

## Did Canadian government officials illegally intervene on behalf of Goldcorp Inc's illegal, harmful mining operation in Guatemala?

<https://mailchi.mp/rightsaction/did-cdn-govt-illegally-intervene-on-behalf-of-goldcorp-in-guatemala>

- **Below:** Case before Federal Court of Canada, alleging Canadian government is illegally withholding information about the government's (possibly illegal) diplomatic interventions on behalf of Goldcorp Inc. in Guatemala.

From 2004-2017, Goldcorp Inc. - mining giant from Canada, now merged with Newmont Gold – illegally operated a cyanide-leeching, mountain-top removal mine in Mayan Mam and Mayan Sipakapan territories of western Guatemala. The World Bank was an early and crucial investor in this mining operation.



Over these thirteen years, local communities suffered illegal forced evictions, killings and repression, criminalization of community defenders, environmental destruction and health harms.

No reparations were ever given to the villagers for all they suffered and lost. No justice was ever done - in Guatemala or Canada - for the mining harms, violations and crimes that Goldcorp committed directly or indirectly.

\*\*\*\*\*

**Ottawa must disclose how it aided Goldcorp in human rights dispute, Federal Court will hear**

March 2, 2021, <https://cnca-rcrce.ca/2021/03/02/news-release-ottawa-must-disclose-how-it-aided-goldcorp-in-human-rights-dispute-federal-court-will-hear/>

OTTAWA, ON / March 2, 2021 – Today the Federal Court of Canada hears a case alleging that the Canadian government is improperly withholding information about its diplomatic interventions on behalf of a Canadian company accused of human rights abuse at its mine in Guatemala.

The lawsuit, filed by Shin Imai, York University law professor and co-founder of the Justice & Corporate Accountability Project (JCAP), is supported by several civil society organizations. It asks the court to order Global Affairs Canada to remove the redactions on 20 pages of documents the department disclosed in response to an access-to-information request.

Hidden in those documents are details about Canadian officials' communications with Goldcorp, the Guatemalan government and the Inter-American Commission on Human Rights (IACHR) after the commission called for Goldcorp's Marlin mine to be shut down in 2010.

The commission made the unprecedented request in response to evidence that Indigenous communities had not been consulted about the mine and concerns that its operations were contaminating their water resources.

The portions of the documents that Global Affairs Canada did release suggest that Canadian officials swiftly intervened in the case on Goldcorp's behalf, lobbying decision-makers in Guatemala and at the IACHR for months following the commission's request. In 2011 Guatemala announced it would not suspend the mine's operations, and the commission retracted its request.

"Although many details are blacked out, these records paint a damning picture," says Emily Dwyer, Coordinator of the Canadian Network on Corporate Accountability. "Canadian officials including ambassadors and cabinet ministers went to great lengths to present Goldcorp's position to the Guatemalan government and the IACHR. We are concerned that Canadian officials may have tried to improperly influence decision makers."

"The Canadian government's decision to go to court rather than disclose this additional information raises the question: what else did it do to support Goldcorp?" says Shin Imai of JCAP. "The public should be able to scrutinize the government's actions here, to assess the extent to which it undermined Indigenous communities' efforts to defend their rights."

The lawsuit contends that the Canadian government blacked out information that Canadians have a right to see under access-to-information legislation.

"Communities impacted by the mine tell us that they are still dealing with polluted rivers, the destruction of sacred sites and property damage. Many people lack access to safe drinking water," says Jean Symes of Inter Pares.

Mr. Imai is represented by the law firm Major Sobiski Moffatt.

**Media contacts:**

- Plaintiff: Shin Imai, 647.524.2312, [simai@justice-project.org](mailto:simai@justice-project.org)
- Legal issues: Charis Kamphuis, Faculty of Law, Thompson Rivers University, 250.572.2625, [ckamphuis@tru.ca](mailto:ckamphuis@tru.ca)
- Catherine Coumans, MiningWatch Canada, 613.256.8331, [catherine@miningwatch.ca](mailto:catherine@miningwatch.ca)
- Karyn Keenan, Above Ground, 613.791.7532, [kkeen@aboveground.ngo](mailto:kkeen@aboveground.ngo)

Timeline: <https://cnca-rcrce.ca/site/wp-content/uploads/2021/03/JR-timeline-EN-.pdf>

Background: <https://cnca-rcrce.ca/site/wp-content/uploads/2021/03/JR-Backgrounder-2-March-2021.pdf>

\*\*\*\*\*

**Diodora Hernandez, a Mayan Mam woman in resistance to Goldcorp**



Photo @ Grahame Russell, January 30, 2016

On July 7, 2010, Diodora Antonia Hernandez Cinto (a Mayan-Mam campesina woman from the village of San Jose Nueva Esperanza) was shot in the head and left for dead by two local men – employees or former employees of Goldcorp Inc.

The men tried to kill her because she refused to sell her land to Goldcorp. Diodora survived. The bullet entered her right eye, and exited behind her right ear. After a three-month hospital stay, Diodora returned home – with a prosthetic eye, deaf in one ear - to her plot of land where she continues to live today.

After this attempt on her life, Rights Action sent a letter to Goldcorp denouncing this attempted killing. In response (July 20, 2010), David Deisley, Goldcorp’s general counsel, acknowledged that the two men detained, questioned and released, worked for Goldcorp:

“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 [Goldcorp], 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 [Goldcorp] at the Marlin Mine.”

Not surprisingly, there never was a proper investigation. Like most serious crimes and cases of political repression in Guatemala – such as the attempted assassination of Diodora Hernandez, the case remains “open”, unresolved, unworked on.

Impunity and corruption for the wealthy powerful sectors – including transnational mining companies - remains deeply entrenched in Guatemala’s legal and political systems.

\*\*\*\*\*

### **Archives: Goldcorp Inc. in Guatemala**

<https://rightsaction.org/gc-guatemala-archives>

Find here, archives of information published and shared by Rights Action, from 2004-2017, concerning Goldcorp Inc. and it’s cyanide-leeching, mountain-top removal mine in Mayan Mam and Mayan Sipakapan territories of western Guatemala.

### **Gold Fever (2013)**

This award-winning, feature length film – that highlights the dignity, courage and resistance of Diodora Hernandez and other land defenders - documents how the Canadian mining giant Goldcorp Inc. was relentlessly carrying on mining, despite almost 10 years of repression, human rights violations, environmental destruction, and endemic corruption and impunity. Gold Fever takes the viewer into the homes and communities of courageous Mayan Mam people resisting harms and violations, struggling for justice and a different “development” model.

Trailer: <http://www.goldfevermovie.com/>

### **Forthcoming book**

**“Testimonio: Canadian Mining in the Aftermath of Genocides in Guatemala”**

In October 2021, Between the Lines will publish “*Testimonio*”, co-edited by Grahame Russell and Catherine Nolin. This book was initially dropped by Springer Nature over libel chill. *Testimonio* addresses Goldcorp Inc., amongst other multi-national mining companies, and the corruption, repression and human rights violations associated with its mining operation.

- Read: <https://quillandquire.com/omni/between-the-lines-to-publish-mining-book-dropped-by-nature-springer-over-libel-chill/>
- More info: Between The Lines, <https://btlbooks.com/>

\*\*\*\*\*

### **Act / Stir up the pot / Chip away**

Keep sending copies of Rights Action information (and that of other solidarity groups/ NGOs) to family, friends, your networks, politicians and media, asking ‘*Why do our governments, companies and investment firms benefit from and turn a blind eye to poverty, repression and violence, environmental and health harms that caused the forced migrancy / refugee crisis in Guatemala and Honduras?*’

U.S. Senate: <https://www.senate.gov/senators/contact>

U.S. House: <https://www.house.gov/representatives/find-your-representative>

Canadian Parliament: <https://www.ourcommons.ca/Parliamentarians/en/members>

### **Follow work of and get involved with other solidarity/NGO groups**

CISPES (Committee in Solidarity with People of El Salvador): [www.cispes.org](http://www.cispes.org)

Honduras Solidarity Network: [www.hondurassolidarity.org](http://www.hondurassolidarity.org)

Witness for Peace Solidarity Collective: [www.solidaritycollective.org](http://www.solidaritycollective.org)

Friendship Office of the Americas: <https://friendshipamericas.org>

NISGUA (Network in Solidarity with People of Guatemala): [www.nisgua.org](http://www.nisgua.org)

GHRC (Guatemalan Human Rights Commission): [www.ghrc-usa.org](http://www.ghrc-usa.org)

Breaking the Silence: [www.breakingthesilenceblog.com](http://www.breakingthesilenceblog.com)

Alliance for Global Justice: [www.afgj.org](http://www.afgj.org)

CODEPINK: [www.codepink.org](http://www.codepink.org)

School of Americas Watch: [www.soaw.org](http://www.soaw.org)

Mining Watch Canada: [www.miningwatch.ca](http://www.miningwatch.ca)

Mining Injustice Solidarity Network: <https://mininginjustice.org>

Mining Justice Alliance: <https://miningjusticealliance.wordpress.com>

Common Frontiers Canada: [www.commonfrontiers.ca](http://www.commonfrontiers.ca)

### **Tax-Deductible Donations (Canada & U.S.)**

To support land, human rights and environmental defender groups in Honduras and Guatemala, make check to "Rights Action" and mail to:

- U.S.: Box 50887, Washington DC, 20091-0887
- Canada: (Box 552) 351 Queen St. E, Toronto ON, M5A-1T8

Credit-Card Donations: <http://rightsaction.org/donate/>

Donations of securities in Canada and the U.S.? Write to: [info@rightsaction.org](mailto:info@rightsaction.org)

\*\*\*\*\*

Please share and re-post this information  
Subscribe to Email Newsblasts: [www.rightsaction.org](http://www.rightsaction.org)  
<https://www.facebook.com/RightsAction.org>  
<https://twitter.com/RightsAction>  
<https://www.instagram.com/rightsaction>  
<https://www.youtube.com/user/rightsaction>

\*\*\*\*\*