

Rights Action – March 9, 2011
Goldcorp & Impunity in Guatemala

February 28, 2011, Repression Against Peaceful Protesters

PUBLIC LETTER TO THE GOVERNMENT OF GUATEMALA & TO GOLDCORP Inc

BELOW

A public letter signed by many organizations (including Rights Action) to the government of Guatemala and Goldcorp Inc., once more demanding the suspension of Goldcorp's "marlin" mine in Guatemala.

SOME CLARIFICATIONS ABOUT THE LETTER

- Many of the people who violently attacked the peaceful protesters are Goldcorp employees working in its "Marlin" mine in Guatemala;
- Miguel Bamaca, mentioned in the letter, who was severely beaten, was a founding member of ADISMI (Asociacion por el Desarrollo Integral de San Miguel Ixtahuacan / Association for the Integral Development of San Miguel Ixtahuacan, founded in the 1980s) and is a member of FREDEMI (Frente de Defensa San Miguel Ixtahuacan / San Miguel Ixtahuacan Defense Front);
- Aniceto Lopez, mentioned in the letter and also beaten, is a member of ADISMI and FREDEMI.

PLEASE

- Send your own letter to Goldcorp Inc. and the governments of Guatemala and Canada, with copies to other offices listed below (as well as you local media), demanding:
 - The suspension of Goldcorp's "marlin" mine;
 - A full & independent international inquiry into all the environmental and health harms, and other human rights violations, caused directly and indirectly by Goldcorp's "marlin" mine since before 2004
- Send letters to ADISMI expressing solidarity with their struggle in defense of community development, the environment and human rights.

ADISMI – Asociacion por el desarrollo integral de San Miguel Ixtahuacan

Aniceto Lopez: anisetolopezd@yahoo.es

Javier de Leon: nimjavier@gmail.com

Carmen Mejia: carmenmejia@gmail.com

- Please re-send this letter all around ...
- To get on Rights Action's listserv: www.rightsaction.org
- What to do?: see below

Thank-you

Rights Action
Grahame Russell, co-director
info@rightsaction.org / www.rightsaction.org

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PUBLIC LETTER TO THE GOVERNMENT OF GUATEMALA & TO GOLDCORP Inc (Montana Exploradora)

(versión en español disponible)

March 9, 2011

Ruth del Valle Cóbar, Msc., President
Presidential Commission for Coordinating Executive Policy in the Field of Human Rights (COPREDEH)
2 Ave. 10-50, Zona 9
Guatemala

Charles Jeannes, President and Chief Executive Officer
Goldcorp Inc.
Park Place, Ste. 3400-666 Burrard St.
Vancouver, B.C. V6C 2X8

Dear Ms. del Valle and Mr. Jeannes:

The Coalition Against Unjust Mining in Guatemala (CAMIGUA) and allies would like to express our profound concern following reports of violence in the municipality of San Miguel Ixtahuacán on February 28th 2011.

The alleged incidents took place after a day of action organized by community members to urge Guatemalan authorities to implement precautionary measures, MC-260-07, issued by the Inter-American Commission on Human Rights (IACHR) on May 20th 2010.

These measures, including the temporary suspension of the Marlin mine, are intended to provide immediate security and protection for the health and personal integrity of indigenous communities in the municipalities of Sipacapa and San Miguel Ixtahuacán. They are also intended to protect the communities' rights while the IACHR examines alleged human rights violations stemming from the mine.

Although President Álvaro Colóm publicly indicated his government would comply with the IACHR's recommendation, [1] the mine continues to operate.

We believe that events such as those on February 28th underline the necessity for the Guatemalan government to fully implement the IACHR precautionary measures. Failure to address the underlying grievances about the Marlin mine generates conflict and fosters conditions within which violence can take place, as pointed out in Goldcorp's own Human Rights Assessment. [2]

We therefore urge the Government of Guatemala to comply with the precautionary measures and suspend operations at the Marlin mine. In lieu of immediate government action, we request that Goldcorp voluntarily take this step and fulfill its commitment to respecting human rights.

We also ask Guatemalan authorities to ensure protection for the physical integrity of human rights defenders in San Miguel Ixtahuacán and to fully investigate all reported abuses against these defenders in accordance with its obligations under human rights law.

Goldcorp argues in its recently disclosed financial statements and accompanying analysis that "there is no basis under Guatemalan law to suspend operations at Marlin" and that to do so would have an "adverse effect... on its employees, suppliers, and the communities." [3]

Guatemala is party to the American Convention on Human Rights and, as a result, it is incumbent on the Guatemalan state to implement the recommendations of the Inter-American Commission on Human Rights.

Furthermore, to the extent that a temporary suspension of the Marlin mine would have an adverse affect on employees, suppliers and communities, the company is fully capable of sustaining the costs of such a suspension and to ensure that others who might be affected do not suffer undue hardship as a result. According to Goldcorp's financial statements for 2010, [4] the Marlin mine was the company's second largest source of earnings in 2010. [5] Indeed, the company's total assets in 2010 [6] now exceed the GDP of Guatemala. [7]

We are deeply concerned by what took place on February 28th 2011, by persistent tensions in the communities of San Miguel Ixtahuacán, and by the ongoing situation of threats against human rights defenders opposed to the Marlin mine. Despite the efforts of the Government of Guatemala to convene a dialogue with selected participants, this recent conflict is an indication that neither the Guatemalan government nor Goldcorp have adequately addressed grievances of affected communities.

We believe that a transparent process to address community grievances will not be able to take place until the precautionary measures issued by the IACHR are fully implemented, including the temporary suspension of the Marlin mine.

We believe the suspension of the Marlin mine, whether immediately enforced by the Guatemalan government or voluntarily by the company, would be a significant step to address existing tensions in San Miguel Ixtahuacán, and to ensure that economic interests do not once again come before the safety and wellbeing of indigenous communities in Guatemala.

CAMIGUA and its allies also ask the Government of Guatemala to fully investigate the events of February 28th, to take action to protect human rights defenders, and to immediately implement the precautionary measures.

Sincerely,

Atlantic Regional Solidarity Network (Canada)
BC CASA/Café Justicia BC
Casa Maiz-Toronto
Center for International Environmental Law (US)
Collectif Guatemala (France)
FoodFirst Information and Action Network
Guatemala Community Network-Toronto
Guatemala Human Rights Commission/USA
Interamerican Association for Environmental Defense (AIDA)
LACASA, Latino American Canadian Solidarity Association (London, Ontario, Canada)
Latin American Working Group/USA
London Guatemalan Solidarity Committee (London, Ontario, Canada)
Maritimes-Guatemala Breaking the Silence Solidarity Network
MiningWatch Canada

NISGUA/Network in Solidarity with the People of Guatemala (US)
Plataforma Holandesa Contra la Impunidad en Guatemala
Public Service Alliance of Canada
Mining Injustice Solidarity Network, Toronto
Rights Action (Canada & USA)
The Social Justice Committee of Montreal
Solidarity of Austria with Guatemala

BACKGROUND TO EVENTS TAKING PLACE FEBRUARY 28TH 2011

According to eyewitness accounts, two hundred people protested peacefully during the day on February 28th 2011 to demand the full implementation of the precautionary measures issued by the Inter-American Commission on Human Rights on May 20, 2010.

As the protest was disbanding, pro-mining community members from San Jose Ixcaniche, Siete Platos and Salitre assaulted the protesters, detaining some against their will until they agreed to sign confessions and pay those who were holding them.

On March 1, 2011, Goldcorp released its own statement regarding events occurring on February 28th. Further investigation of these events, including research by Amnesty International, indicates that this version of events is incomplete, inaccurate, and could possibly put in jeopardy the personal security of a recognized human rights defender, Aniseto López.

One of those injured was known human rights defender, Miguel Bámaca, who was beaten and left severely injured near his home. The Presidential Commission on Human Rights (COPREDEH) had already authorized precautionary measures for Miguel Bámaca as a result of previous attempts on his life. When Aniseto López tried to return to assist Miguel, he was detained and beaten. Reports from those present indicate that he was struck in the face and threatened.

Goldcorp's statement repeatedly singles out Aniseto López as leader of the protest. This is not the first time Mr. López has been targeted. As he testified to the IACHR during a hearing on environmental defenders in October 2010, Aniseto was formally accused of assaulting a man in San Marcos during an Earth Day demonstration, despite being seven hours away in Guatemala City to attend a meeting. As the IACHR has repeatedly noted on this and similar situations in Guatemala, such accusations can put the security of human rights defenders in serious jeopardy.

Furthermore, reports by those present indicate that one bus, which was hired to transport approximately 45 protesters to their homes, was detained when it reached San Jose Ixcaniche. Community members there forced the protesters off the bus and assaulted them. [8] Some protesters tried to flee. In total, thirteen people have been reported injured, including a dozen protesters, one of whom was hospitalized, as well as a woman who was treated at the Marlin mine's medical clinic. Telephones, cameras, video cameras, cassettes and tapes were also reportedly taken from the protesters.

Although police in both San Marcos and San Miguel Ixtahuacán were informed of events, they indicated by phone that they would not send units to the area in part because they feared those who were holding the protesters.

To secure their own release, the protesters were reportedly forced by their captors to sign documents confessing to certain events. We lament that Goldcorp is relying on these forced confessions instead of undertaking a careful investigation of the situation as required by standards of due diligence.

cc:

Santiago Canton, Executive Secretary
Inter-American Commission on Human Rights
Lic. Claudia Paz y paz Bailey
Attorney General and Chief of the Public Ministry
Dr. Sergio Fernando Morales Alvarado
Guatemalan Human Rights Ombudsman (PDH)
Claudia Samayoa, Director
Guatemalan Human Rights Defenders Protection Unit (UDEFEUGA)
David Diesley, Executive Vice President, Corporate Affairs and General Counsel
Goldcorp Inc.
Mrs. Evelyne Coulombe Chargé d'affaires
Canadian Embassy in Guatemala
Licenciado Georges de La Roche Embajador
Guatemalan Embassy in Canada
Board of Directors
Goldcorp Inc.

[1] Presidencia de la República, Comisión Presidencial Coordinadora de la Política del Ejecutivo en Materia de Derechos Humanos, Informe P-1018-2010/RDVC/HEMJ/ad, 23 June 2010.

[2] On Common Ground Consultants Inc., "Human Rights Assessment of Goldcorp's Marlin Mine: Executive Summary," 34 (2010) ("The number one stakeholder concern relates to the environment of conflict, tension, and fragmentation in the project-affected communities... A vicious circle is created when conflict leads to human rights violations and infringements, which in turn lead to further conflict.").

[3] Goldcorp's Management's Discussion & Analysis of Financial Condition and results of Operations for the year ended December 31st 2010. Accessed on sedar.com on February 27th 2011.

[4] *Ibid.*

[5] Goldcorp reports earnings of \$268.6 million CDN from the Marlin mine in 2010, or roughly 18% of total earnings from operations during the last year. See Goldcorp's Management's Discussion & Analysis of Financial Condition and results of Operations for the year ended December 31st 2010. Accessed on sedar.com on February 27th 2011.

[6] Goldcorp's total assets in 2010 were \$28.8 billion CDN. See Goldcorp's Management's Discussion & Analysis of Financial Condition and results of Operations for the year ended December 31st 2010. Accessed on sedar.com on February 27th 2011.

[7] The GDP of Guatemala was \$23.7 billion USD in 2009 according to the US State Department. Accessed March 1st 2011.

[8] Amnesty International, Urgent Action 57/11, "Guatemala: Mine Activists Beaten and Threatened"

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WHAT TO DO

EMERGENCY RELIEF FUNDS NEEDED

Since 2004, Rights Action has been funding the community development and environmental and human rights defense work of ADISMI (the Association for the Integral Defense of San Miguel Ixtahuacan), a founding member of FREDEMI.

Many times since 2004, we have raised funds for emergency response work, including support family members of shooting victims, repression victims, and people who have died due to diseases and health problems most probably caused by the mining operation.

We ask for your financial support, now, to send more funds to ADISMI to support family members of these attacks, to provide emergency health support to repression victims, and for legal defense work related to these most recent violations.

TAX-DEDUCTIBLE DONATIONS

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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WHAT TO DO

LETTER WRITING NEEDED (Contact info below)

Please send your own letters to Goldcorp Inc., to Canadian politicians and government officials, to the Canada Pension Plan (and other pension funds with investments in Goldcorp) holding them responsible for this latest of harms and violations caused directly or indirectly by its mining operation, and demanding a suspension of Goldcorp's mining operation.

GOLDCORP Inc.

Chuck Jeannes, President & CEO

666 Burrard Street, Suite 3400, Vancouver, B.C. V6C 2X8

Main: (604) 696-3000, Direct: 604-696-3076, Chuck.Jeannes@goldcorp.com

Kim Keras, executive assistant, Kim.Keras@goldcorp.com

Goldcorp Inc, 3201-130 Adelaide St. W., Toronto, ON, M5H-3P5, T: (416) 865-0326

Tim Miller, VP Operations, Central America, Tim.Miller@montana.com.gt

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BOARD OF DIRECTORS, T: (866) 696-3055, local (604) 696-3055, Directors@Goldcorp.com

HUMAN RESOURCES, hr@goldcorp.com

GUATEMALA CITY: Jim Schenck, james@montana.com.gt, Lisa Wade,

lisa.wade@montana.com.gt

CANADIAN GOVERNMENT OFFICIALS

CONTACT YOUR MEMBER OF PARLIAMENT:

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

Governor General of Canada, David Johnston
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
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Prime Minister Stephen Harper
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Minister of Foreign Affairs Lawrence Cannon
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Minister of State of Foreign Affairs (Americas) Peter Kent
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Gilles Duceppe, leader, Bloc Quebecois
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ducepg@parl.gc.ca

Jack Layton, leader, New Democratic Party
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Elizabeth May, leader, Green Party
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Francine Lalonde, Bloc Quebecois, Foreign Affairs Critic
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Paul Dewar, NDP, Foreign Affairs Critic
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Larry Bagnell, Liberal
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Stockwell Day, Conservative
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Peter Julian, NDP International Trade Critic, Rm 178, Confederation Bldg., Ottawa, ON K1A 0A6
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John McKay, Liberal MP, Scarborough-Guildwood
(613) 992-1447, MckayJ@parl.gc.ca, 613-947-4609
Claire Lehan, Legislative Assistant
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549-D Centre Block, House of Commons, Ottawa, ON, K1A 0A6

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, Ontario, L0R
1B0
allison.d@parl.gc.ca, 905-995-2772

Marketa Evans, Global corporate responsibility commissioner
Marketa.Evans@international.gc.ca

CANADIAN Embassy in Guatemala
Ambassador Leeann McKechnie
Karin Reinecke, Assistant to the Ambassador
karin.reinecke@international.gc.ca
Jennifer Chacon
jennifer.chacon@international.gc.ca
13 Calle 8-44 Zone 10, Edificio Edyma Plaza, Ciudad de Guatemala
(502) 2363-4348, 2365-1201, gtmla@international.gc.ca

CANADA PENSION PLAN

One Queen St. East, Suite 2600, Toronto ON, M5C-2W5
CPP Investment Board: csr@cpiib.ca, 416-868-4075, 1-866-557-9510. Lisa Baiton, VP
Stakeholder & Government Relations, CPIIB, (416) 868-6612, lbaiton@cpiib.ca,
www.cpiib.ca;

ONTARIO TEACHERS PENSION PLAN FUND

5650 Yonge St, Toronto, Canada, communications@otpp.com; Lynne Olver,
Communications, 416-730-6518, lynne_olver@otpp.com

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FOR BACKGROUND INFORMATION & ANY QUESTIONS:

Rights Action: Grahame Russell, info@rightsaction.org, www.rightsaction.org

ADISMI – Association for Integral Development of San Miguel Ixtahucan
Aniceto Lopez: anisetolopezd@yahoo.es
Javier de Leon: nimjavier@gmail.com
Carmen Mejia: carmenmejiaa@gmail.com

- Please forward this information and re-post
- To get on/off Rights Action's listserv: www.rightsaction.org

