yare' molaj winaqi', mayekowin ta nkinuk'uj chuqa' nkiya' jun kitzij chirij ri xkich'ojij pa tob'al tzij...”. Xk'utuj matyi'ox ta ruq'ij ri tob'al tzij xyi'ox. Exploraciones Mineras de Guatemala, Sociedad Anónima, röx molaj k'o chi ntz'ito ri tob'al tzij xyi'ox, ru mar i ruk'amöl b'ey, Héctor Jacinto Vaides Medina, xub'ij chi ri xyi'o ri tob'al tzij, ma jun k'a ruq'ij richin nch'ojin, yari' nub'ij pa juk'al wo'o' tzijonib'al richin ri taqotzij richin ri tob'al tzij, richin Ruk'utik ri winaq chuqa' richin Cholk'aslemal, ruma, “... Richin xkijo' xkiya' jun tob'al tzij akuchi' nkib'ij chi yetzijon pa rub'i' ch'ojib'anel richin jun mokaj winaq, yari' xew nyi'ox q'ij chara Q'atöy Tzij (Ministerio Público) chuqa' chare Rucholajem k'aslem ruma ri taqotzij...”.

Tob'al tzij Ajilab'al oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'al wuqu'.

Chuqa' akuwi' nub'ij pa ri tzijonib'al waqxaqi' chuqa' lajaj richin ri Taqotzij richin Tob'al tzij, richin ri Ruk'utik ri winäq chuqa' richin Cholk'aslemal, chuqa' kak'al ox'i' tzijonib'al richin ri Wuj k'o Rub'eyal Cholajem K'aslem chupam (Código Procesal Civil y Mercantil), ri winäq npa'e chuwach ya ri' k'o chi jun q'atöy tzij ri tz'ib'an rub'i pa jay kichin qatöy taq tzij, chuqa' k'o chi nkib'ij nab'i'el, taj nmajataj ri moloj; "...Chupam la jun samaj re', ri q'atoy tzij Pedro Rafael Maldonado Flores, xub'ij chi nsamaj pa kib'i' ri moloj Centro de Acción Legal-Ambiental y Social de Guatemala (CALAS), yari' jun winäq, nutz'at ri kicholajem ri winaqi' ek'o chupam ri moloj ri', ma nutz'et ta kicholajem ri winaqi' ri ma'ek'o ta chupam ri moloj ri'...". Pak'isb'al xub'ij chi akuwi' nub'ij pa Cholk'aslemalem (constitución Política de la República de Guatemala) richin Iximulew chuqa' pa wuqlajuj tzijonib'al richin ri Nuk'iqatb'al Tzij (Código Municipal), chuqa' ri nkib'ij ri winaqi' richin ri tinamital, chi ri wuj xyi'ox chike ri jun moloj richin nkilesaj rab'ajal ulew, yari' xew k'a ri tinamit k'o ru ch'ojinem richin nkilesaj, ru ma ri' k'o ri kik'amöl b'ey. Xuk'utuj chi tuy'ox qa chi ma ützt ta ri wuj xyi'ox chike ri jun moloj richin nkilesaj rab'ajal ulew.

D)Ri Q'atöy Tzij (Ministerio Público), chi kojol ri Tz'etöy Cholk'aslemal, Tob'anem Tzij chuqa' K'utunik Winaqi' (Fiscalía de Asuntos Constitucionales, Amparos y Exhición Personal), yari' k'o chi xutz'at ri ya Lucrecia de María Vásquez Casasola, xub'ij chi, taj xkich'ob' rij ri k'o chupam ri Tob'anem xkiya', chuqa' xkitz'et ri rusiloj samaj xuya'ri Chitüy richin ri Uchuq'ab'il chuqa' Eleb'al (Ministro de Energía y Minas), chuqa' ri nk'aj chik wuj eb'enaq rik'in ri jun k'utunik richin Tob'anem Tzij, majun chike ri nojel wuj xkitz'et nub'ij ta k'a, chi xkiya' q'ij, chuqa' xk'utux ta chike ri winaqi' richin ri tinamital San José del Golfo chuqa' San Pedro Ayampuc, pa ri samaj rub'i' "Progreso VII derivada", ajilab'al wuj LEXT- wa'ix kak'al kajlajuj-wa'ix waqxaqi' (LEXT-054-08), xyi'ox chike ri moloj Exploraciones Mineras de Guatemala, Sociedad Anónima,

RICHIN NUKUSAJ RI Q'ATÖY TZIJ (CORTE SUPREMA DE JUSTICIA)

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl waqxaqi'.

ruma ri' k'a wakami' ma najin ta nyi'ox ruq'ij ki ch'ojib'äl richin nk'utux chike, chuqa' rije' yeb'in ta je chuqa' mani richin nb'an ri samaj pa ki tinamit, yari' samaj nuya' k'ayawal pa ki k'aslen. Nk'utuj chi tu yi'ox q'ij chara ri Tob'anem Tzij xkiya'.

TZ'ETEXIK

-I-

Rub'anik ri Tob'anem Tzij: ri tob'anem ch'ob'on chirij akuwi' nub'ij ri oxlajk'al wo'o' tzijonib'äl, richin ri cholk'aslemal wuj, ri ruka'n b'in pa Taqotzij richin Tob'anem, K'utunik winäq (Fiscalía de Asuntos Constitucionales, Amparos y Exhibición Persona) chuqa' richin Cholk'aslemal, ntz'et akuwi' jun to'ik cholk'aslemalil chirij xkib'an achike xkijo' chirij ri solsamaj ruma jun k'amöl b'ey, ru ma ri' k'o chin toj richin yeto'ox ruma ri k'ayawal kiwilon, rik'in kichojalem. Majun atix ta ruma chi manyi'ox ta q'ij chara ri Tob'äl tzij, k'o chin tz'et, nyi'ox ruq'ij taj ri k'amöl b'ey pa taq solsamaj kiyi'on al k'ayawal, poqonal, ntz'il ax ki ruchojalem k'aslemal ri k'o chi nyi'ox ruq'ij b'in pa Cholk'aslemalem chuqa' nk'aj chik taqotzij.

Ri ruk'ojilal ri etzelal: Ignacio Burgoa, pa ru sik'iwuj "El Juicio del Amparo", (Editorial Porrúa, México Distrito Federal, xkaq'o' b'elejlajk'al oxi' juna', pa ruxaq wuj oxlajk'al lajuj), nub'ij chi ri taj ntz'il ex jun winäq, yari' ntz'il ex rucholajem, ri etzelal k'a ri', k'o k'iy rub'anikil: a) samajib'äl: yari' ri poqonal nuya' jun k'amöl b'ey taj k'o pa rusamaj, nutz'ila' kicholajem kik'amon pe taj xe'elax chuqa' nutz'ila' ri cholk'aslemalil chuqa' ri taqotzij. b) Taqotzij: rub'anik nub'an chara ri k'amöl b'ey richin nutz'ila' kik'aslen ri winaqi', chuqa' nukusaj m apa rub'eyal ta ri Cholk'aslemalil.

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl b'eleje'.

c) Ri manchapataj ta: ri winaq chojchij nqawa ri k'ayawal.

-II-

A) Ri winäq xyi'o ri Tob'al tzij, ri wakami' nchojmix, akuchi' nub'ij chi ri k'amöl b'ey ntzijox pa ri wuj re', max kib'an ta ri k'utunik chike ri winaqi' richin ri tinamital, ruma ri' yaxyi'ox ta q'ij chara kicholajem ri achamaq'i' taq winaqi', chuqa' ri k'amöl b'ey ri', xuya' jun wuj richin nkilesaj q'anapwäq chuqa' saqapwäq pa tinamital San Pedro Ayampuc chuqa' San José del Golfo richin Iximulew, rub'i' "PROGRESO VII DERIVADA", ajilab'äl wuj LEXT- wa'ix kak'al kajlajuj-wa'ix waqxaqi' (LEXT-054-08), xyi'ox chike ri moloj Exploraciones Mineras de Guatemala, Sociedad Anónima, yari' maxk'utux ta chike ri achamaq'i' taq winäq richin ri tinamital yenatax pa la wuj re'.

-III-

Ri rub'eyal pa kiwi' ri winaqi' ri tz'ib'atal pa Cholk'aslemalem richin Iximulew (Constitución Política de la República de Guatemala): Ri Cholk'aslemalem xyi'ox ruq'ij pa juk'al julajuj q'ij, richin rok'al ik', richin ri kajq'o' b'elejk'al wo'o' juna', chupam ri' tzijon waqa ri kicholajem k'aslem ri winaqi' chuqa' akuchi' xchojmix wa ri Iximulew, chupam ri nim laj wuj ri' xtz'ib'ataj qa runuk'ik ri Iximulew, pa rub'eyal ri nima wuj Cholk'aslemal, xch'o' ri Q'atöy Tzij (Corte de Constitucionalidad), pa ri qatzij laj wuj xyi'ox pa wuqlajuj q'ij, richin ri rub'elej ik', richin kaq'o' b'elejk'al waqi' juna', xb'ix pa ri wuj kab'lajuj-kajk'al waqi', xtun rik'in ri nab'i'el wuj, xtz'et chi ri wuj nuya' ruq'ij ri winaqi'.

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl lajaj.

(Jorge Mario Garcia Laguardia, Constituciones Iberoamericanas, Iximulew. UNAM, México, woq'o' waqlajuj, (woq'o' waqlajuj, oxk'al ruxaq wuj), ri cholk'aslemal yari' k'a jun na'oj, ri nuya' ruq'ij ri winäq, yari' nunojij rij ri ch'ob'oj nb'an chij ri winaq, chuqa' nub'an jun ch'ob'oj ma junan ta rik'in ri taqotzij, ruma ri jun na'oj re' k'o ru b'anik, yari' k'a nutun ri kichojalem ri winaqi' chuqa' rik'in achike kib'anik, ru ma ri' ri juk'ib'anel k'o chi nuch'ob' chi üt, richin ri majun tz'ibatal ta pa Cholk'aslemalem nu chojmin chi üt, k'o chi nuya' ruq'ij ri kichojalem ri winaqi', xa ruma chi k'o chi yetz'at junam kenojel ri winaqi' yari' ri rub'eyal ri cholk'aslemal, richin nyi'ox ruq'ij ri kichijalem ri winaqi' chuqa' yetz'et junam kenojel, ri rub'eyal k'o chi nkusas richin nchojmix ri k'ayawal. Pak'isb'al ri Cholk'aslemalil k'o chi yo'r tzu kenojel xajunan kiwach,

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl julajuj.

ruma ri' ri taj majun rub'eyal ri na'oj nkijo' nkikusaj, matukusasta k'a, ru ma ri' k'o chi yekusax ri na'oj echolon qa' pa Cholk'aslemalem richin nyi'ox ruq'ij kichojalem ri winaqi' richin jeb'el nk'utaj al ri achike nkijo' nkib'an.

Pa ruwi' ri Rucholajem K'aslemal tz'ibatal qa pa Cholk'aslemalem richin Iximulew, chupam ri tanaj richin Rucholajem K'aslemal, yare' moloj nutz'at chi k'o chi nkisik'ij "ri kak'al kaji' tzijonib'äl, Rucholajem ri winäq rk'amon pe taj xe'elax, ri cholajem k'o pa Cholk'aslemalem ma nu lesajta qa ri cholajem ma etz'ibatal ta chupam ri nimasik'iwuj ri'", chuqa' nub'ij pa "kak'al waqi' tzijonib'äl, rutzil ri kaxlan taj ruchojalem. Nub'ij chi ri na'oj, ch'ob'oj k'o pa taj k'axlan atewab'äl ri rujuch'un ruwach ri Iximulew, yari' k'o ruq'ij pa ruwi' ri rucholajem richin ri Iximulew", pa rub'eyal ri oxk'al waqi' tzijonib'äl: **Tzijonib'äl oxk'al waqi'**: Kito'ik ri achamaqi' taq winaqi', pa Iximulew k'o k'iy kib'eyal taq winaqi', jun chike ri' k'o ri maya' taq winaqi'. Ri Saqamaq' nuya' ruq'ij ri kib'anik, kib'eyal, kina'oj, rukusaxik kich'ab'äl chuqa rukusaxik ri tzi'aq; pak'isb'al nkisik'ij "Oxk'al wuqu' Tzijonib'äl, Ruto'ik ri ruch'ulew chuqa' ri moloj to'oj ri'il pa ruwi' ri kitiko'n ri achamaqi' taq winaqi'. Ri ki elew ri molok to'oj ri'il , achamaqi' taj komun, ulew richin kitikoj, chajb'achike ta na akuwi' rub'eyal kiwilon yari' ulew, chuqa' ri sipanik kib'anon qa ri kich'alal chike, chuqa' akuchi' ek'owa ojer chik, k'o chi yeyo'ox ruma ri Saqamaq', richin yeto'ox rik'in pwaq, rik'in na'oj richin nkisamajij ruwach ri ulew, richin nkiwil jun jeb'el k'aslemal ri winaqi'. Ri achamaqi' taq winaqi' ri k'o ojer taq ulew pa ki chajimen chuqa' kó chi yeto'ox".

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl kab'lajuj.

-IV-

Ri ruch'ob'oxik pa Cholk'aslemalil, k'o chi nu kanuj rub'eyal ri Cholk'aslemalil wuj taj k'o kina'oj, kich'ob'oj ri winaqi' chupam, taj ki mojin ki' pa winaqirem (akuwi' rub'eyal chinojel cholk'aslemal, akuwi' rub'in qa ri Q'atöy Tzij (Corte de Constitucionalidad), pa juk'al q'ij richin ri rujulak ik' richin kajq'o' julajq'o' wuqu', pa ri wuj rajilab'äl oxlajk'al ox'i'-kajk'al wuqu'). Akuwi' ruch'ob'ik: ri na'oj tz'ib'an qa, k'o: ri rucholajem, ri nkinimaj, ri rub'eyal ch'ab'äl, ri nkanun rub'eyal ri achinaq, chuqa' ri rub'anob'äl ri kikusanpe ri Q'atöy Tzij (Corte de Constitucionalidad); Rub'eyal ri nkinimaj o ri k'islem: "k'isb'al", "rinch'ob' pa k'isb'al", "Chuqa' ri ch'ob'oj chirij ri nkinimaj", Nch'ob' chirij chi nab'i'el k'o chi nojix, nch'ob' rij ri njowax nb'an rik'in jun na'oj, achike nrajo' nuto' ri jun na'oj nb'an. Ri nb'anataj k'o chi nuya' q'ij chara ri na'oj, taj ri na'oj ma ruk'uan ta rub'eyal achike nejowax chara. Yari' rich'ob'oj manuk'uwaj ta ruch'ob'oj ri jik'ib'anel (ruma k'a ri jik'ib'anel yari' ri nsach ajantaq rik'in ri nub'ij qa), k'o chin wil achike ri rinjowax rik'in ri na'oj najin nyi'ox, ri rub'eyal cholk'aslemalil k'o chi nto'on pa ruwi' ri "ojer" taj "ajowaxik", yari' nub'ij pa taqotzij, yari' yalan ützi nuk'ulb'a' ri ojer taj na'oj tz'ib'an qa, pa ruwi' ri komun. Pa jujun b'ey, ri nk'utux chirij rij na'oj ri jik'ib'anel yalan ützi richin nch'ob' rij achike rub'eyal xkusax chuqa' achike achinäq nuto' ri xtz'ib'ax qa pa ruwi' ri na'oj, richin nwil chi ma xyi'ox ta qa pa ri wuj achike xrajo' ri jik'ib'anel;

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl oxlajuj

b) **Ri rub'eyal re:** ri rub'eyal ri Cholk'aslemalem ma ütz ta k'a yech'ob' pa ki yonil, k'o chi yech'ob' junan rik'in ri wuj chojchipam etz'ib'atal wa qa. Ri nojel rub'eyal etz'ib'an qa, eb'enaq pa junan b'ey, ri ruch'ob'ik pa junan yalan ütz richin majun sachik rik'in, majun chike ri ch'ob'oj nb'an ta pa ruyonil, xa pa b'ey nwil ch'ob'oj panon qa, yari' na'oj xanusuq' ri jun chik ch'ob'oj, k'o k'a chi nkusax ri jun ch'ob'oj ri nuya' utzil, kikutemal pa ruwi' ri ch'ob'oj najin nb'an, mankusax ta ri nuya' k'ayawal pa ruwi' ri ch'ob'oj njowax nchojmix; c) rub'eyal pa b'anob'äl: yare' nuya' q'ij chi nch'ob' chirij ri janpe' jalinaq pa ri winaqirem, pa ri b'eyal re', ri Q'atöy Tzij (Corte de Constitucionalidad), pa ri jik'ib'an soloj xyi'ox pa wolajuj q'ij chara ri nab'i'el ik' chara woq'o' waqxaqi' juna', xb'ix pa ri wuj rik'in ri ajilab'äl wuqq'o' juk'al wuqlajuj-woq'o' waqi', ryi'on jun tz'eteb'äl chirij ru b'eyal ri na'oj tz'ib'an qa, chuqa' akuwi' k'o chin b'an chara richin nkusax ri jas nb'an chirij ri tzij, k'o pa Taqotzij chirik ri nuk'eleq'oma'; d) **ri nkanun rub'eyal ri achinäq**, ri nuk'samaj re' nukusaj rejqalem chuqa' ri ruq'ij nyi'ox chara jun, ka'i', oxi' ch'ob'oj pa taqotzij. Ri ruch'ob'ik pa Cholk'aslemal, k'o chi nb'an pa cholk'aslemal solb'äl, taj nchojmix ri k'ayawal, k'o chi ntz'et chi jujun k'ayawal taj ruma jun b'anoj, yari' nuya' q'ij chara ri cholk'aslemalil tob'äl, yari' k'a nub'ij chi maxew ta ütz nkikusar ri tzijob'äl yeb'ix pa ri wuj, pa na'oj najin nch'ob', chuqa' ütz yekusax nk'aj chik taqotzij ri yi'on ru q'ij ru mar i Cholk'aslemalem, ya ri' nb'ix chike tanaj richin k'aslemalil.

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl kajlajuj

Ri Tanaj richin Cholk'aslemalem: pa rub'i' ri jun na'oj re', ri Corte de Constitucionalidad, **taj xub'ij chupam ri wuj, kajk'al julajk'al ka'i'-woq'o' julajuj, xub'ij chi pa tzijonib'äl kak'al kaji' chuqa' kak'al waqi' richin ri Cholk'aslemalem, nyi'ox ruq'ij ri tanaj richin cholk'aslemalil, akuwi' jun tanaj kaxlan b'eyal, yari' k'a rucholajemruk'amon pe taj ri winäq xelax, chuqa' k'o chupam ri nojel nk'atzin pa ru k'aslem ri winaqi'**, ri ru rucholajem ruma nojel mul najin njalataj, k'o rub'eyal ri nojel mul najin yejalataj chuqa', ri rukusaxik chupam la jun na'oj re' ütznch'ob' rij akuwi' ri rucholajem rk'amon pe ri winäq taj xelax. Chupam la jun na'oj re', jani' numol ri tanaj richin cholk'aslemalil, nojel rub'eyal, yari' nub'ij chi ri kaxlan taj wuj, taj k'o ri rucholajem k'aslemal chupam, chuqa' yari' k'o rachuqa' richin nunuk' yak'awal pa taq tinamital. Yare'pa ru ch'ob'oj ri Q'atöy Tzij (Corte de Constitucionalidad), ri tzijonib'äl kak'al waqi' richin cholk'aslemalil, nub'ij chi k'o nyi'ox chupam ri tanaj richin k'aslemalil, yare' k'o chi nmax ruma ri nk'aj chik taqotzij, ru ma ri' njowax chi ri kokoj taq taqotzij nkijik ki' chirij ri nk'aj wuj re'.

-V-

Richin nyi'ox ri tanaj richin cholk'aslemalil richin ri kaxlan taj ch'ob'oj, ri nkib'ij chi k'o chi nk'utux chike ri achamaqi' taq winaqi', richin ri ru to'ik ri ruch'ulew, taj nkijo' nkikanuj chuqa' nkilesaj ri rab'alaj ulew:

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl wolajuj

ruma la jun samaj re' ütznchap rij jun tz'ib'axik chirij ri wuj, taj k'o chupam ruto'ik ri rucholalem ri achamaqi' taq winaqi', taj ri nkijo' nkib'an nutzila' kik'aslen ri winaqi', yare' taj nb'anataj pa Iximulew: i)atewab'äl waqxaqk'al b'eleje' richin ri kaxlan mokaj richin samaj (OIT), pa ruwi' ri achamaqi' taq winaqi' chuqa' ri winaqi' kiy kimam ri achamaqi' taq winaqi'- juch'un ruma ri Iximulew pa kajq'o' b'elejlajk'al waqlajuj, pa waqi' tzijob'äl, ajilab'äl jun, k'o chi nub'an: "Taj nkib'an ri yi'on chupam pa jun atewab'äl re', ri Champomal k'o chi: a) nkik'utuj chike ri winaqi' ek'o taj tinamital, ütznk'utux chike pa taq moloj ek'o pa taj tinamital, taj ri njowax nb'an nusiloj kik'aslen...", Chuqa' pa wolajuj tzijonib'äl, ajilab'äl ka'i', ntzijon chirij ri nkilesaj rajab'äl ulew. "Xat pa rub'i' ri Saqamaq' k'o wi ri ulew akuchi' k'o wi' ri rab'ajul ulew, chuqa' k'o ta rucholajem chirij ri rab'ajul ulew k'o pa ri ulew, k'o chi nuk'utuj chike ri achamaqi' taq winaqi', richin ntz'et chi ri kik'aslemal taq winaqi' man tzil ox ta...", K'o chi nqanataj chi ri molaj winaqi' nkiya' nimaq' taj na'oj chirij akuwi' nkusax ri Kaxlan Molaj richin Samaj (OIT), nkib'ij, chi rk'amal ri wuj ri', ya ri' ri k'o chi nk'utux chike ri achaqi' taq winaqi', [Rutz'itik pa ruyonil nb'an chara ri Dinamarca chuqa' Paraguay ri xkanaj chupam ri wuj xtz'ib'ax pa kajk'al lajuj nab'ey kaxlan moloj xb'an pa woq'o' oxi' juna'.

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl waqlajuj

Pa rub'eyal rik'in ri jun na'oj ri', ri jun moloj re' ruk'utun ri atewab'äl ri', ruma chupam k'o ki'eponik, ruch'ob'oxik, rutzijoxik chuqa' ri k'o chi nb'antaj pa ruwi' ri k'ayawal nkiwil ri achamaqi' taj winaqi', chuqa' k'o chupam chi pa lximulew yek'oxax, chuqa' yeto'ox nojel winaqi' [B'in tzij pa juk'al wo'o q'ij, richin ro' ik', richin kajq'o', b'elajk'al wolajuj juna', xb'ix pa ri wuj ajilab'al b'elejk'al b'elejlajuj-kajk'al wolajuj (199-95)]. ii) Kaxlan atowab'äl juch'un ruma lximulew, pa kajq'ó waqxaqk'al waqxaqlajuj juna'- , pa tzijonib'äl juk'al jun, ajilab'äl jun chuqa' ka'i' nub'ij: "Rucholajem ri ichin, 1. Nojel winaqi' üt nukusaj ri ruchin. Ri taqotzij nkowin nukusaj ri rukusaxik ri' taq k'o jun k'utuxik chi jun moloj winaqi'. 2. Ni jun winäq maxtu'ox ta q'ij chara xtokusaj ri ruchin, xew k'a xtutoj chare, ri rajal ri ruchin, ruma nk'atzin chike ri winaqi', yari' nb'an akuwi' yi'on qa chupam ri taqotzij". Ya ri' tz'ib'atal qa, xuwil k'a rub'eyal ruma ri rucholajem richin k'utunik, ruma ri ch'ob'oj xub'an ri Kaxlan moloj richin Rucholajem k'aslemal chirij lank'aj ch'ob'oj re', chuqa' tzijonäq chirij nk'aj chik etajalew ma kijuch'un ta atewab'äl waqxaqk'al b'eleje' richin ri kaxlan mokaj richin samaj, k'iy ch'ob'oj wuj, pa ruwi' ri tinamit Saramaka vs. Surinam, chupam ri to'ik richin ri richin, chuqa' k'o chi ntz'et rij ri rucholajem chi k'o chi nk'utux chiq'a', chupam la jun k'eyewal re' k'o chi nqab'ij je, chuqa' mane [rub'ixik pa juk'al waqxaqi' q'ij, richin rujulaj ik', richin woq'o' wuqu' juna', motzaj waqk'al waqxaqi' k'a waqk'al oxlajuj, rucholajil E: Ri'oxik jun wuj richin nkilesal rajab'al ulew ruma ri Saqamaq' chupam ri tinamit richin Saramaka]. Kaxlan Atewab'äl pa ruwi' ri nojel b'anikil ri tz'ilanem b'anob'äl.

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl wuqlajuj

-Rujuch'un Iximulew, pa kajq'o' b'elejlajk'al oxlajuj, yari' chupal ri Tunitinamital (ONU), xtz'et chi maxyi'ox ta ruq'ij ri k'utuxik, ri k'o chinb'an chike ri winaqi', ru ma ri', xuya' jun rupixab' ajilab'äl juk'al oxi', xuya' ri moloj richin nlesas ri tzilamen ruma kib'anob'äl richin ri Tunutinamital (ONU), pa waqxaqlajuj q'ij chara ri ruwaqxaq ik' richin kajq'o' b'elejlajk'al wuqu' juna', pa ruwi' ri xb'anataj kik'en ri achamaqi' taq winaqi', tz'ib'al qa : "Ri moloj nupixab'aj ri Saqamaq' chi: (...) d) Tikiya' q'ij chike ri achamaqi' taj winaqi' richin junam kiwach rik'in nk'aj chik taj b'anob'äl, taj k'o chi ye'apon pa taj ch'ob'oj, chuqa' k'o chi nk'ux chike achike nkijo nab'iel...". iv) Xub'ij ri Tunutinamital (ONU)x pa ruwi' ri kicholajem ri achamaqi' taq winaqi'-xb'ixqa pa moloj richin ri moloj richin ri Tunutinamital, yari' chuqa' ri Iximulew xub'ij chi je, pa oxlajuj chara ri rub'elej ik', richin woq'o' wuqu' juna', pa juk'al kaji' juna' richin ri moloj pa ruwi' ri achamaqi' taq tinamital pa ri ruwach'ulew-. Pa tzijonib'äl juk'al kab'lajuj, ajilab'äl ka'i' chuqa' oxi' xkib'ij:"...2. Ri Saqamaq' k'o chi nkin'uj na'oj richin nk'utux chike ri achamaqi' taq winaqi', ri ek'o pa taq tinamital, akuchi'nkijo' nkib'an samaj, ri samaj ri nu siloj kik'aslen, kikojlem, ki'ulew, kik'iyirem, rukusaxij richin nkilesaj rab'ajal ulew, chuqa' ri ya', chuqa' nk'aj chik loq'oloj taj achinaq nuya ri ruch'ulew. 3) Ri Saqamaq' k'o chi nkinuk' jeb'el taj na'oj richin nto'ox chi üt chike, chuqa' yorto' richin majun k'ayawal xtikiwil ta rik'in ri ruch'ulew, rik'in kirajil, kina'oj chuqa' kib'anob'äl.", yare' tzij nqakamluj ri k'o pa Atewab'äl Waqxaqk'al B'eleje' richin ri Kaxlan Mokaj richin Samaj (OIT), richin nkusax ru kusaxik pa nojel samaj chuqa' ri k'o chi nkib'an ri Saqamaq'.

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl waqxaqlajuj

chuqa' k'o chi nkiya' ruq'ij pa kaxlan moloj richin Rucholajem k'aslemal, junan rik'in ri nk'aj chik b'ixik k'o chupam la jun wuj re': "Ri nojel moloj (...) nutz'et chiqa' chi yalan nk'atzin chi aninäq nyi'ox ruq'ij, chuqa' nyi'ox ruchuqa'ri rucholajem k'aslem kichin ri achamaqi' taq winaqi' ri yi'on qa pa taq wuj, atewab'äl, chuqa' nk'aj chik moloj-ch'ob'oj richin ri Saqamaq' (...), yari'jun taqoj k'o chi nkitzat kenojel ri tinamital (...) Nqab'ij chike ri kejojel Saqamaq' chi ti kiya' ruq'ij ri nojel taqen tzij kik'en ri amaq'i' taq winaqi', ri ek'o chupam ri kaxlan taj wuj, tikiya' nab'iel ri na'oj k'o ntzizon pa ruwi' ri rucholajem k'aslemal, ti kik'utuj chuqa' kekito' ri achamaqi' taq winaqi' (...) Nqach'ob' rij chi rik'in la xb'ix wakami pa la jun wuj re' nqaya' jun nīm laj rop, richin ntamatax, nb'ix chuqa' nchajix ri ki rucholajem ri achamaqi' taj winaqi', chuqa' ri jeb'el taj samaj ri xyi'ox qa pa la jun wuj re'...". Nb'ixqa, nataxqa' chi taj ri Iximulew xu juch' ruwach ri nimaq' taq wuj, yari' k'a nub'ij chi ri Saqamaq' richin ri Iximulew, yari' nub'ij chi xuya' ruch'ab'äl richin nunuk' rub'eyal ri samaj, richin nk'utux chike ri achamaqi' taj winäq chirij chajb'ach ki samaj njowax nb'an pa kitinamit, b'in pa k'iy taq tz'aqatil: a) rutz'etanem, rik'in ri rukusaxik pa tanaj richin cholk'aslemalil, akuwi' jun nīm laj cholajem, akuwi' b'in pa tzijonib'äl kak'al kaji' chuqa' kak'al waqi' ruchin ri Cholk'aslemalem richin Iximulew; b) Yari', nuya' q'ij chara ri taqen tzij richin nyi'ox q'ij ri cholajem nb'ix; c) ru samaj chi k'o chi nunuk' nojel ri k'o pa samaj chupam ri Saqamaq'- k'o chi nkitz'at nojel ri taqotzij, richin nkib'an ri nub'ij la wuj re', ri taqen tzij re' k'o chi nkitz'at rub'ankil ki tinamit.

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl b'elejlajuj

Ri taqen tzij , k'o chi nk'utux chike ri achamaq'i' taq winaqi' richin nkito' ri ruch'ulew, taj k'o samaj nkijo' nkib'an richin nkikanuj, chuqa' nkilesaj rajab'al ulew: Pa ruxe'el ri rub'eyal cholk'aslemalil xb'ixyan qa chuqa' nkusax ri nuk'ulem richin nojix rij, nb'ix qa, chi ri k'utuxik chike ri amaq'i' taq winaqi' pa ruwi', ri samaj konoxik, chuqa' lasaxik rab'ajul ulew njowax nb'an pa ri kitinamit k'o chi nk'utux chike, yari' xkib'ij ri Moloj richin ri Kaxlan Moloj richin Rucholajem K'aslemal (Corte Interamericana sobre Derechos Humanos), yan chi k'o chi nb'an, pa ri b'anajik: I) B'anajik ri komun Yakye Axa vs. Paraguay: "...ri nım laj ajowaxik k'o chi kikojol ri achamaq'i' taq winaqi' k'o chi nyi'ox ru q'ij, chuqa' k'o chi nkitz'et chi yari' ruk'amal kib'anob'äl, kib'anik, akuchi' nkiwil wa kito'ik, kik'aslem chuqa' akuchi' nkitamaj wi ri winaqi' najin ye'elax (...). Ri kib'anob'äl ri kikomun ri achamaq'i' taq winaqi' yari' nım rub'eyal xa ruma rije' chiri k'o wa kik'amal, akuwi' nkitz'et, akuwi' nkib'an yeb'in chupam ri ruch'ulew, yari' ntz'et taj ntz'etetaj akuwi' nkitz'at rije ri qate' ruch'ulew, ri achinäq ek'o pa ri ruch'ulew, ma xew ruma chiri' nkiwil wa kito'ik, ruma chi ri' nkiwil wi jun nım laj tz'eqat richin ki b'anob'äl, ri k'axb'ix qa nuk'ol jun nım laj b'eyal rik'in ri tzijonib'äl oxlajuj k'o pa Waqxaqk'al B'eleje' richin ri Kaxlan Mokaj richin Samaj (OIT), pa rub'eyal chi ri Saqamaq' k'o chi nkiya' ruq'ij ri kib'anob'äl, kib'anik ri winaqi' nkijo' nkito' ri ulew, ri kitinamit, akuwi' rub'eyal kikemon ki' rije'..."[Jikib'an soloj, richin wuqlajuj q'ij richin ruwaq ik', richin woq'o' wo'o' juna', motzaj waqk'al julajuj, chuqa' pa waqk'al wolajuj k'a juk'al wuqlajuj, xuya' ruq'ij ri moloj]. II) Rub'anem achamaq'i' tinamit Kichwa richin Sarayaku vs Ecuador, "ri Saqamaq' taj ma xk'utuj ta chara ri tinamiy Sarayaku, taj xb'an ri samaj xuk'ompe poqonal pa kik'aslen, pa ki ulew, yari' maxuya' ta ruq'ij ri taqen tzij ruk'amon qa, rik'in ri rucholajem cholk'aslemal chuqa' rik'in ri rucholajem richin ri kitinamit Ecuador, k'o chi xuya' ta na'oj, k'o chi xunuk' ta chi ri winaqi' richin Sarayuko xe'apon ta, xkib'ij ta rik'in ri molojri'il ek'o pa ki tinamital chuqa' ri rub'eyal pa kina'oj, kib'eyal, kinuk'ik,

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl juk'al

ri no'jinik pa ruwi' ki k'aslen, ki ulew, kib'anob'äl. Ruma ri' ri moloj re' nub'ij chi ri Saqamaq' ajmaq ruma ri maxyi'ox ta q'ij chara ri kicholajem richin ri komun, richin ri tinamit Sarayuko, yi'on ruq'ij pa tzijonib'äl juk'al jun richin ri moloj, richin ri cholajem richin ki b'anob'äl, tz'ib'atal pa tzijonib'äl jun tzuj jun chuqa' ka'i', richin ri na'oj xtz'ibax qa." { Xb'ix pa juk'al wuqu' q'ij richin ruwaq ik', richin woq'o' kab'lajuj juna' }.

Cholk'aslemalil b'anatajnaq: ri b'in ruma ri Q'atöy Tzij (Corte Interamericana de Derechos Humanos) pa lank'aj rub'anem: I) Xb'ix pa juk'al jun q'ij richin rukab'laj ik', richin woq'o' b'eleje', xyi'ox qa chupam ri wuj rik'in ri ajilab'äl b'elejq'o' oxlajk'al waqxaqlajuj- woq'o' wuqu' chuqa' II) Xb'ix pa wuj ri wo'o' q'ij, chare rukab'laj ik', richin ri woq'o' kab'lajuj juna', yi'on chupam ri wuj ek'olonajilab'al waqq'o' juk'al kab'lajuj- woq'o' julajuj chuqa' waqq'o' kajk'al jun-woq'o' julajuj.

-VI-

Rub'eyal ri taqen tzij k'utunik: Akuwi' nub'ij ri wuj, xb'an pa juk'al jun q'ij, chara ru rukab'laj ik', richin ri woq'o' b'eleje' juna', xb'ix ru ma ri Q'atöy Tzij (Corte de Constitucionalidad), chupam ri wuj rajilab'äl b'elejq'o' oxlajk'al waqxaqlajuj- woq'o' wuqu', chupam ri k'utunik k'o chi nb'a: a) Ri k'utunik k'o chi nb'an nab'i'el; b) ri k'utunik mank'is ta rik'in ri xew nb'ix; c) ri k'utunik k'o chi pa saqil nb'an wi, akuchi kenojel nkina' üt'z yek'oje'; d) Ri k'utunik k'o chi üt'z nb'an, k'o chi yepeyox ri moloj kichin ri achamaq'i' taq winaqi', ri taqonel yari' ri nkib'ij ri winaqi' yari' nub'ij pa, atewab'äl waqxaqk'al b'eleje' richin ri Kaxlan Mokaj richin Samaj (OIT), jari' wuj ma nub'ij ta k'a achike winäq k'o chintäq pa kib'i' ri achamaqi'i' taq winaqi', ri yalan üt'z rije xkecha'o achike nkijo' nepon pa kib'i'. Chuqa' k'o chi ntz'et chi ri na'otzij richin cha'ik:

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl juk'al jun

K'o chi ntz'et jampe winaqi' k'o chi nk'utux chike; ii) k'o chi nkikusaj na'oj b'in chik chuqa' enuk'ul chik; iii) k'o chi nkiya' jalajoj taq b'eyal richin nkimol ki' ri achamaqi' taq winaqi', akuwi' xqab'ij yan, chi k'o chi ri winäq nb'apon pa kib'i' ri achamaqi' taq winaqi' k'o chi rije' yecha'o'; iv) üt'z nk'utux chike kenojel, pa junan ajilab'äl chi achi'a' chuqa' ixoqi', junan winaqi' pa taq b'anob'äl, chuqa' pa taq tinamital; e) ri k'utunik k'o chi nb'an pa rub'eyal chuqa' pa saqil; f) Ri k'utunik mak'ota k'a jun ajilab'äl xew ta chike ri xtub'an wi, k'o chi nkitz'at ri tzijonib'äl 2) pa ri tzijob'äl waqi' richin ri atewab'äl waqxaqk'al b'eleje' richin ri kaxlan mokaj richin samaj (OIT) nub'ij chi: "Ri k'utunik nb'an chike ri winaqi' akuchi' nkusas wi' la jun atewab'äl re', k'o chi üt'z nb'an chare chuqa' k'o chi ntz'et rub'anikil ri tinamital akuchi' nb'an wi', richin nkich'ob' rij taj majane' nchap ri samaj". Ruk'isb'äl tzij, nojel rixb'ix pa la jun tzij re', nch'ob' chupam chi ri k'utunik chike ri winaqi' yari' jun rucholajem kichin ri tinamital, yari' k'a xch'ob' pa taj kaxlan na'oj richin yeto'ox ri achamaqi' taq winaqi'- ruma ri etzelal ye'on pa kik'aslen ojer chik, ruma kib'anob'äl, yare' jun to'ik nyi'ox chike richin ye'apon, yech'o' chirij ri samaj nb'antaj pa taj kitinamital, yare' samaj nusuloj k'a kik'aslen, richin yetz'et junan rik'in nk'aj chik winaqi'. Yari' k'a ri Saqamaq' k'o chi nuya' pa cholk'aslemalil chuqa' k'o chi nukusaj jeb'ej taq na'oj nab'ey, kari' nkitzu' xa üt'z nb'an ri samaj ri, taj nb'an ri ch'ob'oj ri' k'o chi ntzet ri ki b'anikil ri tinamital, richin yari' k'o chi yetzijon, yenuk'un, ri winaqi' k'o chi nkitaq ri winaqil neb'apon pa kib'i', ri winäq ri k'o chi rije' yecha'o', richin ye'apon pa jun na'oj pa ruwi' ri samaj nkijo' nb'an pa ki tinamit.

RICHIN NUKUSAJ RI Q'ATÖY TZIJ (CORTE SUPREMA DE JUSTICIA)

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl juk'al ka'i'

-VII-

Ri nyi'ox ruq'ij akuchi' epetenaq wa ri na'oj: La jun moloj re', nub'ij chi ütz nuk'ulub'a' ri tzij xkib'ij ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas) (k'amöl b'ey chojcha najin nch'ojix wi), ri Q'atöy Tzij (Procuraduría general de la Nación) chuqa' ri moloj Exploraciones Mineras de Guatemala, Sociedad Anónima, (röx molaj ri njowan chi nuk'ux ri wuj), ri taj xkiya' ki ch'ojib'äl chirij akuchi' petenäq wi ri na'oj: ruq'ijul, xajumul chuqa' kutamil (nb'an/ri manb'an ta). Taj xb'an re' k'atzinel richin ntamataj ri atewab'äl xsilox, nk'atzin nyi'ox jun tzij chirij ri xb'ix.

Q'ijul: Ri k'amöl b'ey xyi'ox ruch'ojkil chara, xub'ij chi ri atewab'äl maxyi'ox t apa ri q'ij k'o chi nyi'ox, ri q'ij nub'ij ri taqotzij, chupam ri na'oj ri maxtz'et ta ri nub'ij pa tzijonib'äl juk'al richin ri Taqotzij richi tob'al Tzij, K'utunük winäq chuqa' richin Cholk'aslemalil (Ley de Amparo, Exhibición Personal y de Constitucionalidad), xq'ax juk'al lajuj q'ij taj kari' xtamaj chi k'o jun wuj akuchi' xyi'ox wa rch'ojkil chare, chuqa' rajilab'äl q'ij taj xb'anataj ri ma ütz laj b'anoj ta.

Ri ruch'obik ri xb'anataj la jun moloj re' nutz'at chi ri tob'äl tzij xyi'ox, pa juk'al waqxaqi' q'ij, chara ri ruwaqxaq ik', chara woq'o' kajlajuj juna', yari' q'ij xkich'ojij ruma xyi'ox jun to'ik wuj richin nkilesaj rab'ajul ulew chike ri Exploraciones Mineras de Guatemala, Sociedad Anónima, ri xyi'ox to'ik tzij ruma ri Chitüy winäq richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas), pa Solsamaj xyi'ox ri juk'al lajuj q'ij, chara ri rub'elej ik', richin ri woq'o' julajuj juna'.

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl juk'al oxí'

Ri xyi'o ri tob'äl tzij, nub'ij chi xetzil ox, roma xyi'ox ri to'ik wuj richin nkilesaj rab'ajul ulew, taj xsik'is ri chojin chupam ri tob'äl tzij, ta ri nxh'ojix yari' k'a ri ,maxkikusaj ta ri tzijonib'äl waqi' akuchi' nub'ij chi k'o chi xtuxta chike taj majane nuhop rij ri samaj, retal cholajil 1 a) richin ri atewab'äl waqxaqk'al b'eleje' richin ri kaxlan mokaj richin samaj (OIT) pa ruwi' ri achamaqi' taq winaqi' chuqa' chikij ri winaqi' ek'o chupam ri tinamital ri ma kijuch'un ta ri atewab'äl.

Ruma ri', ruma maxk'utux ta chike ri winaqi' ruma ri k'amöl b'ey, mankusax ta k'a ri tzijonib'äl juk'al k'o pa taqotzij richin tob'äl tzij, k'utuxik ri winäq chuqa' cholk'aslemalil, ruma ri k'amöl b'ey xyi'ox ruch'olkij chike nutzijoj ri ruchojalem ri winaqi' chi k'o chi nk'utux chike, ruma chuqa' taj xyi'ox ri to'ik wuj chike ri molojri'il richin nkilesaj rab'ajul ulew k'a wakami' majun k'utun ta chike ri winaqi', yari' nub'an chi ri k'amöl b'ey xmakun ruma ri' mankusax ta ri nkisijoj rije' chi ma pa q'ijul ta xkiya' ri tob'äl tzij.

Ruma ri' xub'ij jun ka'i' rutzij ri Q'atöy Tzij (Corte de Constitucionalidad), chuqa' nk'aj chik achinäq tz'ib'al qa pa wuj rajilab'äl kajq'o' kak'al juk'al lajuj- woq'o' oxlajuj (5710-2013) chuqa' juq'o' julajuj- woq'o' kajlajuj (411-2014).

Akuwi' nkanaj: ri k'amöl b'ey xyi'ox ruch'ojkil chara chuqa' ri Q'atöy Tzij (Procuraduría general de la Nación) xkib'ij chi ri tob'äl tzij ma xlesax ta chijumul, ruma ri rub'anikil k'o chi xkitz'et ta rub'eyal, k'o chi xkikusaj ta b'anoj taqotzij richin xkitz'et ta ruchojmil.

Ri b'elejlajuj tzijonib'äl richin ri Taqotzij richi tob'al Tzij, K'utunik winäq chuqa' richin Cholk'aslemalil (Ley de Amparo, Exhibición Personal y de Constitucionalidad) nub'ij: "richin nk'utux tob'äl tzij, nab'i'el k'o chi xchojmix t apa ri taqotzij yekusas chanin nojel mul, chiri' ntel pa saqil ri ützt taq b'eyal kusan chara ri ch'ob'oj".

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl juk'al kajj'

Ri akuwi' nkanaj, akuwi' nub'ij ri tzijonib'äl natan, nub'ij chi ri xyi'o ri tob'äl tzij k'o chi nukusaj ri taqotzij yekusas b'iniqil pa Iximulew, maxk'achoj ta k'ari' ütz nuya' jun Tob'äl tzij, yari' mankusas ta wawe' ruma ri xyi'o' ri tob'al tzij, mak'ota chupam ri nuk'ik na'oj, taj ri k'amöl b'ey xuya' ri to'ik wuj chara ri moloj richin nulesaj rab'ajul ulew, ruma k'a majun ri na'oj nuk'un ta richin nkisiloj ri na'ojil k'o wakami chupam ri taqotzij.

Chupam la jun wuj re', ri xyi'o ri tob'äl tzij rajilab'äl LEXT-wa'ix kak'al kajlajuj-wa'ix waqxaqi' (LEXT-054-08), akuchi' xb'ix chi xyi'ox ri to'ik wuj richin nkilesak rab'ajul ulew, pa rub'i' ri Exploraciones Mineras de Guatemala, Sociedad Anónima, xtz'et rik'in nojel ri runuk'ik xb'an.

Chuqa' ri xyi'ox ruch'ojkil, yari' ri majun xub'an ta ri k'amöl b'ey, richin xk'utuj ta chike ri winaqi', akuwi' nub'ij chupam ri atewab'äl waqxaqk'al b'eleje' richin ri kaxlan mokaj richin samaj (OIT) pa kiwi' ri achaqi' taq winaqi' chuqa' nk'aj chik winaqi' chupam ri tinamital ma kijuch'un ta ri jun wuj re', ru ma ri' xtz'et chi majun ta ch'ob'oj xb'anta richin xsaqarsaxta ri k'ayawal nojix rij, ruma ri'ntz'et chi majun rub'eyal ri nb'ix pa la jun k'ayawal re.

Ruma ri' xub'ij koxi' rutzij ri Q'atöy Tzij (Corte de Constitucionalidad), chupam ri wuj, kajlajq'o' waqxaqk'al waqxaqlajuj-woq'o' wuqu' (3878-2007) chuqa' kajq'o' kak'al juk'al lajuj- woq'o' oxlajuj (5710-2013).

Kutamil k'ulb'ayanom (Legitimación activa). Nuk'utuj ri k'amöl b'ey xyi'ox ruch'ojkil chara chuqa' ri nk'aj chik molaj nkijo' chi ntz'et ri k'ayawal, ri tob'äl tzij nq'ax taj k'o jun ajowaxik richin jun winäq chirij,

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl juk'al wo'o'

Ruma ri nuk'taqanem amaq'el majun nub'ij ta chupam ri k'o chi nb'ix pa kib'i' ri molaj taq winaqi', chuqa' kichojalem richin jun mokaj, yari' xew ri Q'atöy Tzij (Ministerio Público) chuqa' ri Ch'ojib'anel richin ri Chojlem K'aslemal (Procurador de Derechos Humanos) yekowin yeb'ano.

Ri nuk'taqalem, akuwi' ri rub'eyal ri jun tob'al tzij, yari' yalan nk'atzin, k'o chi nwetax pa ruyonil, pa jujuj chi ch'ob'oj k'o ntz'et chi k'o ri nuk'taqalem, pa taj k'ayawal k'o chi nk'oje' jun etzelal chirij jun winäq, chuqa' ruma ri chupam ri k'ayawal ri ntz'iloj yari' kicholajem k'aslemal ri winaqi'.

Ruma ri' nk'atzin ny'ox ruq'ij richin nsamajix pa rub'eyal, richin nch'ob' janpe ri winäq ützn nukusaj jun tob'äl tzij, yari' rik'in rub'eyal chi k'o jun qatzij laj ajowaxik, ri nutz'ila' jun winäq, ruma ri' nkik'ul ta ruto'ik kicholajem ri winaqi' taj xe'elax pe, yi'on ruq'ij pa Cholk'aslemales chuqa' pa k'axlan taq wuj akuchi' ntzijox wi rucholajem k'aslemal.

Ri nek'uwan ri cholajem yari' ri winäq taqön pa rub'i' jun moloj chuqa' pa rub'i' ri winäq najin ntz'iloj. Par i ruka'n xb'ix qa – ri ntzijox pa tzijonib'äl juk'al jun, retal cholajil, b chuqa' c, richin ri Tz'etöy Cholk'aslemal, Tob'anem Tzij chuqa' K'utunik Winaqi' (Fiscalía de Asuntos Constitucionales, Amparos y Exhibición Persona)- ri nejowan napon akuwi' chajb'achike winaqi', rik'in jun winäq ri nkitaq al ri molojri'il. Jun chik ch'ob'oj nb'an chirij ri taj ntz'iloj ri ki cholajem chuqa' ri nkijo' ri nub'ij pa ri na'oj chuqa' ri cholajem, richin jun mokaj chuqa' pa yonil.

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl juk'al waqi'

Ri winäq nb'a pa kib'i' jun mokaj winäq yari' ri Ch'ojib'anel richin ri Cholajem richin K'aslemal (Procurador de Derechos Humanos) chuqa' ri Q'atöy Tzij (Ministerio Público), nsamaj pa ruwi' ri utzil xk'utux chara [tzijonib'äl juk'al wo'o' ibídem].

Pa rub'anik ri cholajem kichin jun moloj winaqi' nb'ix akuwi' chi rije' nb'anataj, akuwi' nub'ij María del Pilar Hernández Martínez (nutzaqalb'ej ya Anna de Vita), "nb'an richin nkito' jun moloj winaqi' junan kib'anik, kina'oj (...) machijuj ta juwa runa'oj, kenojel junan nkijo', yari' nyi'o ruchuq'a' ri ajowaxik" [Rub'eyal ri yi'on pa ruq'a' ruma b'enaq pa kib'i' jun moloj winaq. México, kajq'o' b'elejlajk'al wuqlajuj], yare' ri nyi'io ru b'eyal chuqa' nb'an chi ntz'et junqa ri nkijo' ri molojri'il, akuwi' nub'ij Pablo Gutierrez de Cabiedes, taj nuk'ut, taj ri mokaj winaqi' nkiwil ki' ruma jun kina'oj, jun ki'ajowaxik, richin jun achinäq kichin kenojel, yari' jun ajowab'äl richin jun moloj, taj ri molaj winaqi' majunan ta kina'oj, ri nkijo', yari' ka' ma jun molaj winäq ta nkijo' jun achinaq junam" [Ri nyi'ox pa ruq'a' pa ruwi' jun ajowaxik chara jun mokaj, España, kajq'o' b'elejlajk'al b'elejlajuj].

Pak'isb'äl nqawil jun cholajem kichin ri winaqi' junwa kich'ob'oj, xew k'a k'o jun ch'ob'oj ri nmolo kichin, akuwi' nub'ij a Osvaldo Alfredo Gozaíni, "majun jun tunün na'oj ta, ruma ntz'iloj jun winäq pa ruyonil, xew k'o jun achinäq ri ntz'ilo kichin kenojel, ruma ri' nwil rub'eyal richin nb'ix chi k'o jun to'ik ütj nyi'ox chike ruma k'o jun ajowaxik junan chi kikojol kenojel..." [Rub'anik ri rub'eyal ri cholajem, richin k'axlan na'oj. Tomo II. Buenos Aires woq'o' kajlajuj].

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl juk'al wuqu'

Ri ruchojmixik ri tob'al tzij pa kicholajem jun mokaj winaqi', k'ulun ruma la jun moloj winaqi' re', taj epetenäq ri qinaqi' nkiye'a ki ch'ojkil, kiyi'on kich'ojkil jun molaj winäq jun wa kib'anikil (wuj wuq'o' oxk'al ox'i'-woq'o' waqi'). Chuqa' kiyi'on kich'ojinik ri winaqi' rik'in yab'ilal yatkikamisaj (Wuj-wuqq'o' kab'lajk'al julajuj-woq'o' lajuj chuqa' kaq'o' kak'al waqi'-woq'o' kab'lajuj), ri mokaj winäq xajun kisamaj (wuj-kaq'o' juk'al kajlajuj-kajk'al b'elejlajuj) chuqa' achamaqi' taj tinamital, (wuj-b'elejq'o' oxlajk'al waqxaqlajuj- woq'o' wuqu', nk'aj chik kik'olon wuqk'al waqlajuj- woq'o' oxlajuj chuqa' kajk'al b'elejlajuj- woq'o' oxlajuj chuqa' kaq'o' wuqlajk'al b'eleje' -woq'o' kab'lajuj).

Ri rub'ixik xb'an, ma najin ta k'a nqab'ij chi nyi'ox ruq'ij ri Tob'äl tzij, ri nyi'ox ruq'ij ri wuj yari' ri ruma nqa chirij ri xyi'o' ri Tob'al tzij, xew k'a chupam la jun wuj re' k'o k'a jun molaj winaqi' kimolon ki' pa kikomun, yari' ütz rub'eyal, ruma ri qatatzij k'o chi nkitaq jun winäq pa kib'i'.

Xch'ob' ri wuj, ri winäq taqon pe, k'o pa ri moloj, ruma ri' ütz nusiloj ri jun Tob'al tzij.

Pa rub'eyal ri', xub'ij koxi' rutzij ri Q'atöy Tzij (Corte de Constitucionalidad), pa ri wuj rajilab'äl juq'o' julajuj-woq'o' kajlajuj (411-2014), kajlajq'o' woq'o' lajuj- woq'o' oxlajuj (5710-2013) ri wuj kik'olon kab'lajq'o' wuqk'al wuqlajuj-woq'o' julajuj chuqa' kab'lajq'o' wuqk'al waqxaqlajuj'-woq'o' julajuj (4957-2011 chuqa' 4958-2011).

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl juk'al waqxaqi'

Chojchij xyi'ox wa ri ch'ojkil: majun rub'eyal xtuyi'ox ta ruq'ij ri nkib'ij ri k'amöl b'ey chojchij xyi'ox wa ri chojkil, ru ma ri Tob'al Tzij k'o chi xyi'ox ta chara ri Saqamaq', ruma ri Saqamaq' k'o chi xk'unta chike ri winaqi', mayata k'a ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas). K'o chi nqab'ij rub'i' ri chojalem ri nuk'u ri na'oj pa taq tinamital, jun chike ri' k'o chupam ri moloj ri', yari' ri Saqamaq', ruma ri' ri Saqamaq' k'o ru cholajem chuqa' rutaqen tzij r intel chirij ri na'oj re'.

Ri Saqamaq' richin nub'an rutaqen tzij kik'en nk'aj chik tinamital, k'o chi nub'an rixb'ix, k'o chi nuya' q'ij rutzij, rik'in chi oxí' rukowil ri ek'o pa Iximulew (Rukowil samajel amaq', rokowil taqanel amaq' chuqa' q'atöy amaq'), ruma ri' ri wujil xkijuch' ruwach' k'o chi nkib'an ri xb'ix.

Ri ntz'et, yari' ri maxkib'an ta ri k'utunik chike ri achamaq'i' taq winaqi', pa ruwi' ri to'ik wuj xyi'ox richin nkilesaj rab'ajul ulew, nchob' chi ri k'o chixb'ano ri samaj ri', yari' ri Rukowil Samajel Amaq' (Organismo Ejecutivo), rik'in ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas), yari' samaj k'o pa ri taqotzij.

Ri xb'ix yan qa', ma qatzij ta, ri tob'äl Tzij xyi'ox k'o k'a pa rub'eyal ruma ri' ütztz'et, ch'ob' rij.

-VIII-

Ri ruch'ob'ik ri b'anon qa, la jun moloj re' nub'ij: a) ri kicholajem richin nk'utux chike ri achamaq'i' taj winaqi', yari' k'a k'o rub'eyal pa Cholk'aslemalil, ruma ri' k'o chupam ri moloj cholajem ruk'amon pe ri winäq taj nelax, k'o chupam ri tanaj cholk'askemalil richin Iximulew,

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl juk'al b'eleje'

Pa rub'eyal chi ri moloj chirij ri cholk'aslemalemalil (Tribunal Constitucional) k'o rachuq'a' richin nutz'at xak'o k'ayawal pa taq cholajem k'o pa taq kaxlan atewab'äl ri tz'ib'äl qa chojlem ri winäq taj xelax, yare' taj npaj rij rik'in ri tzijonib'äl kak'al waqi', richin ri Cholk'aslemalem richin Iximulew (Constitución Política de la República de Guatemala); b) taj xyi'ox qa ri k'utunik akuwi' jun cholajem, yari' k'a xuchop rub'eyal pa Cholk'aslemal, ruma ri' nojel ri samaj richin kanun, lesaxik rab'ajal ulew pa Iximulew, k'o chi ntz'et ri kichojalem ti winaqi'.

Ri k'o chi nb'an ri k'utunik chike ri achamaq'i' taq winaqi', ma xew ta k'a xiyi'ox ruq'ij ruma ri molaj richin Cholk'aslemalil (Tribunal Constitucional) pa Iximulew, chuqa' xyi'ox ruq'ij ruma ri Q'atöy Tzij (Corte Interamericana de Derechos Humanos), akuwi' xqab'ij yan pe, chupam ri wuj ri k'o chi ri kib'anik ri achamaq'i' taj winaqi' rik'in ri ulew, maxew ta k'a ruma yeruto' , ruma kichin rije', yari' ulew n'im rub'eyal pa kik'aslemal [pa ri tzij xb'ix pa ri b'anem richin ri tinamital Mayagna (Sumo), Awas Tingi rik'in Nicaragua (pwaq, rutojik chuqa' taq'aj), motzaj wuqk'al b'eleje' (149), ruma ri rub'eyal kik'aslem, kib'anob'äl, akuwi' nkitzu' chuqa' akuwi' nkichajij ri ruch'ulew, yari' petenaq rik'in ri kib'anik rik'in ki ulew, chuqa' ri achinäq k'o chupam, maxew ta k'a ruma ri yari' nyi'o kiwäy, ruma yari' ruch'ulew n'im rub'eyal pa kina'oj [rixb'ix pa wuj pa ruwi' rub'anem ri tinamit richin Yakye Axa rik'in Paraguay (pwaq, rutojik chuqa' taq'aj); motzaj waqk'al wolajuj (135); chuqa' ri achamaq' tinamit Sawhoyamaxa rik'in Paraguay (pwaq, rutojik chuqa' taq'aj);

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl juk'al lajuj

Motzaj wok'al waqxaqk'al (118)]. Ruma ri' ri ruch'ulew yalan rutunun ri' rik'in kib'anik chuqa' ri nkib'ij, kich'ab'äl, rik'in samana'oj chuqa' ruk'u'x kik'aslen, ri kina'oj chuqa' rukusaxik, kirkil, kicholajem pa kikomun, kitzi'aq, kich'ob'oj kib'anon ri achamaq'i' taj tinamital [tzij yi'on pa ri b'anem richin ri tinamit Yakye Axa rik'in Paraguay (pwaq, rutojik chuqa' taq'aj), motzaj wuqk'al kajlajuj (154); chuqa' ri tinamit Kichwa richin Sarayaku rik'in Ecuador (pwaq chuqa' rutojik); motzaj lajk'al [kab'lajuj \(211\)](#)].

Yalan nım rub'eyal pa ruwi' rub'ixik xub'an ri molaj, pa ruwi' rub'anem richin ri achamaq'i' tinamit Kitchwa richin Sarayaku rik'in Ecuador motzaj waqxaqk'al wuqlajuj (177), chupam ri' xb'ix: “ ri molaj xub'ij richin nyi'ox ruq'ij ri yeb'apon ri winaqi' richin ri amaq'i' taq winäq richin nkinuk' ri rub'eyal kik'aslen chuqa' richin nb'an samaj pa kitinamit. Ri Saqamaq' k'o chi nuk'utuj chike ri winaqi' pa taj tinamital akuchi' nb'an wi ri samaj, k'o chi nojin pa ruwi' kib'anikil chuqa' kib'anob'al (...) Chuqa' ri k'utunik k'o chi nb'an pa ruwi' ri qatzij (...) chuqa' k'o chi nk'utux chike ri winaqi' pa komun, pa tinamital (...) nab'i'el k'o chi nk'utux, kari' nb'an ri samaj, ma xew ta taj nkijo' chi nb'ix je chike, chi tub'an ri samaj...”

Yare'b'ixik nuya' pa saqil nk'aj achinaq ri k'o chi yetz'at, k'o nk'aj chik ri xuk'ut ri mojol richin Cholk'aslemalil, ruma ti taqen tzij b'in chupam ri tzijonib'äl waqi', retal cholajil 1 a) richin ri atewab'äl waqxaqk'al b'eleje' richin ri Kaxlan Mokaj richin Samaj (OIT), maxew ta k'a k'o chinb'an, chuqa' k'o chi ntz'et chi nb'antaj achiruma' najin nb'an, ruma ri' k'o chi nb'an nab'i'el, ruma ri', nab'i'el k'o chi nb'ix chike ri winaqi' ri nojel ri samaj njowax nb'an, k'ari' nk'ux chike chi je, chiq'a mane,

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl juk'al julajuj

Yari' pa rub'eyal richin nkitzijoq rik'in ri moloj najin nk'utun nkib'an ri samaj, richin nkib'an xa jun chara kina'oj, yari' k'a rub'eyal ri jun samaj re'.

Chupam la jun na'oj re', ri k'utunik k'o chi nb'an chike nojel ri winaqi', nb'an pa qatzij richin nkitun kina'oj, maxew ta k'a jun ajowaxik, richin nwil rub'eyal achike ruma k'o chi nb'an ri k'utunik richin nkimol achike nkijo' ri achamaq'i' taq winaqi'.

Pak'isb'äl, njowax chi ri k'utunik nb'anta pa rub'eyal chuqa' akuchi' kenojel ütz yeb'apon, yech'ob'on, ri peyoxik k'o chi nb'an akuwi' nb'an pa taq tinamital, ru ma ri' nk'atzin nkusax ütz taq rub'eyal akuwi' nkib'an pa ki tinamit, xa ma parb'eyal ta nb'an wi, yari' ntzilox ki cholajem ri winaqi'.

Chupam la jun rub'anem re', ri k'amöl b'ey ma xuya' ta ruq'ij ri cholajem richin nk'utux chike ri achamaq'i' winaqi' achike nkich'ob', achike nkijo' pa tinamital richin San Pedro Ayampuc chuqa' San José del Golfo richin ri Iximulew, taj xuya' to'ik wuj richin nkilesaj rab'ajal ulew ri nkib'ij pa la jun Tob'al Tzij re', nab'ey maxk'utux ta chike ri tinamital xeqanataj yan. Ru ma ri' la jun molaj winaqi' re' (Corte), nkib'ij chi xtz'iloq ki cholajem ri winaqi', richin nk'utux chike, ruma ri' k'o chi niyi'ox chike ri Tob'äl Tzij, richin k'o chi nk'utux chike ri tinamital akuchi' nb'an wi ri samaj, akuwi' tz'ib'al pa motzaj enatan qa chuqa' ri akuwi' nchojmix qa chupam la jun wuj re',

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl juk'al kab'lajuj.

ru ma ri' k'o chi nq'at ri to'ik wuj yi'on richin nkilesaj rab'ajul ulew richin nkilesaj qanapwäq chuqa' saqapwäq pa ri tinamital San Pedro Ayampuc chuqa' San José del Golfo richin Iximulew, rub'i' "PROGRESO VII DERIVADA", wuj rajilab'äl LEXT- wa'ix kak'al kajlajuj- wa'ix waqxaqi' (LEXT-054-08), yi'on chike ri moloj Exploraciones Mineras de Guatemala, Sociedad Anónima, Ntun rik'in ri b'in chik, chuqa' richin nb'an ri xb'ix chupam la wuj re', ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas) k'o chi nusamajij, nunuk' ri na'oj richin nb'an ri k'utuxik pa saqil richin nkimol ri nkib'ij ri winaqi' richin ri tinamital akuchi' nb'an wi ri samaj, chuqa' k'o chi nkiya' ruq'ij rich'in nk'iy ri tinamital ruma rik'ayawal xkiwil yan ruma ri samaj xchap yan rij, taj nch'ob' ri, k'o chi ny'ox ruq'ij ri taqotzij ek'o richin yekusax pa Iximulew chuqa' ti kaxlan taq taqotzij rujuch'un ri Saqamaq' richin Iximulew.

-VIII-

Yare' moloj nub'ij chi ri k'amöl b'ey xyi'ox ruch'ojkil chara, xub'ij ri qatzij ruma ri', rik'in ru re'el pa tzijonib'äl kak'al wo'o' richin ri taqotzij najin nqatzijoj, manutoj ta k'a rajil ri xk'is chupam nojel moloj xqab'an.

TAQOTZIJ XKUSAX

Tzijonib'äl sik'in jun, ox'i', kaji', wuqu', waqxaqi', lajuj, kab'lajuj, retal cholajil c) b'elejlajuj, juk'al, kak'al ka'i', kak'al kaji' chuqa' kak'al wo'o' richin ri Tz'etöy Cholk'aslemal, Tob'anem Tzij chuqa' K'utunik Winaqi' (Fiscalía de Asuntos Constitucionales, Amparos y Exhibición Persona); wuqk'al jun chuqa' wuqk'al ox'i' richin ri taqotzij ri q'atöy amaq'; Tz'ib'anem Jun-wok'al oxlajuj chuqa' ri xutz'ib'aj qa Jun-wok'al oxlajuj, chi ka'l' richin ri Q'atöy Tzij (Corte de Constitucionalidad).

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl juk'al oxlajuj.

Q'ATÖY TZIJ (CORTE SUPREMA DE JUSTICIA), K'O CHUPAM RI JUN MOLAJ WINAQI' RICHIN TOB'ÄL TZIJ (TRIBUNAL DE AMPARO): pa rub'eyal chuqa' ri taqotzij enatan nkib'ij: I) Akuwi' nkanaj qa ri tob'al tzij xyi'ox ruma ri CENTRO DE ACCIÓN LEGAL- AMBIENTAL Y SOCIAL DE GUATEMALA (CALAS), pa rub'i' ri winäq taqon q'atöy tzij Pedro Rafael Maldonado Flores. Ruma ri': a) Nq'at ri to'ik wuj xyi'ox chara ri moloj richin nkilesaj rab'ajul ulew, qanapwäq chuqa' saqapwäq pa taj tinamital richin San Pedro Ayampuc chuqa' San José del Golfo tinamital richin Iximulew, rub'i' "PROGRESO VII DERIVADA", Rajilab'äl wujil LEXT- wa'ix kak'al kajlajuj-wa'ix waqxaqi' (LEXT-054-08) xyi'ox chara ri moloj Exploraciones Mineras de Guatemala, Sociedad Anónima, xyi'ox ruma **CHITÜY RICHIN UCHUQ'ALB'IL CHUQA' ELEB'EL; b)** nolesaj ri k'ayawal chikij ri winaqi' xeyi'o ri Tob'al Tzij c) Nb'ix chara ri k'amöl b'ey xch'ojix chara chi tuchojmij ri k'ayawal rik'in ri cholajem chuqa' ri nb'ix chupam la wuj re', k'o chi nyi'ox ruq'ij ri kicholajem richin ri moloj xch'ojin, nyi'ox jun tojalil kaq'o' lajk'al maq'uq', oxi' q'ij chirij taj xchap rij ri samaj chuqa' nojel ri xb'anataj yan, matikimestaj ri kich'ab'äl pa taqotzij. II) Majun nkitoj ta chirij ri moloj, soloj xb'an. III) Tuq'axax yan jun rachib'äl la wuj re', chara ri Q'atöy Tzij (Corte de Constitucionalidad), akuwi' nub'ij pa tzijonib'äl kajk'al jun richin ri Taqotzij richin Tz'etöy Cholk'aslemal, Tob'anem Tzij chuqa' K'utunik Winaqi' (Ley de Asuntos Constitucionales, Amparos y Exhibición Persona). Tub'ix taj xtiyi'ox retal ri wuj re', tutzolix ri wuj akuchi' tz'ib'atal wi ri xb'anataj akuchi' epetenaq wi, pa ri runuk'ik ri k'o chinb'an tuk'ol yare' wuj.

Nq'alaj jun juch' pa rub'i' ya Silvia Patricia Valdéz Quezada, q'at, nab'ey chib'äl.

Tob'äl tzij Ajilab'äl oxq'o' b'elejlajk'al kab'lajuj- richin ri juna' woq'o' kajlajuj.
Ruxaq wuj ajilab'äl juk'al kajlajuj.

Pa la ruxaq wuj re' nq'alaj oxlajuj juch', nqatz'ib'äj apo.

Nab'ey, Q'at Carlos Paiz

Ruka'n, Nery Osvaldo Medina Méndez, Q'at, ruka'n chib'äl richin ri Q'atb'äl tzij (Corte Suprema de Justicia)

Rox, Vitalina Orellana y Orellana, Q'at, rox chib'äl richin ri Q'atb'äl tzij (Corte Suprema de Justicia)

Rukaj, Delia Marina Dávila Salazar, Q'at, rukaj chib'äl richin ri Q'atb'äl tzij (Corte Suprema de Justicia)

Ro', José Felipe Baquix, Q'at, ruwaq chib'äl richin ri Q'atb'äl tzij (Corte Suprema de Justicia)

Ruwaq, Sergio Amadeo Pineda Castañeda, Q'at, ruwuq chib'äl richin ri Q'atb'äl tzij (Corte Suprema de Justicia)

Ruwuq, Freedyn Waldemar Fernández Ortiz, Q'at, k'amöl b'ey (Sala de Primera Corte de Apelaciones, del Ramo Penal y Delito contra el Ambiente)

Ruwaqxaq, Silvia Verónica García Molina, Q'at, rub'elej chib'äl richin ri Q'atb'äl tzij (Corte Suprema de Justicia)

Rub'elej, María Eugenia Morales de Sierra, Q'at, richin ri Q'atb'äl tzij (Corte Suprema de Justicia)

Rulaj, José Antonio Pineda Barrales, Q'at, oxlajuj chib'äl richin ri Q'atb'äl tzij (Corte Suprema de Justicia)

Rujulaj, Gustavo Adolfo Dubón Gálvez, Q'at, k'amöl b'ey richin ri ruka'n molor chin ri Q'atb'äl Tzij (Sala Segunda de la Corte de Apelaciones, del Ramo Penal, Narco Actividad y Delitos Contra el Medio Ambiente, departamento de Guatemala)

Rukab'laj, Q'at Manfredo Alberto Lopez Fuentes.

Roxlajuj, Rony Eulalio López Contreras, tz'ib'anel richin ri Q'atb'äl tzij (Corte Suprema de Justicia)

RI RUK'AN AJTZ'IB'ANEL RICHIN RI CORTE Q'ATÖY TZIJ (SUPREMA DE JUSTICIA) NUB'IJ

Ri rach'ib'al ri ruxaw wuj ek'o nab'i'el eqatzij junam rik'in ri tojb'alil, rik'in rajilab'äl q'ij juk'al waqxaq'ij q'ij chara ri ruwuqk'al ik', chara ri woq'o' waqlajk'al juna', xb'ix ruma ri Q'ATÖY TZIJ (CORTE SUPREMA DE JUSTICIA), K'O CHUPAM RI MOLOJ RICHIN TOB'ÄL TZIJ (CONSTITUIDA EN EL TRIBUNAL DE AMPARO), chupam ri Tob'al Tzij rajilab'äl oxq'o' b'elejlajk'al kab'lajuj (1592-2014), xk'utux ruma ri CENTRO DE ACCIÓN LEGAL-AMBIENTAL Y SOCIAL DE GUATEMALA (CALAS), PA RUB'I' RI WINÄQ KITAQON PE PA KIB'I', Q'ATÖY TZIJ PEDRO RAFAEL MALDONADO FLORES, rik'in ri CHITÜY RICHIN UCHUQ'ALB'IL CHUQA' ELEB'EL (Ministerio de Energía y Minas), ri wuj re' ruk'uwan waqxaqk'al ruxaq wuj, rik'in la jun re'.

Richin nyi'ox chara ri k'amöl b'ey chojcha xch'ojix wi, nya', nya' chiq'a' rajilab'äl, nya' retal, njuch', richin nqab'ij qa chi nojel ri k'o chi nyi'ox chike, rik'en la wuj re' ntz'eqat, majun chik xtiyi'ox ta chike ruma la moloj re'. Iximulew juk'al jun q'ij, chara ri ralaj ik', chara woq'o' juk'al jun juna'. Ntun rik'in la wuj re', rach'ab'äl ri iqitzijik, ruk'uwan ri ajilab'äl q'ij, wo'o' q'ij, chara ri ruwaqxaq ik', chara ri woq'o' juk'al jun juna', ri ruk'uwan ri tojb'alil rik'in q'ijul, juk'al ka'i' q'ij, chara ruwuq ik', chara ri woq'o' juk'al juna' richin ri Q'at María de Los Angeles Araujo Bohr, Kenojel junan xkich'ob', pa ajilab'äl juk'al ka'i', richin ruwaq' ik', richin ri juna' woq'o' juk'al jun xb'ix ruma ri moloj richin Cholk'aslemalil, chupam ri wuj ek'olon akuchi' nch'ojix jun achinaq rajilab'äl woq'o' wolajk'al wuqu'-woq'o' waqlajuj (2307-2016) chuqa' waqxaqq'o' wuqk'al kaji'- woq'o' waqlajuj (3344-2016), yari' k'o kak'al julajuj ruxaq wuj chupam.

K'o ru juch' chuqa' retal ya Cecilia Odethe Moscoso Arriaza de Salazar, ruka'n ajtz'ib'anel pa Q'atb'äl Tzij (Corte Suprema de Justicia).

K'atzinel nb'ix: ri ruxaq wuj akuchi' tz'etab'atäl wi nojel ri xb'ix qa, ruk'amon pe retal, paruwi' ri wuj, richin ri Q'atöy Tzij (Corte Suprema de Justicia), Chupam ri retal nub'ij: Q'atöy Tzij (Corte Suprema de Justicia), k'ari' k'o jun pokob' amaq' (Escudo), k'ari' nub'ij, Iximulew (Guatemala, C.A.).

Chuqa' pa ruxikin k'o jun chik retal pa jun setesik nub'ij: Ajtz'ib' richin ri Q'atöy Tzij (Secretaria de la Corte Suprema de Justicia), Rukowil samajel amaq' (Organismo Judicial), k'o chiqa jun pokob' amaq' (Escudo).

MOLOJ RICHIN K'ASLEMALIL (CORTE DE CONSTITUCIONALIDAD)
TINITIMITALIL IXIMULEW (REPÚBLICA DE GUATEMALA, C.A.)

Ruxaq wuj ajilab'äl jun chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

RUK'UTUXIK CHI TUNUK'UX JUB'EY CHIK RI XB'IX YAN PA TOB'ÄL TZIJ

Wuj emolon, Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Moloj richin Cholk'alemalem :Iximulew julajuj q'ij, chara ruk'al ik', richin ri juna' woq'o' juk'al.

Nk'utux tunuk'ux jub'ey chik ri b'anon pe, npaj rij ri xb'ix pa tojb'alil, xyi'ox pa juk'al waqxaqi' q'ij, richin ruk'al ik', richin ri juna' woq'o' waqlajuj, xyi'ox ruma ri Q'atöy Tzij (Corte Suprema de Justicia), k'o chupam ri moloj richin Tob'äl Tzij, chupam ri b'anoj cholk'aslemalil xya' ri Centro de Acción Legal-Ambiental y Social de Guatemala-CALAS-, pa rub'i' ri winäq kitaqon pe, q'atöy tzij Pedro Rafael Maldonado Flores rik'in ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el. Ri chojche xyi'ox wa ruch'ojkil samaj rik'in ruto'ik ri winäq kitakon pe. Ri ntzijon pe chupam la jun rub'anem re' ri Q'at, rukaj chib'äl, Bonerge Amilcar Mejía Orellana, rinb'in achike nkich'ob' ri moloj re'.

K'ULWACHITAJNÄQ

I. Ri Tob'äl Tzij

- A) Rub'eyal:** juk'al waqxaqi' q'ij, richin ri ruwaqxaq ik', richin ri juna' wok'al kajlajuj.
- B) Ri nch'ojix:** ri'oxik q'ij richin ri telechanem richin rab'ajal ulew rub'i' "Progreso II Derivada", xyi'ox chara ri molojil Exploraciones Mineras de Guatemala, Sociedad Anónima, k'o chupam ri solb'en tzij, waqxaqq'o' b'elejk'al kajlajuj, xyi'ox pa juk'al lajaj q'ij richin ri rub'elej ik', richin ri j woq'o' julajuj juna', pa ri wuj LEXT-wa'ix kak'al kajlajuj-wa'ix waqxaqi' (LEXT-054-08), nuya' q'ij chara ri rajaw ri wuj, nulesaj q'anapwäq chuqa' saqapwäq par i tinamit San Pedro Ayampuc chuqa' San José el Golfo richin ri tinamital ri Iximulew. Pa jun peraj k'o juk'al xo'etok'al pa kaji' ruxikin, pa jun ramaj q'ij juk'al wo'o' juna', ri samaj nb'an maxk'utux ta q'ij chike ri maya' taq winaqi' ri yetz'iloj ruma ri jun k'ayawal ri'.

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Ruxaq wuj ajilab'äl ka'it' chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

C) Ruqajik ruqij ri nb'ix: Rucholajem richin yeto'ox ri achamaqi' taq winaqi', richin ye'apo'n, richin yech'ob'on, nk'utux chike, chi nb'an ri samaj, nab'i'ep k'o chi ntzijox chike, ri achamaqi' taj tinamital San Pedro Ayampuc chuqa' San José el Golfo, ri ntz'etetaj pa tzijonib'äl oxk'al waqi' richin ri Cholk'aslemal wuj, ..(retal cholajil a,b chuqa' c) chuqa' waqi' , (retal cholajil a, ajilab'al I) richin ri atowab'äl waqxaqk'al b'eleje' richin ri juk'amoloj richin ri samaj, pa kiwi' ri maya' taq winaqi' chuqa' ri b'elejlajuj richin ri k'alajirisanik richin ri tunutinamital pa ruwi' ri rucholajem richin ri tinamital achamaqi'.

D) D) Ri cholajem nto'o' ri tob'anem tzij: D.1) Tikojel ri nch'ojix: ri xk'utun xub'ij: a) akuwi' nub'ij ri tz'ib'ajay richin nuk'samaj chuqa' cholkemanem richin ri Iximulew. Ri tinamital richin San Pedro Ayampuc chuqa' San José el Golfo -ek'o pa Iximulew- Pa ri tinamital ri' ek'o juchuy juq'o' b'elejk'al wuqlajuj achamaqi', (junam rik'in ri juk'al wuqu' wo'il richin nojel ri winaqil). Chuqa' kab'lajq'o' juk'al wuqlajuj (junam rik'in ri juk'al jun, tz'uj, jun wo'il richin nojel ri winaqil); b) juk'al lajuj q'ij, richin rub'elej ik', richin ri juna' woq'o' julajuj.

Ri chitüy winäq richin uchua'a' chuqa' eleb'el, xuya' q'ij chara molojil Exploraciones Mineras de Guatemala, Sociedad Anónima, xuya' ri q'ij eleb'el rub'i' "Progreso VII Derivada", chupam ri wuj LEXT – wa'ix kak'al kajlajuj-wa'ix waqxaqi'; c) pa ri atowab'äl waqxaqk'al b'eleje' richin ri juk'amoloj richin ri samaj -OIT- (ri xjikib'ax pa nimajay richin Iximulew, pa wo'o' q'ij richin ri rox ik', richin ri juna' kajq'o' b'elejlajk'al wuqlajk'al), akuchi' nyi'ox q'ij chara ri chojib'äl richin ri apo'inem chuqa' k'utuxik chike ri achamaqi' taq winaqi', nyi'ox jun rub'anikil chike richin ye'apon richin yech'ob'on chirij ri achinaq yortz'ila', yari' nub'an chi nulesaj ri k'ayawal chojchupam eyi'on wi pa retal k'aslem;

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Ruxaq wuj ajalab'äl oxí' chara kajk'aj waqxaqí'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

d) yare' atowab'äl nub'ij "chi k'o chin k'utux nojel ri ch'ob'oj chuqa' taqonem tzij, ri nusuloj kik'aslem ri achamaqí' taj winaqí', chuqa' ri samaj richin kanuxik chuqa' k'uwxij ri rab'ajal ulew , ri k'utuxik k'o chi nb'an chi ützt chuqa' pa saqil richin yeto'ox ri rucholajem ri amaqí' taq winaq, chuqa' nub'ij chi ri nab'ey k'utunik k'o chi nb'an chike ri winaqí', ek'o pa taq tinamital akuchi' nb'an wi ri samaj, chike ri winaqí' ri yek'uan kib'ey, chuqa' chike ri winaqí' ri xtikib'ij ri winaqí' ek'o pa taq tinamital; chuqa', ri atowab'äl nub'ij (...) ri champomal k'o chi nkiya' pa taq wuj chi k'o chink'utux chike ri winaqí' pa taq tinamital ri samaj nb'an pa ki ulew richin nkich'ob' rij rik'ayawal, to'ik rk'amon pe ri samaj nb'an pa ki ulew, yari' kó chi nb'an taj ma jane nyí'ox q'ij chike ri kaxlan taq winaqí' richin nki nkikanuj chuqa' nkik'uwaj ri ru rab'ajal ulew, ri tinamital k'o chi ye'apon yech'ob'on chirij ri samaj njowax nb'an pa ki ulew, chuqa k'o chi nkik'ul to'ik ruma ri moloj nb'ano ri samaj taj k'o achinaq nutzelay kik'aslen"; e) ri mokaj cholk'aslemalil xub'ij: "(...) ri k'utuxik chike ri achaqí' taq winaqí', yari' jun ch'ojib'äl richin ri tinamital , ruma ri' ri Saqamaq' k'o chi nuya' jeb'el taj b'eyal, ch'ob'oj richin nmol ri kich'ob'oj chuqa' ri nkib'ij ri winaqí' richin ri tinamit, taj k'o samaj nb'aj, ri samaj ri' nusiloj kik'aslen, richin nkich'ob' junan achike ützt achike ma ützt ta nb'anataj (...)". [Wuj b'elejq'o' oxlajk'al waqxaqí'-woq'o' wuqu' 3878-2007],

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Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

rik'in ri kaxlan atowab'äl richin samaj waqxaqk'al b'eleje' yari' mokaj xub'ij: "(...) akuwi' nub'ij pa rub'eyal , k'o chi nuya' q'in richin ye'apon, nkinuk' rij , nkitzijoq chuqa' nkib'ij achike nkijo' pa ruwi' ti achamaq'i' taj tinamital, nub'ij chi je k'o chin nb'an akuwi' nib'ij ri Saqamaq' richin Iximulew (...) ri mankijo' ta ri achamaq'i' yari' manuyata' q'ij chara ri Amaq' richin manuk'utuj ta chike, yari' manuselaj ta ri taqon tzij richin nb'an, richin k'oje' pa kikutemal ri tinamital, k'o chi nuya' q'ij richin nyi'ox q'ij chara ri kicholajem richin ri tinamit akuchi' Champomal (...)" [Wuj kaq'o' kab'lajk'al kab'lajuj-woq'o' julajuj]; f) rik'in ruxe'el ri b'eyal chuqa' ri nub'ij la jun moloj richin Cholk'aslemalil, pa juk'al jun, ruwaq ik', ruchin ri juna' woq'o' kajlajuj, xkiya' jun k'utinik chupam ri jun moloj akuchi' k'o chin nyi'ox rutzajib'äl chike pa ri moloj Chitüy richin Uchuq'alb'il chuqa' Eleb'el, richin nb'ix chike, chi je, chupam ri to'ik wuj xyi'ox richin nkilesaj rab'ajul ri ruch'ulew, "PROGRESO VII DERIVADA", xyi'ox q'ij chi xk'utux chike ri achamaq'i' taq winaqi', richin nyi'ox q'ij chara ri Atewab'äl richin ri Waqxaqk'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj pa kiwi' ri achamaq'i' taq winaqi' chuqa ri nk'aj chik achamaq' taq winaqi' ri ek'o pa taq tinamital ma ki juch'un ta ri jun wuj natax, xa je xb'an, k'o chi nkik'ut nojel wuj akuchi' ntz'et wi chi xb'an ri k'utinik; g) pa jun q'ij, richin ri ruwaqxaqk'al ik', richin ri juna' woq'o' kajlajk'al, pa moloj akuchi' k'o chin nyi'ox rutzajib'äl chike pa ri moloj Chitüy richin Uchuq'alb'il chuqa' Eleb'el xb'ij, pa jun Solsamaj rub'i' akuwi' UIP juq'o' oxk'al lajaj waqxaqi'-woq'o' kajlajuj (UIP 468-2014), chiri' xyi'ox wi' jub'a' ri k'utinik xkib'an, ruma ri' xew xub'ij, pa ri wuj rub'i' DCM-OFI-wolajk'al kab'lajuj-woq'o' kajlajuj (DCM-OFI-312-2014), chupam ri ajilab'äl kaji', retal cholajil a) tz'ib'än ruma ri k'amöl b'ey richin

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Ruxaq wuj ajilab'äl wo'o' chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Ri moloj richin nchajix ri eleb'el, "akuwi' nub'ij ri Solsamaj richin ri rub'eyal richin nyi'ox q'ij chara chi nb'an samaj pa ruxh'ulew , ajilab'äl kaq'o' lajk'al lajuj -woq'o' lajuj/DIGARN/ECM/cmus, chupam ri ruxaq wuj kaq'o' oxlajk'al b'eleje' nub'ij: chupam ri q'ijul richin k'utunik xb'an akuwi' xb'ij ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el, xyi'ox chupam ri ch'ob'oj, wuj akuchi' tz'ib'atal wi' kib'i' winaqi' chuqa' jun k'utb'äl na'oj xb'an chike ri k'amöl b'ey richin raxnaqil, chuqa' chike Ajuyuq' , chuqa' chike k'amöl taq b'ey, chike winaqi' akuchi nb'an wi ri samaj, ri winaqi' xenatax xkib'ij chi je tub'an ri samaj pa kitinamit akuwi' xch'ob' rij. Chuqa' ri wuj nya' ruchuqa' rixb'ix qa, k'o pa juxaq wuj kaq'o' kajk'al b'elejlajuj k'a pa kaq'o' julajk'al kaji'", chuqa' xb'ix chike chi, richin nkiwil jun rachb'äl ri nojel wuj, k'o chi nb'apon pa moloj richin taqotzij richin Runik'ik Samaj, yari' xb'an pa wuqu' q'ij, richin ruwaqxaq ik', richin ri juna' woq'o' waqlajuj; h) par i q'ij ri- wuqu' q'ij, richin ruwaqxaq ik', richin ri juna' woq'o' waqlajuj-, taj xnuk'ux rach'ib'äl ri wuj , xwil chi pa ruxaq wuj rajilab'äl kajk'al b'eleje' (99) k'a pa kaq'o' julajk'al kaji' (1024). Akuchi' xkib'ij chi k'o ri wuj nk'utu' chi xb'an ri k'utunik chike ri winaqi', Xwil chi xew k'o jun chormirisamaj richin nuk' ri nkib'ij ri winaqi', wuj akuchi' ntz'ib'ax wa kib'i' winaqi' chuqa' akuwi' k'o chinb'an chara rik'utunik chike ri Rusamajel Amaq' chuqa' chike nk'aj chik winaqi', rixb'an chupam ri xnuk'ux rij chi ütz, chuqa' ma ütz nb'an ri samaj pa ri ulew ri' richin nkilesaj rab'ajul ulew, i) chupam ri wuj ri' ntz'atataj chi ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el, maxub'an ta ri k'utunik chike ri achamaq' taq winaqi' ek'o pa ri tinamital richin San Pedro Ayampuc chuqa' San José el Golfo ri nub'ij chi k'o chinb'an ri Atewab'äl richin ri Waqxaqk'al B'eleje', yari' xb'antaj, ri Rusamajel Amaq' xuya' jun to'ik wuj richin nlesax rab'ajul ulew chara ri moloj -ri xch'ojix-

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Ruxaq wuj ajilab'äl waqi' chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

D.2) Itzelal ri nch'ojix: ri molojri'il nch'ojin nub'ij chi, taj xyi'ox ri to'ik wuj richin nlesas rab'ajul ulew, ri k'amöl b'ey maxuya' ta q'ij chara kicholajem b'in ruma: a) maxb'anta ri samaj richin k'utunik chike ri achamaq'i' taq winaqi' richin ri tinamital richin San Pedro Ayampuc chuqa' San José el Golfo richin ri Iximulew, ruma k'a ri b'in pa taqotzij, k'o ch nb'ix chike nab'i'el, kari' nk'utux chike, richin nkib'ij je nb'an ri samaj, mani manb'anta ri samaj pa kitinamit; b) taj xk'utux chara, chi je xkib'aj, maxkib'an ta ri k'utunik chike ri achamaq'i' taq winaqi' ri tz'ib'atal pa taqotzij, xub'ij chi je xub'an ri k'utunik chupam ri nuk'ik b'in chupam ri Ch'ob'oj richin Ntz'et ri Nimaretal nuya' jun samaj pa Ruwach'ulew, yari' xasachnäq chuwach ruma k'a ri samaj xb'an k'o chupam ri b'eyal richin ri tunün na'oj richin Amaq' juq'o' juk'al julajuj-woq'o' wuqu', k'o chupam Rub'eyal richin Npaj, Nchajix chuqa' Ntz'et ri Ruch'ulew, yari' k'o chi nub'an ri Chitüy richin Ruch'ulew chuqa' ri Achinäq ek'o pa Ruch'ulew, ma k'o ta k'a pa ruq'q' ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el nb'ano; chuqa' ri wuj xkijach richin akuchi' ntz'et wi chi xb'an ri k'utunik chike ri winaqi' richin xkib'ij chi je tub'an ri Ch'ob'oj richin Ntz'et ri Nimaretal nuya' jun samaj pa Ruwach'ulew, nub'ij chi, maxb'an ta ri k'utunik chike ri winaqi' richin ri tinamital yenatax; c) nch'ob' chi ri Rukowil samajel amaq', xrajo' xwowaj ri ma ützt ta la samaj xub'an, rik'in xamay taj tzij xub'ij. **D.3) Nkijo'**: ri xch'ojin xuk'uj chi ti yi'ox Tob'al Tzij, chuqa' tu pab'ax ri samaj ri ruq'ij ri to'ik wuj xyi'ox richin nkilesaj rab'ajul ulew "PROGRESO VII DERIVADA", yari' wuj xuya' ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el chara ri moloj Exploraciones Mineras de Guatemala, Sociedad Anónima, nb'ix chara ri k'amöl b'ey xyi'ox ruch'ojkil chara, chi nab'i'el k'o chi nuk'utuj chike ri achamaq'i' winaqi' ek'o pa ri tinamital San Pedro Ayampuc chuqa' San José el Golfo richin Iximulew, k'ari' nyi'ox, chuqa' manyi'ox ta ri to'ik wuj richin nlesas rab'ajul ulew,

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Ruxaq wuj ajilab'äl wuqu' chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kajj'-woq'o' waqlajuj

Akuwi' nub'ij ri Atewab'äl richin ri Waqxaqk'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj ntzijon pa ruwi' ri achamaq'i' taq winaqi' chuqa' chike nk'aj chik achamaq'i' taq winaqi' ek'o chupam nk'aj chik tinamital ma kijuch'un ta ri wuj re', nb'ix al chara chi tub'ana yan ri nb'ix chupam la jun Nim wuj re'. **E) Rukusaxik ri nuk'samaj chuqa' ri mololen ek'o:** majun **F) Rub'anem b'in:** ri k'o chupam ri tzijonib'äl waqxaqi', ri k'o chupam ri Taqotzij richin Tob'äl Tzij, K'utunik winäq chuqa' Cholk'alemalil. **G) Rucholanem Lema' chuqa' taqotzij ri nch'ojix chi maxyi'ox ta ruq'ij:** tzijonib'äl wuqu' richin ri Cholk'aslemalem richin Iximulew; 2 (retal cholajil a,b chuqa' c) chuqa' tzijonib'äl waqi' (retal cholajil a, ajilab'al nabi'el) richin ri Atewab'äl richin ri Waqxaqk'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj ntzijon pa ruwi' ri achamaq'i' taq winaqi' chuqa' chike nk'aj chik achamaq'i' taq winaqi' ek'o chupam nk'aj chik tinamital ma kijuch'un ta ri wuj re' chuqa' ri b'elejlajuj rub'ixik richin ri Tunitinamital pa ruwi' ri Rucholajem ri achamaq'i' taq winaqi'.

II. RUB'ANĪK RI TOB'AL TZIJ

Tob'al Tzij nyi'ox qa paqe' : xyi'ox ri Solsamaj, rik'in ruq'ijul julajuj q'ij, richin rujulaj ik', richin ri juna' woq'o' wolajuj, chupam ri' ri Moloj richin ri Tob'äl Tzij richin nab'i'el rupalb'äl xpob'a' qa ri to'ik wuj xyi'ox richin nlesax ri rab'ajul ulew, yari' wuj maxyata q'ij chara ri kicholajem. **B) Röx moloj nkijo' chi nuk'ux:** a) Exploraciones Mineras de Guatemala, Sociedad Anónima chuqa' b) Procuraduría General de la Nación **C) Rusijol Samaj nuk'un ri xb'antaj chupam:** ri Rusamajel Amaq' xyi'ox ruch'ojkil chara, xub'ij: a) Pa juk'al ka'i' q'ij, chara ralaj ik', chara ri juna' woq'o' waqxaqi' , Exploraciones Mineras de Guatemala, Sociedad Anónima, xuya' jun k'utunik richin xya' ri to'ik wuj richin nlesax rab'ajul ulew rub'i' "PROGRESO VII DERIVADA" richin nlesax q'anapwäq chuqa' saqapwäq pa ulew nwil pa ri tinamir richin San Pedro Ayampuc chuqa' San José el Golfo richin Iximulew, pa jun mokaj rik'in juk'al wo'o' juna', xutun rik'in ri wuj nuk'utuj ri taqotzij richin ri wujil ri';

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Ruxaq wuj ajilab'äl waqxaqi' chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

b) Pa juk'al wuqu' q'ij richin ri ruluaj ik', richin ri juna' woq'o' waqxaqi', ri peraj nwetan ri ulew pa Iximulew rub'i' Catastro, pa rulewal k'amajay richin eleb'al pa ri wuj ajilab'äl DIC-CIM- juq'o' lajk'al b'eleje'-wa'ix waqxaqi' (DIC-CIM-609-08), xkib'ij chi xkich'ob' rij ri k'utuxik xb'an chike , xkitz'et chi k'o ri kachuy juq'o xe'otok'al pa kaji' ruxikin , ri tz'ib'atal al pa rukojilab'äl q'ajanil chuqa' ri laq'an qupijuch' xkusax akuchi' k'o wa ri retal ulew; c)) ru ma ri cholmayij DIC.SM. DM- oxk'al julajuj- woq'o' b'eleje' (DIC-SM.DM-71-2009). Pa kab'lajuj richin ri rox ik', richin ri juna' wok'al b'eleje', ri tunuwachinäq ri yetz'ito ri rucholajem ri eleb'el, xub'ij chi ri rab'ajal ulew "q'anapwäq chuqa' saqapwäq", yari' ütz b'i'aj xkitz'et rije', xkitz'et chi ri retal ulew ütz rub'anon, manuya' ta k'ayawal pa kik'aslen ri winaqi' chuqa' ri ruch'ulew; chuqa' xkitz'et chi ri ramaj q'ij juk'al wo'o' juna' yari' ütz nyi'ox chike chuqa' xew xtulesax ri rabajul ulew pa lajaj xe'etok'al pa ulew; d) Ri tanuwachinäq richin Ruchajinik ri Rucholajem Eleb'el richin nlesax rab'ajul ulew, richin ri molaj nchajin ri eleb'al, pa Solsamaj CM-SCCDM-kab'lajuj- woq'o' lajaj (CM-SCCDM-12-2010), rik'in ruq'ijul ka'i' q'ij, richin ruka'n ik', richin ri juna' woq'o' lajaj, xub'ij chi xuk'ul ri nuk'usamaj richin nyi'ox ri to'ik wuj richin nkilesaj rab'ajul ulew , xub'ij chi ri k'utunik ruk'uwan nojel ri nuk'utuj ri taqotzij, ri nb'ix pa tzijonib'äl kak'al jun, retal chojolajil j, richin ri Taqotzij richin Eleb'el, par i wuj UF-M – julajk'al kajlajuj/woq'o' julajuj (UF-M-234/2011) richin q'ijul juk'al oxi' q'ij , richin ruwaq ik', richin ri juna' woq'o' julajuj, xub'ij chi ri moloj Exploraciones Mineras de Guatemala, Sociedad Anónima, cub'an nojel ri nub'ij ri Taqotzij richin Eleb'el, richin nyi'ox q'ij richin nub'an ri xk'utuj.

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Ruxaq wuj ajilab'äl b'eleje' chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

f) Chara ri molaj richin nyi'o na'oj pa ruwi' ri Taqotzij richin ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el, pa ri wuj juq'o' julajuj-VII-woq'o' julajuj (411-VII-2011) ruq'ijul kaji' q'ij, chara ruwuq ik', chara ri juna' woq'o' julajuj, xuya' rutzij richin nyi'ox ri to'ik wuj richin nlesas eleb'el rub'i' "PROGRESO VII DERIVADA", xb'ix chi je pa wuj rajilab'äl lajq'o' waqk'al – kachuy juq'o' julajuj (4120-20011), richin ri tanaj nyo' runa'oj ri Procuraduría General de la Nación, rik'in q'ijul wuqu' q'ij, chara ruwuq ik', chara ri juna' woq'o' julajuj; g) pa Solsamaj rajilab'äl waqxaqq'o' b'elejk'al kajlajuj (3394), ruq'ijul juk'al lajuj q'ij, chara rub'elej ik', chara ri juna' woq'o' julaluj, xuya' to'ik wuj, richin nlesas rab'ajul ab'aj rub'i' "Progreso VII Derivada", Chara ri Exploraciones Mineras de Guatemala, Sociedad Anónima, xyi'ox q'ij chara rajaw ri ulew, ri nub'ij pa ri wuj, chi nulesaj q'anapwäq chuqa' saqapwäq, pa lajuj choj yo'etok'al pa ulew, pa juk'al wo'o' juna'; h) xb'ix chara ri xek'utun pa juk'al oxii' q'ij, chara ri rujulaj ik', chara ri juna' woq'o' julajuj chuqa' chike ri q'atb'äl tzij kichin ri tinamital akuchi' nb'an wa ri samaj, pa kab'lajuj q'ij, chara ri nab'ey ik', chare ri juna' woq'o' kab'lajuj, xub'ij chi ri Tob'äl Tzij xyi'ox, mank'ul ta ruma: i) maxyi'ox t apa riq'ij k'o chin nyi'ox, ruma k'a ri to'ik wuj xyi'ox pa juk'al lajuj q'ij, chara ri rub'elej ik', chara ri juna' woq'o' julajuj xyi'ox rub'ixik akuwi' nub'ij pa taq retal cholajil xenatax yan qa, k'axnaq chik ka'i' juna'; ii. Ri xyi'o ri tob'äl tzij majun ta k'a k'ayawal xkiwil rik'in kicholajem ruma maxxib'ij ta achike etzelal xkiwil rik'in rik'in ri nkich'ojij chuqa' iii. Ruma rik'isb'äl taj tzij b'in qa, majun etzelal xyi'ox t apa kik'aslem. **D) Achinäq richin ntojtob'ex:** maxyi'ox ta ri wuj pa riq'ijul k'o chi nyi'ox, xyi'ox richin npaj rij ri wuj SEXT-wa'ix kak'al kajlajuj-wa'ix waqxaqi' richin ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el.

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TINITIMITALIL IXIMULEW (REPÚBLICA DE GUATEMALA, C.A.)

Ruxaq wuj ajilab'äl lajuj chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Tojb'alil Nab'ey Rupalb'al: Ri Q'atöy Tzij (Corte Suprema de Justicia), k'o chupam ri moloj richin Tob'äl Tzij, xub'ij: "(...) ya re' moloj , nub'ij chi ützn'ulb'ax ri xb'ix ruma (...) ri taj xkiya' ruch'ojkil xkib'ij chi majun rub'eyal ri Tob'äl tzij xkik'utuj (...) Ri xk'utun ri Tob'äl tzij nub'ij chi xtz'ilo xkicholajem taq xyi'ox ri to'ik wuj richin nkilesak eleb'el , taj sik'ix ri nb'ix pa ri Tob'äl Tzij yari' nuya ruch'ojkil ri samaj maxub'an ta ri k'amöl b'ey natax, ruma k'a k'o chi xk'utuj chike ri winaqi', yari' tz'ib'äl pa tzijonib'äl waqi', retal cholajil 1 a) richin ri Atewab'äl richin ri Waqxaqq'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj pa ruwi' achamaqi' taq einaqi' chuqa' nk'aj chik achamaqi' taq winaqi' ek'o pa nk'aj chik tinamital makijuch'un ta la jun wuj re' . Ruma ri nch'ojix chi ri k'amöl b'ey maxub'an ta ri samaj k'o chi nub'an, mankusas ta ri tz'ib'atal pa tzijonib'äl juk'al richin ri Taqotzij richin Tob'äl Tzij, K'utunik winäq chuqa' Cholk'alemalil, ruma ri k'amöl b'ey chojcha najin nk'utux wi majun nub'an ta richin nuchojmij ri rumaq xub'an, kan taj xkiya' ri kik'utunik k'a wakami' manq'alaj ta chi xkib'an ta ri k'utunik, ruma k'a ri, ma k'ayawal ta xjach ri Tob'al Tzij jun chik q'ij. (...) Akuwi' nkanaj qa, pa ru nataxik ri tzijonib'äl xb'ix nub'ij chi ri xyi'o ri wuj k'o chi xuya' ta ri wuj pa ri taqotzij yekusax richin nchojmix ri k'ayawal re', k'a chij ri' xuya' ta ri Tob'äl Tzij, yari' ma nkusax ta ru ma k'a ri winäq xyi'o' ri Tob'al Tzij maxk'oje ta chupam ri moloj xb'an nub'ij pa ri wuj ajilab'äl

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Ruxaq wuj ajilab'äl julajuj chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

LEXT – wa'ix juk'al kajlajuj-wa'ix waqxaqi' (LEXT-054-08), akuchi' xb'ix chi je, nyi'ox ri to'ik wuj richin nlesas rab'ajul ulew chara ri moloj Exploraciones Mineras de Guatemala, Sociedad Anónima, yari' ntz'et ri rub'eyal. Chuqa' ri ntz'et ri maxub'an ta ri k'utuxik ri k'amöl b'ey, akuwi' nub'ij pa tewab'äl richin ri Waqxaqq'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj pa ruwi' achamaq'i' taq einaqi' chuqa' nk'aj chik achamaq'i' taq winaqi' ek'o pa nk'aj chik tinamital makijuch'un ta la jun wuj re', ruma ri' ntz'et chi majun rub'eyal richin nsaqarsax ri k'ayawal (...) taj xch'ob' rij ri rub'anik pa taqotzij , ri winäq xyi'o ri Tob'äl Tzij , yare' üt'z rub'anon richin nusiloj ri Tob'äl tzij, ruma k'a rije' chuqa' k'o chupam ri moloj taqayon pe (...) Pa ruch'ob'ik chuqa' rib'anon pe, yare' moloj nub'ij: a) Ri rucholajem richin nk'utux chike ri achamaq'i' taq winaqi' yari' k'o pa Cholk'aslemalil, ruma ri' k'o chupam ri cholajem rk'amom pe ri winäq taj nelax, k'o chupam ri tanaj richin K'aslemalil richin Iximulew, pa rub'ixik chi ri molojri'il Cholk'asleman nkowin nutz'at, taj man yi'ox ta ruq'ij ri cholajem k'o pa taq kaxlan wuj ri nkiya' ruq'ij ri cholajem kik'amonpe winaqi' taj ye'elax, yare' taj ntun rik'in kikitomal, akuwi' nub'ij ri tzijonib'äl kak'al waqi' richin ri Cholk'aslemalil: b) Taj xyi'ox ruq'ij ri rucholajen richin nk'utux nab'i'el chike ri winaqi' akuwi' jun chojalem k'o pa Cholk'aslemalil, yare' k'o chi nb'an, ruma ri nim rub'anik chikicach ri cholajem ek'o pa Cholk'aslemalil, ruma ri nojel ri samaj richin nkanux chuqa' nlesax rab'ajul ulew nb'anataj pa Iximulew, k'o chi nkitzu' yare' Cholajem k'o rub'eyal pa kiwi' mokaj taj winaqi'. Ri k'o chi nk'utux chike ri

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Ruxaq wuj ajilab'äl kab'lajuj chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kajj'-woq'o' waqlajuj

Achamaq'i' taq winaqi', yari' yi'on ruq'ij maxew ta ruma ri Moloj richin K'aslemalil richin Iximulew chuqa' yi'on ruq'ij ruma ri k'axlan molor richin rucholajem k'aslem, akuwi' xb'ix yan, chupam re, ri kib'anikil ri achamaq'i' taq winaqi' rik'in ri ulew, maxew ta k'a ruma chiri nkil wa kiway, yar'e k'a nïm rub'eyal pa kib'anik chuqa' kib'anob'äl [Jik'ib'an tzij, xb'ix pa rub'anïm ri tinamit Mayagna (Sumo) Awas Tingi rik'in Nicaragua (pwaq, rutojik chuqa' taq'aj), motzaj wuqk'al b'eleje' (149)] kib'eyal, kib'anil, akuwi' nkib'an pa ruch'ulew yari' k'a ruk'uan ri rik'in ri ulew akuchi' ek'o wi chuqa' rik'in ri achinäq yewil chiri, maxew ta ruma chiri nkiwil wa kiway, ruma k'a chiri k'a nkiwil ruk'u'x kik'aslem, ruma ri chiri nkiwil wa kib'anob'äl [Jik'ib'al soloj yenatax pa rub'anem richin achamaq'i' taq winaqi' Yakye Axa rik'in Paraguay (pwaq, rutojik chuqa' taq'aj), motzaj waqk'al wolajuj (135) chuqa' achamaq'i' tinamit Sawhoyamaxa rik'in Paraguay (pwaq, rutojik chuqa' taq'aj) motzaj wok'al waqxaqlajuj (118)]. Kir'i ri ulew rutunün ri rik'in kib'anik, rik'in nkib'ij, kich'ab'al, kisamana'oj, rukusaxik na'oj rtunün, ri rik'in ri ruch'ulew, kirikil, ri kicholajem pa kitinamital, kitzi'aq, kich'ob'oj, rik'o rk'en ki b'anob'al chuqa' ri ulew ri nq'axax chire kajk'uwal, yari' tz'ukun ruma ri achamaq'i' taj winaqi' [Jik'ib'al Soloj yi'on pa achamaq'i' taq winaqi' Yakye Axa rik'in Paraguay (pwaq, rutojik chuqa' taq'aj), motzaj wuqk'al kajlajuj (154) chuqa' achamaq'i' tinamital Kichwa richin Sarayuku rik'in Ecuador (rutojik chuqa' taq'aj) motzaj lajk'al julajuj (211)]. Pa ruwi' re' nk'atzin natax ri xb'ix ruma ri moloj

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Ruxaq wuj ajilab'äl oxlajuj chara kajk'aj waqxaq'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Achamaq'i' winaqi' Kichwa richin Sarayaku rik'in Ecuador, motzaj waqxaqk'al wuqlajuj (177), chupam ri nb'ix: "Ri moloj xb'ij chi richin yeb'apon ri winaqi' richin yechob'on pa ruwi' ri samaj nb'an pa ki tinamital, ri Saqamaq' k'o chi nuk'utuj chike ri winaqi' pa kib'anikil ri winaqi' (...) chuqa' ri k'utuxik k'o chi nb'an pa saqil (...) chuqa', k'o chi nk'utux chara ri tinamit (...) pa taj nabi'el moloj, taj nuk'rij, nch'ob'rij, maxew ta taj nk'atzin chi ri winaqi' nkib'ej re chike, xa yare' ta rub'eyal". La jun b'ixik re' nutz'et chik'o jojun achinaq, chi k'o chi yetz'et pa k'utuxik, maxew ta ri tz'ib'an par i moloj cholk'aslemalil, ruma ri taqen tzij yi'on par i tzijonib'al waqi, retal cholajij 1 a), richin ri Atewab'äl richin ri Waqxaqk'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj, maxew ta k'a k'o chi nb'an, k'o chi ntz'et chi najin nb'an achike ruma najin nkjutux chike, ruma ri' k'o chi nk'utux nab'i'el chike, ruma ri' taj xyi'ox ri ajowaxik, k'o chi xb'ix ta chike ri winaqi' richin xkitamajta achike nb'an pa ki tinamit, richin chi eka'i' moloj xkich'ob' ta, richin nkitun kina'oj. Chupam la jun na'oj re', ri k'utunik, k'o chi ye'apon nojel ri winaqi', k'o chi nek'uwax pa saqil, chuqa' richin xa jun nkib'an chara kina'oj, maxew ta k'a ruma nk'atzin chi nb'ix je chike, xaxew ta ruma ri' nb'an ri k'utunik yari' majun ta k'a rub'eyal, ruma k'a manq'alaj ta ri nkijo' ri achamaq'i' taj winaqi'. Pak'isb'al, nk'atzin chi

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Ruxaq wuj ajilab'äl kajlajuj chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuq'al kajj'-woq'o' waqlajuj

Ri k'utunik ützb'än chara, chuqa' kenojel ützb'äpon, ri peyonik k'o chi nb'an akuwi' nb'an pa ri tinamital, ruma ri' nk'atzin chi nkikusaj pa rub'eyal ri kib'anikil ri winaqi', xa ruma k'a maxtub'anta akuwi' nb'an pa taq tinamital, najin ntz'iloj ki cholajem. Chupam la jun rub'anem re' ri k'amöl b'ey xyi'ox ruch'ojkil chara, xutz'ila' kicholajem ri achamaqi' taq winaqi' ruma maxk'uxta chike ri winaqi' richin ri tinamital San Pedro Ayampuc Chuqa' San José del Golfo richin Iximulew, taj xyi'ox ru to'ik wuj richin nkilesaj Eleb'el ri ntzijox pa ri jun Tob'äl tzij re', nab'i'el maxb'an ta rik'utunik chike ri tinamital yenatax. Ruma ri', la jun moloj re nub'ij chi xtzilox kicholajem cholk'aslemalil b'in ruma ri winäq xyi'ox ri tob'äl tzij, ruma ri' ri Tob'al Tzij k'o chi nyi'ox richin nyi'ox ruq'ij ri cholajem richin nk'utux chike ri tinamital xetzilox akuwi' xqab'ij yan, chuqa' achike xtub'ix pa k'isb'al richin la jun jik'ib'an Soloj, ruma ri' k'o chi npab'ax ri to'ik wuj richin nlesas rab'ajul ulew, Q'anapwäq chuqa' Saqapwäq pa tinamital richin San Pedro Ayampuc Chuqa' San José del Golfo richin Iximulew rub'i' "PROGRESO VII DERIVADA", ajilab'äl wuj LEXT-wa'ix kak'al kajlajuj- wa'ix waqxaqi' (LEXT-O54-08) xyi'ox chara ri moloj Exploraciones Mineras de Guatemala, Sociedad Anónima. Tunün rik'in ri xb'ix yan qa, richin nyi'ox ruq'ij ri k'achojlem xb'ix, ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el k'o chi nuya' rub'eyal richin nb'an ri k'utuxik, yari' k'utuxik ri' k'o chi numol pa qatzij kich'ab'äl ri winaqi' ek'o pa ri tinamital akuchi' nb'an wi ri samaj chuqa' k'o chi nkib'an na'oj richin nk'iy ri tinamit ruma ri k'ayawal xyi'ox pa kik'aslen.

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Ruxaq wuj ajilab'äl wolajuj chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Ru ma ri' k'o chi nkusax ri taqotzij k'o ru q'ij, k'o chi ntz'et ri nk'aj chij taqotzij nkusax richin nxhojmij ri k'ayawal ri', yari' juxh'un ruma ri Saqamaq (...) Yare' moloj nub'ij chi ri k'amöl b'ey xyi'ox ruch'ojkil chara, xub'ij ri qatzij ruma ri', rik'in ruxe'el pa tzijonib'äl kak'al wo'o' richin ri taqotzij najin nqatzijoj, manutoj ta k'a rajil ri xk'is chupam nojel moloj xqab'an (...)” **I Xub'ij:** “(...) I) Akuwi' nkanaj qa ri tob'al tzij xyi'ox ruma ri CENTRO DE ACCIÓN LEGAL- AMBIENTAL Y SOCIAL DE GUATEMALA (CALAS), pa rub'i' ri winäq taqon q'atöy tzij Pedro Rafael Maldonado Flores. Ruma ri': a) Nq'at ri to'ik wuj xyi'ox chara ri moloj richin nkilesaj rab'ajul ulew, qanapwäq chuqa' saqapwäq pa taj tinamital richin San Pedro Ayampuc chuqa' San José del Golfo tinamital richin Iximulew, rub'i' “PROGRESO VII DERIVADA”, Rajilab'äl wujil LEXT- wa'ix kak'al kajlajuj-wa'ix waqxaqi' (LEXT-054-08) xyi'ox chara ri moloj Exploraciones Mineras de Guatemala, Sociedad Anónima, xy'iox ruma **CHITÜY RICHIN UCHUQ'ALB'IL CHUQA' ELEB'EL; b)** nolesaj ri k'ayawal chikij ri winaqi' xeyi'o ri Tob'al Tzij c)Nb'ix chara ri k'amöl b'ey xch'ojix chara chi tuchojmij ri k'ayawal rik'in ri cholajem chuqa' ri nb'ix chupam la wuj re', k'o chi nyi'ox ruq'ij ri kicholajem richin ri moloj xch'ojin, nyi'ox jun tojalil kaq'o' lajk'al maq'uq', oxi' q'ij chirij taj xchap rij ri samaj chuqa' nojel ri xb'anataj yan, matikimestaj ri kich'ab'äl pa taqotzij. **II)** Majun nkitoj ta chirij ri moloj, soloj xb'an (...)”

III) Matuyi'ox ta ruq'ij ri Tob'al tzij A) Exploraciones Mineras de Guatemala, Sociedad Anónima, -JUN CHIN MOLOJ NEJOWAN NTZ'ET RI WUJ- xub'ij chi ma tuyi'ox ta ruq'ij ri tob'al tzij, xub'ij:

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Ruxaq wuj ajilab'äl waqlajuj chara kajk'aj waqxaq'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kajj'-woq'o' waqlajuj

a) Ri xb'anataj pa cholk'aslemalil majun rub'eyal richin ntz'et rij, ruma ri' ntz'et akuwi' jun chik rub'eyal richin manb'an ta jun samaj re', yari' nuya' k'ayawal chupam ri rub'eyal k'o chupam ri Taqotzij richin Tob'äl Tzij, K'utunik winäq chuqa' Cholk'alemalil; b) ntz'et chi ri Tob'al tzij maxyi'ox t apa ri q'ij k'o chi nuya' , ri Moloj richin Tob'al Tzij xub'ij chi xyi'ox pa ri q'ijul ruma rub'anem juwa' rub'anik , ruma ri' xtzilox nk'aj taqon tzij chuqa' ri winäq petenaq pa kib'i' ri moloj; c) chuqa' ri moloj xub'ij chi majun k'ayawal richin achike xb'an, nqanataj chi ri xyi'o ri Tob'al Tzij maxk'ojeta chupam ri molojri'il, taj xyi'ox ri to'ik wuj richi nlesax Eleb'al, ruma ri' k'o chi xuch'ojij ta nab'i'el k'ari' xyi'ox ta ri Solsamaj, akuwi' nub'ij ri Taqotzij richin Eleb'el, chupam ri xnojix majun ntax ta; d) Ri Corte Suprema de Justicia, k'o chupam ri moloj richin Tob'äl tzij chuqa' xtzila' ri taqotzij taj xuya' ruq'ij ri moloj xyi'o' ri Tob'al Tzij, qatzij nawari' jun moloj, xew k'a chi ri moloj ri' majun winaqi' chupam, ri nkib'ij chi ma xk'utux ta chike, xkisuloj ri Tob'äl tzij xarik'in jun winäq; e) ri moloj ri' xub'ij chi maxyi'ox ta q'ij chike richin nk'utux chike ri achamaqi' taj winaqi' richin San Pedro Ayampuc chuqa' San José del Golfo richin Iximulew, yari' maq'etzij ta ruma k'a majun winaqi' ' richin ri tinamital ri' ruch'ojin ta chi xtz'iloj rucholajem richin k'utunik;

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Ruxaq wuj ajilab'äl wuqlajuj chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

f) Ri to'ik cholk'aslemalil xk'utux ruma ri winäq, wakami b'enaq pa kib'i' ri winaqi', yari' winäq mak'ota pa ri achamaqi' tinamital ri yenatax, ruma ri' najin yemakun, ruma k'a rije' majun ta k'a winaqi' petenäq ta pa kib'i', maxub'an ta jun nım k'utunik. **B)** Ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el – K'amöl b'ey xch'ojix chara- xuch'ojij ri xb'ix pa nab'i'el ruma xub'ij chi ma junan ta nuchob' rik'in ri Solsamaj xyi'ox ruma: **a)** majun rub'eyal, majun ruxe'el ruma ri moloj xew xkinataj taqotzij, maxkich'ob' ta rij ri xkib'ij qa, xkiya' Jikib'äl soloj nuto' ri winäq xyi'o' ri tob'äl tzij, xoj riyaaqa' ri'oj rik'in majun qato'ik; **b)** maxupob'a' ta ri' ri winäq chojchi najin ch'ojix wi- richin ri cholajem richin k'utunik ri nch'ojix, manunuk' ta rub'eyal chirij, ri winäq manrajota nub'an ri taqen tzij xub'ij qa ri moloj winäq chi k'o chi nub'an, ruma k'a chi ri moloj ri' ma ütztä xub'ij, chi k'o chi nub'an ruma k'a yari' ma rusamaj ta ri jun molaj ri', xax tu ch'ojix chara chi k'o chi nb'an yeqa' k'a pa k'eyawal; **c)** taj xb'ix chara “ nchojmix rik'in rucholajem, chuqa' rik'ochupam re', nyi'ox ruq'ij ri rucholajem kichin ri winaqi' xeyi'o' ruchojkil”, ri moloj re' nqa chipam, chi nojel junan chuwach, majonel ta junan kib'anik, ma pasaqil ta k'owa ri k'o chi nuchojmij; **d)** taj xub'ij chi k'o chi nunojij rij ri b'ey richin nb'an ri k'utunik pa rub'eyal chi nkimol ri kich'ab'äl ri winaqi' pa saqil, chuqa' k'o chi nkib'an b'anikil richin yek'ix ri tinamital ruma ri etzetal xb'an chike”,

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Ruxaq wuj ajilab'äl waqxaqlajuj chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

ri moloj richin Tob'äl tzij, k'o rub'eyal, najin nub'an rimak'ota pa rusamaj nub'an, najin nub'ij chara chi k'o chi nub'an jun samaj ri ma nuk'un ta chupan jun Taqotzij; chuqa', majun ruxe'el ri nub'ij, ruma ri k'o chi " k'o chi ntz'et rub'eyal k'o pa taqotzij chuqa' k'o chi ntz'et nojel wuj yech'o' pa ruwi' la jun ch'a'oj re' chuqa' ri kaxlan taj taqotzij rujuch'un qa ri Saqamaq'", ruma ri' maxtz'et ta ri nub'ij ri tzijonib'äl kak'al ka'i', chuqa' kak'al b'eleje' richin Taqotzij richin Tob'äl Tzij, K'utunik winäq chuqa' Cholk'alemalil; e) ri q'ijul nuya' ri moloj ri chara chi nub'an ri xb'ix qa chike majun rub'eyal (xa rub'eyal k'a chi nkinuk' ri k'o chi nb'an, yari' je yekowin, xa rub'eyal k'a chi nk'utux chike ri winaqi' yari' k'a ma nub'an ta ri q'ijul xyi'ox chike); f) xb'an yan ri xub'ij ri moloj richin tob'al tzij, taj xuya' ri Solsamaj richin Chitüy oxq'o' ka'i' (1202) chuqa' kajq'o' oxk'al wuqlajuj (1677) pa q'ijul lajuj q'ij, chara rox ik' chuqa' kajlajuj q'ij, chara ri rukaj ik', richin ri juna' woq'o' waqlajuj, xuk'utuj chi ri ri Tob'al tzij tupa'e', ruma ri' xtiyi'ox na jun Jik'ibal Soloj pa rucholajem, xtuchojmix na ri ma ützt ta taj na'oj k'o al chupam ri Jik'ibal Soloj richin Nab'ey rupalb'äl . **IV. Ri rub'eyal nkijo' nkib'ij riq'ij xtutz'et ri wuj A) Ri xb'ano xb'ij:** a) je xyi'ox pa ri q'ij ruma k'a xch'ojij chupam ri juk'al lajuj q'ij k'o chupam ri taqotzij, taj ri moloj akuchi' nyi'ox wi rub'ixik richin ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el, xkiya' chara ri Solsamal- juq'o' oxk'al waqxaqi'-woq'o' kajlajuj (468-2014) ruma ri' xtzu' chi ri moloj ri' maxub'an ta jun k'utunik pa rub'eyal nab'i'el chike ri achamaqi' taj winaqi' ri xtzilox ki cholajem ruma ri xyi'ox jun to'ik wuj richin nkilesaj Eleb'el "PROGRESO VII DERIVADA", akuwi' nub'ij ri Atewab'äl richin ri Waqxaqk'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj pa ruwi' achamaqi' taq einaqi' chuqa' nk'aj chik achamaqi' taq winaqi' ek'o pa nk'aj chik tinamital makijuch'un ta la jun wuj re'

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Ruxaq wuj ajilab'äl b'elejlajuj chara kajk'aj waqxaq'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

b) maxk'ojeta chupam ri taj xyi'ox ri to'ik wuj richin nlesax eleb'el, xew k'a xtamaj chi maxb'an ta ri k'utunik chike ri achamaq'i' taq winaqi', mab'iel k'o chi nb'ix chike, k'ari' nk'utux chike, pa ri tinamital richin San Pedro Ayampuc chuqa' San José del Golfo richin Iximulew, taj ri moloj nyi'o' rub'ixik richin ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el, xuya' rub'ixik chara, ruma ri' majun ta na'oj ek'ota richin ma xyi'oxta ri to'ik wuj chara richin nulesaj eleb'al, mari' ri rub'eyal ri Tob'äl Tzij xew ri' ri b'ey richin nchojmix ri etzelal xb'an chara kicholajem, ruma ri' majun ta atixtuma xtulesas ri tob'äl tzij; c) richin nto'ox ri rucholajem richin b'anob'äl, richin ulew, k'o rub'eyal richin nb'a pa kib'i' jun mokaj winäq, ruma k'a ch'ajb'achike winäq üt'z nb'a pa kib'i' jun mokaj winäq, ri xkicha' rije'; ri tzijonib'äl kak'al wo'o' nub'ij chi ri nkitz'ila' ruchalajem k'aslemal yari' k'a jun k'ayawal majun xtupob'an ta, pa rub'eyal, wawe' pa Iximulew, chajb'achike chi winäq nkowin nsujun, nto'on taj manyi'ox ta ruq'ij ri rucholajem k'aslemal, ruma ri' manyi'ox ta q'ij chara ri achike najin nuch'ojij, d) ri k'amöl b'ey xyi'ox ruch'ojkil chara nub'ij chi ma jun ru taqon tzij richin nuya' q'ij chara kicholajem richin nk'utux chike ri achamaq'i' taq winaqi' taj yetz'illox ruma jun na'oj, ruma nuya' jun to'ik wuj richin nlesax rab'ajul ulew, yari' na'oj xew nuk'ut chi manunimaj ta ri taqotzij, manub'an ta ri nb'ix chara, chuqa' nq'ax rutzil ruma ru b'eyal ri rusamaj, k'o chi ntz'et rij ri tzijonib'äl oxi' richin ri taqotzij richin ri q'atöy amaq', nub'ij chi majun xtub'in ta chi ma rutamanta achike nub'ij ri taqotzij;

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Ruxaq wuj ajalab'äl juk'al chara kajk'aj waqxaq'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

e) Ri Jik'ib'al soloj richin Tob'äl Tzij xyi'ox pa rub'eyal ri taqotzij yekusax, pa saq'il xyi'ox wi' ri ruxe'el ri rub'eyal ri taqotzij kan yekusax wi', k'o chi xkiya' q'ij ri ch'ojimen najin nb'an. Xk'utux chi ri wuj xyi'ox richin manyi'ox ta ruq'ij ri Jik'ib'al soloj, maxyi'ox ta q'ij chara, ruma ri' nb'ix b'ey chik chi je' k'o chi nb'an ri xub'ij ri Nab'ey Palb'äl. B) **Chitüy richin Uchuq'alb'il chuqa' Eleb'el -k'amöl b'ey xch'ojix chara-xusaqirsaj** ri ruxe'el ri achinäq xyo' q'ij richin rya' ri wuj richin xch'ojix chi ma tikiyata q'ij chara ri Jik'ib'an soloj richin ri nab'ey palb'äl, nub'ij chi majun jun taqotzij achike ruma k'o chi nub'an ri taqon tzij xb'ix yan, chuqa' maxb'ix ta chara akuwi' rub'eyal k'o chi nb'an ruma k'a majun pa ki samaj chik'o chi nkib'an ri', ruma nub'ij rija' chi ri rusamajel Amaq' xew nkowin nub'an achinäq ri nub'ij ri Taqotzij. Xuk'utuj chi ri wuj xuya' tuyi'ox ruq'ij ruma ri' , tiyi'ox jun Jik'ib'äl soloj ri pa chojalem, yari' nuq'omaj jub'a' ri ma ütztä ta taq na'oj xub'ij ri moloj Nab'ey Palb'äl. C) **Exploraciones Mineras de Guatemala, Sociedad Anónima, -rox molaj k'o rajowaxik chi nuk'ux ri k'ayawal-** xuch'ojij: a) ri moloj xb'in, narajo' nub'an rija' ri narajo' pa kib'i' ri achamaq'i' taq winaqi' richin ri tinamital richin San Pedro Ayampuc chuqa' San José del Golfo, richin Iximulew, taj ri maxyi'ox ta ri samaj ri pa ruq'a', ma nuk'ut ta ri' akuwi' jun moloj richin ri tinamital, chuqa' ri taqotzij maxuya ta q'ij chara richin nuk'uwaj kib'ey ri winaqi', nub'ij, majun nojel ri rub'eyal nrajo' ri molaj richin k'aslemalil richin ntz'et chi ütztä nuk'aj kib'ey jun molaj winaqi'

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Ruxaq wuj ajilab'äl juk'al jun chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kajj'-woq'o' waqlajuj

Pa Jik'ib'al Soloj ruq'ijul kab'lajuj q'ij, richin ri nab'ey ik', chara ri juna' woq'o' waqlajuj, xyi'ox pa wuj rajilab'al juq'o' julajuj- woq'o' kajlajuj (411-2014), ruma ri xyi'o' ruch'ojixik, xuk'ut ri' akuwi' nuto' kichojlem jun molaj winaqi' nkito' ri winaqil chuqa' tojon ruma Amaq', kisamaj nkib'an pa kiwi' mokaj taj winaqi' chuqa' winaqi' ri nkito' ruch'ulew richin ri Iximulew, chuqa' kicholajem ri achamaqi' taj winaqi' ri nkito' ri ruch'ulew, ma jun mokaj ta richin Amaq' richin npe pa rub'i' jun mokaj winaqi' richin nuya' jun tob'äl tzij; b) ri etzelal xsujux, man qa ta chij ri winäq, nqa k'a chikij ri achamaqi' taj winaqi' richin ri tinamit richin San Pedro Ayampuc chuqa' San José del Golfo", ri Jik'ib'al soloj xyi'ox majun k'a rub'eyal nb'ix pa tzijonib'äl waqxaqi' chuqa' lajuj richin ri Taqotzij richin Tob'äl Tzij, K'utunik winäq chuqa' Cholk'alemalil (rub'anik chuqa' akuchi' petenäq wa ri tob'al tzij), ruma ri' ma ütztä ta k'a nq'ax; c) junam rik'in ri tzijonib'äl kak'al waqi' richin ri Taqotzij richin Eleb'el, nojel winäq nuna' rija' xtzilox rucholajem, ütztä nuch'ojij achike ruma xyi'ox q'ij richin nlesas rab'ajul ulew, k'o chi nuya' jun wuj pa K'amöl b'ey richin ri Eleb'el chajb'a chike q'ij, taj majane' nyi'ox jun Solsamaj, chuqa' ri tzijonib'äl kak'al b'elejlajuj richin ri Taqotzij, taj ri Chitüy nuya' jun na'oj ma ütztä ta pa kik'aslemal ri winaqi', ütztä nkipab'a' ki' jani' nb'ix pa taqotzij, pa tzijonib'äl b'eleje' nub'ij chi ütztä ntoj chike taj ri Solsamaj nuya' jun Chitüy winäq; ntz'et ri wuj LEXT-wa'ix kak'al kajlajuj-wa'ix waqxaqi' (LEXT-054-08), majun ch'ojinik chirij ri to'ik wuj xyi'ox richin nkilesaj rab'ajul ulew par i tinamital richin San Pedro Ayampuc chuqa' San José del Golfo richin Iximulew,

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Ruxaq wuj ajilab'äl juk'al ka'it' chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Pa samaj rub'i' "Progreso VII Derivada", ri to'ik wuj xyi'ox chike ma ch'ojix ta ruma ri Tob'äl tzij xyi'ox, yari wuj ri' üt'z rub'anon, ri xch'ojix majun k'a rub'eyal; d) taj xusik'ij la jun b'anoj pa Cholk'aslemal re', ri winäq xyi'o la jun wuj re' xrajo' ta k'a xpob'a' ruwach jun samaj rib'in pa ri taqotzij richin Eleb'el, richin nupob'a' ri' chuqa' rutz'itik ri xb'ix yan ruma ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el taj xya' chara jun to'ik wuj; e) ri to'ik wuj choj pa ruwi' nch'ojix wi wakami, xyi'ox pa juk'al lajuj q'ij, richin rub'elej ik', richin juna' woq'o' julajuj, rije' xuya' ruwuj richin b'enaq pa kib'i' jun mokaj winäq k'a pa juk'al waqxaqi' q'ij, chara ruwaqxaq ik', richin ri juna' woq'o' kajlajuj, pa rub'ixik q'axnaq chik ka'i' juna' rik'in lajuj ik', ruma ri' nb'ij chi maxyi'ox ta pa riq'ij njowax ri tob'al tzij, ruma k'a ri q'ijul yi'on ruma ri taqotzij yari' juk'al lajuj q'ij; f) ri Corte Suprema de Justicia, k'o chupam ri moloj richin tob'äl tzij, xutzelaj k'iy tzijonib'äl richin ri Taqotzij richin Taqotzij richin Tob'äl Tzij, K'utun'ik winäq chuqa' Cholk'aslemalil ri nb'in rub'eyal ri Tob'äl Tzij, ruma k'a k'o b'in chupam ri rub'eyal, maxyi'ox ta k'a ruq'ij ritz'ib'anaq qa; g) taj xub'an ri k'utun'ik richin nyi'ox ri to'ix wuj chara richin nulesaj rab'ajul ulew, xuya' k'a ruq'ij nojel ri rub'eyal k'o pa taqotzij richin Eleb'el, chupam ri' k'o ri Ch'ob'oj richin Ntz'et ri Nimareta' nuya' jun samaj pa Ruwach'ulew, pa ri xchomix qa xub'ij: "(...) A) tuya' ruq'ij ri Ch'ob'oj richin Ntz'et ri Nimareta' nuya' jun samaj pa Ruwach'ulew Progreso VII Derivada pa retal A, B) xb'an ri Ch'ob'oj richin Ntz'et ri Nimareta' nuya' jun samaj pa Ruwach'ulew pa ri samakj "Progreso VII Derivada"

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Ruxaq wuj ajilab'äl juk'al oxí chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Richin ri moloj Exploraciones Mineras de Guatemala, Sociedad Anónima (...); h) chuqa' xuya' ruq'ij ri ye'apon ri winaqi' taj k'o chi xe'apon, xub'in chuqa' xk'utuj chi Chitüy richin Ruch'ulew chuqa' ri Achinäq ek'o pa Ruch'ulew chike ri kamöl taq b'ey chuqa' winaqi' richin ri tinamital chirij ri samaj nb'an pa kitinamit, akuwi' xub'ij ri Chitüy richin Ruch'ulew chuqa' ri Achinäq ek'o pa Ruch'ulew, yari' xb'antaj akuwi' b'enaq chuwah ri wuj xyi'ox chike, chupam ri wuj k'o ri wuj: Nik'iwuj richin nk'utux, wuj akuchi' ntz'ib'ax chib'i' winaqi', chuqa' jun wuj akuwi' nb'an chike chi nkutux; i) ri na'oj richin xkiya' jun tob'al tzij, yari' k'a xu kajij ru rucholajem richin nuto' ri', chuqa' ri k'olb'äl chuqa' k'ayij, chuqa' ri na'oj ri maxb'anta pa rub'eyal, chuqa' taqotzij, akuwi' k'o pa tzijonib'äl kab'lajuj, kak'al oxí chuqa' ruka'n. richin ri Cholk'aslemalem richin Iximulew, chuqa' ma xub'an ta akuwi' ri Saqamaq' nub'ij, chi k'o chi nukabuj ri b'ey richin rijinem richin kaxlan tak q'ayij chuqa' q'ayij richin Iximulew.

Ruma ri xub'ij qa, nutzu' chi ützi nuy'a ruch'ojkil ri tob'al tzij xyi'ox ruma ri Nab'ey Rupalb'äl Moloj, ruma ri matuyi'ox ta ri Tob'äl Tzij k'utun, nub'ij chi ri winaqi' xek'utun ri tob'äl tzij, k'o chi nkitoj ri k'ayawal xuya' pa kisamaj. D) Ri Q'atöy Tzij (Procuraduría general de la Nación)-röx moloj njowan chi tu nuk'ux ri k'ayawal- xub'ij chi tiyi'ox Solsamaj pa rub'eyal ri rucholajem taj xtu'apon ri q'ij. E) Ri Q'atöy Tzij (Ministerio Público) nub'ij chi nuch'ob' junan rik'in ri xub'ij ri Q'atöy Tzij (Corte Suprema de Justicia), k'o pa moloj chin ri Tob'äl tzij chupam ri Solsamaj xuya' ri Nab'ey Palb'äl Moloj, taj xuch'ob' ruxe'el achike ruma xkik'utuj ri Tob'äl Tzij.

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Ruxaq wuj ajilab'äl juk'al kaji' chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Xkitz'at ri rusijol samaj xuya' ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el, chuqa' ri wuj ek'o chupam ri jun b'anoj Cholk'aslemalil, xtz'et chi majun wuj nub'ij ta chi xk'utux chike ri achamaq'i' taq winaqi' pa tinamital richin San Pedro Ayampuc chuqa' San José del Golfo richin Iximulew, pa ri samaj rub'i' "Progreso VII Derivada", wuj LEXT-wa'ix kak'al kajlajuj-wa'ix waqxaqi' (LEXT-054-08), xyi'ox chara ri moloj Exploraciones Mineras de Guatemala, Sociedad Anónima; ruma ri' k'a wakami' najin ntz'ilox ri kicholajem richin nk'utux chike chuqa' chi ri k'o chi nyi'ox b'ixik chike, rik'in ri samaj najin nb'an pa kitinamit, yar'i k'a nkowin nutz'ila' kik'aslem. Xutz'eqatisaj, chi je' xk'utuj chike jujun rusamajel achamaq' chuqa' chike jujun taq k'amöl b'ey kichin ri tinamital, ma xuyata' rub'ixik chike ri achamaq'i' taj winäq chirij ri samaj richin nlesas eleb'el, akuwi' nub'ij par i kaxlan wuj. Xk'utuj chi matuyi'ox ta q'ij chara ri Tob'anem xk'utuj, tuyi'ox ruq'ij ri xb'ix qa, ri najin njote' rajil.

TZ'ETEXIK

-I-

B'IXIK NA'OJ AKUCHI' NUWIL WA RUXE'EL RI XUB'IJ QA RI MOLOJ.

K'o chinyi'ox ri to'ik scholk'aslemalil richin Tob'äl tzij, taj ri' Rukowil samajel amaq', ma nub'an ta pa rub'eyal ri samaj b'in pa taqotzij, richin ntz'et chi je' nb'an nab'ey, ri k'utuxik chike ri achamaq'i' taj winaqi' pa ruwi' ri samaj njowax nb'an pa kitinamit pa ruwi' ri nlesas eleb'el, yari' samaj yortz'ila' ri winaqi' b'in pa la wuj re', maxyi'ox ta ruq'ij ri nb'ix pa tzijonib'äl waqi' (ajilab'äl jun chuqa' ka'i'), (ajilab'äl jun chuqa' oxi') chuqa' wolajuj richin ri Atewab'äl richin ri Waqxaqk'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj pa ruwi' achamaq'i' taq einaqi' chuqa' nk'aj chik achamaq'i' taq winaqi' ek'o pa nk'aj chik tinamital makijuch'un ta la jun wuj re'.

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Ruxaq wuj ajilab'äl juk'al wo'o' chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

-II-

KOXI' TZIJ K'ATZINEL

Ri Centro de Acción Legal-Ambiental y Social de Guatemala -CALAS-, nusiløj ri Tob'äl Tzij richin nuya' pa rub'ixik chara ri qa'töy tzij richin Cholk'aslemalil ruma ri xb'ij ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el ri chin xuya' ri to'ik wuj richin nlesas eleb'el rub'i' "Progreso VII Derivada", pa ruto'ik ri moloj Exploraciones Mineras de Guatemala, Sociedad Anónima, k'o chupam ri solsamaj rajib'al waqxaqq'o' b'elejk'al kajlajuj (3394) xyi'ox pa juk'al lajuj q'ij, chara rub'elej ik', chara ri juna' woq'o' julajuj k'o chupam ri wuj LEXT-wa'ix kak'al kajlajuj-wa'ix waqxaqi' (LEXT-054-08) taj nyi'ox q'ij chara rajaw ri moloj richin nulesaj q'anapwäq chuqa' saqapwäq par i tinamital San Pedro Ayampuc chuqa' San José del Golfo richin Iximulew, pa jun mokaj k'o juk'al xe'otok'al pa kaji' ruxikin richin juk'al wo'o' juna', maxb'anta k'a ri k'utunik chike ri winaqi' xketz'iloj ruma ri samaj ri'.

Ri xk'utun ri Tob'äl Tzij, nub'ij k'a chi taj maxk'utux ta chike pa ruwi' ri samaj nb'an pa kitinamit, maxyi'ox ta q'ij richin yeto'ox ri achamaqi' taq winaqi' richin nkib'ij je chuqa' matub'an ta ri samaj pa kitinamit San Pedro Ayampuc chuqa' San José del Golfo, yi'on kiq'ij pa tzijonib'äl oxk'al waqi' k'o pa Cholk'aslemalem, ka'i' (retal cholajil a,b chuqa' c) chuqa' waqi' (retal cholajil a, ajilab'äl jun) richin ri Atewab'äl richin ri Waqxaqk'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj pa ruwi' achamaqi' taq einaqi' chuqa' nk'aj chik achamaqi' taq winaqi' ek'o pa nk'aj chik tinamital makijuch'un ta la jun wuj re', chuqa' ri xub'ij ri Tunitinamital pa ruwi' kicholajem ri achamaqi' taq winaqi'.

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Ruxaq wuj ajalab'äl juk'al waq' chara kajk'aj waqxaq'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuq'k'al kaji'-woq'o' waqlajuj

Taj xuya' ri Solsamaj pa nab'ey tanaj cholk'aslemalem ri Q'atöy Tzij (Corte Suprema de Justicia), k'o pa moloj richin Tob'äl Tzij xub'ij chi nojel samaj richin ntz'itox chuqa' nlesas eleb'al pa Iximulew, k'o chintz'et chi nb'an ri k'utunik chike ri achamaq'i' taq winaqi', yari' k'a yi'on ruq'ij ruma ri moloj Cholk'aslemalil chuqa' pa Q'atöy Tzij (Corte Interamericana de Derechos Humanos). Ruma ri'taj xtz'et chi ri k'amöl b'ey xyi'ox rsuch'ojkil chara maxub'an ta ri k'utunik chuqa' xuya' ri to'ik wuj richin nlesas eleb'el, ruma ri' xqa' pa k'ayawal ruma ri' xyi'ox ruq'ij ri Tob'äl Tzij xk'utux; ruma ri' xb'ix chi tu pa'e' ri to'ik wuj yi'on richin nlesas eleb'el, chuqa' xk'utuj chi ri k'amöl b'ey chi tuya' jun na'oj akuwi' nub'ij rucholajem, ma ntoj ta.

Exploraciones Mineras de Guatemala, Sociedad Anónima, -röx mokaj njowan chi nk'ux ri k'ayawal-xuya' ruch'ojkil ri xb'ix, xub'ij chi ri xb'an majun rub'eyal ruma k'a majun ruxe'el pa taqotzij richin nyi'ox ruq'ij; pa ri q'ij xk'utux ri Tob'äl Wuj, Ri xch'ojix chuqa' ri rub'anik ri winäq xch'ojin. Ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el chuqa' xuya' ruchojkil ri jun Solsamaj re', xub'ij chi majunan ta ru na'oj rick'in ri Moloj richin Tob'äl Tzij ruma k'a xkib'ij chi k'o chi nkib'an ri samaj richin k'utuxik. Nkib'ij chi majun rub'eyal pa taqotzij richin nkib'an ri samaj ri'.

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Ruxaq wuj ajilab'äl juk'al wuqu' chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

RUCH'OB'IK PA RUWI' RI XB'AN RICHIN XK'UTUX RI TOB'ÄL TZIJ TAMAN

Ri nab'ey samaj richin xtz'et chi xb'an ützi ri samaj richin xk'utux ri tob'äl tzij, k'o chi junan rik'in ri samaj k'o chi yeb'an richin yenk'ul chi jujun ri k'utunik richin Tob'al Tziz, pa nab'ey palb'äl, ützi chuqa pa ruka'n palb'äl pa ei b'ey richin nuya' ruch'ojkil, ri moloj re' k'o chi xtamaj nojel ri xb'anataj achike ruma xkiya' ruch'ojkil pa ruwi' ri xb'anataj. Taj pa jun rub'anem akuwi' re, k'iy ye yi'o' ruch'ojkil chi max tz'et ta ri nk'atzi, k'o chi nch'ob' pa ruwi' ri nk'ut k'ari' nojix.

- A) Pa ruwi' ri xyi'o' ruch'ojkil achike ruma xyi'ox ri to'ik wuj richin nlesax eleb'el:** ri k'amöl xyi'ox ruchojkil chara chuqa' ri Exploraciones Mineras de Guatemala, Sociedad Anónima, -röx mokaj njowan chi nk'ux ri k'ayawal- nkib'ij chi ri xyi'o' ruch'ojkil majun k'a xtzilox ta rucholajem richin nuk'utuj jun Tob'äl Tziz. Ri Exploraciones Mineras de Guatemala, Sociedad Anónima xub'ij chi ri winäq xk'utun ri Tob'al Tziz nrajo' ntzizon pa kiwi' achamaq'i' taq winaqi' richin San Pedro Ayampuc chuqa' San José del Golfo richin Iximulew, yari' samaj maxyi'ox ta chara kima ri winaqi' richin ri tinamital nub'ij rija', majun k'a chupam moloj richin ri achamaq'i' taj winaqi' yenatax, chuqa' majun pa taqotzij chi ützi ntzizon pa kiwi' ri winaqi' richin ri tinamital yenatax, rija' k'o chupan jun moloj, chupam ri moloj ri' majun winaqi' richin ri tinamital xetzilox, ri nch'ojix majun k'a xtz'ila' ta rucholajem ri winäq ri'. Ri k'amöl b'ey chojchi xyi'ox wa ruchojkil, xub'ij k'a chi ri winäq ri' maxub'ij ta achike itzelal xb'an chara.

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Ruxaq wuj ajilab'äl juk'al waqxaqi' chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Nab'ey k'o k'a chi nb'ix chi taj tz'ilox kicholajem ri winaqi' yari' ri kichuq'a' pa kiyonil chuqa' pa kib'i' jun mokaj winäq richin nuk'utuj jun tob'al tzij. Qatzij wa ri', yari' b'anoj yorto' ri winaqi' yeq'ax pa ri poqonal ri', chuqa' üt'z nkik'utj jun tob'al tzij pa kiwi' nk'aj chik winaqi'.

Pa rub'eyal ri nk'utun wakami', k'o chi nqab'ij, chupan nk'aj chik samaj, akuchi' ri moloj re' xsamaj pa kiwi' tinamital xtzelax kicholajem ruma nlesax eleb'el, yari' samaj xuya' k'ayawal richin nyi'ox q'ij chara ki cholajem richin nk'utux chike, yare' moloj chi ri molor natax wawe', je' üt'z k'o richin nuk'utuj jun tob'äl tzij. Tz'eteb'äl richin samaj b'anon, junan rik'en yare' natax, ri ek'o pa wuj 1600-2015, k'olon 795-2016 chuqa' 1380-2016, chuqa' 4785-2017, ri ox'i nab'iel xch'ojix ri Tob'al Tzij, ri k'isb'al ruma jun ch'ojinik richin Jik'ib'an soloj. Pa ri wuj xtzijox qa, ri moloj re' xub'ij chi k'o chi nyi'ox ruto'ik chike ri mokaj yek'utun ti Tob'al Tzij ruma k'a xtzelax kicholajem taj xyi'ox q'ij richin nkanux chuqa' nlesax eleb'el. Chupan ri rub'anem xtzijox, chuqa' chupam ri yare' b'anem xuch'ojij k'a chi maxyi'ox ta q'ij chara kicholajem richin k'utunik chike achamaq'i' taq winaqi' ruma k'a ri xb'ij ri k'amöl b'ey nutzelay kik'aslem, xtzilox kicholajem richin jun jeb'el ruch'ulew. Chupam ri ox'i nab'iel taj rub'anem ri moloj xuya' jun Tob'al Tzij Paqe' ruma' xch'ojix rij ri winäq najin nk'utun ri Tob'äl tzij, ri k'isb'äl chike ri wuj xnatax xya' ri to'ik nab'ey k'o chi xtamaj achike xb'anataj, chiri' xya' waqa' achike rub'eyal nb'an richin nyi'ox ruq'ij ri wakami' nk'utun jun tob'äl tzij, richin nusilox jun wuj ri nutz'et ri molor kame.

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Ruxaq wuj ajilab'äl juk'al b'eleje' chara kajk'aj waqxaq'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Ri moloj xb'ano ri etzelal chuqa' rub'anik ri rub'eyal ri juley tob'äl tzij ri wakami xtamatax, chi paqetzij k'o rub'ixik pa taqotzij, ntz'et chi ri nk'utun ri Tob'äl Wuj pa rub'eyal k'owa. Richin nyi'ox rq'ij ri b'ixik xb'an qa, k'o chi natax ri wuj 4069-2015, yare' moloj, pa ri Tob'äl Tzij xyi'ox pa kab'lajuj q'ij, richin roxik, richin ri juna' woq'o' wuqlajuj, xub'ij chi pa rub'eyal k'o wa ri Tob'äl Tzij, xk'utuj ri Centro de Acción Legal-Ambiental y Social -CALAS-k'o pa qatzij richin nuch'ojij cholajem richin jun ch'ojch'oj rach'ulew, yari' jun moloj kichin winaqi', pa kicholk'aslemal rusilonik to'ik pa ruwi' ri nojel k'o pa ruch'ulew, chuqa' nutz'et chi ri Jay Amaq' najin yesamaj ützt pa ruwi' ri ruch'ulew (...), xub'ij chi: "(...) chi je' xtzilox kicholajem ri Centro de Acción Legal-Ambiental y Social -CALAS- richin nuch'ojij ri Tob'äl Tzij re', richin nyi'ox ruq'ij ri xb'ix yan ruma ri moloj re' (...)" Pa ch'utirisanem, ri solb'äl xuya' ru q'ij chi ri moloj natax

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Ruxaq wuj ajilab'äl juk'al lajuj chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Chi üt'z k'a nuk'utuj jun Tob'äl Tzij pa ruwi' kicholajem richi jun jeb'el ruch'ulew, chuqa' ruma maxyi'ox ta q'ij chara ki cholajem richin nk'utux chike ri achamaq'i' taq winaqi' richin jun -jeb'el laj ruwach'ulew-yari' k'o chupam ri ruk'u'x cholajem yari' k'o chi nyi'ox ruq'ij chupam ri k'utunik. K'o chi nb'ix chi ri yek'utun ri Tib'äl Tzij, yari' kitz'ib'än kib'i' akuwi' jun moloj richin winaqi', chupam ru cholajem k'o chi nutz'et ri b'anoj nkib'an ri molaj richin amaq', taj ri molaj ri yesamaj rik'in ruch'ulew.

Yare' b'ixik nub'an chi nlesas qa ri na'oj nkiya' ri winaqi' xyi'ox ruch'ojkil chike, chi ri winäq najin nk'utun ti Tob'äl tzij, k'o chi nuk'ut chi rija' pa saqil k'owa chi b'enaq pa kib'i' ri winaqi' ri najin yek'utun ri Tob'al tzij, ruma chi ri moloj re' xutz'at yan chi ri winäq ntzijox k'o pa rucholajem nuk'utuj ri Tob'äl Tzij.

- B) Pa ruwi' ri q'ij xyi'ox ri b'anoj: Ri k'amöl b'ey xyi'ox ruch'ojkil chara, chuqa' ri röx nk'utun chi tu nuk'ux ri wuj, Exploraciones Mineras de Guatemala, Sociedad Anónima, chi ka'i' xkib'ij chi ri tob'äl tzij maxk'utux t apa ri q'ij k'o chi nuk'utuj, ti nab'ey xub'ij chi ri to'ik wuj richin nlesax eleb'al ri nch'ojix kame xyi'ox pa juk'al lajuj q'ij chara ri rub'elej ik', richin woq'o' julajuj chuqa' xyi'ox rub'ixik chara rajaw ri moloj nlesan eleb'el pa juk'al oxi' q'ij, chara ri rujulaj ik', chara ri juna' woq'o' kab'lajuj, ri nk'utun Tob'al Tzij xub'ij k'a, k'a pa juk'al waqxaqi' q'ij, chara ri waqxaq ik', chara ri juna' juk'al waqxaqi',

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Ruxaq wuj ajilab'äl juk'al julajuj chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

q'axnäq chik ka'i' juna' rik'in ka'i' ik', ruma ri' k'o chi manyi'ox ta ruq'ij, ruma k'a ri taqotzij nub'ij chi ütznch'ojix pa juk'al lajuj q'ij. Ri Röxnrajo' chi nk'ux ri wuj, xub'ij chi ri nk'utun ri Tob'al Tzij maxuya' ta pa ri q'ij k'o chi nuya'.

Ruma ri' k'o chi nqab'ij chi ri Taqotzij richin Tob'äl Tzij, K'utunik winäq chuqa' Cholk'alemalil, pa tzijonib'äl juk'al, nub'ij chi ri k'utunik richin Tob'äl Tzij k'o chi nb'an pa juk'al lajuj q'ij taj xtamaj ri winäq chi najin ntzilex rucholajem. Chupam ri ch'ob'oj ri' ri moloj xub'ij chi yari' mankusas ta chupam yare' rub'anem ruma ri xmakun yari' ri chojchi najin nyi'ox wa ruch'ojkil. Xub'ij la jun moloj re' , pa koxi' b'anem kichojmin, chi ruma ri Saqamaq' yari' xmakun, chuqa' ruma xyi'ox pa ruq'ij, nb'ix chi ma k'atzinel ta nyi'ox ruch'ojkil pa juk'al lajuj q'ij [tutz'et b'anem echojmin pa oxi' q'ij, chara rub'elej ik', chara ri juna' woq'o' waqxaqk'al, juk'al waqi' q'ij richin ro ik' chuqa' juk'al waqi' q'ij richin nab'ey ik', richin ri juna' woq'o' waqlajuj, chuqa' wuqu' q'ij chara ruwuq ik' chara ri juna' woq'o' wuqlajuj, k'o chupam ri wuj 4785-2017, 90-2017 chuqa' 92-2017 chuqa' 1798-2015 pa runuk'ik].

Yare' moloj, rik'in ri xutzijoj qa, nub'ij chi ruxe'el ri xkib'ij ri ka'i' moloj, chi pa ri b'anem re' maxyi'ox ta ruq'ij ri b'anon pe, manch'ob'otaj ta ruma, akuwi' tz'ib'atajnaq nab'ey pa ri tob'äl tzij, maxyi'ox ta q'ij chara ri kicholajem richin nk'utux chike ri achamaq'i' taj winaqi' ek'o pa tinamital richin San Pedro Ayampuc chuqa' San José del Golfo richin Iximulew, richin xk'utux ta chike pa ruwi' ri to'ik wuj xyi'ox richin nlesax eleb'el rub'i' "Progreso VII Derivada " xyi'ox chara rajaw -Exploraciones Mineras de Guatemala, Sociedad Anónima-

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Ruxaq wuj ajilab'äl juk'al kab'lajuj chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

xyi'ox q'ij chara richin nulesaj q'anapwäq chuqa' saqapwäq pa ri ulew richin ri tinamital, chupam juk'al wo'o' juna'.

Ri xyi'o' ruch'ojkil xtzijon chij ri to'ik wuj xuya' ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el, yari' k'o chupam solsamaj rajilab'äl waqxaqq'o' b'elejk'al kajlajuj (3394), xyi'ox pa juk'al lajuj q'ij, richin rub'elej ik' richin juna' woq'o' julajuj richin ruto'ik ri moloj Exploraciones Mineras de Guatemala, Sociedad Anónima.

Xub'ij chi ri xyi'o' ruch'ojkil nusuc' ri', ruma k'a ri Tob'äl tzij najin nuk'utuj yari' k'a ruma maxk'utux ta chike ri achamaq'i' taj winaqi' ek'o pa ri tinamit yenatax pa la wuj re', akuwi' nub'ij ri Atewab'äl richin ri Waqxaqk'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj pa ruwi' achamaq'i' taq einaqi' chuqa' nk'aj chik achamaq'i' taq winaqi' ek'o pa nk'aj chik tinamital makijuch'un ta la jun wuj re'. Ruma ri', ri moloj re' xnojij rij chi ri itzelal xb'an chike, chuqa' ri winäq nuch'ojij jun ützt laj b'anik, ruma k'a ri nuya' ruch'ojkil yari' jun samaj maxub'an ta ri k'amöl b'ey chojcha najin ch'ojix wi.

K'iy mul, ri moloj re' rub'in: "(...) Manyi'ox ta q'ij chara ri nch'ojix ruma k'a ri xmakun yari' ri Saqamaq', ruma ri' mankusas ta ri nub'ij pa ri tzijonib'äl juk'al, k'o pa Taqotzij richin Tob'äl Tzij, K'utunik winäq chuqa' Cholk'alemalil. Ruma ri', taj maxyi'ox ta q'ij richin nk'utux chike yari' jun cholajem k'o chi nb'an nojel mul, ruma ri' ntz'et chi ri b'anon najin nyi'ox ruch'ojkil -ma ützt ta b'anoj, maxub'an ta rusamaj k'o chi nub'an- nuya' q'ij ntamatax ri etzelal najin nyi'ox ruch'ojkil, ruma k'a ri k'amöl b'ey xyi'ox ruch'ojkil chare ma xub'anta ützt chara rusamaj ruma maxk'utux ta chara ri tinamit najin yetz'iloj(...)" [yari' b'eyal na'oj k'o chupam ri yenatax, chuqa' chupam nk'aj chik wuj, juk'al julajuj q'ij chara rox ik' richin juna' woq'o' waqlajuj, juk'al waqi' q'ij chara ro ik' chuqa' juk'al b'eleje' q'ij chara ruwaq ik', chi ka'i' richin ri juna' woq'o' wuqlajuj, k'o chupam ri wuj 2567-2015; 90, 91 chuqa' 92-2017 chuqa' 3120-2016].

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Ruxaq wuj ajilab'äl juk'al oxlajuj chara kaj'aj waqxaqi'

Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuq'al kaji'-woq'o' waqlajuj

Yare' ruxe'el achike ruma la jun molaj winaqi' re' ma nuya' ta ruq'ij ri najin nkich'ojij pa Tob'anem Tzij, nuya' ützt laj chab'äl chirij ri molaj winaqi' xkib'ij chi saqil k'o wa ri q'ijul xk'utux ri Tob'äl Tzij.

- C) Richin ri rub'anik ri winäq b'enäq pa kib'i' ri moloj , ri najin nyi'ox ruch'ojkil: Exploraciones Mineras de Guatemala, Sociedad Anónima, xuya' ruch'ojkil ri rub'anik ri winäq b'enäq pa kib'i' ri moloj, xub'ij chi ri najin nch'ojin maxutz'u' ta rixb'an richin xyi'ox ri to'ik wuj richin nlesas eleb'el najin ntzijox, k'o chi xupob'ata ri' taj majani' nyi'ox ri solsamaj najin ntzijox, akuwi' nub'ij chupam ri taqotzij richin eleb'el pa tzijonib'äl kak'al waqi'; ruma ri'-xub'ij-taj xuya' ri jun b'anoj cholk'aslemalil , ri xyi'o' nrajo' nub'an chara ri tob'äl tzij jun chik ruwach, akuwi' b'in pa taqotzij richin nch'ojix.

Chupam la jun k'utunik re' , k'o chi nb'ix, pa rub'eyal ri tzijob'äl b'elejlajuj richin ri Taqotzij richin Tob'äl Tzij, K'utunik winäq chuqa' Cholk'aslemalil, ri k'utuxik richin ri tob'äl tzij k'o chi xk'ux ta nab'i'el pa ri taqotzij ka yek'utux wi. Ri b'anik re'nub'ij k'a chi k'o chi ntoj, chuqa' chuqa' yalan nım rub'eyal pa Tob'äl Tzij, yari' k'a jun to'ik pa cholk'aslemalil, yari' xew nkusax taj xeq'ax yan chupam ri taqotzij kan nkusax wi, chupam ri' ri najin ntzilox ützt nuya' ruch'ojkil chuqa' ntoj chara ri k'ayawal xyi'ox pa ruk'aslen.

Nub'ij la jun moloj re' chi ruch'ojkil nuya' ri winäq ruma k'a nub'ij chi majun rub'eyal ma qatzij ta.

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Ruxaq wuj ajilab'äl juk'al kajlajuj chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kajj'-woq'o' waqlajuj

Mayekowin ta nkib'ij chi, nab'i'el mayek'ulun nkiya' ri Tob'äl Tzij ruma ri samaj ma xub'an ta ri k'amöl b'ey richin maxk'utux ta chike ri achamaq'i' taq winaqi', ri xtzilox ki cholajem nab'i'el xkiya' ta kich'ojkil pa taq taqotzij kan yekusax wi, ruma k'a ri cholajem richin nk'utux chike ri winaqi' chuqa' ri cholajem richin jun jeb'el ruch'ulew yari' k'a jun tob'äl riyi'on la jun moloj re' pa ri Tob'äl. K'o chi ntz'itox chi ri to'ik k'o chi nuk'utuj ri winäq najin ntzilox k'o chi nq'ax pa ri nab'ey taq taqotzij kan yekusax wi', k'ari' nk'utux Tob'äl Tzij, akuwi' xb'ix taj xuchop rij la jun retal cholajij re', k'o chi ützb'än chara, richin ny'ox ri tojik yob'en, yare' k'a ri rub'eyal richin ntoj chike ri k'ayawal xyi'ox pa kik'aslen. Richin kicholajem richin nk'utux chike ri achamaq'i' taj winaqi', yare' moloj rb'in chi: "(...)Taj xch'ojix chi ri k'amöl b'ey ma xub'an ta rusamaj richin nk'utux chike ri winaqi' akuwi' nub'ij ri Atewab'äl richin ri Waqxaqq'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj pa ruwi' achamaq'i' taq einaqi' chuqa' nk'aj chik achamaq'i' taq winaqi' ek'o pa nk'aj chik tinamital makijuch'un ta ri jun wuj ri', majun na'oj nk'unta richin nsaqarisax yari' k'ayawal (...)" [yare' na'oj xtz'ib'ataj qa pa yare' chuqa' nk'aj chik wuj, juk'al wo'o q'ij chara rox ik' richin ri juna' woq'o' wolajuj, juk'al waqi' q'ij chara rox ik' richin woq'o' waqlajuj chuqa' juk'al wo'o' q'ij chara ro ik' richin ri juna' woq'o' wuqlajuj, k'o pa ri wuj, 5710-2013, 3753-2014 chuqa' k'olon 90-2017, 91-2017 chuqa' 92-2017, pa runuk'ik chuqa' xnatax chupan ri Jik'ib'an soloj richin ox'i' q'ij chara rub'elej ik' richin ri juna' woq'o' waqxaqlajuj, k'o pa wuj 4785-2017]. Ruma ri' nb'ix chi ma xesach ta rik'in ri na'oj xuya' qa ri moloj richin nab'ey rupalb'äl, ruma k'a ma xyata q'ij chara ri xuch'ojij jun chike ri moloj.

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Ruxaq wuj ajilab'äl juk'al wolajuj chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

-IV-

Ri moloj xyi'o ruch'ojkil nub'ij, chi xuya' ruch'ojkil ruma xyi'ox ri to'ik wuj richin nulesaj eleb'el "Progreso VII Derivada", ri k'amöl b'ey xyi'ox ruch'ojkil chara , xtzelay ki cholajem ri winaqi' ruma k'a maxk'utux ta chike ri achamaq'i' taq winaqi' richin ri tinamital San Pedro Ayampuc chuqa' San José del Golfo richin Iximulew, yari' k'o chi nb'an nub'ij ri taqotzin, richin k'a ri achamaq'i' taj winaqi' nkib'ij je chuqa' mani richin nyi'ox ri to'ik wuj richin nlesas eleb'al pa ri juy'u' k'o pa kitinamit. Xub'ij ri xk'utun ri Tob'äl Tzij chi xb'ix chike pa moloj richin nuk'ik chuqa' cholkemanem richin Iximulew, pa tinamital San Pedro Ayampuc chuqa' San José del Golfo -ek'o pa rinamital richin Iximulew- k'o juchuy juq'o' b'elejk'al waqxaqk'al (12,197) achamaq'i' taq winaqi', ri nab'ey (junan rik'in juk'al wuqu' tz'uj jun wolil 27.1%) chuqa' juchuy kajq'o' julajk'al waqlajuj (5837) ruka'n (junan rik'in juk'al jun tz'uj oxi' wolil 21.3 % richin nojel ri winaqi' ek'o pa tinamit).

Yare' moloj nub'ij chi ri üt'z natax ri nub'ij ri xk'utun ri Tob'äl Tzij, pa ruwi' ri achamaq'i' taq winaqi' ek'o pa ri tinamital akuchi' nb'an wi ri samaj.

Richin ntz'et chi je' xeb'apon ri winaqi' par i k'utunik, üt'z natax rajilajitz xb'an pa woq'o' ka'i' (2002), Pa San José del Golfo ek'o oxlajq'o' wuqlajk'al waqlajuj (5156) winaqi', chupam ri' kak'al oxlajuj xkib'ij chi echamaq'i' taq winaqi'.

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Ruxaq wuj ajilab'al juk'al waqlajuj chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Pa ri tinamit richin, San Pedro Ayampuc («San Pedro»: pa rub'i' kajaw San Pedro Apóstol; «Yampuc»: pa kaqchikel rub'eyal «reteb'al ulew/tinamit chikojol k'achelaj»), chupam ri juna' xb'an ri rajilajitz, pa ri tinamit k'ok'a wochuy kab'lajq'o' b'elejlajk'al waqlajuj winaqi' (44,996), chupam ri' oxchuy b'elejk'al wuqlajuj winaqi' xkib'ij chi echamaq'i' taq winäq (12,197) (Maya': kachuy b'elejq'o' kajlajk'al oxlajuj (11893), oxi' Xinkas(3) Kab'lajuj Garifunas(12) [Moloj Amaq'el richin Rajilajitz. Rajilajitz Amaq'el julajuj richin tinamit chuqa' waqi' richin ek'o pa ri ulew xb'an pa woq'o' ka'i', Rub'anik ri winaqi' chuqa' ri jay xe ajilax. Iximulew. Woq'o' oxi'. Ruxaq wuj oxk'al waqlajuj]. Wakami', pa ri rajilajitz k'axb'an pa ri juna' woq'o' b'elejlajuj (2019), San José del Golfo k'o juq'o oxlajk'al juk'al ka'i' winäq ek'o chupam (7,229) chupam ri' wuqk'al wolajuj xkib'ij chi echamaq'i' taq winaqi'. [Maya': wok'al wolajuj (115), juk'al wuqu' Xinka (37) chuqa' oxi' Garifunas (3).] Pa ri rajilajitz richin tinamital xb'an junab'ir qa, xtz'et chi ri tinamit richin San Pedro Ayampuc k'o wuqchuy waqq'o' lajk'al b'eleje' (58609) winäq ek'as chiri', richin ri' juchuy waqq'o' lajk'al kaji' (14,604), xkib'ij chi achamaq'i' taq winaqi'. [Maya': juchuy woq'o' b'elejlajk'al oxi' (14383), waqk'al wolajuj Xinkas (135), kajk'al waqi' Garifunas (86) [Moloj Amaq'el Richin Rajilajitz. Kab'lajuj Rajilajitz richin tinamital chuqa' wuqlajuj kichin jay. Xyataj richin Ajilajitz pa woq'o' waqxaqk'al. Iximulew. Woq'o' b'elejlajuj. Ruxaq wuj wok'al oxlajuj]. Ri xb'ix chupan ri nuk'ul samaj richin ye'ejlax ri winaqi', ützi chi ntz'et chi ek'o winaqi' richin ri tinamital k'o chi nk'utux chike. Yari' rub'ixik xyi'ox junan k'a rik'in ri moloj taj xub'ij akuwi' rub'eyal ri tinamital richin San Pedro Ayampuc, chuqa' San José del Golfo.

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Ruxaq wuj ajilab'äl juk'al wuqlajuj chara kajk'aj waqxaq'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Yare' b'ixik nub'ij chi qetzij ta wa ri', k'iy ri kaxlan taj winaqi' ek'o pa ri tinamit, k'o chuqa' k'iy maya' kaqchikel taq winaqi', chirij ri komun Nacahuil. Chupam la jun komun re', ri jeb'el ru kemon ri' ri komun, chuqa' akuwi' nkinuk' ki richin nkib'ij chi emaya' taq winaqi', k'iy winaqi' richin ri komun ri' yeb'a pa jun chik tinamit. [Patrick ILLmer. Nub'ij chi nkito' ri ki'ulew: ka'i' ch'ojinik kichin moloj taj winäq chirij ri k'ayawal ruq'axampe Iximulew. Tz'ibawuj richin Rucholajem K'aslemal, Ajilab'äl kajlajuj wo'o'. Bilbao woq'o'waqlajuj. PS oxk'al wuqlajuj chuqa' kajlajuj].

Richin nqotzijon pa ruwi' ri ruka'n tinamit natax, ütznb'ix chi, nkib'ij ri ch'ob'oj b'anon, xyi'ox ruq'ij ri tinamit ka'i' q'ij chara ri rujulaj ik' richin ri juna' kajq'o' julajk'al wuqlajuj (1837). Ruxe'el ntz'ukutaj pe, ruma ri k'ayawal xb'anataj pa oxq'o' wuqlajk'al b'eleje' 1549 chikikojol k'iche' chuqa' kaqchikel taq winaqi' (IECC, 2001:138), ruma k'ayawal pa ruwi' ulew, richin nketaj kichuq'a', rajal ri komun chuqa' jun ruk'amal kik'aslen (CDM chuqa' Moloj richin Nuk'ik chuqa' Cholkemanem richin Champomal - SEGEPLAN-, woq'o' lajaj ka'i' tz'uj wolajuj). [Moloj richin ruk'utuxik chuqa' rub'ixik chirij Ruch'ulew chuqa' winaqil richin Nimajay richin Rafael Landivar. Pajb'äl nuk'un pa ruwi' Ruch'ulew (EAE) chirij Las Vacas chuqa' Beleyá-Plátanos-Motagua. Iximulew. Woq'o' wujlajuj. P.31]. Nk'aj chik wuj akuchi' nb'ix wi chi k'o achamaq'i' taq winaqi' pa tinamit San Pedro Ayampuc nkib'ij chi yech'o' Kaqchikel [Michael Richard. Atlas Lingüístico de Guatemala. Guatemala 2003. P. 116 chuqa' Fondo de las Naciones Unidas para la Infancia (UNICEF) Y la Agencia Española para la cooperación Internacional al Desarrollo (AECID). Atlas sociolingüístico de pueblos Indígenas de América Latina. 2009. P.863].

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Ruxaq wuj ajilab'al juk'al waqxaqlajuj chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Yare' moloj nub'ij, qatzij wi' majunan ta ajilab'al ri achamaq'i' taq winaqi' rik'in ri nojel winäq ek'o pa ri tinamital, ri b'ixik xlesas pa ri ch'ob'oj xb'an chirij ri rajilabitz richin tinamit, ri na'oj xlesax pa ri wuj xenatax, ri nkib'ij chi chupam ka'i' tinamit k'o achamaq'i' taq winaqi' ruma ri' k'o chi nk'utux chike pa ruwi' ri samaj k'o chi nb'an pa kik'aslen. K'o chi nqanataj chi ri k'amöl b'ey k'o chi yenuk'u achike rub'eyal nb'an ri k'utunik, kan pa taq nab'i'el ch'ob'oj k'o chi nkikanuj ri ajilab'al achamaq'i' ri winaqi' yetz'iloq rik'in ri samaj.

Richin nch'ob' rij ri rub'anem , nchap rij rik'in ri Jik'ib'al wuj xyi'ox pa juk'al julajuj q'ij richin rox ik' richin ri juna' woq'o' waqlajuj, k'o pa wuj 2567-2015, ntz'et pa rub'ixik VII, yari' moloj re' xub'ij chi nk'aj qa mul [Jik'iwuj yi'on pa wuj 3878-2007, molon 156-2013 chuqa' 159-2013 chuqa' 1149-2012], xub'ij chi ri k'utunik k'o chi nb'an chike ri achamaq'i' taq winaqi', yari' k'a xelax pa kik'u'x ri kaxlan taq winaqi' richin yeto'ox ri winaqi' richin mayetzilox ta ruma kib'anob'äl, ruma k'a k'iy mul etzilon ruma ri Champomal, ruma k'a ri, ri k'utunik k'o chi nb'an chike ri achamaq'i' ta winaqi' ntz'itox k'a akuwi' ki to'ik, richin chuqa' yech'o' pa ruwi'ri samaj, na'oj njowax nb'an pa kitinamita, yari' k'a nutz'ila' kik'aslen.

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Ruxaq wuj ajilab'äl juk'al b'elejlajuj chara kajk'al waqxaq'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Keri', Xb'ix chi ruxe'el ri rub'eyal richin la jun tob'äl, ri yoruto' ri achamaqi' taq winaqi', yari' tz'ib'atal pa taqotzi ruma ntzilox kicholajem, chuqa' etz'eb'atäl pa k'iy kaxlan wuj ri Iximulew rujuch'un: Atewab'äl richin ri Waqxaqk'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj pa ruwi' achamaqi' taq einaqi' chuqa' nk'aj chik achamaqi' taq winaqi' ek'o pa nk'aj chik tinamital makijuch'un ta la jun wuj re' -juch'un ruma Iximulew pa juna'kajq'o' b'elejlajk'al waqi'- chuqa' xuya' jun jeb'el tzij chirij ri xub'ij qa ri Moloj Cholk'aslemalil pa ri wuj xb'an kajk'al b'elejlajuj- kajk'al wolajuj-; Kaxlan moloj richin Rucholajem K'aslemal -juch'un ruma Iximulew pa juna'kajq'o' oxk'al waqxaqlajuj -; Moloj pa ruwi' nlesas nojel etzelal nb'an chike ri winaqi' ruma kib'anob'äl; xb'ix ru ma ri Tunutinamital pa ruwi' ri achamaqi' taq winaqi' -xyi'ox ru q'ij pa moloj richin tunutinamital- chuqa' xujuch ri iximulew, pa oxlajuj q'ij chara ri ik' rub'elej richin juna' woq'o' wuqu'. Pa rib'ixik ri, la moloj re', xutz'equetesaj apo ri b'anon pe pa ruwi' ri kaxlan cholajen richin k'o chi nk'utux chi ri achamaqi' taq winaqi' yari' k'a k'o chupam ri taqotzij richin Iximulew, rutz'iton `moloj k'o b'ixik cholk'aslemalil', ri ek'o chupam ri wuj richin ruxe'el cholajem chuqa' ri ma'ek'o ta chupam, chiq'a yeto'n richin ri cholajem k'aslem ek'o chupam ri Cholk'aslemalem (...) yari' k'o chi junan nb'an chike rik'in ri kaxlan taj taqotzij rujuch'un Saqamaq', chuqa' nk'atzin chara ruto'ik richin cholajem k'aslem pa Iximulew, [solsamaj xyi'ox pa wuj kajq'o', julajk'al ka'i'] (...)"

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Ruxaq wuj ajilab'äl kak'al chara kajk'al waqxaq'ä
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kajj'-woq'o' waqlajuj

Chuqa' xub'ij chi ri Kaxlan Moloj richin Rucholajem k'aslemal, chiri k'utunik b'in pa Atewab'äl richin ri Waqxaqk'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj (OIT) pa ruwi' achamaq'i' taq einaqi' chuqa' nk'aj chik achamaq'i' taq winaqi' ek'o pa nk'aj chik tinamital makijuch'un ta la jun wuj re', nqatz'et chi k'iy tinamitalil ek'o chupam ri Kaxlan Koloj (Organización de Estados Americanos), ruma xkijal rub'eyal ki taqotzij pa kitinamitalil chuqa' ruma ri b'in pa Moloj richin Cholk'aslemalem (Cortes de Justicia), xki' yatzij richin chajixik [Jik'ib'an soloj ruma ri rub'anem Achamaq'i' Tinamit Kichwa de Sarayaku vrs. Ecuador (pwaq chuqa' taq'aj); motzaj waqxaqk'al oxi' (163) k'a waqxaqk'al wo'o' (165)], xutz'etatisaj chi yare' moloj, "Junan nb'ij rik'in ri moloj re' chuqa' rk'in ri b'anem nkitzizoj pe xb'antaj Argentina, Belice, Bolivia, Brasil, Chile, Colombia, Costa Rica, Ecuador, México, Perú chuqa' Venezuela, xuya' pe pa saqil chi yalan nk'atzin ri nk'utux chi ri Achamaq'i' taq winaqi' pa Iximulew [Jik'ib'an Soloj k'o pa wuj b'elejqo'o' oxlajk'al waqxaqlajuj- woq'o' wuqu' 3878-2007, kaq'o' julajq'o' julajuj- woq'o' b'eleje' 1031-2009, kaq'o' oxlajk'al kab'lajuj-woq'o' julajuj 1072-2011, kimolon wuqk'al waqlajuj-woq'o' oxlajuj 156-2013 chuqa' wuqk'al b'elejlajuj-woq'o' oxlajuj 159-2013, kaq'o' wuqlajk'al b'eleje'-woq'o' kab'k'al 1149-2012 chuqa' kab'lajqo' wuqk'al wuqlajuj-woq'o' kab'lajuj 4957-2012, k'o nk'aj chik], yari' nub'ij chi ru samaj k'o chi nub'an rik'utunik pa ru ulew".

Chuqa', k'atzinel natax pa la jun moloj re', pa jik'ib'al soloj richin oxi' q'ij, chara rub'elej ik' richin juna' woq'o' waqxaqlajuj, xub'ij chi ri Q'atöy Tzij (Comisión Interamericana de Derechos Humanos) chi ri Saqamaq' k'o chi nkitz'et chi nb'an ri k'utuxik chike re Achamaq'i' taq winaqi', taj k'o samaj nb'an, ri samaj ri' nuya' k'ayawal pa kik'aslen, yari' nuya' k'a to'ik pa kik'aslen ri achamaq'i' taq winaqi', junam rik'in ki b'anob'al.

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Ruxaq wuj ajilab'äl kak'al jun chara kaj'aj waqxaqi'

Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuq'k'al kaji'-woq'o' waqlajuj

Pa ri Jikib'an soloj chuqa' xub'ij ri Q'atöy Tzij (Corte Interamericana de Derechos Humanos), xub'ij chi ri yek'ase' ri achamaq'i' taq winaqi' maxew ta k'a nk'aje' kich'akul, k'o chi ntz'et akuwi' ri kina'oj richin nkito', nkichajij ri kib'anik rik'in ri ulew, ruma ri' ri kib'anob'äl, kib'anik, kirajil, akuwi' nkib'an chare richin nkinuk' ki', yari' k'a k'o chi nto'ox, nchajix. [Q'atöy Tzij (Corte IDH). Rub'anem richin ri tinamit Saramaka rik'in Surinam. Nch'ob' chirij ri Jik'ib'al soloj xyi'ox paqe' pwaq, rutojik chuqa' taq'aj. Jik'ib'al soloj xyi'ox kab'lajuj q'ij chara ri ruwaqxaq ik' richin ri juna' woq'o' waqxaqi'. Cholajitz C ajilab'äl b'elejlajk'al wo'o', motzaj juk'al wuqlajuj].

Yare' moloj xub'ij, chi nuch'ob' junam, chi ri chajinik ri k'aslen ma xew ta k'a ntzijon chirij ri taqen tzij richin Saqamaq' richin nuchajij ri cholajem k'aslemal richin ri winaqi' ek'o chupam ri nk'ataj tinamital ri', chuqa' ri taqen tzij richin nunuk' b'ey richin nchajix ri rub'anik ki b'anob'äl, ki ulew ri achamaq'i' taq winaqi' [Q'atöy Tzij, Comisión Interamericana de Derechos Humanos, Op. Cit., P.87].

Chara yari', yare' moloj xub'ij chi ri xkib'ij ri Q'atöy tzij k'a xenatax qa (Sistema Interamericano de Derechos Humanos) xkib'ij chi ri k'utunik yalan nk'atzin richin nchajix kib'anik ri achamaq'i' taq winaqi', ma xew ta k'a richin nuto' jun winäq, yari' k'a jun n'im na'oj pa Tunitinamital richin nto'ox, nchajix ri jeb'el k'aslemal chike ri winaqi' ri'.

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TINITIMITALIL IXIMULEW (REPÚBLICA DE GUATEMALA, C.A.)

Ruxaq wuj ajilab'äl kak'al ka'i' chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Ruma ri', ri nyi'ox rq'ij ki cholajem nïm rejqalem, yari' jun taqen tzij richin ri Saqamaq' richin nuto', nuchajij, xaxtzilox k'o chi nu chojmij . Yare' taqen tzij richin Saqamaq' k'o chi nch'ob'otaj chi nb'an ruma yalan k'atzinel nyi'ox jun jeb'el kusaxik chara ri rab'ajul ulew, chuqa' rik'in ri cholajem ri winaqi', chuqa' taq ri winaqi' ri' yalan etz'ilon ruma ri kib'anob'al.

Pa rub'eyal ri' ri Mokaj re' xtz'ib'äj pa ri xb'ix pa wuj waqqo'o' waqxaqk'al wuqu'-woq'o' wolajuj 2567-2015: "(...) ri nejowax, jun ketz'etetaj, k'ari' yetz'et k'ari' tiyi'ox rq'ij ri nkijo' ri winaqi' xetz'iloq, chuqa' tutz'et nab'i'el chi ri njowax nyi'ox chike ruma ti samaj richin yek'iy nb'an pa kitinamit. Ri rub'anik ri Saqamaq' Iximulew ruma rajil, rub'anob'äl, rub'anik, chuqa' ri ruwach'ulew, nrajo' k'a chi ri K'amöl taq b'ey k'o chi nkikanuj kikotemal rik'in ri ek'o pa Iximulew chuqa' rik'in ri nimaq' taj samaj richin nk'iyir, yari' k'o chi üt'z nb'an chara, pa rub'eyal, kikotemal taqotz'ij chuqa' kik'in winaqi'; ri üt'z nub'an chara ri taqen tzij kik'en kaxlan taj tinamital; chuqa' rik'in ri taqen tzij richin nuya' ruq'ij, nuto' kicholajem winaqi' ek'o pa Iximulew (...)"

-V-

CHIRIJ RI XK'IS RI RUB'ANIK RI K'UTUNIK
CHUPAM RI RUB'ANEM RE'

Xtz'ib'ataj qa k'a chupam ri cholaj xq'ayan qa, chi ri nk'utun xub'ij, chi ri ruk'u'x ri k'ayawal, ruyi'k ri to'ik wuj, richin nlesas rab'ajul ulew, ri xuya' ri chojchij najin nyi'ox wa ruch'ojkil wakami, nab'i'el ma xub'anta ri k'utunik chike ri achamaq'i' taq winaqi'

MOLOJ RICHIN K'ASLEMALIL (CORTE DE CONSTITUCIONALIDAD)
TINITIMITALIL IXIMULEW (REPÚBLICA DE GUATEMALA, C.A.)

Ruxaq wuj ajilab'äl kak'al oxí' chara kaj'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

ri ek'o chupam ri tinamital akuchi' nb'an wa ri samaj, nlesas rab'ajul ulew, pa rub'ixik wakami pa San Pedro Ayampuc chuqa' San José del Golfo richin Iximulew.

Pa ri nab'ey taq tzij richin ri Tob'äl Tzij xub'in chi pa juk'al jun q'ij chara ruwaq ik' chara ri juna'woq'o' kajlajuj xk'utuj chara ri mokaj richin nyi'o rutzijol k'o chupam ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Unidad de Información Pública del Ministerio de Energía y Minas) ri xb'ij kere': chupam ri xb'an richin xyi'ox ri to'ik wuj richin nlesas rab'ajul ulew "PROGRESO VII DERIVADA" Xb'an ri k'utunik chara ri achamaq'i taq winaqi' akuwi' nub'ij ri Atewab'äl richin ri Waqxaqk'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj pa ruwi' achamaq'i' taq einaqi' chuqa' nk'aj chik achamaq'i' taq winaqi' ek'o pa nk'aj chik tinamital makijuch'un ta la jun wuj re' chuqa', xat xb'an, nuya' ri wuj akuchi' ntz'et wi chi xb'an ri k'utunik. Xb'ij chi pa koxi' q'ij nuya' -pa jun q'ij chara ri ruwaqxaq ik' richin woq'o' kajlajuj juna'-ri mokaj chojcha xk'utuj wi, xb'ij chara, pa jun taqotz'ib', ri solsamaj UIP juq'o' oxk'al qawxaqi'-woq'o' kajlajuj (UIP 468-2014) chupam ri xb'ij chi, pa ajilab'äl kaji', retal cholajil a), pa ri wuj DCM-OFI-Wolajk'al kab'lajuj-woq'o' kajlajuj (DCM-OFI-312-2014), xtz'ib'ax ruma ri k'amöl b'ey richin mokaj richin nchajin ri eleb'el, xtz'etataj: "Akuwi' nub'ij pa ajilab'äl b'eleje' richin ri solsamaj richin xb'ix je chara rub'eyal k'o chinb'an rik'in ri ruch'ulew ajilab'äl 1010/2011/DIGARN/ECM/cmus, yari' pa ruxaq wuj kaq'o' oxlajk'al b'elej'e nub'ij: chupam ri nab'ey taq tzijonik xb'an pa ruwi' achike rub'eyal k'o chi nb'an chara, akuwi' nub'ij pa ri nuk'ik xub'an ri Chitüy richin Ruch'ulew chuqa' ri Achinäq ek'o pa Ruch'ulew (Ministerio de Medio Ambiente y Recursos Naturales) xyi'ox al rik'in ri ch'ob'oj, pa ri wuj nuk'ik richin nkib'ij ri winaqi', wuj akuchi' ntz'ib'ax wa kib'i' winaqi' chuqa' tz'eteb'äl akuwi' nb'an chara ri k'utunik xb'an chike ri k'amöl b'ey richin Raxnaqil, Agyuq'

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Ruxaq wuj ajilab'äl kak'al kaji' chara kaj'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuq'äl kaji'-woq'o' waqlajuj

Chike ajk'amöl b'ey chuqa' chiki winaqi' ek'o pa ri tinamital akuchi' nb'an wi ri samaj, rije' xkib'ij chi je tub'an ri samaj yari' b'in pa ri wuj ch'ob'oj. Ri wuj xyi'ox akuchi nub'ij wa ri' k'o pa ri ruxaq wuj kaq'o' b'elejk'al b'elejlajuj k'a kaq'o' julajk'al kaji' (...)"

Ri moloj xk'utun ri Tob'al Tzij xub'ij chi pa wuqlajuj q'ij chara ruwaqxaq ik' chara ri juna' woq'o' waqlajuj xb'apon pa ri moloj ruchojmil nb'ano richin ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas) richin nyi'ox rach'ab'äl ri nojel ri wuj, taj xnuk'ux, xub'ij chi pa ruxaq wuj (kajk'al b'elejlajuj) kaq'o' julajk'al kaji' (1024) -akuchi' nb'ix chi k'o ru xe'el ri k'utunik xb'an- xew k'o rub'eyal akuwi' k'o chi nb'an chara ri k'utunik, wuj akuchi' tz'ib'atal kib'i' winaqi', chuqa' wuj akuwi' nb'an chara ri k'utunik chike ri Samajel Amaq' chuqa' chike nk'aj chik winaqi', ri xb'an richin xb'ix chi ützi ri Ch'ob'oj richin Ntz'et ri Nimaretal nuya' jun samaj pa Ruwach'ulew (Estudio de Impacto Ambiental) richin ri to'ik wuj richin nkilesaj Eleb'el. Xub'ij chi pa ri wuj xtz'et chi ri Chitüy ma xub'an ta ri samaj richin k'utunik akuwi' nub'ij pa Atowab'äl waqxaqk'al b'eleje' (169), nab'ey chi nyi'ox ri wuj richin nlesas eleb'el.

Chupam ri xyaloj ri rub'eyal cholk'aslemalil, Ri Moloj richin Tob'äl Tzij richin nab'ey palb'äl xuya' paqe' ri wuj xk'utux, xub'ij chi tupab'ay ri to'ik wuj yi'on richin nlesas rab'ajal ulew ri xb'ix chi xtz'ilo kicholajem ri winaqi'. Ruma ri xb'ix, chojcha xyi'ox wa ri wuj -Exploraciones Mineras de Guatemala, Sociedad Anónima-, xuk'utuj chi tu pab'ax ri Tob'äl Tzij xyi'ox paqe', nk'aj chik ri Ch'ob'oj richin Ntz'et ri Nimaretal nuya' jun samaj pa Ruwach'ulew (Estudio de Impacto Ambiental) xuya' chara ri rub'eyal richin nk'utux chike ri winaqi',

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Ruxaq wuj ajilab'äl kak'al wo'o' chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Akuwi' nub'ij pa ajilab'äl b'eleje' pa jun solsamaj kaq'o' lajk'al lajuj-woq'o' julajuj/DIGARN/ECM/cmus, richin juk'al oxirichin ro ik' richin juna' woq'o' julajuj, yari' xb'in chi je chara ri Ch'ob'oj richin Ntz'et ri Nimaretal nuya' jun samaj pa Ruwach'ulew (Estudio de Impacto Ambiental)- pa la nk'aj b'ixik: (...) pa ri ramaj q'ij richin nk'utux chike ri winaqi' akuwi' xub'ij ri Chitüy richin Ruch'ulew chuqa' ri Achinäq ek'o pa Ruch'ulew (Ministerio de Medio Ambiente y Recursos Naturales), xeyi'ox rik'in ri wuj, rub'eyal akuwi' k'o chi nb'an chara ri k'utunik, wuj akuchi' tz'ib'atal kib'i' winaqi', chuqa' wuj akuwi' nb'an chara ri k'utunik chike ri Samajel Amaq' chuqa' chike nk'aj chik winaqi' akuchi' nb'an wa ri samaj, kenojel xkib'ij chi je tub'an ri samaj, yari' nub'ij chupam ri ch'ob'oj xb'an (...)” Ruxe'el rik'in ri' röx xub'ij, tajmajane nyi'ox ri to'ik wuj, je xub'an ri b'anoj ek'o chupan ri nuk'ik wuj richin ri k'utuxik, yari' xub'ij ri q'ij taj xuya' ruch'ojkil.

Chupam yare'moloj, xi Chitüy xyi'ox ruch'ojkil chara nub'ij chi je xub'an ri k'utunik pa risamaj nb'an richin nlesas rub'ajal ulew chike rin k'amöl taq b'ey, ajyuq', winaqi' richin ri tinamital, akuwi' xub'ij ri Chitüy richin Ruch'ulew chuqa' ri Achinäq ek'o pa Ruch'ulew (Ministerio de Medio Ambiente y Recursos Naturales). Chuqa' xub'ij chi ri wuj akuchi' xnuk' wa akuwi' nb'an chara ri rub'eyal akuwi' k'o chi nb'an chara ri k'utunik, wuj akuchi' tz'ib'atal kib'i' winaqi', chuqa' wuj akuwi' nb'an chara ri k'utunik chike ri Samajel Amaq' chuqa' chike nk'aj chik winaqi', k'o al rik'in ri wuj.

Pa rub'ixik, pa ri nuch'ob' ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el, taj majane nuya' ri to'ik wuj richin nlesas eleb'el, xub'an ri achike k'o chi xub'an par b'eyal ri taqotzij. Yari' nyi'ox ruch'ojkil.

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Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Ri xb'in rik'in ri Q'atöy Tzij (Ministerio Público), xkib'ij chi ri wuj xkijax ma nusaqarsaj ta chi xb'an ri k'utunik akuwi nub'ij ri Atowab'äl waqxaqk'al b'eleje (169 OIT), pa tinamital richin San Pedro Ayampuc chuqa' San José del Golfo pa Iximulew, ruma ri b'anoj najin chuqa' ri poqonal najin nyi'ox pa ki tinamit.

Yare' moloj ruma ri xb'antaj nutzu' k'a k'atzinel chi nuch'ob' achike ruma xb'an kiri' ri Chitüy, k'o chi nutz'at chi ri xb'antaj yari' k'a jun k'utunik, akuwi' k'o chupam wuj Atowab'äl waqxaqlajuj b'eleje' (OIT) rib'in pa ruma ri kaxlan taq moloj, richin Rucholajem k'aslemal.

A) Ri k'o chi yetz'et taj xb'an ri k'utunik chike ri achamaq'i' taq winaqi'

Pa jik'ib'al soloj xyi'ox pa ox'i' q'ij chara ri rub'elej ik' richin ri juna' woq'o' waqxaqi', k'o chupam ri wuj julajq'o' b'elejlajkal wo'o'- woq'o' wuqlajuj 4785-2017, yare' moloj xub'an jun ch'ob'oj pa ruwi' ri k'o qa, pa retal cholajil D) xb'ix V, k'ochi nk'ut ri xb'an chi xk'utux chike ri achamaq'i' taq winaqi', richin ntz'et, nojix rij, ützi xub'an, ma ützi ta xub'an, yare' yetz'ib'ax apo:

i)k'o chi nb'an nab'l'el k'ari' ützi niyi'ox ruch'ojkil. Ri ntz'et achike etzelal nb'an chike ri achamaq'i' taq winaqi' pa ruwi' jun samaj richin nelesas eleb'el, k'o chi nb'an nab'l'el. Ru taqen tzij ri Saqamaq' k'o chi nub'an, k'ari' nuya' jun tozik wuj.

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Ruxaq wuj ajilab'äl kak'al wuqu' chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuqu'-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kajj'-woq'o' waqlajuj

ii) K'o chi pa chojchoj chuqa' nb'ix chike: ki Saqamaq' k'o chi nab'iel nub'ij chike chuqa' taj najin nb'aj ri samaj, pa qatzij achike nb'anataj pa kitinamit, achike k'ayawal ruk'amon pe, k'o chi nutz'an achike nk'atzin chi nb'an ri samaj. Chuqa' ri q'atöy taq tzij k'o chi nkitz'at chi kenojel ütze'apon, majun xib'iril nti'ox ta richin maye'apon ta yech'ob'on, nkiya' na'oj, taj nb'an chuqa' taj npaj rij ri samaj nkijo' nb'an ma ri Saqamaq' yari' k'a nuya' k'ayawal pa kik'aslen.

iii) k'o chi yetzijon pa qetzij, ri b'inikil yetzijon, pa saqil, pa ch'ob'oj chuqa' ri niman tzij.

mank'ista ruma xb'ix jub'ey ri k'utunik mank'ista rub'anik xew nb'an richin ye'el chupam ri b'in chike, k'utunik, b'anoj richin nb'ix, k'o chi ntz'et chi yari' k'o chi un jaq b'ey richin yeb'apon ri winaqi' richin yech'ob'on, ye pajon chuqa' richin yetzijon pa rub'eyal chi ka'i' moloj rik'in ri niman tzij. Chi ka'i' moloj k'o chi yetzijon pa saqil, pa qatzij, mantaqeta k'a kitzij chirij ri nkijo' rije'

iv) Ri k'utunik k'o chi nb'an richin xa jun na'oj nkib'an: rik'in kilaj k'uxlal richin ye'apon pa jun

ch'ob'oj -chiri richin ta nb'ix achike k'o pa qatzij achike mani-maxew ta k'a richin nsaqilsax ri jujun taq achinaq achike rub'anik ri samaj njowax nb'an; k'o chi nusamajij, nusiloj chi kikojol ri niman tzij richin ye'apon pa jun na'oj, jun ütze'aj ch'ob'oj, ri nkib'ij je tu b'an ri samaj najin najin ntzijox. Ma ütze'aj ta k'a nkik'ax chi ka'i' molaj rub'eyal yare' samaj,.

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Ruxaq wuj ajilab'äl kak'al waqxaqi'chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kajj'-woq'o' waqlajuj

V) K'o chi nb'an pa rub'eyal kichin ki b'anob'äl ri winaqi' richin ri tinamital, akuchi' tiyi'ox ruq'ij ri nkib'an ri achamaq'i' taq winaqi', kan k'o chi nyi'ox ruq'ij ri molaj nk'uwan kib'ey: ri Saqamaq' k'o chi nuk'utuj chike ri achamaq'i' taq winaqi' pa rub'eyal ri kik'aslen, k'o chi nuya' ri q'ij ri rub'anil nkib'an rije' richin yech'ob'on. Yare' rub'anik nb'an taj nyi'ox ruq'ij ka'i' ruxe'el achinaq: a) nkusax jeb'el taq b'anoj. Maxew ta k'a jun üt na'oj richin nb'an, yari' k'o chi nch'ob' chi nuk' kik'en chi ka'i' mokaj richin ri' k'o chi ntz'et rub'anik ri tinamit chuqa' ri Iximulew. Ri k'utunik chuqa' k'o chupam chi ri tinamital k'o chi nb'ix chike achike samaj ruk'uwan ri rub'eyal ri k'utuxik nb'an chike; b) Ri k'utuxik chike ri achamaq'i' üt nb'an kik'en ri moloj nkitaq pe rije, yari' üt nkiya' ri rije' nkijo', ri nïm rub'eyal kib'anikil ri achamaq'i' taq winaqi' nub'an k'a chi ma üt ta nyi'ox xa jun b'ey akuwi' nb'an chara ri k'utunik. K'o chi ntz'et chi ri winaqi' epetenäq pa kib'i' ri winaqi' achamaq'i' je xe cha'ox pa kina'oj ri winaqi' ek'o pa ri tinamital.

VI) Yare' k'o rub'eyal: ri k'utuxik k'o chi nb'an pa taq na'oj ri üt njal, k'o rub'eyal, nkamulux chuqa' pa saqil. Taj majane ek'o ri na'oj ri pa taq taqotzij [akuwi' rub'anon pa Iximulew], k'o chi nyi'ox paqe' taj na'oj richin nb'an jun üt laj k'utunik, ri nb'an ri samaj ri' k'o chi ntz'et chi yeb'apon ri achamaq'i' taq winaqi'.

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Ruxaq wuj ajilab'äl kak'al b'eleje' chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

B)Ah'ob'oj pa ruwi' rib'anon pe chirij ri to'ik wuj xyi'ox richin nlesas eleb'el "Progreso VII Derivada"

Ri k'amöl b'ey xyi'ox ruchojkil chara, xub'ij chi ri nab'ey k'utunik xb'an, xtzijox chuqa' xeb'apon ri k'amöl taq b'ey richin ri tinamital, ri xb'anataj k'o k'a chupam ri b'in ruma ri Kaxlan Moloj richin Samaj (OIT), chuqa' ri Atowab'äl waqxaqk'al b'ejele' (169), pa rub'eyal ri kicholajem k'aslem ri achamaq'i' taq winaqi'.

Ri moloj Exploraciones Mineras de Guatemala, Sociedad Anónima, chupam ri k'iy taq b'eyal na'oj xya' pa b'anol cholk'aslemalil, junam kina'oj rik'in ri moloj najin nyi'ox ruch'ojkil chara, ri Saqamaq' richin Iximulew, nab'iel richin nyi'ox ri to'ik wuj richin nlesas eleb'el, je xb'an ri samaj richin k'utunik pa rub'eyal, pasaqil, xb'ij chi je' xb'an ri samaj chi nk'utux, xujach jujun wuj akuchi' ntz'etz wi ri samaj xkib'an, yari' k'o chupam ri wuj, xuya' ruch'ab'äl jujuj wuj akuchi' ntz'et wi ri rub'eyal ri samaj xb'an. Xub'ij chiq'a' chi pa ri samaj ri, ri winaqi' eb'enaq pa kib'i ri achamaqi' taq winaqi' xkib'ij chi je tub'an ri samaj pa kitinatit.

Ri ch'ob'oj pa ruwi' ri wuj SEXT-054-08 xb'an ruma Chitüy richin Uchuq'alb'il chuqa' Eleb'el

(Ministerio de Energía y Minas)- ri ruch'ab'al kemil k'o pa wuj richin atowab'äl – ntz'et chi k'o: **a)** Ch'ob'oj richin Ntz'et ri Nimaretal nuya' jun samaj pa Ruwach'ulew (Estudio de Impacto Ambiental) xb'an ma ri Exploraciones Mineras de Guatemala, Sociedad Anónima, chupam ri k'utunik richin nlesas eleb'el rub'i' "Progreso VII Derivada", xtz'et, chi xuya' k'iy rutz'eqat yari' wuj xe tz'et pa jalajoj taq moloj

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Ruxaq wuj ajilab'äl kak'al lajuj chara kajk'aj waqxaqi'

Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

“ Nuk'ik wuj richin yeb'apon ri winaqi' richin ri Ch'ob'oj richin Ntz'et ri Nimaretal nuya' jun samaj pa Ruwach'ulew samaj Progreso VII/Plan de Participación Pública del Estudio de Impacto Ambiental del Proyecto Progreso VII” chiri moloj xub'an; ri wuj ri' nub'ij achike ruma njoj nb'an ri samaj, ri tinamital akuchi' nb'an wi, ri kib'anik ri tinamital, jun k'utb'äl na'oj akuchi' k'o wa ri k'utunik nb'an chike ri winaqi' richin raxnaqil, k'amöl b'ey richin ri tinamit, ayuq', samajel tinamit, k'utunik richin ri samaj chi kiwach' ri k'amöl b'ey (Alcalde y consejo municipal) richin ri tinamit, xtz'et ri yeyi'o na'oj richin nk'i ki tinamit, moloj kichin winaqi' ri ek'o akuchi' nb'an wi ri samaj, jun ruch'ab'äl richin ri wuj k'utunik xb'an chuqa' jun jun akuchi' tz'ib'atäl wi kib'i' ri winaqi' xeb'apon taj xiyi'ox rub'ixik chuqa' ri b)ri solsamaj ajilab'äl 1010/2011/DIGARN/EC/CM/cmus richin ri juk'al oxi' richin woq'o' julajuj, chupam yari' ri k'amöl b'ey richin ri Ruch'ulew chuqa' ri winaqi' richin ri Chitüy richin Ruch'ulew chuqa' ri Achinäq ek'o pa Ruch'ulew (Dirección de Gestión Ambiental y Recursos Humanos del Ministerio de Medio Ambiente y de Recursos Naturales) xuya' ruq'ij ri Ch'ob'oj richin Ntz'et ri Nimaretal nuya' jun samaj pa Ruwach'ulew (Estudio de Impacto Ambiental), chupam ri retal cholajij b'eleje' xub'ij chirij ri “Xkipob'a ki' chuqa' rajqalem ri ye'apon ri winaqi'” chupam ri' nub'ij chi xb'an samaj richin xb'ix chuqa' rumolik ri xkib'ij ri winaqi' richin yari' tinamital.

Taj xch'ob' chi ka'i' wuj nqab'ij chi, je wa chi ka'i' b'anoj nkib'ij ri wuj xb'anataj taj majane nyi'ox ri to'ij wuj richin eleb'el, yari' manub'ij ta chi pa rub'eyal xb'an wi ri k'utunik, ru ma k'a k'o chi xub'an ri nk'aj chik achinaq xqanataj yan qa chuqa' chi je xkib'an b'anoj akuwi' k'o pa atewab'äl richin ri Waqxaqk'al B'eleje'.

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Ruxaq wuj ajilab'äl kak'al julajuj chara kajk'aj waqxaqi'

Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Chuqa', pa ni jun chike ri b'anoj, moloj, b'ixik ri nkib'ij ki k'o chupam ri wuj tz'etaq chi taqon pe, ntz'et chi ri winaqi' xeb'apon richin ri k'utunik mantz'et ta chi je echa'on ruma ri echamaqi' taq winaqi'. Ri nb'ix chi k'o jojuj winaqi' eb'enaq pa kib'i' ri k'amöl b'ey richin ri tinamital akuchi' nb'an wi ri samaj, yari' ma pa saqil ta k'owa ruma k'a ri winaqi' xeb'apon yari' chuqa' rusamajala' Amaq', ma echa'on akuwi' nkib'an ri achamaqi' taq winaqi' richin ri San Pedro Ayampuc chuqa' San José del Golfo richin Iximulew.

Chuqa', je' xb'an wi ri moloj chupam ri tinamit akuchi' nlesas wi' ri eleb'el k'o pa Tz'eqat Wuj, xenaqajan apo jub'a' chike ri k'amöl b'ey kichin ri winaqi' chuqa' winaqi' kichin ri winaqi', majun k'a rub'ixik chi je xb'ix qatzij chike pa ruwi' rub'eyal ri samaj nb'an, chuqa' majun xb'anta ch'ob'oj richin pa chi ka'i' moloj nkinuk' rub'eyal ri samaj x apa jun na'oj.

Chuqa', k'o chi nqab'ij chi xak'en jub'a pa rub'anik xb'an wi ri nab'ey taq moloj kik'en ri k'amöl taq b'ey (Alcalde Municipal y su concejo, COCODES), chuqa' ntz'et chi xew xq'axax chi kiwach, ma xech'ob'on ta k'a, maxkib'ijta rije' akuwi' üt, akuwi' ma üt ta nb'an chara richin k'a xkib'anta xa jun na'oj richin xb'anta ri rub'eyal ri k'utunik.

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Ruxaq wuj ajilab'äl kak'al kab'lajuj chara kajk'aj waqxaqi'
Wuj emolon
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Chuqa' maxtz'etetajta pa taq wuj chi xb'ix ta chike achike rub'eyal, rub'anik, achike k'ayawal chuqa' ri to'ik ruk'amon pe pa kib'anob'äl, pa kib'anik, pa kina'oj, pa kik'aslen, pa kiruch'ulew, chupam ri rub'anik nkib'an rije' chara richin nk'iy ki tinamit akuchi' nb'an wi ri samaj. Xmol ri k'ay taq ch'ob'oj nkib'ij chi nuk'om pe ri jun samaj re' pa ki raxnaqil, ruch'ulew, majun xwil ta k'a chi k'o ta xb'an richin nchojmix ri k'ayawal xk'ompe ri samaj ri pa kik'aslen ri achamaq'i' taq winaqi' chuqa' k'o ta xb'an richin t ama nta xapo nri k'ayawal.

Chuqa' ntz'et chi ri b'anoj xeb'an, maxb'anta pa kina'oj, pa kib'anob'äl ri achamaq'i' taq winaqi'. Chuqa' majun xtz'eta chupam chi k'o ta k'a b'anoj xb'an richin xeto'ox, xechajix ri kib'anik ri achamaq'i' taq winaqi' ek'o pa ri tinamital ri'. Majun chupam chi ri samajb'äl wuj xkusasta k'a richin ntz'et ri k'ay taj b'anoj nub'an ri samaj nb'an richin nlesas eleb'el nuya' pa ki b'anob'äl, kib'anik richin nkinuk' ki', xa xjusax k'a richin xmol achike nkich'ob' ri winaqi' ri' pa ruwi' ri samaj nb'an pa ki tinamit, chuqa' xew xb'ix ri achike üt achike ma üt ta ruk'amon pe ri samaj ri pa ki tinamit.

Chuqa, ri wuj nuk'ik samaj -ri natax akuwi' " Nuk'ik wuj richin yeb'apon ri winaqi' richin ri Ch'ob'oj richin Ntz'et ri Nimaretal nuya' jun samaj pa Ruwach'ulew samaj Progreso VII/Plan de Participación Pública del Estudio de Impacto Ambiental del Proyecto Progreso VII" xb'an akuwi' xub'ij ri

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Ruxaq wuj ajilab'äl kak'al oxlajuj chara kaj'aj waqxaqi'

Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuq'k'al kaji'-woq'o' waqlajuj

Chitüy richin Ruch'ulew chuqa' ri Achinäq ek'o pa Ruch'ulew= Ministerio de Medio Ambiente y Recursos Naturales, k'o chupam ri' Ch'ob'oj richin Ntz'et ri Nimaretal nuya' jun samaj pa Ruwach'ulew (Estudio de Impacto Ambiental) -yari' nuk'utuj- ma tak'o ri', manxiy'oj q'ij chara; yare' nusaqarsaj achike k'o chupam ri Ch'ob'oj richin Ntz'et ri Nimaretal nuya' jun samaj pa Ruwach'ulew (Estudio de Impacto Ambiental) chuqa' chupam ri solsamaj xyi'o q'ij chara.

Ri ruk'isik richin la jun k'utunik nub'an ri taqotzij richin ny'iox jun q'ij chi jun wuj samaj richin ulew, ma ütztä ntz'itex chi yare' nulesaj taqen tzij chara ri Saqamaq' richin nub'an rusamaj richin nuk'utuj chike ri achamaq'i' taq winaqi'. Majun chik jun rub'anik, xa nqatzu' ri rub'eyal, ri xb'anataj pa la jun k'utuxik xb'an xew k'a xb'ix, xk'utux chike jujun winaqi' richin ri tinamit. Ruma ri b'anoj xb'an majun ta xutz'at chi k'o chi xeb'apon ta ri qatzij kitaqon pa kib'i' ri achamaq'i' taq winaqi', nlesas qa la jun tinik' b'anoj re' xb'an, yare' b'anoj ma jun rub'eyal richin man taxtub'an ri k'utunik akuwi' nub'ij pa Atewab'äl waqxaqk'al b'eleje' (169).

Jun chik b'anik k'o chi nqatzet, rik'in ri jalajoj taj b'anoj xb'an ruma ri winaqi' xeyi'o ru ch'ojkil kik'en winaqi' richin ri tinamital yari' moloj, xe'apon ri chin yetzijon, tzij richin b'ixik, qatzij wari' ri winaqi' ek'o pa ri tinamital akuchi' nb'an wi ri samaj richin ri winaqi' nkitamj chi nb'an ri samaj pa kitinamit, ma ütztä ta k'a ntz'et chi yari' jun b'anoj richin k'utuxik akuwi' nub'ij ri Atewab'äl waqxaqk'al b'eleje' (169), natax chi ri moloj re' (Corte) rub'in b'iniqil chi ri Rukowil samajel amaq' (Organismo Ejecutivo) rik'in ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas) ri k'o chi nb'ano ri samaj richin k'utunik kik'en ri achamaq'i' taq winaqi'.

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Ruxaq wuj ajilab'äl kak'al kajlajuj chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

K'atzinel natax chi chupam ri Ch'ob'oj richin Ntz'et ri Nimaretal nuya' jun samaj pa Ruwach'ulew (Estudio de Impacto Ambiental), chupam ri "Rub'anik" wi'opisika chuqa' winaq-pwäq (Características Biofísicas y Socioeconómicas) ri wuj nuk'ik b'anoj xuk'ut "Ri winaqi' ek'o chupam ri tinamital akuchi' nb'an wi ri samaj winäq-pwaq yalan k'ix ri k'axlan taq winaqi', xew pa ruk'u'x ri tinamit richin San Pedro Ayampuc, nb'ix chi k'o oxk'al waqi' b'elejk'al tz'uj wo'o' wolil (69.5%) achamaq'i' taq winaqi', pa rub'ixik chi rik'isb'al xnatax qa nuya' rub'ella chi k'o chi nb'an ri k'utunik akuwi' nub'ij ri Atewab'äl waqxaqk'al b'eleje' (169). Ri k'amöl b'ey richin ri yelesan ri eleb'el xub'an k'iy b'anoj xub'ij chara akuwi' "Nuk'ik wuj richin yeb'apon ri winaqi' richin ri Ch'ob'oj richin Ntz'et ri Nimaretal nuya' jun samaj pa Ruwach'ulew samaj Progreso VII/Plan de Participación Pública del Estudio de Impacto Ambiental del Proyecto Progreso VII"-ri xyi'ox q'ij chike ruma ri Chitüy richin Ruch'ulew chuqa' ri Achinäq ek'o pa Ruch'ulew (Ministerio de Medio Ambiente y Recursos Naturales) xb'ij chi xew re' nk'atzin ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas) ti kan qatzij junam rik'in "xew richin xtamax ri nkich'ob' ri winaqi' richin ri tinamital", pa k'isb'äl ri xk'utun ri to'ik wuj richin nlesas eleb'el xub'ij "chi kenojel ri winaqi' xe'apon, xkib'ij chi je tub'an ri samaj".

Pa rub'eyal, k'o chi natax, chi ri Q'atöy Tzij (Corte Interamericana de Derechos Humanos) xub'ij chi ri Saqamaq' k'o chi nb'ano ri samaj richin k'utunik k'o chi nub'an ri Saqamaq' ma yatak'a ri moloj nejowan nub'an ri samaj. Pa ri Sijol Samaj "Achmaq'i' taj winaqi', q'ëq taq winaqi' chuqa' rab'ajul ulew: to'ik ri rucholajem k'aslemal richin nlesas eleb'al chuqa' nk'iyir ri tinamit. Wahintong, DC., Estados Unidos: OEA/Ser.L/V/II. (2015)", ri Q'atöy tzij (Comisión Interamericana de Derechos Humanos) xnatax ri b'anem richin ri tinamit Asháninca richin Perú chuwach ri samaj richin k'amasaqil ya' richin Paquitzapango-chuqa' nk'aj chik samaj richin eleb'el pa Perú, akuchi' ri Saqamaq' nub'ij

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Ruxaq wuj ajilab'äl kak'al wolajuj chara kaj'aj waqxaqi'

Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuq'al kaji'-woq'o' waqlajuj

Chi ri moloj richin xyi'ox rub'ixik xb'an kik'en ri winaqi' ruma ri moloj nlesan eleb'el, nkib'ij k'a chi k'en ri' Saqamaq' mankib'anta chik ri k'utunik k'o chi nkib'an; pa ruwi' ri' xub'ij: "(...) ri moloj nunataj chi chupam ri kaxlan taqotzij ri k'o chi nb'ano ri samaj richin k'utunik yari' ri Saqamaq' nojel mul. Pa ruw'i ri ri Q'atöy Tzij (Corte Interamericana de Derechos Humanos) nub'ij chi k'o chi mansach ta ri samaj k'o chi nb'an ri nrajo' nuwil ri to'ik wuj rik'in ri samaj k'o chi nub'an ri Saqamaq' kik'en ri achamaqi' taq winaqi' (...) Pa ruwi' ri Q'atöy Tzij (Corte Interamericana de Derechos Humanos) chi ruk'ulun b'ixik b'iniqil chirij ri nkich'ojij ri ruyo'ik ri to'ik wuj chara ri moloj nselan eleb'el chi nub'an rusamaj ri Saqamaq'. Chuqa' nk'aj Saqamaq' nkib'ij k'a chi ri samaj richin ye'apon chuqa' nb'ix ri nkib'an ri moloj nkijo' nyi'ox chike ri to'ik wuj richin eleb'el nub'an chi rije' mankib'an ta chik ri k'utunik k'o chi nkib'an rije' kik'en ri achamaqi' taq winaqi' (...) [Nupixab'aj ntz'itox, Q'atöy Tzij (CIDH).Tzij xb'an ruma ru b'anik ri Rucholajem K'aslemal richin ri tinamit Asháninka en Perú, 138° Moloj xeb'an, juk'al oxí q'ij, chara rox ik', richin ri juna' woq'o' lajuj. Q'atöy Tzij (CIDH). Ch'ob'oj chirij ri Cholajem richin achamaqi' taq tinamit chuqa' richin kichuq'a' chuqa' richin nlesas rab'ajul ulew pa Perú, 140° moloj xb'an, juk'al waqi' q'ij, richin ralaj ik' richin juna woq'o' lajuj. Q'atöy Tzij (CIDH). Moloj richin ri Cholajem richin nk'utux nab'i'el , ch'ojch'oj chuqa' nb'ix chike achamaqi' taq winaqi' (Chuqa' nk'aj chik achamaqi' winaqi' ek'o (región Andina), 141° moloj xb'an, juk'al b'eleje' q'ij chaqa rox ik' richin juna' woq'o' julajuj].

Chuqa', risamaj xb'anataj ma ntz'et ta k'a akuwi ri samaj richin k'utunik xb'an akuwi' tz'ib'atäl pa Atewab'äl oxk'al b'eleje' (169), ruma ri k'amöl b'ey chi jujun yekik'oxaj ri winaqi' ek'o chupam ri k'ayawal re', ma xor wayoj ta ri qatzij winaqi' xekitaq ri Achamaqi' taq winaqi'.

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Wuj emolon
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Ruma ri ma ütztä ta nb'ix chi xub'an jun jeb'el samaj, nuk'ul richin tzij chijkikojol ri winaqi'.

Elenaq chara ri xb'ix yan qa, yare' q'atöy tzij (corte) nub'ij chi pa la jun rub'anem re', ma xub'an ta jun k'utunik akuwi' nub'ij ri Atewab'al oxk'al b'eleje' (169); ruma ri'; ma ütztä ta nk'on ri tzij xb'ix ruma ri winaqi' chojche xch'ojix wi ruma ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas), je xutz'u' ri taqen tzij maxub'an ta ri Saqamaq', ruma ri xy'ox ruq'ij ri Atewab'al oxk'al b'eleje' (169).

Pa Jikibal soloj xnatax, rixb'ix chupam ri wuj 4785-2017, Ri q'atöy tzij (corte) re' xub'ij "(...) ri rub'eyal ri k'utunik k'o chi xtz'et ta richin k'a taj xb'an ri b'anoj xekusas ta jeb'el taq wuj, richin rik'in ri achamaq'i' taq winaqi' xkitz'et ta k'a achike ri nk'atzin chike richin xkiya' ta jun jeb'el na'oj pa ruwi' richin ri k'iyirem ki tinamit, ki ulew. Ri k'äy taq na'oj xkiya' ri k'amöl taq b'ey richin ri tinamit xok ta k'a ru k'u'x richin xb'an ta ri wuj, xljajta k'a rub'anik ri samaj njowax nb'an, richin k'a xkiya' ta xa pa jun na'oj ri k'o chi ye'ok chupam ri kutunik chuqa' k'o chi xok ta chupam na'oj richin nchajix kik'aslen ri achamaq'i' taq winaqi' ek'o pa ri tinamital ri". Ri Q'atöy Tzij (Corte Interamericana de Derechos Humanos) chuqa' ri moloj winäq xkib'ij chi ri achamaq'i' taq winaqi' chuqa' nk'aj chik achamaq'i' taq winaqi' k'o chi yech'ob'on pa ruwi' ri samaj nb'an chuqa' pa ruwi' ri na'oj ek'o chupam yare' na'oj. "(...) ri k'o chi nb'a chupam ri nkich'ob' pa ruwi' ri samaj nb'an chuqa' pa ruwi' ri ch'ob'oj xeb'an chupam yare' moloj, jun tz'etb'äl akuwi ta ri xljaj ta rub'eyal ri samaj, rub'anik nb'an chare, chuqa' ruma ri kimeyoj chirij ri samaj (...)"

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Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kajj'-woq'o' waqlajuj

**ACHIKE K'O CHI NB'A CHUPAM RI K'UTUXIK NB'AN CHIKE RI ACHAMAQ'I' TAQ WINAQI', K'O
CHUPAM RI ATEWAB'ÄL OXK'AL B'ELEJE'**

La Q'atöy Tzjij (corte) re' xub'ij chi ri k'utunik k'o pa atewab'al oxk'al b'eleje' (169), ma jun ta samaj xew chi nb'ix chi xb'an chuqa' majun ta moloj richin nkib'ij je chuqa' mani. Yari' jun samajb'äl richin ye'apon ri winaqi', richin yetzijon chi ka'l' molaj, pa ruwi' ri qatzij, chuqa' niman tzij, chuqa' chi ri' k'o chi nsilox ri ch'ob'oj chirik ri nkib'an xa jun chi kina'oj. Xkanaj pa taj nab'i'el cholaj richin ri xtz'et ri nk'is rutz'itik wakami'.

Ri Cholajem richin nk'utux chike ri achamaq'i' taq winaqi' ma ütz ta ntz'et chi yari' nuya' kichuqa' ri achamaq'i' taq winaqi' richin nkib'ij mani chara ri k'utunik nb'an pa kitinamit, k'o chi ntz'et yare' na'oj chi elenaq pe ruma ri b'in pa atewab'al oxk'al b'eleje' (169), chi ri samaj njowax nb'an pa ki tinamit nb'an xew taj xb'ayan ri k'utunik pa ru b'eyal, taj xyi'oj q'ij chike chi yetzijon, yenuk'un, yepajon pa ruwi' ri nkijo chara kitinamit, ntz'et chi ütz nb'an ri samaj, nkib'an xa jun na'oj chara ri nkib'ij, chuqa' k'o chi nto'ox chi nchajix kik'aslen, ki b'anob'al chuqa' ruch'ob'oj kajulew. K'o chi nch'ob' chi ri k'utunik nb'an ma ruchin ta k'a ma nb'anta ri eleb'el, yari' k'o chi nch'ob' chi yalan k'atzinel nkitzu' chi nojel mul taq nb'an yari' samaj, yech'onta, yetzijta, yepajonta ri achamaq'i' taq winaqi' rik'in ruto'ik ri winäq kan qatzij nkitaq rije':

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Ruxaq wuj ajilab'äl kak'al waqxaqlajuj chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

i)richin nkitamaj nojel ri rub'anik nb'an ka kitinamit; ii)tupaj rij pa qatzij richij rub'anik kik'aslen, cholajem chuqa' achike nk'atzin chike; iii) nkib'ij achike nkich'ob', npaj rij rik'in ri nk'aj chik ch'ob'oj kichin ri nk'aj chik winaqi' k'o kib'anik chupam ri samaj chuqa' iv) jataq, ye'apon chupam ri nb'anataj ri nuk'ik wuj, nb'an chuqa' njach achike nkiwil rik'in ri samaj. Yare' nb'an rik'in ri Saqamaq' k'o chi nutz'et chi ri b'anoj yeb'an yorto ri achamaq'i' taq winaqi' pa kik'aslemal. Pa ruk'u'x samaj, ri k'utunik ma ütztantz'et, akuwi' jun tob'al richin ma nb'an ta samaj richin yek'iy ri tinamital, k'o chi nutz'et akuwi' jun ramaj richin yeb'apon, yech'ob'on junan, akuchi' nyi'ox ruq'ij kib'anik , pa saqil richin nb'ix je, chuqa' manb'anta ri samaj.

Pa rub'eyal ri xb'ix yan qa, ma ütztantz'et ta nb'ix chi kan qatzij chi ri eleb'el yari' k'o chi nutz'at ri Saqamaq', ri xtel par i k'utunik majun k'a xtuk'uwaj ta k'ayawal pa rukowil Samajel Amaq' (organismo ejecutivo)ruma ri ch'ob'oj ri'. Ruma k'o chupam ri atewab'al oxk'al b'eleje' (169). Ri Saqamaq' richin Iximulew ma xew ta k'a ru taqen tzij richin nub'an ri k'utunik nab'ey, taj majane nuhop rij ri samaj kik'en ri achiwaqi' akuchi' nb'an wi ri samaj chuqa' k'o chi nutz'et chi nb'an ri xel ri k'utunik, rik'in ri cholajem nb'ix pa Cholk'aslemalem richin Iximulew chuqa' chupam ri kaxlan taqotzij. Ruma ri', ri Saqamaq' ma ütztantz'et ta nuhop rij ri samaj pa ki ulew ri achamaq'i' taq winaqi', nab'ey k'o chi nb'an ri k'utunik akuwi' nub'ij ri xtzijox yan qa, k'o chi nutz'et chi ütztantz'et nb'an ri xch'ob' chuqa' k'o chi nutzu'chi nchajix ki k'aslen ri achamaq'i' taq winaqi'.

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Ruxaq wuj ajilab'äl kak'al b'elejlajuj chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Richin nchojmix rub'anikil richin ri Saqamaq' chuqa' nk'iyir ri ützi laj ch'uch'u k'aslemal, Ri Saqamaq' mankowin ta nub'an achike nrajo' xew chin nukusaj akuwi' nrajo' rija ri rab'ajul ulew, taj k'o jun ch'ob'oj kere' rub'anik, k'o chi nub'an nab'iel ri k'utunik chike ri achamaq'i' taq winaqi', ma ützi ta k'a nub'an achike nrajo' ri ja'. Ri k'amöl taq b'ey k'o chi nkib'an ri k'utunik akuwi' k'a jun ramaj richin yeb'apon kenojel. Yalan ützi chi pa saqil k'owa achike rub'anik jun k'utunik richin chi ka'i' ramaj xa jun nkib'an chara kina'oj. Ri Q'atöy Tzij (Corte de Constitucionalidad) richin Colombia nunojij jun rub'anem akuwi' ri nqatz'et wawe': "(...) Ri k'utunik (...) mankas ta richin nb'an ri xa jun mokaj nejowan chuqa' ma chinta nulesaj taqen tzij k'o chi ntz'et akuwi' jun jeb'el moloj chuqa' mar chinta un jech'uj qa ri Saqamaq' (...) ti kiya' ruq'ij kib'anem ri achamaq'i' taq winaqi' richin nkib'ij achike k'o chi nb'a chupam ri wuj, richin nyi'ox ruq'ij ki cholajem ri kib'anob'äl (...)" [Jikib'an soloj, SU-383/83 xb'ix pa oxlajuj q'ij richon ruwok'al ik' richin woq'o' ox'i' juna', pa wuj T-517583 richin nyi'ox chara jun winäq xyi'ox qa ruma ri moloj (Organización de los pueblos indígenas de la Amazonía Colombiana, OPIAC chirij ri Amaq' chuqa' nk'aj chik). Chuqa' chajb'achike ta na nk'utux chike ri achamaq'i' taq winaqi' nojel mul taj njowax nb'an samaj pa kitinamit yari' k'a nusiloj kik'aslen, ützi ntz'et chi ri moloj (Sistema Interamericano de Derechos Humanos) rub'in k'iy rub'eyal achike ruma k'o chi nk'utux chike ri achamaq'i' taq winaqi', ri jani' winaqi, achike chi winaqi' ye'apon k'o chi yetz'et chi jujuj mul taj junwa ri nk'utux chike, ri jumej maxk'utux ta chike, yechol apo.

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Ruxaq wuj ajilab'äl oxk'al chara kajk'aj waqxaqi'

Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuq'k'al kaji'-woq'o' waqlajuj

Ri nab'ey yari' ri nuk' wuj richin nb'an samaj richin nk'iy ri tinamit ri k'o chi yesilox ri achamaq'i' taq winaqi' pa ki ulew, pa rub'ixik njal ki ulew. Pa tzijonib'äl lajuj richin ri xb'ij ri tunitinamital pa ruwi' ri ki cholajem ri achamaq'i' taq winaqi' nub'ij: "Ri achamaq'i' taq winäq ma yelesas ta rik'in uchuq'a' pa ki ulew, ma yelesas t apa ki ulew taj x ama k'utun ta chike , taj chuqa' ma kib'in ta chi je, taj xchob' yan akuwi' nb'an chi ntoj chike, chuqa' ri ntoj chike yari' k'o pa rub'eyal, chuqa' taj ützt na yetzolin pa ri ulew"

Ruka'n ruma ri nb'an samaj richin nuk' ri nk'iy ri tinamit chuqa' richin nyi'ox pa qajik, nyi'ox q'ij richin nlesas rab'ajul ulew, yari' ma nuyata q'ij chike ri achamaq'i' taq winaqi' richin nkikusaj ki ulew chuqa' nk'aj chik ruwach ulew k'atzinel pa kik'aslen.

Ri röx taj njowax nk'ol Itzel taq mololen pa kitinamit akuchi' k'o achamaq'i' taq winaqi', akuwi' nub'ij ri tzijonib'äl juk'al b'eleje' richin ri xb'ix ruma ri tunitinamital pa ruwi' ri cholajem k'aslemal kichin achamaq'i' taq winaqi' rub'i' Cholajem richin ri achamaq'i' taq winaqi' chuqa' nk'aj chik winaqi' k'o kixe'el pa ruwi' ki ulew chuqa' rab'ajul ulew. Rub'eyal chuqa' Rucholajem ri kaxlan Rucholajem K'aslen, xb'ix pa woq'o' lajuj].

Wawe ützt ntz'et, ri k'atzinel yechajix ri achamaq'i' taq winaqi' taj k'o k'ayawal richin kik'aslen, akuwi' ri tzijon qa, yalan ki natan ri kaxlan q'atöy tzij:

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Ruxaq wuj ajilab'äl oxk'al jun chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Akuwi' ri kaxlan moloj richin Cholajem K'aslem rub'in: "(...)k'o chi nyi'ox q'ij richin kicholajem k'aslen, ki b'anik ri achamaq'i' taq winaqi' (...)Ruma ri', ri tinamit xenatax qa k'o kicholajem richin nq'at ri nuk'isamaj, samaj richin nk'iy ri tinamit, kanuxik chuqa' elesaxik rab'ajul ulew yari' k'a nutz'ila ki k'aslen (...)" [Kaxlan moloj richin rucholajem k'aslen, achamaq'i' taq tinamit, q'eq taq winaqi' chuqa' ruwach ulew: to'ik richin rucholajem k'aslem rik'in samaj richin nlesas, nkanux chuqa' nk'iyir, Op. Cit., p. 55]. Pa ruch'ob'ik akuwi' nb'an chara nojel k'utunik, chupam la jun rub'anem re', ri etzelal xb'an ruma ri samaj nb'anataj ruma ri eleb'el pa ulew akuchi' ek'o achamaq'i' taq winaqi' chupam ri tinamital richin San Pedro Ayampuc chuqa' San José del Golfo richin Iximulew, k'o chi ntz'et chi kan qatzij wi chikikojol chi ka'i' moloj, rik'in winaqi' yalan kitaman chirij ri na'oj re.

-VII-

RUTAQON TZIJ RICHIN RI CHITÜY RICHIN UCHUQ'ALB'IL CHUQA' ELEB'EL (MINISTERIO DE ENERGÍA Y MINAS) RICHIN NB'AN NAB'EY RI K'UTUNIK.

Ri k'amöl b'ey chojcha najin nch'ojix wa xub'ij , pa ruto'ik, ma jun b'eyal richin nub'an ri xb'ix chara ruma maxoxta rub'eyal akuwi' k'o chi nub'an chara ri samaj, ruma k'a xa nub'an nqa chupam ri b'anik samaj kichin nk'aj chik winaqi' chi pa taqotzij k'o chi nkib'an, chuqa nutz'et chi ri rusamaj amaq' nub'an xew ri b'in chara.

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Ruxaq wuj ajilab'äl oxk'al ka'i' chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Rik'in yare' b'ixik, ütztz nb'ix chiri atewab'al oxk'al b'eleje' (169) pa ruwi' achamaq'i' taq winaqi' chuqa' nk'aj chik achamaq'i' taq winaqi' ek'o pa nk'aj chik tinamital ma kijuch'un ta la jun wuj re', ri k'in k'utunik chuqa' to'ik kichin achamaq'i' taq winaqi', nkikusaj jeb'el taq na'oj, chuqa' taqotzij, richin nkiq'i' ri k'o chupam [tzijonib'äl juk'al waqxaqlajuj]. Ruma ri', yare' q'atöy tzij (Tribunal) nub'ij chi rik'in ri juch' ruyi'on ri Saqamaq' richin Iximulew, rik'in q'atöy taq tzij achike k'o chi yeb'ano ri samaj, k'o chi nub'an jeb'el samaj richin nb'an ri k'utunik rik'in ri achamaq'i' taq winaqi', nb'an taj nk'atzin [Jikib'al soloj b'in pa wuj 3878-2007, k'olon 156-2013 chuqa' 159-2013, 1149-2012 chuqa' 2567-2015]. Pa rik'isb'äl xub'ij : "(...) taj maxtub'anta ri ch'ojmixik chupam ri taqotzij richin ri tinamital, ri majun ri taqotzij ri', ma nub'ij ta k'a chi manyi'ox ta q'ij chara ri k'utunik k'o chi nb'an chike ri achamaq'i' taq winaqi', yari' nb'an chara chi nyi'ox q'ij chara ri rukowil samajel amaq' chi ma xub'an ta rusamaj yari' nub'an chara chi majun rub'eyal ri atewab'al oxk'al b'eleje' (169) [Jikib'al tzij k'o pa wuj 3878-2007, k'olon 156-2013 y 159-2013 y 1149-2012]. Ri nb'an richin ri kaxlan taqen tzij yi'on ruq'ij pa rucholajem, ütztz nch'ojix chuwach ri kaxlan q'atöy taq tzij richin rucholajem k'aslemal, nkib'ij chi k'o chi nchajix ruma si Saqamaq', chijojun, ruma ri' k'o taqotzij pa taq tinamital, kiyon chuqa' pa rub'eyal da hoc.

Keri' nutz'et ri nb'ix pa tzijonib'äl kak'al waqi' 46, wuqk'al b'eleje' 149, wuqk'al kab'lajuj 152 chuqa' kak'al kab'lajuj 154 richin ri cholk'aslemal, nch'ojkix xa nb'an jun chike ri nb'ix pa tzijonib'äl kak'al wolajuj (155 Ibidem) [Jikib'an soloj yi'on pa wuj 411-2014 y 3753-2014] (...)” [y'ion ruq'ij ri tz'eqatitan pa rub'ixik re.

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Ruxaq wuj ajilab'äl oxk'al ox'i chara kajk'aj waqxaqi'

Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Akuwi nch'ob' chik la nb'ix, yare' q'atöy tzij (Tribunal) xub'ij pa ri jikib'an soloj: "(...) jujun rusamajel amaq', k'o pa kiq'a' richin nusiloj, nub'an, nuchojmij chuqa' nuya' jun to'ik wuj chirij samaj, b'anik chuqa' b'anoj richin nkusax ri ruwach ulew , ri Saqamaq' k'o chi nuya' ruq'ij ri taqotzij ma xew ta ri ek'o pa ru tinamit chuqa' chike ri kaxlan taq taqotzij richin rucholajem k'aslem-yare' k'isb'äl k'o chi nb'an ruma nüm ruq'ij akuwi' nub'ij pa tzijonib'äl kak'al waqi'-junam rik'in ri runuk'ik cholajem. Xa ntz'et chi ri samaj ri nuya' k'ayawal pa kik'aslen ri achamaq'i' taq timamit, ri ützi nb'an chara nkusas ri taqotzij ek'o pa tinamital, ma unb'ij ta k'a chi ma tu kusas ta ri k'o chupam ri atewab'äl oxk'al b'eleje' Atewab'äl richin ri Waqxaqk'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj pa ruwi' achamaq'i' taq einaqi' chuqa' nk'aj chik achamaq'i' taq winaqi' ek'o pa nk'aj chik tinamital makijuch'un ta la jun wuj re'. [Yi'on ruq'ij majun pa ri wuj]

Pa ruwi' ri akuwi' xb'an chara ri samaj pa ruwi' ri k'utunik, pa jikib'an wuj, k'o pa molon wuj Wuqk'al waqlajuj -woq'o' oxlajuj 156-2013 chuqa' waqk'al b'elejlajuj- woq'o' oxlajuj 159- 2013, kaq'o' wuqlajk'al- woq'o' kab'lajuj 1149-2012, molon kab'lajq'o' wuqlajk'al wuqlajuj- woq'o' kab'lajuj 4957-2012 chuqa' kab'lajq'o' wuqlajk'al waqxaqlajuj- woq'o' kab'lajuj 4958-2012, chuqa' waqk'al waqxaqk'al wuqu'-woq'o' wolajuj 2567-2015, yare' moloj xub'ij chi ützi nb'an ri k'utunik chike ri achamaq'i' taq winaqi' taj k'o chik rub'ixik ruma ri q'atöy taj tzij (poder político legislativas o administrativas) ntz'et xak'en jub'a' yortz'ila', k'o chi nch'ob'o rij jani'k'ayawal nkowin nub'an pa ki k'aslen

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Ruxaq wuj ajilab'äl oxk'al kaji' chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuq'al kaji'-woq'o' waqlajuj

–kik'en winaqil, pwaq, kib'anik, ulew, yab'ilal, rik'in kiway, etx.-richin ma nb'anta rik'in kichuq'a' richin nkitz'ila' kib'anik chuqa' jun jeb'el k'aslen. Pa rub'ixik X richin ri jikib'an xyi'ox pa wuj waqq'o' waqxaqk'al wuqlajuj – woq'o' wolajuj 2567- 2015 xyi'ox pa juk'al julajuj q'ij chara rox ik' richin ri juna' woq'o' waqlajuj, yare' moloj xunuk' ri achinäq richin yi'ik to'ik wuj (nyi'ox nk'aj chik q'ij) richin samaj, b'anoj richin eleb'el ruma k'a ri' yortz'ila' achamaq'i' taq winaqi', ruma ri', xb'ix chi nb'an ri k'utunik; pa ri b'ixik -XI-xub'ij achike k'o chi nub'an ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas) rik'in ri nojel ruq'a' ri Chitüy ri, taj xtamaj chi nb'an ri samaj ri' richin eleb'el. Pa ri k'isb'al motzaj xub'ij: "(...) k'o pa ruq'a' ri K'amöl b'ey richin ri eleb'el richin ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas), akuwi' jun samaj makitz'itonta, ruma rub'anik k'o pa kiq'a' [tzijonib'äl kab'lajuj richin ri Rub'eyal samaj chupam ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas)], nuq'axaj ri wuj pa junchik moloj k'o b'a chik ruq'ij chi kiwach rije', richin rije', yormol ri nimaq' taq k'amöl b'ey yesamoj pa ruwi' ri ruk'u'x na'oj najin ntzijox [tzijonib'äl 2 chuqa' oxi' ibídem], nuya' rub'ixil chi k'o chi nb'an ri k'utunik akuwi' nub'ij ri Atewab'äl richin ri Waqxaqk'al B'eleje' Richin ri Kaxlan Mokaq richin Samaj pa ruwi' achamaq'i' taq einaqi' chuqa' nk'aj chik achamaq'i' taq winaqi' ek'o pa nk'aj chik tinamital makijuch'un ta la jun wuj re' , k'o chi nutzu' achike k'o chuwach ri k'o chupam ri wuj rub'i' Achike Ruma nb'an ri k'utunik chike ri achamaq'i' taq winaqi', k'o chupam, pa ri xb'ix pa q'atb'äl tzij pa wuj juq'o' julajuj- woq'o' kajlajuj 411-2014 chuqa' waqxalajk'al waqk'al oxlajuj-woq'o' kajlajuj 3753-2014. Chuqa' nkowin nutz'et

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Ruxaq wuj ajilab'äl oxk'al wo'ö chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Tutz'ita, xa nk'atzin ützn nukusaj, ri akuwi' b'in ruma ri Q'atöy Tzij pa nk'aj qa rub'ixik [Jikib'al soloj xyi'ox chupam ri molon wuj wuqk'al waqlajuj-woq'o' oxlajuj 156-2013 chuqa' wuqk'al b'elejlajuj -woq'o' oxlajuj 159- 2013, b'elejq'o' wok'al kab'lajuj-woq'o' oxlajuj 5712-2013 chuqa' juq'o' waqi'-woq'o' kajlajuj 406-2014] (...)"

Chupam ri tzijob'äl xub'ij chi qatzij ta wa ri' majane nyi'ox ri rub'eyal ri akuwi' nb'an chara ri k'utunik natax, yari' majane k'o rub'eyal ma ützn ya nkusax chi yari' ruma ma nub'anta ri taqem tzij k'o chij ri Saqamaq' taj xujuch' ruwach ri wuj. Ruma k'a majun ri rub'eyal ri k'utunil pa ri tinamit najin nqatzijoj, ruma ri' ri q'atöy tzij (corte), xuya' rub'ixik koxi' b'eyal richin nb'an ri k'utunik chuqa' xpixab'an pa ruwi' akuwi' ützn nb'an chara ri samaj, k'o chi nkusax k'a taj xtuchojmix ri taqotzij pa ri tinamit najin ntzijox. Ruma ri' ri k'amöl b'ey xyi'ox ruch'ojkil chara nub'ij chi ri k'o chi majun taqen tzij richin nub'an ri k'utunik chike ri winaqi' taj ma jane nyi'ox ri to'ik wuj, ru ma k'a majun pa saqil ri k'o chi nb'an, chuqa' maju ruxe'el, chuqa' nub'ij chi, xanub'an nqa pak'ayawal ruma k'a ma najin nub'an rusamaj jun mokaj winaqi' chik, ruma ri' ma nkowin ta nub'an ri samaj ri; pa ruka'n, yari' nub'ij chi manta pa ruq'a' nub'an ri samaj ri', najin nsamaj chupam ri k'o chi nub'an, chuqa' ru taqen tzij k'o chi nuya' ruq'ij richin nuto', nuchajij ri rucholajem najin nqanataj. Ri k'o pa rub'eyal rusamaj ri Chitüy richin Saqamaq' rik'in ri k'utunik k'o chi nb'an chike ri achamaq'i' taq winaqi', yare' moloj rub'anon chik

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Ruxaq wuj ajilab'äl oxk'al waqi' chara kaj'aj waqxaqi'

Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

–akuwi' rutzitik, pa jikib'an soloj chupam ri wuj waqq'o' waqxaqk'al wuqu'- woq'o' wolajuj 2567-2015– pa tzijonib'äl 194 pa cholk'aslemalil, chuqa' k'o nk'aj samaj chik, richin “nuchajij chi nb'anataj ri nb'ix pa ri taqotzij” [retal cholajil i] chuqa' rik'in ri' , pa tzijonib'äl juk'al wuqu' 27 richin ri taqotzij richin ri Rukowil Samajel Amaq' (Jikib'äl -Tzij wok'al kajlajuj-kajk'al wuqlajuj 114-97 richin ri q'atb'äl tzij (congreso de la república) chuqa' ri jaltajnaq) nuk'uway b'ey ri k'o chi nb'ano ri samaj ri Chitüy la richin “Nuya' ruq'ij chuqa' nuchajij chi nyi'ox ruq'ij ri taqotzij ek'o pa ruq'a' chi k'o chi nub'an” [retal cholajil a]; chuqa', chuqa' xub'ij chik'o chi nchob' chi ri nb'ix “taqotzij” chuqa' “nuk'ik ri taqotzij” yar'i ye'ok nojel ri taqotzij ek'o chupam ri najin ntzijox, xtz'uk wawe, xtz'uk jk'an chik, yare' moloj xub'ij chi k'o pa ru taqen tzij ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas), ri Rukowil Samajel Amaq' (Organismo Ejecutivo) k'o chi nb'ano ri samaj ri' richin k'utunik chike ri achamaqi' taq winaqi', taj nk'atzin [Jikib'an soloj k'o pa ri wuj kaq'o' wuqk'al b'eleje'-woq'o' kab'lajuj 1149-2012, molon kab'lajuj wuqk'al wuqlajuj-woq'o' kab'lajuj 4957-2012 chuqa' kab'lajuj wuqk'al waqxaqlajuj-woq'o' kab'lajuj 4958-2012, kajlajq'o' wok'al kab'lajuj-woq'o' oxlajuj 5712-2013 chuqa' juq'o' waqi'-woq'o' kajlajuj 406-2014]. Chupam yari' ch'ob'oj chuqa' rik'in ri K'amöl b'ey richin eleb'el chupam ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas), ri tzijob'äl oxlajuj richin rub'eyal k'o chupam ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas) (Tz'ib'anem (Acuerdo Gubernativo) 382-2006 chuqa' rijalanäq) nub'ij, akuwi' jun chike rusamaj ri moloj ri': “Nuya' q'ij chi ye'apon ri winaqi' richin yech'ob'on pa ruwi' ri samaj richin eleb'el” [retal cholajil g] chuqa' nojel, “nojel ri k'o chupal taqotzix, ri kaxlan taq wuj rujuch'un Iximulew chuqa' ri kan k'o pa ruq'a'” [retal cholajil h]. Yare' k'isb'äl, nk'atzin richin n'kik'ulb'a' ri xub'ij ri k'amol b'ey xyi'ox ruchojkil chare, xuya' jun ruch'ojkil achike ruma xuya' ri etewab'äl ri Q'atöy Tzij (Amparo de Primer Grado), xub'ij

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Ruxaq wuj ajilab'äl oxk'al wuqu' chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

a) "taj xb'ij chara 'tuchojmij rik'in cholajem chuqa' ri wawe' xtzijox wi, tuya' ruq'ij chuqa' to'ik chike ri xek'utun', ri moloj nqa pa suq'usik na'oj, ma nub'ij t apa saqil achike k'o chi nuchojmij"; yari' nchojmij wawe pa la jun moloj re', pa ri xtchojmix qa nb'ix ri ützt taq na'oj xyi'ox ruma xkiya' ri to'ik wuj; b) "taj xkib'ij chi k'o chi nub'an 'tub'ana jun jeb'el wuj akuchi' nmolwi' ri nkib'ij ri achamaq'i' taq winaqi', k'o chi nb'an pa saqil, chuqa' qatzij, k'o chi nb'an b'anoj richin yek'iy ri tinamital chuqa' k'o chi nkitoj xa xetzilox', Ri moloj richin Tob'äl Tzij najin nub'an chuqa' nub'ij ri majun pa rusamaj, xb'ij chi k'o chi nub'an ri k'utun'ik, ri majun ruxe'el pa taqotzij"; pa rub'eyal ri' xb'ix chi je' k'o rub'eyal ri k'utun'ik b'in ruma yare' moloj richin nb'an ri samaj; c) "ri moloj re' nusuuq' ri, richin nub'ij, richin , k'o chi 'nutz'et ri taqotzij k'o kiq'ij pa kitinamit chuqa' ri taqotzij b'anon pa kaxlan taj wuj ru juch'un ri Saqamaq k'o rub'eyal rik'in ri k'ayawal najin ntz'et', yari' majun rub'eyal rik'in ri nub'ij ri tzijonib'äl kak'al ka'i' 42 chuqa' kak'al b'eleje' 49 richin ri taqotzij richin Tob'al Tzij Taqotzij richi tob'al Tzij, K'utun'ik winäq chuqa' richin Cholk'aslemalil (Ley de Amparo, Exhibición Personal y de Constitucionalidad); pa rub'eyal ri xb'ix, nqa b'ij chi, yari' wuj esik'in chupam ri wuj kiyi'on qa ri Q'atöy Tzij pa ruwi' ri ch'ob'oj najin nb'an; d) "ri q'ij yi'on chara, ruma ri q'atöy tzij majun pa rub'eyal (xa nub'ij chi nunuk' akuwi' nb'an chara, nuq'i' ri q'ij ; xa nub'ij chi nb'an ri k'utun'ik, mank'achoj ta chi nb'an)"; yare' k'utun'ik k'o ruxe'el ruma ri', ntzijox pa ri wuj ajuchi' xtchojmix wa qa yare' k'ayawal , xjal ri q'ij

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Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

e) "Xub'an ya ri xb'ij ri q'atoy tzij richin etewab'äl chara, taj xuya' ri solsamaj oxq'o' ka'i' (1202) chuqa' kajq'o' oxk'al wuqlajuj (1677) richin lajuj q'ij richin röx ik' chuqa' kajlajuj q'ij richin rukaj ik' richin woq'o' waqlajuj, akuwi' nub'ij"; yare' xub'ij, maxb'ijta achike k'o chupam ri solsamaj chuqa' maxk'uwajta ri wuj xuya' richin xch'ojij, ruma ri' majun xtiqokowin xtiqab'ij ta.

-VIII-

RUB'EYAL RICHIN NB'AN JUN K'UTUNIK

Yare' q'atb'äl tzij, pa ri tzij xb'ij yan, rutaman chi majun taqotzij chupam ri tinamit, yari' rub'anon chi maxb'anatajta ri samaj ri k'o chi xb'an ta ri Saqamaq', yari' k'a jun taqen tzij ruk'amon rik'in ri achamaq'l' taq winaqi', ruma ri' ri q'atb'äl tzij re' rub'in pa ri tzij ruyi'on chik akuwi' k'o chi nb'an richin nb'an ri k'utunik. [Jikib'an soloj richin juk'al waqi' q'ij richin ro ik' richin juna woq'o' wuqlajuj, b'in pa ri molon wuj kajk'al lajuj-woq'o' wuqlajuj, kajk'al julajuj-woq'o' wuqlajuj 90-2017, 91-2017 chuqa' kajk'al kab'lajuj-woq'o' wuqlajuj 92-2017, richin juk'al wo'o' q'ij richon rox ik' richin ri juna' woq'o' wolajuj, b'in pa ri molon wuj wuqk'al waqlajuj-woq'o' oxlajuj chuqa' wuqk'al b'elejlajuj-woq'o' oxlajuj 156-2013 chuqa' 159-2013 y richin oxi' q'ij, richin rub'elej ik' richin ri juna' woq'o' waqxaqlaj ik', k'o pa wuj kab'q'o' b'elejk'al wo'o'-woq'o' wuqlajuj 4785-2017].

Richin nb'an ri k'utunik, Ri Chitüy yi'on ruch'ojkil chara, k'o chi nutz'et chi xa majane' chojminta ta ri ru samaj maxb'an ta, k'o chi nub'an akuwi' nub'ij ri rub'eyal xtz'ib'ax pa b'ixik V, VI, VII Y VIII richin yare' wuj. Xa xb'an yan pa rub'eyal ri k'utunik, ri samaj richin k'utunik k'o chi nk'is akuwi' xb'ix. A) Ri Chitüy winäq richin Uchuq'alb'il chuqa' Eleb'el (Ministrotde Energía y Minas) k'o chi nuk'utuj chara ri Chitüy richin Ruch'ulew chuqa' ri Achinäq ek'o pa Ruch'ulew (Ministerio de Medio Ambiente y Recursos Naturales) jun wuj Rusijol Samaj nuk'un ri xb'antaj chupam akuwi' nub'ij ri taqotzij chi k'o chi nb'an,

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Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuq'k'al kaji'-woq'o' waqlajuj

ri k'ayawal xuya' ri samaj, nojel k'o chi nmol, nk'atzin taj xtib'an jun moloj, Rik'in rub'anik chuqa' janpe' k'ayawal xub'an.

B) Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas), rik'in to'ik kichin winaqi' kitaman chirij yare' na'oj, chuqa' üt'z xa ek'o pa jun chik chitüy, k'o chi nutz'et taj majane nuhop rij ri samaj jampe winaqi' nsilox ki k'aslen richin ri "Progreso VII Derivada", richin ntz'et jampe winaqi' yek'atzin richin nb'an ri k'utuxik akuwi' nub'ij ri Atewab'äl richin ri Waqxaqk'al B'eleje' (169).

C) Xk'ul ri wuj akuwi' nub'ij ri retal cholajij , ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas), yorpeyoj kenojel ri yesamaj pa taq taluwach chuqa' taqotzij, ri yek'oxax, yetzu'ux akuchi' nb'an wi ri samaj. Pa ri peyoxik nb'a, k'o chi yepe, chike la moloj yenatax apo, richin ye taq ka'i' (2) winaqi' pa kib'i', chuqa' (2ka'i' taq ri ka'i' nab'i'el ma yekowin ta yeb'apon.

a. Chara Q'atöy Tzij (Consejo municipal) akuchi' nb'an wi ri samaj.

b. Chike ri tinamital akuchi' nb'an wi ri samaj, richin k'a rije' nkitan ri winäq nb'a pa kib'i'.

c. Chike ri Chitüy richin B'anob'al chuqa' etz'anem (Ministerios de Cultura y Deportes), chuqa' Chitüy richin Ruch'ulew chuqa' ri Achinäq ek'o pa Ruch'ulew (Ministerio de Medio Ambiente y Recursos Naturales). Chi jujun ri chitüy k'o chi yekitaq ka'i nab'ey taq winaqi', chuqa' ka'i' chik taj ri ka'i' nab'ey ma yekowin ta yeb'apon.

d. Chike ri K'amöl b'ey (COCODE),ri ek'o pa ri tinamital akuchi' nb'an wi ri samaj.

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Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

e. Ri chojche xyi'ox wa ri wuj "Progreso VII Derivada", Exploraciones Mineras de Guatemala, Sociedad Anónima.

f. Chike ka'i' winaqi' npe pa rub'i' ri Ch'ojib'anel richin cholajen k'aslemal (Procurador de los Derechos Humanos) (titular y suplente).

g. Ka'i' winaqi' yepe pa kib'i' (titular y suplente) richin Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas), yare' k'o chi nojin chi ütz nek'uwax ri moloj.

h. Chara ri nimajay richin tijonik (Universidad de San Carlos de Guatemala) chuqa' chike nk'aj chik nimaq'a taj jay richin tinonik (Universidades Privadas) ri k'o chupam ri yeyi'o na'oj ri ek'o pa ri tinamit (departamento) akuchi' nb'an wi ri samaj.

i. Ka'i' winaqi' nkitaq pa kib'i' (titular y suplente) richin ri moloj richin Tzij nima q'atb'al tzij (Comisión Presidencial de Diálogo).

D) Jumul xkitz'ib'aj qa kib'i' pa Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas) ri xekitaq pa kib'i' ri moloj xe wayox, k'o chi nb'an ri ramaj nab'i'el chara ri k'utunik, chupam ri' k'o chi yeb'an ri b'anoj ntz'ib'ataj apo:

i) Ri winaqi' xeb'apon ye yi'o ri ramaj q'ij nk'atz'in richin nk'utunik nab'iel taj majane nb'an ri nima k'utunik.

ii) Ri mokaj k'o chi xeb'apon nkiya' pa saqil kib'anik, achike ruma ek'o chiri' nuya' tzij pa rub'eyal chirij achike ri nub'an ri samaj njowax nb'an, richin nkiya' ri ruxe'el richin akuwi' chuqa' janpe ntok pa kik'alen ri achamaq'i' taq winaqi'. Yare' na'oj k'o chi nq'axax pa saqil richin kenojel nch'ob'otaj chi kiwach. Ri achamaq'i' taq winaqi' ütz nkik'on pe winaqi' ri nkijo' rije', ri winaqi' ri' kitaman chirij ri ch'ob'oj nb'an richin nunuk' chi kiwach rije'

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Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

iii) Nkib'ij chuqa' ntz'ib'ataj qa akuwi' rub'eyal nb'an chara ri k'utunik; Kenojel ri winaqi' ri xepeyoj kinojij rij rub'eyal akuwi' nb'an chara. Chupam ri ütznjalataj, k'o chi nb'a:

a) Ri b'anoj k'o chi nb'an pa saqil, k'o chi nk'is rub'anik richin nkiq'i', pa ützn rub'eyal, jun kiwach chikikojoj ri xepeyox: Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas), ri achamaq'i' taq winaqi' ek'o chupam ri tinamital akuchi' nb'an wi ri samaj richin nlesas eleb'el Progreso VII Derivada, ri moloj, Exploraciones Mineras de Guatemala, Sociedad Anónima.

b) Nkib'ij achike winaqi' kitaman chirij ri samaj njowax nb'an pa kitinamit richin yekito' pa ri samaj richin k'utuxik.

c) Ri achamaq'i' taq tinamital, pa kib'i' ri winaqi' kitakon al, k'o chi nkib'ij, pa saqil, tzij pa ruwi' kik'aslen kib'anob'al, runuk'ik winäq pa kitinamit, rub'eyal nkich'ak wi kirajal, nkib'an jun wa rik'in nk'aj chik tinamital chuqa' nk'aj chik achinaq ri nkich'ob' rije' chi k'atzinel nkib'ij apo. Richin runik'ik ri tzij xb'ix, ri achamaq'i' taq winaqi' ütznkito'o ki' rik'in ri winäq nkib'ij rije' chi kitaman chirij ri samaj nb'an pa kitinamit. Pa taj moloj nb'an, ri ki'aponik kichin ri winaqi' kitaman chirij yare' samaj, nub'an chi kenojel ri winaqi' nkanaj pa saqil chi kiwacha rub'eyal ri kik'aslen ri achamaq'i' taq winaqi' ek'o pa ri tinamital.

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Ruxaq wuj ajilab'äl oxk'al kab'lajuj chara kajk'aj waqxaqi'

Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

- d) Rub'eyal nb'an chara richin nchojmix, taj k'o k'ayawal chi kikojol ri winaqi' xepeyox.
- e) Nyi'ox q'ij richin nb'an ri ramaj richin k'utunik, k'o chi pa rub'eyal richin yekowin nkib'an, chupan k'o chi nb'a: i) jani' mul ütz nkib'ij apo jun na'oj chirik ri wuj xb'an; ii) Q'ij richin nmol nojel ri ch'ob'oj xkitun kina'oj iii) rub'anik nuk' ri na'oj xchojmix chuqa' ri nb'an chirij richin ntz'eqat.
- E) Taj xk'achoj ri nab'ey k'utunik, chupam ri ramaj q'ij xb'ix pa nab'ey moloj, k'ari' nb'an ri nima k'utunik, chiri' ri winaqi' nsilox ki k'aslen rik'in ri samaj re' yetzizon richin yeb'apon pa tun tununa'oj, yare' nb'anataj ruma ri winaqi' ekitaqon pa kib'i'. Taj nuk'utuj jun chike ri kenojel, ri b'enäq pa kib'i' ri moloj richin tzij amaq' (Comisión Presidencial de Diálogo) ütz nsamaj richin to'ik, q'axan tzij chuqa' nuk'achorsaj k'ayawal. Ri nk'aj chik winaqi' epeyon pa ri nab'ey k'utunik chuqa' yetzizon chupam la ramaj re', ri nkib'ij mak'o ta k'a chi yekitun ri winaqi' rin silos ki k'aslen rik'in ri samaj. Chupam ri ramaj re' kito'ik ri winaqi' kitam chirij yare' samaj –winaqi' mankito' ta jun mokaj– Ri achamaq'i' taj winaqi' ek'o chupam ri tinamit akuchi' nb'an wi ri samaj. Ri ch'ojinel richin ruchojlem k'aslem (Procurador de los Derechos Humanos) xew nutz'et ri nb'anataj.
- F) Taj xkiwil ri juna'oj, ri k'amöl taq b'ey richin amaq' chuqa' kichin tinamital, k'o chi nkiya' ruq'ij, ru b'anik chuqa' ri xk'utux richin nb'an ri xb'ix.
- G) Taj k'is ri k'utuxik, Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas) k'o chi nub'an

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Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Solsamaj ri nb'ix pa la jun chik tanaj, pa ri ramaj q'ij xtikib'ij.

Pa ruwi' nk'aj chik silonik ri Q'atb'äl tzij (Tribunal), nub'ij.

Ruma ri, akuwi' xkanaj pa ri ramaj xb'ix yan, k'o ru b'eyal achike ruma nyi'ox ri Tob'äl Tzij, ützt nb'ix chi ri b'anoj nyi'ox richin chojmix ki b'anik pa taqotzij xtuch'ob' na k'a ri q'atb'äl tzij ruma akuwi' xb'anataj. Yare' q'atb'äl tzij (corte), pa jikib'an soloj xyi'ox pa ox'i' q'ij, chara ri ik' woq'o' waqxaqlajuj, k'o pa ri wuj julajq'o' b'elejlajk'al wo'o'-woq'o' wuqlajuj 4785-2017, xub'ij chi rub'elem ri akuwi' yech'ob' wakami, ri nb'ix qa wakami' k'o chi nch'ob' qa vis rik'in vis. Ri xtub'ij qa ri q'atb'al tzij (tribunal) ri runuk'ik xtub'an chirij ri rub'anik chi jujuj b'anikil, akuwi' ntz'et pa la moloj re', pa ri chol ek'o pe.

a) B'anik k'o chi nutz'at ri q'atb'äl tzij (Tribunal) richin nub'ij achike nb'an

Yare' qatb'äl tzij, taj xusik'ij yare' taq wuj ri xyi'ox richin to'ik, pa ri ramaj taq xk'utux ri Tob'äl Tzij, xub'ij chi, pa ri tinamit akuchi' nb'an wi' ri samaj richin eleb'el Progreso VII Derivada, xwil n'im k'ayawal, yari' rutyi'on pa k'ayawal kik'aslen chuqa ki chajimen ri winaqi' kichin ri tinamital. [Tutz'et: i) ruxaq wuj 484 al 588, 618 a 683, richin ri tanaj II y III richin Tob'äl Tzij, pa runuk'ik, richin ri Tob'äl tzij richin nab'ey palb'äl; ii) <https://www.prensalibre.com/guatemala/comunitario/heridos-y-quemados-hubo-orlas-bombas/>; ka'i' q'ij chara ruwuq ik' richin woq'o' waqlajuj, Byron Rolando Vásquez, Prensa Libre; https://www.prensalibre.com/guatemala/comunitario/la_puya-conflictividad_mineria-pnc-guatemala_0_1148885187-html/; uno de junio de dos mil catorce; EFE, Prensa Libre].

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Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaj'i'-woq'o' waqlajuj

Ti rutz'itik ri wuj nub'an chi ya q'atb'äl tzij (Tribunal) nub'ij chi tu pa'e' ri samaj najin nb'an richin eleb'el rk'in ri to'ik wuj xyi'ox chike akuwi' xub'ij ri q'atb'äl tzij richin nab'ey rupalb'ä taj xya' ri paqe' tob'al tzij pa julajuj q'ij chara ri rujulaj ik' richin ri juna' woq'o' wolajuj. Ri xtub'ana ri samaj richin eleb'el yari' nub'ij na k'a taj xtuk'is ri k'utunik chuqa' taj xtitz'et achik ek'ayawal ruk'amon pe pa kik'aslen ri winaqi' ek'o para ri tinamital akuchi' nb'an wi ri samaj.

Yare' q'atb'äl tzij nub'ij chi, pa yare' b'anem, pa rub'eyal ri k'o chi nub'an ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minasri kenojel yepeyox pa ri samaj yekowin nkib'an ya jun ützi laj k'utunik, ri tzij rik'in xa jun nkib'an chara kich'ab'äl nuk'uwaj kib'ey richin nki q'i' ri nejowax, richin ye'apon pa jun na'oj ri yorto' chi nojel mokaj. Pa rub'anem re' chi k'o chi nk'utux chike ri achamaq'i' winaqi', chuqa' k'o chi nyi'ox q'ij chike chi yech'ob'on chirij ri ruchajinik kib'anik, kib'anob'äl chuqa' nyi'ox q'ij richin nkipaj rij ri njowax b'an pa ki ulew richin yek'iyir, winaqi' chuqa' kib'anob'äl ri nkib'ij rije' chi ützi.

- b) Ri ru b'anik ri to'ik wuj Progreso VII Derivada Taj xtik'is ri k'utunik ntel chi ri samaja richin eleb'el "Progreso VII Derivada", ma nutz'ila' ta kik'aslemal ri achamaq'i' taq winaqi', ri moloj Exploraciones Mineras de Guatemala, Sociedad Anónima, ützi nuhop rij ri samaj taj xk'is ri k'utunik yare' nb'ix.

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Ruxaq wuj ajilab'äl oxk'al wolajuj chara kaj'aj waqxaqi'

Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Nb'ix, Chi ri to'ik wuj yi'on chike, üt nujal b'a ri' ruma k'a k'o chi ntz'et achike xel pa ri k'utunik , yari' k'o chi nb'an.

Ütz ntz'et rub'eyal achike ruma xyi'ox ri to'ik wuj "Progreso VII Derivada" nub'an chi ri rucholajem eleb'el jantape njaltaj tajtib'an ri k'utunik najin nb'ix qa wawe' chi k'o chi nb'an. Pa nk'aj chik tzij, taj xtik'is ri tzij, b'ixik, tzijonik, pajik pa ri k'utunik, rik'en ri aponen kichin winaqi' ri kitaman chirij ri najin nch'ob', xtel chi k'o chi njal rub'anik ri to'ik wuj akuwi' xyi'ox nab'i'el "Progreso VII Derivada", ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministro de Energía y Minas), pa ri üt samaj k'o chi nuya' solsamaj richin richin kan qatzij junan nub'an rik'in, rik'in ri xa jun na'oj xtun par i k'utunik, rik'in niman tzij kik'en ri achamaqi' taq winaqi' ek'o pa tinamital akuchi' nb'an wi ri samaj, pa rub'ixik richin nto'ox , nchajix ri ruch'ulew akuchi' nb'an wi ri samaj.

Yare' q'atb'äl tzij, par i jikib'an wuj yi'on pa wuj juljajq'o' b'elejk'al wo'o'-woq'o' wuqlajuj 4785-2017 k'iy mul xsik'ix, xub'ij chi ma pa rusamaj ta yare' q'atb'äl tzij, taj xuya' ri taqotzij xub'ij, tub'ij chi k'o chi nb'an ri k'utunik xb'ix yan, chuqa' tutz'et chi manjal ta rub'anik ri to'ik wuj akuwi' rub'anon kame. Xb'ix chi ruma ri rub'ixik xb'an rutzaq ruchuq'a' ri to'ik cholk'aslemalil. Nutz'et chi ri rub'eyal ri to'ik wuj ma njal ta k'a,

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Ruxaq wuj ajilab'äl oxk'al waqlajuj chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Chajb'achkitana xtel par i k'utunik, janitape xa majun rub'eyal nb'ak ri k'utunik akuwi' nub'ij ri ateweb'äl waqxaqk'al b'eleje' 169.

-IX-

NKIB'IJ NK'AJ CHIK K'AMÖL B'EY

Ruma k'a ri xb'ix qa wawe' k'o chi yesamaj jalajoj taq samajela' –maxew ta ri chitüy winäq xnatax qa-, yare' Q'atb'äl tzij, rik'in ruxe'el pa tzijonib'äl 185 richin ri Taqotzij richin Taqotzij richin Tob'äl Tzij, K'utunik winäq chuqa' Cholk'alemalil Ch'ojib'anel richin ri cholajem richin k'aslemal (Ley de Amparo, Exhibición Personal y de Constitucionalidad) [chupam ri nub'ij chi ri xb'ix qa ruma q'atb'äl tzij richin cholk'aslemalil nutün ri ri xb'ix qa rik'in ri Samajela' richin Saqamaq', k'o rejqalem chi kiwach kenojel] nub'ij chike ri Rusamajel Amaq' chi ajantaq k'o chi nkib'an chik jun samaj akuwi' k'o chupam la jun b'ixik re', nkib'an samaj ri y'on pa kiq'a', natax chi xamaxtikijota nkib'an najin yeqapak'ayawal rik'in taqotzij.

-X-

Ri ruch'ob'ik xb'ix yan qa, nb'an chi, ruma ri k'ayawal nkowin nub'an ri samaj, samaj, b'anoj ruk'uwan ri eleb'el, chuqa' ri ntz'et pa tzijonib'äl 6 (ajilab'äl jun chuqa' ka'i' 1 chuqa' 2), wuqu' (ajilab'äl jun chuqa' oxi') chuqa' wolajuj richin ri Atewab'äl richin ri Waqxaqk'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj pa ruwi' achamaq'i' taq einaqi' chuqa' nk'aj chik achamaq'i' taq winaqi' ek'o pa nk'aj chik tinamital makijuch'un ta la jun wuj re' chuqa' kaxlan taj na'oj yekusax, nb'ix q apa ruk'u'x tzij chi yari' nkitun kina'oj richin k'a nb'an ri k'utunik pa taq tinamital akuchi' ek'o achamaq'i' taq winaqi' chuqa' chiri' nb'an wi ri samaj.

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Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Akuwi' xtz'et pa ri to'ik wuj yi'on akuchi' maxyi'ox ta ruq'ij ri k'o chi nub'an, ri peraj ulew ri xb'ij ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas)chi ütztu'elesax eleb'el Exploraciones Mineras de Guatemala, Sociedad Anónima, k'o pa tinamit San Pedro Ayampuc y San José del Golfo k'o pa Iximulew. Ruma ri', ruma ri nch'ob' chi ri ulew ri natan, chiri' ek'as wi ri winaqi' ri xeyi'o ri Tob'al Tzij, yari' ulew akuchi' nb'an wi ri samaj.

Ruma ri', k'a wakami' ma nq'alaj ta chi ri k'amöl b'ey xyi'ox ruch'ojkil chara, xsamaj tan ta akuwi' nub'ij ri taqotzij maxtzu' ta chuqa' akuwi' nub'ij ri nuk'ik taqotzij. Ma rub'anon ta, akuwi' nub'ij chuqa' ri ru samaj, akuwi' k'o chi nub'an chara , richin yare' b'anem nuya' ruq'ij ri ki cholajem achamaqi' taq winaqi', akuwi' k'o chupam ri atewab'äl richin ri Waqxaqk'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj pa ruwi' achamaqi' taq einaqi' chuqa' nk'aj chik achamaqi' taq winaqi' ek'o pa nk'aj chik tinamital makijuch'un ta la jun wuj re' chuqa' yi'on ruq'ij pa kaxlan moloj (Sistema Interamericano de Derechos Humanos) akuchi' nuhop rij ri kaxlan cholajem.

Ruma maxb'anta ru samaj, k'o chi nyi'ox ri to'ik k'utun, akuwi' xub'ij ri Nab'ey ru palb'al q'atöy tzij. K'o chi ntz'et chi ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas), par i wuj richin xuya' ruch'ojkil, chuqa' xub'ij chi ri q'atb'äl tzij k'o suq'usik taj na'oj chupam ri xub'ij qa, Ruma ri' chikiwach rije' ma pasaqil ta xkanaj achike k'o chi xb'an. Yare' q'atb'äl tzij, taj xch'ob' rij ri rub'inqa ri Nab'ey ru palb'al q'atöy tzij , xwil chi, akuwi' xuya' ruch'ojkil ri Chitüy

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Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

, ri xb'ij qa ri nab'ey rupalb'äl, maxtz'ib'äj ta qa achike b'anoj k'o chi yeb'an ruma xyi'ox ri Tob'äl Tzij. Yare' nub'an chi je tuyi'ox ruq'ij ri ruch'ojkil ruyi'on ri Chitüy natan, richin nb'an ri xb'ij ri nab'ey palb'äl chuqa' ri nb'ix pa ri wuj re'.

Ntun rik'in rixb'ix yan, ruma ri silonik nub'an samaj akuwi' la najin ntzijox apo chara ri ruch'ulew, wawe' nb'ix achike k'o chi nb'an richin nto'ox, nchajix ri ruch'ulew k'o pa ri ramaj ulew akuchi' nb'an wi ri samaj. Yare' ch'ob'oj nuwil ruxe'el pa, ruma ri kib'anik ri achamaq'i' taq winaqi' k'o' rik'in ri ruch'ulew yare' nub'an chi nyi'ox q'ij ti cholajem richin jun jeb'el ruch'ulew. Ri xtub'ix pa ruwi' re', nkiwil ki xe'el par i taqotzij chuqa' pa k'iy tzij kib'in pa ri Kaxlan rucholajem k'aslen.

Ri kaslan moloj richin rucholajem k'aslem rub'in chi taj nb'an nimaq' taj samaj, akuwi' nima b'ey, samaj rik'in ya', samaj pa palow, akuwi' ruyi'oxik to'ik wuj richin nlesas rab'ajul ulew, nkitzelaj ki k'aslen ri achamaq'i' taq winaqi', nim yak'awal nuk'on pe, ruma nuya' pa k'ayawal ki ruch'ulew, ruma ri nuya' k'ayawal pa kik'aslen, rik'in ri njalataj rub'anik ki ulew.

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Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

[Q'atöy Tzij (Comisión Interamericana de Derechos Humanos). Rucholajem de Achamaq'i' taq winaqi' chuqa' nk'aj chik achamaq'i' taq winaqi' chuqa' ruwach ulew pa ru wi' ki ulew chuqa' ruwach ulew, rub'eyal chuqa' ri k'o pa ruq'a' richin ri Kaxlan moloj richin Rucholajem. Motzaj 205]

Chuqa' rb'in chi ri lesaxik eleb'el pa ki ulew achammq'i' taq winaqi', nkowin nujal ruk'aslen ulew chuqa' richikopi', nkiya' pa keyewal ri akuwi' nkiwil wa ki rajil, ki ch'uchuj k'aslen, chika ntz'iloj ki cholajem richin pa ruwi' ki ulew. [Q'atöy Tzij (Comisión Interamericana de Derechos Humanos). Rucholajem de Achamaq'i' taq winaqi' chuqa' nk'aj chik achamaq'i' taq winaqi' chuqa' ruwach ulew pa ru wi' ki ulew chuqa' ruwach ulew, rub'eyal chuqa' ri k'o pa ruq'a' richin ri Kaxlan moloj richin Rucholajem. Motzaj lajk'al waqi' 206]. Ri ch'uti moloj richin ri q'atöy tzij (La citada Comisión y la Corte Interamericana) chuqa' kisujuj k'ayawal elenaq pa ruwi' "richin ki raxnaqil, akuwi' yek'iyir, akuwi' rub'anik ri yeb'a' pa jalajoj taq peraj ulew chikikojol, xk'is pe ri ya' chuqa' rijeb'el ya', xk'is chuqa' ri ulew richin kitiko'n ; xk'ispe ri chapoy chu'u', xek'is ri chikopi', xk'is ri k'achelaj, chuqa' xnaq ri ütj laj k'aslemal chikikoloj taj achamaq'i' taq winaqi'yare' nb'anataj akuchi' moloj richon eleb'el, richin tz'aläm chuqa' nk'aj chik ruwach ulew. [Q'atöy Tzij (Comisión Interamericana de Derechos Humanos). Rucholajem de Achamaq'i' taq winaqi' chuqa' nk'aj chik achamaq'i' taq winaqi' chuqa' ruwach ulew pa ru wi' ki ulew chuqa' ruwach ulew, rub'eyal chuqa' ri k'o pa ruq'a' richin ri Kaxlan moloj richin Rucholajem. Motzaj lajk'al b'eleje' 209.] Utz nsik'ix, ri xb'ix ruma ri ch'uti moloj. Ri saqamaq' k'o kitaqen tzij nkitz'at chi ma ntz'iloj ta ri k'ayawal pa ruwach ulew pa ki ulew achamaq'i' taq winaqi'chuqa' nk'aj chik achamaq'i' taq winaqi' ri yekowin nkitz'ila' ki cholajem k'aslen.

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Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Yare' b'anoj chi k'o chi nb'an, nk'atzin chi nkiya' jeb'el taq na'on chupam richin nchajix ki ulew ri achamaq'i' taq winaqi', ruma ri k'ayawal nuya' par i samaj samaj richin eleb'el, awajb'äl, tiko'on, lesan che' chuqa' nk'aj chik b'anoj akuchi' nkil wa ki rajij, akuwi' ruma nb'an samaj richin b'anoj nimaq' taj samaj, ruma k'a ri etzelal ri' nub'an ko'ol chara kichuq'a', rub'anik ri nkitzuq ki0, ya' chuqa' samaj akuchi' nkiwil wa kirajil, kib'anik, kib'anob'äl. Ruma nb'an yari' samaj, ri Saqamaq' k'o chi nuya' "jeb'el tz'etexik chara ri ya' chuqa' k'achelaj, ruma yari' yalan k'atzinel pa kik'aslen ri achamaq'i' taq winaqi'". [Q'atöy Tzij (Comisión Interamericana de Derechos Humanos). Rucholajem de Achamaq'i' taq winaqi' chuqa' nk'aj chik achamaq'i' taq winaqi' chuqa' ruwach ulew pa ru wi' ki ulew chuqa' ruwach ulew, rub'eyal chuqa' ri k'o pa ruq'a' richin ri Kaxlan moloj richin Rucholajem. Motzaj lajk'al kab'lajuj 212]

Akuwi' xb'ix q apa ri ramaj qan, ri tob'äl tzij xk'utux k'o chi nyi'ox, ruma ri' r uru ch'ojkil xuya' ri Exploraciones Mineras de Guatemala, Sociedad Anónima, manyi'ox ta q'ij chare, k'o chi nyi'ox ruchuq'a' ri xub'ij ri q'atöy tzij richin nab'ey palb'äl. Ma xtumestaj chi ri ch'ojkil ruyi'on ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas) yari' nyi'ox ruq'ij xew richin nchojmix ri ma kanpasaqil ta kowa ri xb'ix qa ruma ri q'atöy tzij richin nab'ey palb'äl yari' ntz'et chi kan qatzij wi, yari' nyi'ox chupam ri xtuchojmix kame pa la jun re'.

TAQOJ TZIJ YEKUSAX

Xesik'ix chuqa' oxlajk'al wo'o' 265, oxlajk'al waqxaqi' 268 chuqa' oxlajk'al kab'lajuj 272, retäl cholajil c), richin Cholk'aslemal richin Iximulew; 1º., 2º., 3º., 8º., 9º., 10, 42, 44, 46, 48, 60, 61, 63, 64, 66, 67, 149, 163, retal cholaj c), waqxaqk'al lajuj 170 chuqa' b'elejk'al wo'o' 185 Taqotzij richi tob'al Tzij, K'utunik winäq chuqa' richin Cholk'aslemalil (Ley de Amparo, Exhibición Personal y de Constitucionalidad)

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Ruxaq wuj ajilab'äl kajk'al jun chara kajk'aj waqxaqi'
Wuj emolon

Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

; 7 Bis richin ri runun na'oj oxí'-kajk'al b'eleje' 3-89chuqa' juk'al waqlajuj 36 ruchin ri tunün na'oj jun-woq'o' oxlajuj 1-2013 chi ka'i' richin ri Q'atöy Tzij (Corte de Constitucionalidad).

POR TANTO

Q'atöy Tzij (Corte de Constitucionalidad), pa ruxe'el rik'en ri xb'ix yan qa, chuqa' xesik'ix ri taqotzij, nub'ij: I. Pa kib'i' ri Q'at Dina Josefina Ochoa Escribá chuqa' Henry Philip Comte Velásquez, ek'o chupam ri q'atb'äl tzij ri Q'at María de los Angeles Araujo Bohr chuqa' José Mynor Par Usen. II. Many'ox ta ruq'ij ri ru ch'ojkil rob'anem tzij (recurso de apelación) xuya' ri Exploraciones Mineras de Guatemala, Sociedad Anónima, –röx mokaj nrajo' chi ntz'et ri k'ayawal– chirij ri jikib'an wuj xyi'ox pa juk'al waqxaqi' q'ij chara ruwaq ik' richin ri juna' woq'o' waqlajuj, xyi'ox ruma ri Q'atb'äl zij (Corte Suprema de Justicia, constituida en Tribunal de Amparo), ruma ri' k'utuxik ri tob'äl tzij ruma Centro de Acción Legal-Ambiental y Social de Guatemala chirij ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas). III. Nyi'ox q'i ruma pa rub'eyal ri ch'ojkil ruyi'on ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas)–k'amöl b'ey chojcha xyi'ox wa ru ch'ojkil– chirij ri jikib'an soloj; ruma ri, njal ri xub'ij qa ri qatb'äl tzij richin nab'ey rupalb'äl richin nuk' chi ützi ri ru samaj k'o chi nub'an: a) Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas), rik'in ruto'ik ki chin winaqi' ri k'o numaq' na'oj kik'en chirij ri ch'ob'oj najin nb'an, ützi ek'o pa nk'aj chik Chitüy, k'o chi nutzu', nab'i'el, jani' winaqi' ek'o' chupam ri ramaj ulew akuchi' nb'an wi' ri samaj “Progreso VII Derivada”, richin ntz'et achike chi winaqi' k'o ki cholajem richin nk'utux chike Atewab'äl waqxaqk'al b'eleje' (Convenio 169). Yare' samaj k'o chi nb'an pa wolajuj (15) q'ij, nwajlax taj tu juch' ruwach la wuj re'; b) Ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas) k'o chi nub'an nojel akuchi' ek'o wi ri cahamaq'i' taq winaqi' akuchi' nsamaj wi ri to'ik wuj

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Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kajj'-woq'o' waqlajuj

“Progreso VII Derivada”, ri rub'eyal richin ri k'utunik k'o pa Atewab'äl richin ri Waqxaqk'al B'eleje' Richin ri Kaxlan Mokaj richin Samaj pa ruwi' achamaq'i' taq einaqi' chuqa' nk'aj chik achamaq'i' taq winaqi' ek'o pa nk'aj chik tinamital makijuch'un ta la jun wuj re' (Convenio 169 de la Organización Internacional del Trabajo sobre Pueblos Indígenas y Tribales en Países Independientes), xa mab'anon ta chojmil ri taqotzij pa kitinamit, k'o chi nub'an ri nub'ij ri Atewab'al waqxaqk'al b'eleje' (Convenio 169) akuwi' rutz'eqat, ri xb'ix pa la wuj re'; xachojmix yan akuwi nb'an chara ri k'utunik, ri k'utunik k'o chi nb'an akuwi' ruchojmil xb'an chara ri taqotzij. Ruma ri', nyi'ox kab'lajuj ik', nwajlax taj xtujuch' yare' wuj, ramaj q'ij chi kojol ri q'atb'äl tzij k'i chi nuya' jun jeb'el rusijol samaj (informe) pa taq ox'i' ik', chupam ri' k'o chi nunuk' pe akuwi' b'enaq ri k'utuxik. Taj xtik'is ri ramaj q'ij yi'on chike k'o chi nkiya' jun jeb'el sijol akuchi' npe wi ri nojel b'anoj yari' wuj nuya' chara ri Q'atb'äl Tzij richin nab'ey rupalb'äl, ri k'o chi ntz'ito chi je' xb'an ri najin nb'ix qa, richin taj majane' nb'an ri moloj kik'en kenojel xek'oje' pa ri k'utunik, xtikib'ij chi je chuqa maxb'an ta ri xb'ix qa wakami. Xa ri k'utunik nk'is taj majane nq'ax ri q'ij xyi'ox chike richin nb'an ri samaj chuqa' rixel par i k'utunik chi je' ützb'an ri samaj, yare' ützb'an, xew k'o chi ntz'et chi je xb'an yan chojmil ronojel ri xel chupam ri k'utunik, yare' xew xa kiri' xtib'ij chi je nb'an; c) ntaq richin ntz'et: 1) xa maxk'is ta rub'anik ri k'utuxik chuqa', par u na'oj ri Q'atöy Tzij (Tribunal de Amparo), ri ruxe'el majun ru ejqalen –ruma xamay chuqa' ruma manta' kina'oj– chike ri Rusamajel Amaq' xek'oje' chupam, chike ri winaqi' ri ek'o pa ramaj ulew akuchi' nb'an wi ri samaj chuqa' chike ri asamajela' richin ri mokaj richin eleb'el, taj majane nb'an ri moloj rik'in ri winaqi' xek'oje chupam ri k'utunik, Ri q'atöy tzij (Tribunal de Amparo), nkowin nuya' tzij richin nb'an na ri k'utunik richin nk'is ützb'an.

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Wuj emolon

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2) ri k'utunik maxk'is ta rub'anik ruma xamay chuqa' majun kina'oj ri Saqamaq'—, Chajb'ach ke ri moloj ek'o chupam ri k'utunik ütznkik'utj chi tu k'is rub'anik ri k'utunik. Ri Q'atöy Tzij richin nab'ey rupalb'äl k'o chi nutz'et achike ruma xb'antaj ri' richin ntz'et achike xmakun, chojchij nqa wi' rejqalem, chuqa' rejqalem rik'in taqotzij, chuqa' achike xmakun pa Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas) chuqa' chara jun chik Rusamajel amaq' xmakun richin maxb'an ta ri samaj, ri tzijonibäl yeb'ix apo ma nulesaj ta rejqalem kak'al lajuj 50, kak'al kab'lajuj 52, kab'lajuj oxlajuj 53 chuqa' kak'al kajlajuj 54 richin ri Taqotzij richi tob'al Tzij, K'utunik winäq chuqa' richin Cholk'aslemalil (Ley de Amparo, Exhibición Personal y de Constitucionalidad). Ri nub'an ri q'atöy tzij (Tribunal de Amparo) richin nab'ey palb'äl k'o chi ntz'et, pa rub'ey ri najin nch'ojix, ütznub'an yar'e q'atb'äl tzij; 3) Ri k'utunik maxb'an ta ruma Exploraciones Mineras de Guatemala, Sociedad Anónima, taj majane' nb'an ri moloj kik'en ri winaqi' xek'oje chupam ri k'utunik, nb'ix chara ri k'amöl b'ey chojchi najin nyi'ox wa ru chojkil chi tulesaj ri to'ik wuj yi'on chara "Progreso VII Derivada", chuqa' k'o chi nub'an ri samaj richin tojik, chojmixik chuqa' tz'apixik nk'atzin; 4) xa ri k'uetunik kimak ri achamaqi' taq winaqi' ek'o pa ri peraj ulew akuchi' nb'an wi ri samaj, ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas) k'o chi nub'ij chara ri q'atöy tzij richin richin nch'ob' rij, richin ntz'et, ri nk'aj chik winaqi'. Xtutz'et chi je xb'antaj ri najin nkib'ij, ri q'atb'äl tzij nkowin nub'ij achike k'o chi nb'an pa arub'eyal; d) Xtuk'is ri k'utuxik chuqa' xtub'ix chi ri samaj

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Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

Najin nb'an ma ti to'ik wuj "Progreso VII Derivada" ma nuya' ta k'ayawal pa kik'aslen ri achamaq'i' taq einaqi' ek'o akuchi' nb'an wi ri samaj, ri mokaj richin eleb'el nkowin nuchp rub'ey chik rusamaj, ruma ri nub'ij: 1) chara ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas) tutz'ita' richin nb'an üt'z laj samaj ruma ri to'ik wuj ruyi'on "Progreso VII Derivada" nb'an rik'in ri rub'ixik xb'ix, chupam ri ramaj q'ij xyi'ox wa q'ij chike par i to'ik wuj; 2) chara ri Chitüy richin Ruch'ulew chuqa' ri Achinäq ek'o pa Ruch'ulew (Ministerio de Medio Ambiente y Recursos Naturales) chi: i) Tuchol chara ri Exploraciones Mineras de Guatemala, Sociedad Anónima, tuk'utu' chi xchojmix ri Nuk' Wuj richin nuk' ri wach'ulew, k'o pa Ch'ob'oj richin Ntz'et ri Nimaretal nuya' jun samaj pa Ruwach'ulew (Estudio de Impacto Ambiental) ri xuya' ruq'ij yari' Chitüy, ri samaj ri' k'o chi nb'an pa wolajuj (15) q'ij. Yari' Chitüy k'o chi nyi'o chara ri moloj akuwi' k'o chi nb'an ri nuk'iwuj richin nuk' ri ruch'ulew. Ru chojmixik ri ri nuk'iwuj richin nuk' ri ruch'ulew k'o chi nk'utux pa taj ox'i' juna', pa ri ramaj q'ij xtuyaloj re samaj richin eleb'el; ii) tuyi'ox ruq'ij, tuchajix riruch'ulew akuchi' nb'an wi ri samaj, k'o chi ntz'et pa saqil chi je najin nb'an ri tz'ib'än pa ri Ch'ob'oj richin Ntz'et ri Nimaretal nuya' jun samaj pa Ruwach'ulew (Estudio de Impacto Ambiental) xyi'ox q'ij ruma ri Chitüy najin natax; iii) Nunuk' ri nb'anataj richin nojel b'anoj richin nchajix, nk'achojrisax ri k'ayawal pa ruch'ulew xa xtutz'iloj pa ulew kichin ri achamaq'i' taq wimaqi' rik'en jub'a maxyi'ox ta pa Ch'ob'oj richin Ntz'et ri Nimaretal nuya' jun samaj pa Ruwach'ulew (Estudio de Impacto Ambiental) k'o chi nb'an; iv) Tunuk' chi k'o chi nkib'an b'anoj richin nto'ox, nchajix nojel ri ya' richin mantz'iloj ta ruma ri samaj najin nb'an richin eleb'el.

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Ruxaq wuj ajilab'äl kajk'al wo'ó chara kajk'aj waqxaqi'

Wuj emolon

Waqxaqq'ó' wuq'u-woq'ó' waqlajuj chuqa' Waqxaqq'ó' wuqk'al kaji'-woq'ó' waqlajuj

v) Tub'ij chi k'ó chi nb'an, nojel ik', netz'et akuchi' k'ó wa ri jay akuchi' nb'an ri samaj richin eleb'el richin ntz'et chi manajin ta ntzilox ri ya'. Nojel ri b'anoj b'in chupam la jun retäl cholajil re' k'ó chi nub'ij ri Chitüy ri k'ó chi nb'ano, pataq kokoj moloj ek'ó pa ruq'a', ützt nuk'ut to'ik chike ri molojil richin amaq' ri nk'atzin chara, k'ó chi nuya' rusiloj amaq' chara ri Q'atb'äl Tzij richin nab'ey rupalb'äl, richin nb'an chi ützt ri b'ij; 3) Chara ri Chitüy richin Raxnaqil chuqa' kiyo'ik winaqi' chi: i) Nub'ij chi k'ó chi nb'an ri Chob'oj richin ruxe'el richin raxnaqil (Estudio de Línea Base de salud) akuchi' nb'an wi ri samaj richin eleb'el rik'in ri to'ik wuj yí'on "Progreso VII Derivada", k'ó chi ntz'et chi majun yab'il ruk'amon ta pe ri samaj richin eleb'el; ii) Nub'ij chi k'ó chi nchajix ki raxnaqil ri winaqi' yesamaj richin eleb'el chuqa' ri winaqi' ek'as pa ri tinamital akuch'i nb'an wi ri samaj, k'ó chi netz'et b'iniqil richin ntz'itox chije najin nb'an ri xb'ix chuqa chi ri xkib'ij ützt, chuqa' iii) Ntz'et pa taj oxí' ik' chi ri ya richin ki k'aslen ri winaqi' ützt na k'a, ri ya' njach pa ti tinamital, richin ntz'et chi ri ya' ri ützt richin nqum, chuqa' 4) chike ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas) chuqa' Chitüy richin Ruch'ulew chuqa' ri Achinäq ek'ó pa Ruch'ulew (Ministerio de Ambiente y Recursos Naturales) ti kib'ana' kokoj taj moloj richin ntz'et chi ützt najin nub'an ri samaj b'inqa par i retäl cholajil b'inqa, richin majun k'eyewal xtekiwil ruma nb'an ri samaj re'. K'ó chi nkiya' pa ri kokoj taj molor ri' wimaqi' k'ó nimaq' taj na'oj kik'en pa ruwi ri samaj najin nb'an, ri winaqi' ri chiqa k'ó chi ma ek'ó pa ri moloj yelesaj ri eleb'el chuqa ri winaqi' ek'as pa ri ulew akuchi najin nb'an wi ri samaj.

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Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

III.Xa maxtub'an ta ri xb'ix wakami, ri K'amöl b'ey richin ri Eleb'el (Director General de Minería), ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas), ri Chitüy richin Ruch'ulew chuqa' ri Achinäq ek'o pa Ruch'ulew (Ministerio de Medio Ambiente y Recursos Naturales) chuqa' ri Chitüy richin raxnaqil chuqa' to'ik ri Winaqi' (Ministro de Salud Pública y Asistencia Social), nyi'ox tojalil akuwi' nub'ij pa taqotzij, manlesas ta ruq'ij ri nub'ij pa tzijonib'äl kak'al lajuj 50, kak'al kab'lajuj 52, kab'k'al oxlajuj 53 y kab'k'al kajlajuj 54 richin ri Taqotzij richi tob'al Tzij, K'utunik winäq chuqa' richin Cholk'aslemalil (Ley de Amparo, Exhibición Personal y de Constitucionalidad), chuqa' chupam ri rejqalem k'o pa taqotzij yeqa chupam. V. Rub'anik richin nb'an na ri samaj richin eleb'el ruma ri wuj to'ik yi'on "Progreso VII Derivada": xa xkib'ij ri winaqi' ek'o pa ri rinamital akuchi' najin nb'an wi ri samaj "Progreso VII Derivada", je tub'an ri samaj, ruma ri' ma ruk'amon ta pe k'ayawal pa kik'aslen ri winaqi', richin nkib'an ri samaj, k'o chi nch'ob' ri xb'ix yan qa : taj xk'is yan qa ri k'utunik, Ri Chitüy richin Uchuq'alb'il chuqa' Eleb'el (Ministerio de Energía y Minas), pa wolajuj (15) q'ij, k'o chi nuya' nojel ri Solsamaj yek'atzin richin ntz'et chi je nb'an ri akuwi' xkanaj par i tunün na'oj, k'io chi nchojmix rub'eyal ri nuk' wuj richin akuwi' xel pa k'utunik. Ri xtub'ix pa ri Solsamaj ütz nb'a pa ri to'ik wuj. Ju mul xyi'ox yan Solsamaj pa ruwi' ri xb'ix yan, ri moloj richin eleb'el ütz nu chop rij rusamaj. VI. Ri Chitüy richin pwaq Amaq' (Ministerio de Finanzas Públicas) k'o chi nuya' ri Chitüy richin Ruch'ulew chuqa' ri Achinäq ek'o pa Ruch'ulew (Ministerio de Medio Ambiente y Recursos Naturales) chuqa' richin Uchuq'alb'il chuqa' Eleb'el (Energía y Minas) ri pwaq richin nkitoj ri winaqi' nimaq' kina'oj ri chin nkiya' na'on chike ri achamaq'i' taq winaqi' ek'o chupam ri ulew akuchi' nb'an wi ri samaj

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Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kajj'-woq'o' waqlajuj

Chuqa' ützyewayox ruma ri xhitüy richin nkiya' jun pixab' pa ruwi' ri xb'ix qa wakami. VII. Nojel ri Rusamajel Amaq' xtuk'atzin richin nb'an ri samaj xb'ix qa wakami, k'o chi nub'an ri samaj xew ri k'o pa ruq'a akuwi' nub'ij ri taqotzij, k'o chi nuch'ob', chi maxtub'an ta, Yeqa pa k'ayawal rik'in taqotzij. VIII. Ruma rub'eyal ri Tojb'alil chuqa' ri rejqalem, tub'ix, chike ri moloj ri'il chuqa chike: i) chara ri mokaj (Congreso de la República de Guatemala), ii) chara ri Chitüy richin Ruch'ulew chuqa' ri Achinäq ek'o pa Ruch'ulew (Ministerio de Medio Ambiente y Recursos Naturales), iii) Chara ri Chitüy richin Raxnaqil chuqa' kito'ik Winaqi' (Ministerio de Salud Pública y Asistencia Social) chuqa' iv) chara ri K'amöl b'ey richin eleb'el (Dirección General de Minería). IX. Rik'in lkitzijik ri xb'ix wakami, tutzolix akuchi k'o chi nk'oje wi ri ek'o chupam ri tob'äl tzij richin nab'ey palb'äl, chuqa' ri b'anonpe chupam ri rub'anem.

Kemil juchi richin
GLORIA PATRICIA PORRAS ESCOBAR
K'AMÖL B'EY

Kemil juchi richin
NEFTALY ALDANA HERRERA
Q'AT

Kemil juchi richin
JOSÉ FRANCISCO DE MATA VELA
Q'AT

Kemil juchi richin
MARÍA DE LOS ANGELES ARAUJO BOHR
Q'AT

Kemil juchi richin
BONERGE AMILCAR MEJÍA ORELLANA
Q'AT

Kemil juchi richin
JOSÉ MYNOR PAR USEN
Q'AT

Kemil juchi richin
MARÍA CRISTINA FERNÁNDEZ GARCÍA
Q'AT

Kemil juchi richin
RUBÉN GABRIEL RIVERA HERRERA
AJTZ'IB'

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Ruxaq wuj ajilab'ál kajk'al waqxaqi' chara kajk'aj waqxaqi'
Wuj emolon
Waqxaqq'o' wuq'u-woq'o' waqlajuj chuqa' Waqxaqq'o' wuqk'al kaji'-woq'o' waqlajuj

K'atzinel nb'ix: Ri ruxaq wuj akuchi' tz'etab'atäl wi nojel ri xb'ix qa, ruk'amon pe retal pank'aj chi ri wuj k'o jun pokob' amaq' (Escudo).

Chuqa' pa ruxokon chikaj k'o ka'i' retal pa taq setesik (manq'alaj chi ützi ri nub'ij): pa ruxon pa xulan k'o jun retal pa jun setesik nub'ij: Q'atöy Tzij (Corte Suprema de Justicia) Ajtz'ib', k'o chiqa jun pokob' amaq' (Escudo).