

**The First Swedish National Pension Fund  
The Third Swedish National Pension Fund  
The Fourth Swedish National Pension Fund  
The Seventh Swedish National Pension Fund  
Norges Bank Investment Management (NBIM)**

**Request to support the Shareholders Resolution submitted to Goldcorp Inc. on March 16, 2011**, regarding the implementation of precautionary measures granted by the Inter American Commission on Human Rights to communities of the Maya indigenous peoples of the Sipacapa and San Miguel Ixtahuacán Municipalities in the Department of San Marcos, Guatemala

We, the undersigned organizations express our concern regarding the information received about the alleged human rights violations of the Maya peoples (Sipakapense and Mam) of the Sipacapa and San Miguel Ixtahuacán Municipalities in the Department of San Marcos. These alleged violations, occurring in the framework of the mining of the Marlin I project and other activities related to the concession granted to the company Goldcorp/Montana Exploradora de Guatemala S.A, have led the Inter American Commission of Human Rights (henceforth "the IACHR") to grant precautionary measures for the members of these communities on May 20, 2010.

These precautionary measures, which respond to the same concerns we express, aim to avoid serious and irreparable harm to the human rights of these communities. They request, *inter alia*: "the suspension of mining of the Marlin I project and other activities related to the concession granted [...]; adoption of the necessary decontamination measures [...] assurance of [community] members' access to water fit for human consumption; addressing health problems [...]; adoption of any other necessary measures to guarantee the life and physical integrity of the members of the 18 aforementioned Maya communities; and planning and implementation of the protection measures with the participation of the beneficiaries and/or their representatives".

On June 23, 2010, the Government of Guatemala announced their intent to comply with the precautionary measures. On the initiative of the General Prosecutor (Procurador General de la Nación), an administrative process was initiated to suspend operations of the Mining Law Marlin I on August 10, in order to comply with the commitments made under International Human Rights Law.

Nevertheless, almost one year after the Precautionary Measures were issued by the IACHR, it has become clear that the State of Guatemala has failed to comply with them, thus disrespecting its obligations under international law. We would like to recall that, under the Inter-American Convention of Human Rights, precautionary measures are granted by the IACHR for immediate application, to be implemented until a final decision of the IACHR on the case is taken.

Furthermore, it is of great concern that Goldcorp has stated on numerous occasions that IACHR precautionary measures are not justified and are lacking evidence thus arguing against State Compliance with these measure.

The undersigned organizations recognize the initiatives undertaken by the Swedish Pension Funds and the Norwegian Government Pension Fund Global to develop a dialogue with Goldcorp about the case. However, in this situation, the Swedish Pension funds (First, Third, Fourth and Seventh AP-fonden) and NBIM are requested as owners to make sure that Goldcorp Inc. respects and implements the precautionary measures granted by the IACHR. Both Norway and Sweden are bound by international human rights treaty obligations and it is important that the activities of State Pension Funds do not violate these obligations.

Therefore, we urge the Swedish Pension funds and the Norwegian Bank on Investment Management (NBIM) to support the Shareholders' Resolution that has been presented on 16<sup>th</sup> of March, 2011, and thus vote for this resolution at Goldcorp's upcoming Annual General Meeting on May 18<sup>th</sup>.

- 1. Amnesty International Norway**
- 2. Amnesty International Sweden**
- 3. Aprovev – Assciation of World Council of Churches related Development Organisation in Europe**
- 4. Brot für Alle, Switzerland**
- 5. Brot für die Welt, Germany**
- 6. Catapa, Belgium**
- 7. CIDSE - Coopération Internationale pour le Développment et la Solidarité**
- 8. CIFCA – Copenhagen Initiative for Central America and Mexico**
- 9. Changemaker, Norway**
- 10. Christian Aid, United Kingdom**
- 11. Christliche Initiative Romero, Germany**
- 12. DKA Austria – Hilfswerk der Katholischen Jungschar**
- 13. FIAN International**
- 14. FIAN Sweden**
- 15. FIAN Norway**
- 16. FIDH- International Federation for Human Rights**
- 17. Forum Syd, Sweden**

18. **The Future in our hands, Norway**
19. **FIVAS, Norway**
20. **Grupo Sur**
21. **Guatemala-Netz Zurich**
22. **INKOTA-netzwerk, Germany**
23. **Latinamerikagrupperna, Sverige**
24. **MISEREOR, Germany**
25. **Norwegian Church Aid**
26. **Norwegian Development Fund**
27. **Norwegian Latin-America Group (LAG)**
28. **OMCT – World Organisation Against Torture**
29. **Dutch Platform Against Impunity in Guatemala**
30. **Protection International**
31. **Rainforest Foundation Norway**
32. **Red de Solidaridad con Guatemala de Berna, Switzerland**
33. **Red Europea de Comités Oscar Romero**
34. **Spire, Norway**
35. **SweFOR- Swedish Fellowship of Reconciliation**
36. **Terre des hommes, Germany**

Mar 22 2011

## **SHAREHOLDER RESOLUTION SUBMITTED TO GOLDCORP INC. ON MARCH 16, 2011**

WHEREAS the international community has expressed its concern with the Marlin mine to the Government of Guatemala, including:

- the 2010 recommendation of the Committee of Experts of the International Labour Organization (a body associated with the United Nations) that urged the Government of Guatemala to suspend mining operations at the Marlin mine
- Precautionary Measures 260-07 issued by the Inter-American Commission on Human Rights (a body of the Organization of American States) that the Government of Guatemala suspend mining at the Marlin I project and implement effective measures to prevent environmental contamination, ensure access to a safe water supply and address related health and security issues

WHEREAS Goldcorp has committed in its own Human Rights Policy to “respect human rights” consistent with the United Nations Framework on Business and Human Rights, recognizing that corporations have the responsibility to respect human rights

WHEREAS two audits, citing human rights violations and entrenched local opposition, have called for suspension of land acquisition and expansion of operations, including:

- the May 2006 report of the World Bank’s Compliance Advisor Ombudsman that advised the mine to carefully assess the risks of continuing with mining activities and to declare a temporary voluntary suspension of activities in Sipakapa
- Goldcorp’s own May 2010 Human Rights Assessment that called for a halt to “all land acquisition, exploration activities, mine expansion projects, or conversion of exploration to exploitation licenses, pending effective State involvement in consultation with local communities”

WHEREAS Goldcorp has not stopped land acquisition around the Marlin mine,

WHEREAS a failure to respect human rights at the Marlin mine has resulted in negative publicity both in Canada and abroad, including:

- an investigative report from the BBC criticizing Goldcorp for violating the human rights of indigenous people and an article in The Guardian questioning Goldcorp for “poisoning people and livestock”
- a one-hour W5 investigative report by CTV, called “Paradise Lost”, that showed community opposition to the Marlin mine and challenged Goldcorp’s land acquisition practices
- fifteen articles since 2010 in Reuters, Bloomberg, Huffington Post, and New York Times linking Goldcorp with alleged ongoing human rights violations
- more than a dozen articles in the Toronto Star, Globe and Mail, and National Post raising concerns about Goldcorp’s respect for human rights in countries of operation

WHEREAS the cumulative effect of ignoring the recommendations of internal audits and international institutions damages the credibility and business reputation of Goldcorp

### **BE IT RESOLVED:**

- Pursuant to Goldcorp’s own Human Rights Assessment, the company halt all land acquisitions, exploration activities, mine expansion projects, or conversion of exploration to exploitation licenses, until it complies with international law;
- the Board of Directors require that Goldcorp’s Human Rights Assessment be made easily available on Goldcorp’s main web site;
- the Board of Directors announce its commitment to voluntarily implement recommendations of international human rights bodies;
- the company suspend operations at the Marlin mine in accordance with the recommendations of the Inter-American Commission on Human Rights.