

GOLDCORP IMPUNITY WATCH
Rights Action, February 12, 2011

THE PRICE & COSTS OF GOLD & IMPUNITY: The Shooting, Survival, Resistance & Dignity of Diodora Antonia Hernandez Cinto



(Diodora. Photo: Grahame Russell, February 1, 2011)

Back from a fact-finding trip in Guatemala to Mayan-Qeqchi communities harmed by Canadian nickel mining companies (namely HudBay Minerals) and Mayan-Mam communities harmed by the Canadian gold mine company Goldcorp Inc., Grahame Russell (Rights Action) files this report [below] about a visit to the home of Diodora Hernandez, who was shot point blank in the head on July 7, 2010, ... and survived, with a prosthetic eye.

On July 10, 2010, Rights Action sent a public letter to the Canadian government & parliamentarians, the Canada Pension Plan and other investors, concerning the attempted killing of Diodora Hernandez by local men who worked and/or used to work in Goldcorp's mine. We heard nothing back.

Claims of respect for the rule of law and democracy aside, with the gutting of the "Canadian Roundtables" process and recommendations, with the rejection of the relatively weak Bill C-300, and with the lack of support for pending Bill C-354 civil law reform, the impunity with which North American companies operate mines in countries like Guatemala is deeply a Canadian and American issue, as well as an international and Guatemalan phenomena.

If we do not put an end to the impunity and immunity from accountability and prosecution in Canada and the USA, the harms and violations will certainly continue unabated in countries like Guatemala.

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THE PRICE & COSTS OF GOLD & IMPUNITY: The Shooting, Survival, Resistance & Dignity of Diodora Antonia Hernandez Cinto

"I bought this plot of land to live on, not to sell it." This, Diodora Hernandez explains, is why two local men tried to assassinate her last year – because she would not sell her plot of land to Canadian mining giant Goldcorp Inc.



(Diodora with Javier de Leon, of ADISMI (Association for the Integral Development of San Miguel Ixtahuacan. All photos: Grahame Russell, February 1, 2011)

On July 7, 2010, two men approached Diodora's home in the evening when it was dark, to ask for a cup of coffee. As she came out carrying the cups of coffee, walking behind her daughter Maria, one of the men came out from behind some bushes, leaned around her daughter, and shot her point blank in the head.

The bullet entered her right eye, and exited by her right ear. But for a few millimeters, she would have died. After emergency operations and a long recovery in a hospital in Guatemala City, Diodora survived, miraculously, with a prosthetic eye.

Seven months later, she still does not want to sell her land.

Neighboring men – similarly poor, Mayan Mam campesinos – who have jobs in the mine, hate her; they ostracize her. A number of them publicly wished that she had died, after the shooting.

Amongst the many harms and violations caused directly or indirectly by Goldcorp's open-pit, cyanide-leaching mine operating here in the municipality of San Miguel Ixtahuacan, department of San Marcos, Guatemala, the creating of community divisions, hatred and violence is as devastating a result of the imposition of mining as anything else.

After 3 months in the hospital, Diodora returned on October 5, 2010, to her home in San Jose Nueva Esperanza, a village slowly being devoured by Goldcorp's expanding mine. Since mining began in early 2005, San Jose Nueva Esperanza is one of the most harmed communities, experiencing: cracked houses (due to the massive use of explosives to open the earth and rocks), water shortage and contamination, health harms and community divisions. Community members who resist company pressures to sell their plots of land are sometimes the targets of threats and violence; some have had criminal charges laid against them for a list of trumped up charges.

Diodora appears amazingly well, for a woman who was shot point blank in the head and lost an eye. However, she suffers on-going harms: her right ear, where the bullet exited, is deaf; she regularly experiences dizziness and fatigue; around her right eye, she experiences sensitivity to the sun and the heat of their cook stove.



(Diodora & her daughter Maria)

She cried, explaining how she used to tend to her animals – sheep and goats – and was able to pasture them and keep them together. Now she gets frustrated and sad, because she is not physically capable of keeping them together – they wander.

She no longer lives in the small house where the attack took place, in the hamlet of Sacmuj. Rather, she lives with her daughter, grand-daughter and husband in a home closer to the main road, by the mine. Half of the Sacmuj villagers have sold their plots of land to Goldcorp and gone ... she does not know where. She will not sell either plot of land.

Now, she has a security guard living with her family, full-time, provided by the government. She lives in a state of constant threat from pro-mining neighbors and the unknown. She does not know whether she can really trust her armed guard, but has no other options.

Diodora explains that the July 7 2010 attempted killing was the culmination of months of threats and acts of aggression committed by company officials or by her neighbors, against her, because she refuses to sell her lots to the company.



(Goldcorp [Montana Exploradora] has bought land all around Diodora's plot of land, and they have encroached on her land. Through the fence by Diodora's home, the Montana Exploradora company symbol painted on a basketball back board.)



(With her home in the background, to the left, Diodora walks her property line, by the fence Goldcorp/ Montana built, separating company land from Diodora's. She explains that they set their property line some 2 meters onto her plot of land.)



(Diodora's grand-daughter stands on a property marker Montana/ Goldcorp stuck on her land.)

Her husband told her something that other men in the community had told him. These men, who work in the mine, explained that one week before her shooting, a company official told them in a meeting in the mine that there would be less work for them because Goldcorp couldn't expand the mine further into San Jose Nueva Esperanza because Diodora wouldn't sell her plot of land.

And then one week later: July 7, 2010. There is no doubt in her mind why she was shot.

GOLDCORP ADMISSION

In a letter to ADIMSI (Association for the Integral Development of San Miguel Ixtahuacan) and Rights Action, dated July 20, 2010, Goldcorp Inc. acknowledged that the two men detained and questioned about the attack used to or still worked for Goldcorp (and its Guatemalan subsidiary Montana Exploradora):

"I understand that the two men who allegedly committed the assault have been identified and were detained by the police, but were subsequently released. However, I understand that the men have been ordered to appear before the Ministerio Publico in San Marcos to give statements regarding the incident. Both the men are residents of San Miguel Ixtahuacan. One of the two was employed by Montana, but his employment was terminated more than one year ago. The other man is employed by a contractor that provides underground mine development services to Montana at the Marlin Mine."

Goldcorp denies any link between the attempted killing and the mine: "There is no connection between the men, the assault, and Montana [Goldcorp] or the Marlin Mine."

JUSTICE? NONE!

The two men suspected of the killing were released after being questioned and no charges have been filed, as far as I know. After the assassination attempt, officials from

the Attorney General's office (Ministerio Publico) asked daughter Maria questions about what happened. They assured Maria that when her mother was healthy enough, they would come and take her statement as well.

To date, there has been no follow-up on this case. To date, no one has spoken with Diodora. Apparently, the AG's office has also not spoken with Goldcorp about the two men, though presumably Goldcorp would have information about its former and/or on-going employees.

In Guatemala, over 98% of all criminal cases go completely unaddressed; only 2% even get investigated; only an even finer percentage get resolved. Everyone knows that the rule of law in Guatemala does not work; that impunity is the norm.

THE PRICE & COSTS OF GOLD & IMPUNITY

When Goldcorp did its initial mining feasibility study, the calculated cost of producing gold was set at \$130 per ounce. They concluded that the project would be profitable if gold were selling at \$270 per ounce, or more. Today, gold is selling at \$1400 ounce. Goldcorp is making almost 10 times as much money, per ounce of gold, that it had guess-timated in its wildest dreams.

The shooting of Diodora is just one story about the real prices and costs of gold mining in Guatemala; this is the global "development" model at work.

(Grahame Russell works with Rights Action, info@rightsaction.org, www.rightsaction.org)

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HUMANITARIAN RELIEF FUNDS NEEDED

Over the past two years alone, Rights Action has provided humanitarian relief funds to families and victims of: military repression in Honduras; State and mining company repression in El Estor, Guatemala (due to the nickel mining related struggles there); State and mining company related repression and harms in San Miguel Ixtahuacan (due to the gold mining related struggles there); mining company related harms in Siria Valley, Honduras (due to the gold mining related struggles there); etc.

TO MAKE TAX-DEDUCTIBLE DONATIONS for relief funds for the family of Diodora and for indigenous and campesino communities resisting the harms and violations of Canadian mining companies, make check payable to "Rights Action" and mail to:

UNITED STATES: Box 50887, Washington DC, 20091-0887

CANADA: 552 - 351 Queen St. E, Toronto ON, M5A-1T8

CREDIT-CARD DONATIONS: <http://rightsaction.org/contributions.htm>

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WRITE YOUR OWN LETTER OF COMPLAINT & DENUNCIATION

Please write letters to the offices and persons listed below, with a copy of this urgent action, denouncing the attempted killing of Dona Maria and other recent threats and attacks against Mayan Mam and campesino villagers in San Miguel Ixtahuacan who are

in resistance to the harms and violations caused by the Goldcorp mine. In your letters, respectfully demand a response from who you write to, and demand:

- 1- that the Canadian government, politicians and investors publicly support the suspension of the mine in Guatemala, as ordered by the Inter-American Commission of Human Rights
- 2- a public, comprehensive Canadian/ international inquiry into the harms and violations caused by Goldcorp's mining in Guatemala
- 3- compensation and reparations for Mayan communities and people harmed by gold mining
- 4- the passing of comprehensive criminal and civil law reform in Canada, so as to be able to hold Canadian companies and investors fully accountable for environmental and health harms and human rights violations

CONTACT YOUR MEMBER OF PARLIAMENT:

<http://www2.parl.gc.ca/Parlinfo/Compilations/HouseOfCommons/MemberByPostalCode.aspx?Menu=HOC>

CANADIAN GOVERNMENT OFFICIALS

Governor General of Canada Michaëlle Jean
Rideau Hall, 1 Sussex Drive, Ottawa, ON, K1A-0A1
info@gg.ca, (613) 993-8200, 800 465-6890
Duncan Mousseau, Director, Policy, Planning and Correspondence
Office of the Secretary to the Governor General
DMousseau@GG.CA

Prime Minister Stephen Harper
harpes@parl.gc.ca

Minister of International Cooperation Bev Oda
509-S Centre Block, House of Commons, Ottawa, ON, K1A 0A6
Oda.B@parl.gc.ca

Minister of Foreign Affairs Lawrence Cannon
509-S Centre Block, House of Commons, Ottawa, ON, K1A 0A6
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Minister of State of Foreign Affairs (Americas) Peter Kent
125 Sussex Dr, Ottawa, ON, K1A 0G2
613) 992-0253, kent.p@parl.gc.ca

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Jack Layton, leader, New Democratic Party
221 Broadview Ave, Suite 100, Toronto, ON, M4M 2G3
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Elizabeth May, leader, Green Party
Saanich Gulf Islands EDA, PO Box 20076, Sidney, BC, V8L 5C9

emaytowin@greenparty.ca

Michael Ignatieff, leader, Liberal Party
656 The Queensway, Etobicoke, ON, M8Y 1K7
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Bob Rae, liberal, Foreign Affairs Critic, (613) 992-5234, RaeB@parl.gc.ca

Francine Lalonde, Bloc Quebecois, Foreign Affairs Critic, (613) 995-6327,
LalonF@parl.gc.ca

Paul Dewar, NDP, Foreign Affairs Critic, (613) 996-5322, DewarP@parl.gc.ca

Larry Bagnell, liberal, bagnell.l@parl.gc.ca

Stockwell Day, conservative, days@parl.gc.ca, 613-995-1702

Peter Julian & Henri Sader, NDP International Trade Critic, Rm 178, Confederation Bldg.,
Ottawa, ON K1A 0A6, julian.p@parl.gc.ca

John McKay, liberal, Standing Committee on Foreign Affairs and International
Development, (613) 992-1447, MckayJ@parl.gc.ca, 613-947-4609

Kevin Sorenson, Standing Committee on Foreign Affairs and International Development,
Room 518, Justice Building, Ottawa, ON K1A 0A6, (613) 947-4608, SorenK@parl.gc.ca,
613-992-2971

Dean Allison, Foreign Affairs Committee Chairperson, 4994 King Street, Beamsville,
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Paul Dewar, NDP, Foreign Affairs Critic, 1306 Wellington St. W, Ottawa, Ontario, K1Y 3B2,
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CIDA

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4092, barbara.curran@acdi-cida.gc.ca; Kate Stefanuk (kate.stefanuk@acdi-cida.gc.ca)
will serve as Acting Director (& responsible for Honduras); Johanne Dupont
(johanne.dupont@acdi-cida.gc.ca), Country Program Manager for Nicaragua,
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CANADIAN EMBASSY IN GUATEMALA

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13 Calle 8-44 Zone 10, Edificio Edyma Plaza, Ciudad de Guatemala
(502) 2363-4348, 2365-1201, gtmla@international.gc.ca

CPP - CANADA PENSION PLAN

The CPP has \$349,000,000 of shares in Goldcorp. One Queen St. East, Suite 2600, Toronto ON, M5C-2W5; CPP Investment Board: csr@cppib.ca, 416-868-4075, 1-866-557-9510; Lisa A. Baiton, VP, Stakeholder & Government Relations, CPPIB, 416) 868-6612, lbaiton@cppib.ca

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