

Rights Action – April 25, 2012

ANOTHER GOLDCORP MINE IN GUATEMALA: More community divisions and harms, more dignity and resistance

BELOW:

1. Photo-essay, by James Rodriguez: Courageous community resistance to yet another Goldcorp mine in Guatemala, co-owned with Tahoe Resources
2. Article: "Gold flows as the wells run dry" (at Goldcorp's "Marlin" mine), by Robin Llewellyn, Le Monde Diplomatique blog posts
3. Commentary, by Grahame Russell: "Goldcorp Exports (!!) to Honduras and Guatemala"

WHAT TO DO:

1. join a delegation to visit communities resisting Canadian mining harms and violations in Guatemala (see below)
2. write to Canadian/ American politicians and officials about the harms and violations caused by our companies (see below)
3. donate tax-deductible funds to indigenous and campesino communities, implementing development, environmental defense and human rights projects (see below)
 - Please re-post and re-publish this information
 - Get on-off Rights Action's listserv: www.rightsaction.org
 - Follow Rights Action on Facebook: www.facebook.com/RightsAction.org

QUESTIONS/ COMMENTS:

Grahame Russell, info@rightsaction.org

GUATEMALA, Photo Essay:

Goldcorp's Legacy: Criminalization and Mining Resistance in San Rafael Las Flores

James Rodriguez writes: "I share a photo essay documenting another conflict created by Canadian mining companies, this time in Eastern Guatemala. The photo essay, produced with the support of Amnesty International Canada's Business and Human Rights Program, also includes Clodomiro Rodriguez's inspirational resistance against Goldcorp and Tahoe Resources, a Goldcorp offspring."



James writes: "Clodoveo Rodriguez, better known as Don Clodo in his native San Rafael Las Flores, Santa Rosa, has lived his 78 years in the arid community. Since late 2011, his home has literally been fenced-in by the neighboring Escobal silver mine, a joint venture by Tahoe Resources and Goldcorp. Despite pressure from the Canadian mining companies to sell, Don Clodo refuses to leave his land. Kevin McArthur, former president of Goldcorp, founded Tahoe Resources in 2010."

To view and read the photo essay:

<http://www.mimundo.org/category/photo-essays/>

<http://www.mimundo.org/2012/04/25/goldcorp%E2%80%99s-legacy-criminalization-and-mining-resistance-in-san-rafael-las-flores/>

QUESTIONS / COMMENTS:

James Rodriguez, james@mimundo.org, www.MiMundo.org

GOLD FLOWS AS THE WELLS RUN DRY

<http://mondediplo.com/blogs/gold-flows-as-the-wells-run-dry>

25 April, 2012, by Robin Llewellyn, Le Monde Diplomatique blog posts

When Canadian gold mining giant Goldcorp holds its annual general meeting in the northern Ontario city of Timmins on Thursday it will face calls from shareholders for the company to take on the costs of the scheduled 2018 closure of its controversial Marlin Mine in Guatemala.

The company currently provides a \$1 million surety bond to the Guatemalan government for cleaning up and closing the mine if the company were to suddenly withdraw, but a study commissioned by two church groups calculated the real cost as \$49 million. In February the company announced record revenues of US\$1.5 billion for the fourth quarter of 2011, with the company's profits significantly boosted by gold from the Marlin Mine.

Local resident Francisco Bamaca used to work as what he called a 'promoter', directed by Goldcorp to build support for the mine in local communities. Sitting outside his house in the rugged mountain community of San José Ixcániche about a mile from the mine, he recalled

how in 2006 the mine's tailings pond was built, a large man-made lake that catches the spent cyanide and heavy metals produced by extracting gold from the rock.

"Twenty-eight birds were found dead having been in contact with the lake," he said, "and I was going to communities telling them how the mine wouldn't hurt them, but then they asked about the birds and I didn't know what to say."

The company argues that it contributes to the local community through wages and a non-profit foundation, and that it tests water and air quality regularly and finds them to be within internationally acceptable levels. The International Labour Organisation had called for the suspension of the mine in February 2010, shortly before the Inter-American Commission on Human Rights (IACHR) also ordered its suspension, citing environmental and human rights concerns. Last December however, the IACHR revised its precautionary measures from suspension to ensuring the quality of drinking water in local areas, a move that the Center for International Environmental Law claimed was due to political pressure. A Tufts University study published in September 2011 concluded that the mine's "environmental costs are likely to swamp economic benefits in the long-term" for the local community, and that environmental risks "will greatly increase over the remaining life of the mine and in the post-closure phase."

Bamaca said that local people no longer use surface water in the region downstream of the mine to bathe as it gives them skin problems, sickness and hair loss. The Pastoral Commission for Peace and Ecology is based in San Marcos, administrative centre of the municipality of the same name that includes the mine, and it found arsenic in surface water 2.7 times US drinking water standards, while a University of Ghent study found a 400% increase of arsenic in the area's ground water between 2006 and 2009.

The state of the tailings pond is now a focus of health concerns in the area. A study commissioned by the company found that it was "expected to be filled by mid 2011", and Goldcorp has since admitted discharging water from this pond into the surrounding environment. E-tech International tested the water in the tailings pond in 2006 soon after the mine began working, and found that "maximum concentrations of cyanide, copper, and mercury were over three, ten and 20 times higher than IFC standards."

Allegations that the mine is also secretly releasing water from the dam on a frequent basis are rife in the communities surrounding the mine, but they are not the only complaint about Goldcorp's activities. Javier de Leon, an activist with local development organisation ADISMI (Association for the Integrated Development of San Miguel Ixtahuacán), says ten wells have dried up in the area and 200 buildings been damaged due to the use of explosives in the surface and subterranean working of the mine. The company says it is developing the mine below ground to reach the bonanza grade Delmy Vein of gold, and de Leon says workers mention a large body of water now passing through the tunnels.

The well of San José Ixcaniche served 62 families, and Francisco Bamaca recalled how the village started constructing its water project back in 1983, and that by 1987 it was delivering running water to people's homes. "People were so overjoyed to have water coming out of the living rock." But in spring last year the water's flow was dramatically reduced, and in 2012 it stopped altogether. The community bought and rerouted another spring to supply water. "But this only provides water for us for a short time at midnight", he said, pointing to four containers behind him that were filled with the day's water.

A RISING TIDE

Goldcorp has 13 exploration licenses across the department of San Marcos through its subsidiaries Montana Exploradora and Entremares, and it may be that these and other exploration projects across indigenous areas of Guatemala suffer more from the dry wells and cracked houses than the Marlin Mine itself. The municipality of Sipacapa borders that of San Miguel Ixtahuacán, and was the first municipality to hold a 'consulta' or referendum on the issue of mining proposals in its area, rejecting such projects in 2005. Since then more than 60 communities involving over 700,000 people have held referenda on mining and dam projects, through processes based on national law and principles of indigenous human rights protected by ILO Convention 169 and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).

Guatemala signed ILO 169 as part of the peace accords that ended the country's civil war which included acts of genocide against the Maya people, and together with UNDRIP it guarantees the rights of indigenous peoples to exercise 'free, prior, and informed consent' over projects directly impacting them. Developments such as the Marlin Mine should thus only occur through a process of open negotiation and agreement, whereas Francisco Bamaca says the Mayan Mam community surrounding Marlin were informed that the company buying the land on which the mine now sits was planning to grow orchids.

The neighbouring department of Huehuetenango has the highest number of licenses for mining exploration, and all non-capital municipalities there have voted against major mining projects. Francisco Mateo represents the CPO (Council of the Peoples of the West) which has been a key organization in the wave of referenda against mining in the area. "We've had the opportunity to do preventive work," he said, "As Marlin has established itself it's given an example of the dangers of mining".

The referenda have been organized through the structures of established municipal authorities, but the Guatemalan Constitutional Court ruled that while these referenda were legal they were not binding, leading to a contradiction in the country's legal system. Mateo sees this ruling as "irresponsible" and evidence of "institutional racism": "When the state signed indigenous rights treaties they never thought we as indigenous people would use those rights to hold the government to its commitments. We are asking for the state to comply with ILO 169 and the United Nations Declaration on the Rights of Indigenous Peoples, and all we are working for is the free determination of the questions affecting our community."

The rapid proliferation of mining licenses is taking place with the full support of new Guatemalan president Otto Perez Molina, but it is facing opposition beyond the municipal level. On 11 April the country's Constitutional Court ruled that a challenge to the mining law could proceed, on the basis that Congress passed the law without the free, prior and informed consent of indigenous peoples. Udiel Miranda is coordinator of the CPO's legal commission and the lawyer leading the challenge. He described the two principal arguments behind the case: Despite the majority of exploration licenses being on indigenous land "the Maya, Xinca and Garifuna peoples were never represented effectively in Congress, thus the lawmaking processes took place without those most affected being represented. Secondly, ILO 169 became law in Guatemala in 1996; therefore it was necessary to have a consultation process" before passing the law.

What would a constitutionally acceptable mining sector look like? "The only thing the Maya people are pushing for is that their rights guaranteed in the legislation be respected; that the exploitation of the strategic resources of our country takes place with full respect for our peoples and for the sovereignty of our country. Extraction should take place respecting the primordial function of the state: to take care of the wellbeing of the country."

Goldcorp argue that they are “tireless advocates of human rights and maintain a principled, conscientious approach to corporate citizenship” and that the company works in partnership with indigenous groups. That assurance currently rings hollow along the avoided rivers and the dry wells of the municipality of San Miguel Ixtahuacán, but the referenda and court case may persuade the company that their genuine engagement with relevant legal conventions is necessary for the future of Goldcorp’s Guatemalan operations.

GOLDCORP “EXPORTS” TO HONDURAS AND GUATEMALA: An International, Judge-led Commission is Needed to Investigate Harms and Violations

by Grahame Russell, April 23, 2012

I write this commentary in response to a recent article: “Goldcorp looks to export relationship model in addition to gold from Eléonore project”, by Alex Létourneau of Kitco News, published by Forbes: <http://www.forbes.com/sites/kitconews/2012/03/19/goldcorp-looks-to-export-relationship-model-in-addition-to-gold-from-eleonore-project/>

I write this as a cautionary note for communities in Canada – First Nations or otherwise - considering business dealings with Goldcorp.

(READ BELOW: A letter to the editor of Forbes.Com, that published the Kitco News article. The writers clarify under what conditions some members of the Cree Nation of Wemindji recently visited Goldcorp’s mine, in Guatemala, and challenge the assertion that their visit was part of an effort to “export” a “relationship model”.)

I write in lead up to Goldcorp’s Annual Shareholder Meeting in Timmins, Ontario (April 26, 2012). And, most importantly, I write to repeat a call for the suspension of Goldcorp’s mine in Guatemala – as initially ordered by the IACHR (Inter-American Commission on Human Rights) - and for the establishment of an international, judge-led commission to investigate allegations of environmental and health harms and other human rights violations caused by Goldcorp in Guatemala and Honduras. This commission should determine what, if any, compensation and reparations Goldcorp must pay to mine-harmed people and communities in Guatemala and Honduras. Support for the mine suspension and this commission can only come from Canada – politicians, investors, citizens, the media, and the mining industry itself. Such a commission would set a good precedent, might actually be a good “export”.

READ ENTIRE COMMENTARY, WITH PHOTOS:

<http://rightsaction.org/action-content/goldcorp-exports-honduras-and-guatemala-international-judge-led-commission-needed-1>

COMMENTS AND QUESTIONS WELCOME

Contact Grahame at: info@rightsaction.org / 860-751-4285

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LETTER TO THE EDITOR OF FORBES.COM

From: Karine Vanthuyne <Karine.Vanthuyne@uOttawa.ca>
Subject: letter to the editor
To: "readers@forbes.com" <readers@forbes.com>
Cc: Kevin Gould <kgould6505@yahoo.com>, Colin Scott <colin.scott@mcgill.ca>
Date: Sunday, April 22, 2012

Dear Editor,

Your magazine recently published an article, "Goldcorp Looks To Export Relationship Model In Addition To Gold From Éléonore Project." In it, the motives for a Cree trip to Goldcorp's Marlin mine in Guatemala, in which some of us were involved, are misleadingly portrayed. As participants and advisors on the Cree trip to Guatemala, we wish to set the record straight.

The Crees' visit to Guatemala, organized by Chief Rodney Mark of the Cree Nation of Wemindji, was not for the purpose expressed, according to the article, by Brent Bergeron, Goldcorp's Vice President of Corporate Affairs: "so that they could share stories and personal experiences with the benefits mining in their community could provide." Rather, Chief Mark asked Goldcorp to arrange a trip to the company's mine site in Guatemala out of growing concern in Cree communities about media reports of human rights and environmental abuses in connection with the Marlin mine. Chief Mark, in his own words, "wanted to see for myself, and see if we could help the affected Mayan people in Guatemala". This is why he, and Professor Colin Scott of McGill University at Chief Mark's invitation, sought first-hand knowledge of local circumstances. Chief Mark requested Goldcorp to arrange a visit of the Marlin mine, and of neighbouring communities.

Goldcorp introduced the Cree delegation to several municipal leaders and local community residents who spoke of benefits from the mine. Independent of Goldcorp, and through contacts provided by an NGO, Rights Action, Chief Mark and Professor Scott also visited other community members and leaders who reported damage to their lives, property and environment as a result of the Marlin mine, who declared their opposition to the way the company does business, and who say the benefits of mining have not been worth the human and environmental costs. We heard serious concerns from both mine supporters and mine resisters about the problems their communities may be left with when the mine closes.

It is difficult to see how the Crees' collaboration agreement with Goldcorp could be considered a model for Goldcorp's operations in San Miguel Ixtahuacan and Sipakapa. The 'models' followed with the two mines have been, in fact, very different. Development of the Éléonore mine proceeded by mutual consent of the parties, from the outset. Free and informed prior consent of local communities was not obtained in San Miguel and Sipakapa, from anything we have been able to understand about the history of the Marlin mine.

Regional leaders of the Grand Council of the Crees, aware of an Inter-American Commission on Human Rights order that the Marlin mine operations be suspended, decided not to participate in the delegation. According to information that we received from a member of its executive, the Grand Council were concerned that their participation could be misrepresented as condoning Goldcorp's actions vis-à-vis indigenous communities in the vicinity of the Marlin mine, especially in light of the work the Cree Nation has carried out internationally in support of Indigenous rights.

As Chief Mark is quoted to say in the Forbes article, the Cree's relationship with Goldcorp is "a work in progress". Shortly after the Cree delegation's return from Guatemala, it was reported in a Montreal daily newspaper that Les Mines Opinaca Ltd. (Goldcorp's Éléonore operation), under Quebec environmental laws, "was fined \$400,000 for carrying out work without proper authorizations, releasing a contaminant into the environment and improperly storing hazardous waste at a gold mine 350km north of Chibougamau" (The Gazette, January 31, 2012).

Genuine collaborations require that partners in development put truth before 'spin,' and that responsibility for past mistakes and resulting harms be acknowledged and dealt with, while present good intentions are declared.

Kevin Gould, Assistant Professor, Concordia University
Colin Scott, Associate Professor, McGill University
Karine Vanthuyne, Assistant Professor, University of Ottawa

SHORT REPORTS & FILMS

ALL THAT GLITTERS ISN'T GOLD: A story of exploitation and resistance
2008 (10 minute trailer)

<http://www.youtube.com/watch?v=-tmqXc5rX8s>

"All That Glitters" tells the stories of community members residing near Goldcorp's open-pit, cyanide leaching gold mine in Honduras' Siria Valley. Villagers discuss the grave complications they have experienced since the mine began operating -- from rampant health problems to a lack of water -- contesting the company's claims that the mine has been a model of healthy development for the community and has caused no adverse effects.

THE REAL COSTS OF GOLD MINING: GOLDCORP IN HONDURAS
(2008, 9:51 minutes, English with Spanish)

<http://www.youtube.com/watch?v=PhV9lgZT4qg>

In 2007, a film maker interviewed villagers near Goldcorp's mine in Honduras about the impact of gold mining on their lives and communities. In this short documentary, people of the Siria Valley speak for themselves about the health harms and other violations they have suffered.

GOLD OR LIFE: RE-COLONIZATION AND RESISTANCE IN CENTRAL AMERICA

2011 (full-length film), <http://www.caracolproducciones.org/>

Trailer#1, 1:13 minutes. English/Espanol

<http://www.youtube.com/watch?v=mBToPXIL9LI>

Trailer#2, 1:08 minutes. English / Espanol

<http://www.youtube.com/watch?v=j41OJ3PxplM>

WATER CONTAMINATION & ILLEGAL DUMPING OF TOXIC WASTE

March 9, 2011 (4:10 minutes. Espanol)

<http://www.youtube.com/user/comcomunitario>

On March 9, 2011, a worker employed by Montana Exploradora (Goldcorp) illegally dumped a truck load of toxic waste in a water source that supplies water for the community of Agel.

THE DEATH OF TOMATOES; SKIN INFECTIONS

August 2010 (8:40 minutos. Espanol)

http://www.youtube.com/watch?v=45fG9JZxfQQ&feature=mfu_in_order&list=UL

February 2010: Gold mining by Montana Exploradora (Goldcorp) is destroying tomato crops and infecting people's skin.

DEATH OF COWS THAT DRANK CONTAMINATED RIVER WATER

July 24, 2011 (9:36 minutes. Espanol)

<http://www.youtube.com/watch?v=CMLQoz31zzk>

On July 24, 2010, Faustino Mendez found two of his cows dead, that drank water from a local river that had been contaminated by the dumping of toxic waste by Goldcorp.

ATTEMPTED KILLING OF DIODORA HERNANDEZ

July 7, 2010 (1:13 Minutos. Espanol)

http://www.youtube.com/watch?v=PVm2aJBMzgo&feature=mfu_in_order&list=UL

On July 7, 2010, two employees or ex-employees of Montana Exploradora (Goldcorp) tried to kill Diodora Antonia Hernandez Cinto, a Mayan Mam villager, shooting her point-blank in the right eye.

LOST PARADISE

April 2010 (40 minutes. English)

In Canada, CTV aired a W5 documentary "Lost Paradise" addressing environmental and health harms and human rights violations being caused by Canadian mining companies in Guatemala, focusing on Goldcorp Inc's gold mine and HudBay Mineral's nickel mine.

Part 1 (11:10 minutes) <http://watch.ctv.ca/news/w5/paradise-lost/#clip290436>

Part 2 (9:38 minutes) <http://watch.ctv.ca/news/w5/paradise-lost/#clip290437>

Part 3 (9:20 minutes) <http://watch.ctv.ca/news/w5/paradise-lost/#clip290443>

Part 4 (9:20 minutes) <http://watch.ctv.ca/news/w5/paradise-lost/#clip290444>

THE BUSINESS OF GOLD IN GUATEMALA: TALE OF A CONFLICT FORETOLD

2010 (50 minutes. English & Spanish)

"The Business of Gold" documents the struggle and resistance of the Mayan-Mam people of San Miguel Ixtahuacan against the Canadian company Goldcorp Inc, and the harms and violations caused by its "Marlin" open-pit, cyanide-leaching mine.

THE GOLDCORP 8 (2008)

2008 (7:22 minutos. Espanol)

<http://www.youtube.com/watch?v=gzRbi43mlfU&feature=related>

Goldcorp (Montana Exploradora) criminalizes work in defense of indigenous rights, bringing trumped up criminal charges against 8 Mayan Mam women.

CANADIAN GOLD DIGGERS CONTRIBUTING TO DESPERATE POVERTY IN HONDURAS

2007 (1:55 minutes, English)

Part 1: <http://www.youtube.com/watch?v=EDO0TPUkq-A>

2007 (1:57 minutes, English)

Part 2: <http://www.youtube.com/watch?v=IDhxyWRWi5c&feature=related>

360 VisionTV: In Honduras, the Catholic Church battles a Canadian mining giant. Honduras is rich in silver and gold. So why is this Central American republic plagued by such desperate poverty? Roman Catholic Church officials in Honduras believe foreign mining concerns like Canada's Goldcorp bear much of the blame.

THE GOLDCORP 7 (2007)

2007 (7:37 minutos. Espanol)

http://www.youtube.com/watch?v=uxs-V_NrqtY&feature=related

Goldcorp (Montana Exploradora) criminalizes work in defense of indigenous rights, bringing trumped up criminal charges against 7 Mayan Mam men.

WHAT TO DO

KEEP ON WRITING

Please send copies of this information, and your own letters, to Canadian and American politicians and government officials. North American resource extraction companies are operating around the world with the full support of North American governments. Please send copies to pension funds across North America – like the Canada Pension Plan – that are invested in most North American resource extraction companies around the world, with no concern for environmental, health or human rights concerns.

TAX-DEDUCTIBLE DONATIONS

for very under-funded and courageous community-based organizations in Honduras and Guatemala working and struggling for community controlled development, defense of the environment, justice and human rights, and resisting the harms and violations caused by global mining companies. Make check 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 can be made (anonymously): www.rightsaction.org

In Canada: <https://www.canadahelps.org/DonationDetails.aspx?cookieCheck=true>

In USA: <https://npo.networkforgood.org/Donate/Donate.aspx?npoSubscriptionId=488>

DONATIONS OF STOCK can be made (anonymously): info@rightsaction.org

HONDURAS EDUCATIONAL SOLIDARITY DELEGATION, MAY 19-28, 2012

The Coup vs. Democracy: Struggle of the Popular Movements

Go to: <http://rightsaction.org/content/honduras-delegation-coup-vs-democracy-struggle-popular-movements>

Write to: afgj@afgj.org

GUATEMALA EDUCATIONAL SOLIDARITY DELEGATION, JULY 7-15, 2012

Community well-being, human rights & the environment *versus* mining companies that moil for gold (silver & nickel)

Go to: <http://rightsaction.org/content/community-well-being-human-rights-environment-versus-mining-companies-moil-gold-silver>

Write to: info@rightsaction.org

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