

Rights Action – May 2, 2012

GOLDCORP MINING – HARMFUL STATUS QUO INTACT IN HONDURAS & GUATEMALA

Goldcorp completes its AGM (annual general meeting) in Canada. The status quo is intact:

- There continues to be no legal or political accountability in Canada (let alone in Honduras and Guatemala)
- There will be no compensation or reparations for environmental and health harms and other human rights violations caused by Goldcorp's mines in Guatemala and Honduras (and beyond)
- Thus far, no comment from pension funds and equity funds across North America that are invested in Goldcorp

BELOW

- Article from the Timmins "Daily Press" news paper: "Mine closing sparks concerns. Activists travel from Central America to share concerns at Goldcorp AGM"
- Report: law suit filed in Guatemala concerning unconstitutionality of that country's mining law
- Article from Vancouver media-coop: "Chilean supreme court red lights Goldcorp mine"

WHAT TO DO: see below

QUESTIONS / COMMENTS: Write to Grahame Russell, info@rightsaction.org; Annie Bird, annie@rightsaction.org

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MINE CLOSING SPARKS CONCERNS ACTIVISTS TRAVEL FROM CENTRAL AMERICA TO SHARE CONCERNS AT GOLDCORP AGM

By Kyle Gennings, The Daily Press

<http://www.thedailypress.ca/ArticleDisplay.aspx?e=3545489>



Activists of Goldcorp's operations in the Central America made the 6,000-kilometre trek from their homes to appeal those they felt would understand their plight best, the miners and residents of Timmins. Together they told tales of the pollution, sickness and exploitation suffered by their people. From left are Carlos Amador, Reina Gamora and Alfonso Morales Jimenez.

Here in Timmins we are reminded of mining operations everywhere we look. It's written on the sides of trucks, headframes thrust into the skyline and shafts driven deep into the Earth.

Here, mining means life, prosperity and reason.

For some in Central America, however, they claim mining means many other things: Suffering, loss of independence and sickness. Activists blame mining corporations.

"Goldcorp does not operate in Honduras and Guatemala the way it does in Canada," said Reina Gamora, a Honduran school teacher and activist, who made the 6,000-kilometre trek to appeal to the hearts and minds of those who understand mining. "They operate through utilizing the corrupt government that operates in Honduras. They ignore the human rights and environmental impacts their operations have."

Gamora and two colleagues made the trip to appeal to the shareholders in Goldcorp at the firm's annual general meeting in Timmins on Thursday. They want to ensure proper cleanup measures are taken as the San Martin mine undergoes its closure process.

"They began their closing plan three years ago without considering the devastating consequences it will have on the people and the communities surrounding it," Gamora said.

In Timmins, Goldcorp is a member of the community, a conscientious funding partner of initiatives, a provider of income, well being and security.

"Goldcorp has reaped the benefits of our communities and land while we have reaped the bitter consequences," Gamora said. "We would like more than anything, to see the company compensate our community and help us re-establish our lives, our homes, and our well being."

Mining issues are infinitely more complex in the Americas.

"Fifty-four mining licences have been granted in our department just this year," said Alfonso Morales Jimenez, a member of the department of Huehuetenango in Guatemala. "We have filed unanimous referendums to stop them. We took the necessary legal measures, filed them with the government and they were ignored."

Shrugged off by the powers that be, said Jimenez, but not by the people. "We have ancestral Mayan laws," he said. "Though the government refuses to acknowledge these referendums as binding, we see them as binding. "The Earth is our mother, and she is not for sale."

A far cry from the ever-present, always scrutinizing environmental watchdogs here in Canada. "The rivers surrounding the Marlin Mine are contaminated," said Jimenez. "Our people are sick, our people are suffering and the government is doing nothing and the mining companies are doing even less."

Carlos Amador, another Honduran pleading for help, said the region is suffering. "There are 50 million tonnes of contaminated material surrounding the San Martin mine and this poison is being left there," he said. "80% of those living close to mine have suffered serious sickness.

"Lead and zinc are being found in high levels in the blood and urine of former workers and the residents of local villages." Amador said that once these findings were presented to the courts of Honduras, they refused to deal with them, saying it was a corporate issue. This was followed shortly thereafter by a statement from Goldcorp directing them back to the courts.

"We are struggling, crying out for help," said Amador. "No one is listening."

Goldcorp President and CEO Charles Jeannes told his shareholders that concerns in the Americas are unfounded, but he will still create new initiatives to ensure that all of the Canadian environmental standards are upheld. "What we voted on today was to put those procedures in place. We are committed to putting up all of the money necessary to guarantee the clean-up," he said. "Now, Goldcorp is a multi-billion dollar company. The people of Guatemala should not be stuck with the bill to clean up our mess and we absolutely agree with that, so now we are going to work with the government to put those procedures in place."

Jeannes felt that the reaction to the concern at San Marin were unfounded. "That mine is closed. All we are doing there is some post closure monitoring and it is all going well," he said. "It is a remarkable reclamation job that they have done there. It is a wildlife viewing area, the old solution ponds have been turned into Tilapia farms and the old camp has been turned into an eco-tourism hotel." Jeannes stands by the reclamation, going on to explain that he has eaten Tilapia harvested from the former solution ponds, claiming that it was delicious.

As for the concerns related to iron and zinc levels present in the bodies of residents, Jeannes feels that it is simply a utilization of selective research. "If there is any problem as a result of our activities, we are fully responsible and we are never going to walk away

from that problem," he said. "It is just that we don't agree with the characterization that has been set.

"There has been a health report showing elevated levels of heavy metals, what he didn't say was that there was a control group from hundreds of miles away from the mine that had the same elevated levels of heavy metals."

The Honduran government concluded that Goldcorp was not responsible for the level of toxins present in the surrounding communities, and Jeannes stands by that conclusion. "Clearly we weren't, it is the kind of thing that keeps being read back," he said. "And we keep responding."

FOR LIFE: CLOSE THE MARLIN MINE. THE RESISTANCE OF THE MAYAN PEOPLE

by Mari Lince

(Translated for Rights Action by Rosalind Gill)

On March 12, representatives and lawyers for the People's Council of Western Guatemala filed a lawsuit regarding the unconstitutionality of the 1997 Mining Law, on the grounds that it fails to guarantee prior and informed consent, as stipulated in Article 6 of ILO NO. 169 on Indigenous Peoples and that furthermore, it does not honour provisions laid out in Articles 44, 46, 66 and 149 of the Political Constitution of Guatemala.

Although the Constitution ratified ILO No.169 in 1997, immediately after signing, the ratification was thrown into the garbage. Other so-called "laws" regarding indigenous rights and rights in general have received the same treatment. [...]

The lawsuit was filed by the Judicial Commission at the Constitutional Court of Guatemala. This legal action is supported by all the peoples of Western Guatemala, the area for which most mining licenses have been granted and where more than 50 community consultations have taken place, of which the huge majority said NO to mining. Neither the government nor Goldcorp respected the results of these consultations. In 2007, the Constitutional Court of Guatemala declared that the referendum is not binding. In other words, it was all a big show – they never intended to respect the results.

The resistance of indigenous and campesino communities against transnationals and neoliberal policies can be seen in the case of the struggle of the people of San Miguel Ixtahuacán against Gold Corp Inc and the Marlin Mine in Guatemala.

DESTRUCTION OF HABITATS AND OF HUMAN LIFE

"The Marlin mine, owned by Montana Exploradora, S.A., (a local subsidiary of Goldcorp, a Canadian mining company), began extracting gold and silver in 2005, in an area located between Sipacapa and San Miguel Ixtahuacán, San Marcos. Rocks are pulverized for purposes of extracting metals in an area covering 142 hectares; this operation has caused 289 hectares of forest to disappear, and the waste it generates causes acid drainage that contaminates the Tzalá river basin. Local communities have made complaints to the Latin American Water Tribunal that their wells have dried up and that 10,000 people have been negatively affected by presence of the mine."

But if you look at the global prices of gold and silver, as against the low production costs in the local area, you can see why the mine is very profitable for share holders in the company.

According to experts, no industrial activity is as destructive to the environment and its social and cultural ecology as open pit mining. Intense mining exploitation has left its mark in San Miguel Ixtahuacán and Sipacapa, San Marcos. People from the local communities of Agel, Nueva Esperanza and San José Ixcaniche still remember their beautiful mountain, so famous for its biodiversity and once home to a wide variety of birds and butterflies. All that remains of it today is an immense crater and contaminated mine debris.

Results of scientific analyses of the land and water verify that human beings, as well as other forms of life in the area of the mine, have been exposed to a high risk of contamination from concentrations of copper, aluminium, magnesium, arsenic and cyanide in surface and subterranean waters and from contaminated waste in the river that has caused illnesses in neighbouring communities.

The mine is more than half way through its operating life but, as yet, the company has contributed nothing to local indigenous communities and shown no interest whatsoever in doing so. The benefits of the mine go outside of Guatemala, to company executives and shareholders in Canada, Sweden and other Western countries. And of course, a token donation is thrown the government's way for their support.

THE INTERAMERICAN COMMISSION ON HUMAN RIGHTS:
NOW I'M SPEAKING OUT, NOW I'M KEEPING QUIET

In 2010, the IACHR adopted precautionary measures and recommended that the Government of Guatemala suspend exploitation at the Marlin Mine because of harms to the health of 18 Mayan indigenous communities. This was a confirmation of what was already known and had been denounced since mine began - that Goldcorp did not carry out adequate consultation with the local communities, etc.

James Anaya, Special Rapporteur appointed by the UN to study the situation of indigenous peoples in the country, recommended that measures be taken to decontaminate the water sources of the 18 communities affected and insure that people have access to safe drinking water. He also recommended that measures be taken to deal with health problems caused by contamination. His report was issued in June, 2011.

However, the IACR recently lifted the precautionary measures that suspended the Marlin Mine operations, ordered water sources to be cleaned up and health problems dealt with. UN authorities that had voiced their concerns have gone silent. It would appear that money and power take precedence over human rights and the Constitution. The dream that the mine would close continues to be a nightmare.

CHILEAN SUPREME COURT RED LIGHTS GOLDCORP MINE Indigenous community leader celebrates ruling, promises continued opposition

by DAWN PALEY

<http://vancouver.mediacoop.ca/story/chilean-supreme-court-red-lights-goldcorp-environmental-assessment/10689>



Three men from the Diaguita Huascoaltinos Indigenous and Agricultural Community overlook the area which would be destroyed by the El Morro mine in Chile. Photo: Sergio Campusano.

On Friday, the Chilean Supreme Court ratified a lower court ruling that rendered Goldcorp's environmental assessment for the El Morro mine null, due to irregularities including the company's failure to properly consult with the Diaguita Huascoaltinos Indigenous and Agricultural Community, whose lands would be destroyed if the mine is built.

Following the lower court ruling, Goldcorp stated that they would not stop working until they received an order declaring the Resolution of Environmental Quality, a kind of environmental permit, to be without effect. "This is the order, and there is no appeal," said Sergio Campusano Vilches, President of the Diaguita Huascoaltino community.

The Chilean press is reporting that the Supreme Court decision was unanimous, and that the company must respond to the ruling before taking further steps towards opening the mine.

The judgement in their favour was a surprise, according to Campusano, who was already preparing to take the legal battle international. "We were afraid because three of the five judges in the Chilean Supreme Court have been accused of being bought off," Campusano told the Vancouver Media Co-op. "We were actually even preparing to go to the Inter American Commission, since we know there's a lot of money at play here."

The decision has raised the question of whether Goldcorp actually would prefer to deal with this case inside of Chile rather than in international courts, says Campusano. But, he says, his people will continue to oppose proposed copper mine, which requires an almost \$4 billion investment by co-owners Goldcorp (70 per cent) and New Gold (30 per cent). Both companies are based in Vancouver.

"These days the ideas of 'consultation' and 'consent' have been manipulated by consulting and human resources firms that work for the government, local governments also stick their noses in there without knowing what they're doing," said Campusano. "All we did was play the game that they want us to play, and 'the illusion' has ended."

The Diaguita Huascoaltinos Indigenous and Agricultural Community have already taken a case against Barrick Gold to the Inter-American Commission on Human Rights. Campusano will be in Vancouver in early June to speak at the Shout Out Against Mining Injustice event, organized by the Council of Canadians.

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