

Rights Action – May 30, 2011
Goldcorp Impunity Watch

THE STRUGGLE CONTINUES TO HOLD GOLDCORP Inc ACCOUNTABLE

BELOW: articles concerning Goldcorp's May 18th AGM in Vancouver.

- What to do: see below
- Please re-distribute and re-post this information all around
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THE STRUGGLE CONTINUES TO HOLD GOLDCORP ACCOUNTABLE FOR THE REAL COSTS & PRICES OF GOLD:

The enormity of transforming an unjust, unequal global economic system

By Grahame Russell, May 2011

Not surprisingly, Goldcorp Inc. did not agree, at its annual general meeting in Vancouver (May 18, 2011), to a shareholder's resolution to suspend the "Marlin" mine in Guatemala, as ordered by the Inter-American Commission of Human Rights.

In defiance of this binding suspension order, Goldcorp continues to mine gold and silver in Guatemala; huge profits continue to flow north to company directors, shareholders and millions of other investors across North America.

Neither government of Guatemala or Canada has done anything to ensure respect for the suspension order. The OAS (Organization of American States) has again shown its weaknesses, doing nothing to insist upon respect for the suspension order.

A GOOD (NECESSARILY LONG-TERM) STRUGGLE

This is not a failure of education and activism work to put a stop to a long list of environmental and health harms, acts of repression and other human rights violations caused directly or indirectly by Goldcorp's two open pit/ mountain-top removal, cyanide-leaching mines in Guatemala and Honduras.

THE ENORMITY OF GLOBAL INEQUALITY & IMPUNITY

Rather, it is a reminder of the enormity of the challenge of ending the impunity and immunity from legal accountability with which mining companies operate around the world and of transforming an often-times unequal and unjust global economic order. This impunity and immunity exist not only for mining companies, but also for many global industries producing fruits, ethanol based bio-fuels, oil and gas, textiles, tourism sites, dams, etc.

Moreover, this impunity and immunity are not narrow legal issues (ie, a lack of enforceable laws); rather, they are broad political, economic and social issues.

Reflecting on a struggle, now 7 years old and counting, to put an end to and hold Goldcorp accountable for harms, repression and other violations at its mines in Honduras and Guatemala, I find two major learning points.

Firstly, this is part of a long-term struggle to transform the often-times unjust and unequal global economic order. Goldcorp is a normal mining company operating in a normal way that brings huge benefit to some, and causes huge suffering to others. It is the very global economic model that needs transformation, with its inherent inequalities and injustices both inside and between nations.

Secondly, this remains an urgent struggle to reform laws in Canada and the USA so that enforceable environmental and human rights standards attach to all corporate and investor activities, whether at home or globally.

Any person or community from around the globe should have the right to file civil suit, or demand criminal proceedings in Canada and the USA if and when their rights and well-being are violated or harmed by Canadian or American corporate or investor actions.

The Goldcorp struggle is just one more example of the need to break the North American wall of impunity and immunity from legal accountability.

INSPIRING RESISTANCE

While Goldcorp continues its mining operation in San Miguel Ixtahuacan, Guatemala, generating great profits and harms, it is worth high-lighting that this struggle has served to inspire other communities across Guatemala, and elsewhere in Central America, to take actions (holding community based consultations; doing community education work; organizing peaceful resistance; etc) to stop mining in their communities before it starts.

DETERRING OTHER COMPANIES

This increasingly well-known struggle serves as a cautionary note and partial deterrent to other companies that, like Goldcorp, would love to operate mines in Guatemala or Honduras where there is little mining oversight intention or capacity, and where the companies leave no more than 1% of profits in country. Almost all the profits flow north, while all the harms, repression and other violations remain in these countries of the global south!

PUTTING A DENT IN THE IMAGE OF "CANADA THE GOOD"

Canada has long marketed the image of "Canada the good", a peace-maker country giving "aid" to the poor. As Goldcorp and other Canadian mining companies continue to cause harms, repression and other violations in countries across Latin America and the globe, the veneer has been taken off this myth.

UNREGULATED GLOBAL INVESTMENTS

This struggle has served not only to better educate Canadians and Americans about what some of our corporations are doing elsewhere, but also of how our own investments are often benefiting from unjust, harmful corporate activities.

Many more Canadians and Americans now know that they are (via pension funds, private funds and even "ethical" funds) invested in Goldcorp - and in a long list of global companies - that can and do cause harms, repression and other violations as part of their corporate operations, and that there is no direct way to hold our investment institutions accountable to even a minimum set of environmental or human rights standards. Over and over, we are reminded that our investment managers have one fundamental responsibility and fiduciary duty - to maximize profits!

A CANADIAN/ AMERICAN PROBLEM

Essentially, this struggle to hold Goldcorp accountable has served to educate North Americans that our governments and ourselves, as investors and consumers, are ultimately the enablers and beneficiaries of these often times unjust and harmful corporate and investor activities.

WHAT TO DO

"There are no magic answers, no miraculous methods to overcome the problems we face, just the familiar ones: search for understanding, education, organization, action ... and the kind of commitment that will persist despite the temptations of disillusionment, despite many failures and only limited successes, inspired by the hope of a brighter future."

(Noam Chomsky)

Until we bring about legal, political and economic changes in Canada and the USA, companies and investors from our countries will continue to operate in ways, across the planet, that often benefit from harms, repression and other violations.

Slowly and steadfastly, more and more Canadian and Americans must get involved in this, and similar, global corporate struggles.

Support for local groups:

It remains imperative to directly fund and otherwise support community based groups in the mining affected communities who are leading the work (often at risk of repression) to put an end to the harms and violations. Delegations of concerned North Americans (including politicians, journalists, donors) must continue to visit the families and communities being harmed by mining, to learn from them, and to build direct solidarity alliances and partnerships.

Follow the money:

As stated above, whether we know it or not, most North Americans are invested in Goldcorp and many more companies that directly and indirectly cause harms, repression and violations around the world. North Americans should investigate whether their own pension fund, private investment fund and/or "ethical" fund is invested in Goldcorp (let alone a list of other controversial companies and industries) and then start demanding the implementation of binding environmental and human rights standards to all investor activities.

The votes:

As policy, the governments of Canada and the USA work endlessly to expand North American investor and corporate interests across the planet, more often than not turning a blind eye to harms, repression and other violations that our investments and companies sometimes cause. This makes the harms, repression and violations our issues, and we need to hold our governments accountable to uphold the highest environmental and human rights standards in all of our international dealings.

The message:

Our media usually relegates corporate and investment issues to the business and financial sections of their coverage, more often than not ignoring the environmental and human rights impacts of businesses and investments. Across North America, we need to keep on challenging our media to properly do their jobs.

LA LUCHA SIGUE / THE STRUGGLE CONTINUES FOR 'ANOTHER WORLD IS POSSIBLE'

Thank-you to all organizations and people who are involved in on-going efforts to hold Goldcorp accountable for the harms, repression and other violations it is causing and benefiting from, and who are involved, more broadly, in on-going efforts to create a just and equal global order.

We look forward to continuing this struggle over the years to come with people and organizations in Guatemala, Honduras, Canada and the USA.

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MAKING BLOOD RUN 'GOLD': MINING JUSTICE ORGANIZERS TAKE ON GOLDCORP

By David P. Ball, May 23, 2011

<http://rabble.ca/news/2011/05/making-blood-run-gold-mining-justice-organizers-take-goldcorp>

"A carrion Death, within whose empty eye
There is a written scroll!
I'll read the writing.
All that glitters is not gold."
[Shakespeare]

As shareholders in the Canadian mining company Goldcorp met for their annual general meeting (AGM) in Vancouver last Wednesday, a jubilant and diverse crowd of more than 200 -- with some participants festooned in gold glitter -- pushed its way into the Pan Pacific Convention Centre, where the AGM was taking place. Armed with a 10-metre-long painted banner, a marching band, and giant golden puppets, the demonstrators occupied the building for almost an hour.

Inside the meeting, Honduran organizer Carlos Amador and several other activists confronted the company on the human rights, health and environmental record of Goldcorp's Marlin Mine, about 300 kilometres north-east of Guatemala City. Allegations include killings, attacks and death threats against opponents of the mine, and health impacts, pollution, and intimidation of unionists.

"The company should recognize the impacts of their operations and listen to our concerns," said Amador, with the Environmental Committee of the Siria Valley in Honduras, who traveled to Vancouver to confront Goldcorp. "The people in this meeting lack a conscience."

Police prevented demonstrators from disrupting the meeting itself after they entered the Pan Pacific Hotel and attempted to climb escalators to where Goldcorp was meeting. However, a marching band and many drums and whistles ensured that the crowd was heard inside the meeting itself.

According to a shareholder activist who used a proxy vote to question Goldcorp, noise from the rally downstairs interrupted company vice president David Deisley's presentation on corporate social responsibility.

"I'm not sure there's ever been such a solid expression of solidarity at a Goldcorp AGM before," said Jennifer Moore, with MiningWatch Canada, who attended the meetings on behalf of a shareholder. "Our goal today was to really put Goldcorp management on the spot and ask questions on issues they've refused to address."

Last year, a Goldcorp-commissioned Human Rights Assessment backed up claims of human rights abuses near the mine. It describes how mine operators repeatedly asked security forces to break up protests, notably in 2005 when 1,600 police and guards were called in to break up a 40-day blockade, firing tear gas and bullets and killing protester Castro Bocel. No one has been charged in the killing.

In February, according to Amnesty International, human rights defender Miguel Bámaca was "severely" beaten after many death threats; Amnesty also documented the shooting of Deodora Hernandez in the face, and death threats to Carmen Mejía, both of whom had spoken against the mine.

Last May, the Organization of American States' human rights-monitoring body called for the suspension of operations at the Marlin Mine, backing up the recommendation of the UN's International Labour Organization. "In a country rich in resources the people are suffering misery and violence," said Sarita Galvez, a member of Mining Justice Alliance, the Vancouver group which organized a week of mining-related events and actions. Galvez is originally from Guatemala and has seen the impacts of mining first-hand.

"Mining has been happening for a long time, but now the destruction is on a much higher scale," she said. "Guatemala has always been a banana republic -- there's too much investment and resource interests to allow for change. "But I hope Canadian people get informed and that word spreads. The money we are putting every month into Canada Pension Plan is being used to hurt other people."

Canada Pension Plan (CPP) is a major shareholder in Goldcorp -- its \$177 million investment makes it CPP's eighth largest Canadian holding, and is in the top one per cent of its global investments -- and the demonstration also gathered outside the CPP offices a few blocks away. According to CPP, it voted against resolutions to suspend Marlin operations at the last two Goldcorp AGMs, despite a policy to support motions to mitigate environmental and social impacts.

Speakers emphasized Goldcorp's connection to Canada -- not only because it is Canadian-owned and receives public funds, but also because Indigenous peoples are also impacted by the mining industry worldwide. "In central B.C. there are so many mines," said Telquaa, a Vancouver community activist from the Wet'suwet'en nation in northwest B.C. "A lot of people have been displaced, and mine-tailing ponds have made our people sick with cancer. "But today people have come from other parts of the world to show their support. And we support them too."

The night before the rally, the Native Friendship Centre welcomed the Latin American visitors at a feast and cultural evening. A long line formed to greet the guests and many voiced their support for their struggles.

"Everywhere there is a mine, we have to wonder which nation has been shoved off their land," said Kat Norris, a Salish member of the Indigenous Action Movement. "In Brazil, Hawaii, the Philippines and here, lands are being stolen for corporate greed. "It has been growing for hundreds of years. But we as Indigenous people are known as wards of our environment. Now

more and more of my brothers and sisters are standing in solidarity with other Indigenous nations."

Based in Vancouver, Goldcorp employs 11,500 people globally and announced recently its shares doubled in value, recording a \$651 million profit in its first quarter.

[David P. Ball is an freelance photojournalist in Vancouver, Coast Salish territories. His website is www.davidpball.net.]

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PROTEST AT GOLDCORP'S AGM IN VANCOUVER

by Michael Scott on 19 May 2011

<http://castlegarsource.com/news/business/protest-goldcorps-agm-vancouver-11512>

On May 18th, a sunny Wednesday morning, supporters of peoples affected by Goldcorp's mining operations in Latin America held a vibrant demonstration addressing Goldcorp's Annual General Meeting (AGM), taking place at the heart of Vancouver's business sector. Demonstrators rallied outside the Pan Pacific Hotel, where the shareholders' meeting took place.

"We ask and demand that the shareholders of Goldcorp approve the resolution to voluntarily suspend mining operations in compliance with the Inter-American Commission on Human Rights' precautionary measures," said Sarita Galvez, on behalf of the peoples of San Miguel Ixtahuacán, Guatemala affected by Goldcorp's Marlin Mine.

"And [we ask] that the international community demand Guatemala, Canada, and Goldcorp respect and protect human rights, especially the rights to life, land, and self determination for indigenous peoples."

To ensure the message was delivered loud and clear, over two-hundred demonstrators made their way inside the luxury hotel lead by a marching band, massive banners, Mr. Metalcorp, and chants of "We don't want your dirty gold!" The atmosphere was truly vivacious.

Backed by demonstrators in the hotel lobby, a handful of activists gained access to the room of the AGM itself, where they were able to announce, "Goldcorp is not an ethical investment! Goldcorp is killing people!"

The demonstration then hit the streets for a march to deliver a letter to the local office of the Canadian Pension Plan, calling attention to public investments in Goldcorp. Before delivering the letter, speakers lamented the investment of the Canadian Pension Plan (CPP) into companies such as Goldcorp. "The long arm of our investment is causing death and destruction throughout the world," said Steve Stewart into a megaphone. "What we would like to request of the CPP is simply, don't use our money to destroy other peoples' homes."

Once the letter was delivered, the march continued back to the Pan Pacific Hotel to hear back from the Goldcorp AGM. The security presence was significantly greater upon return, with police and security blocking the main entrances to the hotel, while police on horseback looked on.

Despite his frustration at the shareholders meeting, Carlos Amador of Honduras said he was encouraged by the demonstration. "There has been a lot of solidarity shown here today, and

we need to continue to build this understanding of the gravity of the situation in order to continue to be supportive of the struggle.”

The message of demonstrators on this beautiful Wednesday morning is clear: Canadian mining, at the expense of human and environmental rights, will not go unchallenged.

[Michael Scott is an activist and blogger based in Castlegar.]

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GOLDCORP ASKS SHAREHOLDERS TO IGNORE INTERNATIONAL CONSENSUS TO SUSPEND OPERATIONS AT ITS MARLIN MINE IN GUATEMALA

FOR IMMEDIATE RELEASE: May 19, 2011

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Vancouver—After a year in which every major human rights body has called for the suspension of the Marlin mine in Guatemala, on Wednesday Goldcorp asked its shareholders to trust its judgment instead. Six percent of shareholders voted in favour of a resolution presented at the company's Annual General Meeting that would bring Goldcorp into compliance with international law, including an order by the Inter-American Commission on Human Rights (IACHR) issued in May 2010.

Goldcorp CEO, Charles Jeannes, defended his company, citing its support for a new measure to regulate consultation of indigenous peoples in Guatemala.

“Indigenous organizations in Guatemala have roundly condemned the proposed administrative decree to regulate consultation,” comments Benito Morales, attorney with the Rigoberto Menchú Tum Foundation in Guatemala City, who attended the AGM today. “The government has put forward the decree to ensure that mining is able to continue in the face of over 50 local plebiscites in which roughly a million people have voted against mining in the Guatemalan countryside.”

Jeannes also referred to the company's plans to implement recommendations from a human rights assessment it commissioned, and a new human rights policy that the company adopted in October 2010.

“What is your human rights policy worth if you disregard the findings of international human rights bodies?” asks Francois Guindon with the Network in Solidarity with the People of Guatemala.

“Goldcorp said that it will no longer report on its implementation of recommendations from the human rights assessment,” remarks Wyanne Sandler of the Maritimes-Guatemala Breaking the Silence –Network. “Also, many of the most important recommendations have not been implemented, such as posting a sufficient financial guarantee to ensure adequate funds for mine closure.”

Vice President of Corporate Affairs David Deisley argued against voluntary implementation of the IACHR recommendations, saying that affected communities or civil society organizations concerned about Goldcorp's operations should enter into dialogue with the company.

"Dialogue requires trust," says Jen Moore, the Latin America Program Coordinator for MiningWatch Canada, "but when the company is actively lobbying against the implementation of recommendations of human rights bodies, while ignoring the results of independent scientific studies that provide evidence of serious impacts on water supplies and local health, that trust has not been earned."

"It is just as important to comply with international law as it is to comply with tax law," said Kris Genovese, Senior Attorney with the Center for International Environmental Law in Washington D.C. "This case could not be any clearer. The mine must be suspended."

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A MESSAGE TO GOLDCORP SHAREHOLDERS: THE GUATEMALAN PEOPLE NEED YOUR VOTES

By Renu Mandhane, Director, International Human Rights Program, University of Toronto, Faculty of Law

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<http://communities.canada.com/vancouver/blogs/communityofinterest/archive/2011/05/17/a-message-to-goldcorp-shareholders-the-guatemalan-people-need-your-votes.aspx>

Goldcorp is hosting its annual general meeting in Vancouver this week. Shareholders will be asked to vote on whether the Canadian mining company, listed on both the New York and Toronto stock exchanges, should temporarily suspend operation of the Marlin mine, a particularly notorious open-pit gold mine in Guatemala.

Two shareholders put forward the proposal on the basis of mounting evidence to suggest that the Marlin mine is degrading the water and land of the Maya Mam indigenous communities, and is operating on their ancestral lands without their consent.

In May 2010, the Inter-American Commission on Human Rights recommended immediate interim suspension of work at the Marlin mine while it investigates potentially grave human rights abuses, including violations of the right to health. The proposed shareholder resolution would do nothing more than force GoldCorp to respect the Commission's sensibly prudent approach.

As a responsible corporate citizen, one might hope that GoldCorp would comply willingly, despite Guatemala's failure to require it to do so. But, alas, the Marlin mine is GoldCorp's second largest source of earnings and, one year after the Commission imposed its measures, gold extraction continues unabated and GoldCorp and its shareholders reap the rewards.

In the circular sent to shareholders in advance of the May 18th meeting, management urged shareholders to vote against suspension of the Marlin mine on the basis that it was not in the "best interests of the Company or its shareholders" (never mind the wisdom of the Inter-American Commission).

In their commentary on the shareholder proposal, GoldCorp management noted a number of voluntary initiatives undertaken to deal with alleged human rights violations at the mine, including last month passing human rights and corporate social responsibility policies. The

policies appear robust at first blush: they reference all sorts of international agreements and bind their employees to respect them.

However, beyond the lofty language, the policies are deficient in key respects. They do not require GoldCorp to assess the human rights impact of projects at the outset, obtain independent assessments of human rights performance, or remedy harm caused. The policies also omit any mention of the United Nations Declaration on the Rights of Indigenous Peoples and make no clear commitment to the right of indigenous peoples to free, prior and informed consent. Notably, the policies are ambiguous in their application to the corporation itself, as a distinct legal personality beyond its employees.

GoldCorp's policies highlight a larger problem with self-regulation in the area of human rights: corporations pat themselves on the back and expect kudos for simply putting words on paper, while they resist the rigour of independent assessment and continue to flout international human rights and recommendations made by the highest bodies entrusted with safeguarding them.

Corporate social responsibility and human rights policies are only valuable insofar as they change corporate behaviour; GoldCorp's continued failure to suspend operation of the Marlin mine despite guidance from the Inter-American Commission illustrates aptly how words can be rendered virtually meaningless through action.

How has this seemingly untenable situation come to pass? Blame your federal government.

Successive governments have remained steadfast in their opposition to regulation that would ensure that Canadian extractive sector companies operating abroad respect basic environmental and human rights standards, despite the fact that these corporations often receive taxpayer-funded subsidies.

The Marlin mine is one of the clearest illustrations of why we need to move beyond corporate self-regulation in the area of human rights. At the moment, it is left to GoldCorp's shareholders to force compliance with international law by voting to suspend operation of the Marlin mine.

INTERNATIONAL HUMAN RIGHTS PROGRAM AT UNIVERSITY OF TORONTO CRITIQUES GOLDCORP'S HUMAN RIGHTS POLICY

May 16, 2010 (Toronto)

Actions Speak Louder than Words: A Critical Analysis of GoldCorp's Human Rights and Corporate Social Responsibility Policies, is an authoritative report released today by the International Human Rights Program ("IHRP") at the University of Toronto, Faculty of Law.

The report provides critical information to GoldCorp's management and shareholders in advance of its AGM scheduled for Wednesday, May 18, 2011 in Vancouver B.C. At the AGM, shareholders will be asked to vote on an important resolution impacting the human rights of indigenous communities in Guatemala; this report, which provides an unbiased assessment of GoldCorp's stated commitments to human rights, will be essential for shareholders deciding how to vote. Whatever the outcome of the shareholder resolution, the report will be helpful to GoldCorp management as it seeks to operationalize the corporation's stated commitments to human rights.

In Actions Speak Louder than Words, the IHRP finds that, while GoldCorp's Human Rights and Corporate Social Responsibility Policies are a step forward, they are deficient in key respects.

The policies do not require GoldCorp to assess the human rights impact of projects at the outset, obtain independent assessments of human rights performance, or remedy harm caused. The policies also omit any mention of the United Nations Declaration on the Rights of Indigenous Peoples and make no clear commitment to the right of indigenous peoples to free, prior and informed consent. Notably, the policies are ambiguous in their application to the corporation itself, as a distinct legal personality beyond its employees.

A full text of Actions Speak Louder than Words (PDF) is attached and is also available online at: <http://www.utorontoihrp.com/index.php/home/ihrp-home>

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WHAT TO DO

WWW.RIGHTSACTION.ORG

Rights Action is a not-for-profit organization, with tax charitable status in Canada and the USA. We directly fund and work with community-based development, environmental, disaster relief and human rights projects and organizations fighting to eliminate poverty and impunity and the underlying causes of poverty and impunity in Guatemala and Honduras, as well as in Chiapas [Mexico], El Salvador and Haiti. We educate about and are involved work aimed at critically understanding unjust north-south relations and global development, environmental and human rights issues and the challenges of poverty eradication.

TO MAKE TAX-DEDUCTIBLE DONATIONS

for indigenous and campesino organizations working for community-controlled development, environmental justice, human rights & justice in Guatemala & Honduras, Chiapas & el Salvador, 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>

DONATIONS OF STOCK: info@rightsaction.org

SPEAKERS: Contact us to plan educational presentations in your community, school, place of worship, home (info@rightsaction.org)

EDUCATIONAL DELEGATIONS TO CENTRAL AMERICA: Form your own group and/ or join one of our educational delegation-seminars to learn first hand about community development, human rights and environmental struggles (info@rightsaction.org)

CREATE YOUR OWN email and mail lists and re-distribute our information

RECOMMENDED DAILY NEWS: www.democracynow.org / www.upsidedownworld.org /

www.dominionpaper.ca

RECOMMENDED BOOKS: Eduardo Galeano's "Open Veins of Latin America"; Howard Zinn's "A People's History of the United States"; James Loewen's "Lies My Teacher Told Me"; Naomi Klein's "The Shock Doctrine"; Paolo Freire's "Pedagogy of the Oppressed"; Dr Seuss's "Horton Hears A Who"

FOR MORE INFORMATION:

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