

**Introduction**

The Marlin Mine, located in Guatemala, was owned and operated by Glamis Gold and then Goldcorp from October 2005 until May 2017, when it ceased operating. Mine closure and reclamation started in June 2017 and physical reclamation activities are scheduled for completion by late 2020.

Newmont acquired the Marlin Mine in April 2019 following completion of the Goldcorp transaction and has been integrating the Marlin Mine closure and reclamation activities and site-based team into the Newmont portfolio since the second half of 2019.

During Goldcorp's ownership and operation of the Marlin Mine, Goldcorp shared transparent communications related to the [events discussed below](#).

**Brief Historical Summary of Goldcorp and the Marlin Mine**

In 2007, during the period of Goldcorp ownership, concerns were raised by external stakeholders regarding the consultation process undertaken when the mine was originally permitted by the Government of Guatemala. A human rights petition was filed with the Inter-American Commission on Human Rights (IACHR) in 2007 against the Government of Guatemala related to the Marlin Mine. The IACHR requested that the Government of Guatemala adopt precautionary measures (measures and status summarized below), including the suspension of mining operations due to alleged environmental contamination resulting in alleged human health impacts. The Government of Guatemala initially did not respond to the IACHR precautionary measures. In 2008, communities listed in the IACHR petition demonstrated against the lack of Government action and blocked access to the Marlin Mine. In 2008, Goldcorp voluntarily commissioned an independent human rights assessment that was completed by "On Common Ground". The assessment was based on the principles of transparency, independence, and inclusivity. The assessment was completed in May 2010 and the results were communicated publicly in June 2010.

The Government of Guatemala responded to the IACHR precautionary measures request in 2010 via the formation of a dialogue process. Goldcorp voluntarily agreed to participate in the dialogue process to resolve issues identified by the petition. As indicated in the summary table below, evaluations and studies were completed by the Government of Guatemala and associated ministries and did not identify water-related contamination or human health impacts attributed to the Marlin Mine as alleged in the IACHR petition. Nevertheless, the Government-sponsored dialogue process identified 18 water projects (one in each community) and Goldcorp voluntarily agreed to implement 11 of the water projects and the Government agreed to implement seven water projects. On July 8, 2011, the Government of Guatemala issued a resolution declaring the Marlin Mine was in full compliance with legal requirements and in December 2011, the IACHR amended the precautionary measures and formally lifted the precautionary measure to suspend mining operations. Goldcorp also commissioned an independent external review conducted by "Business for Social Responsibility" to verify completion of the precautionary measures identified in the IACHR petition.

Goldcorp formally advised the Government of Guatemala of its intent to exit the dialogue process in September 2016 as the participating communities attempted to expand the scope beyond the

requirements listed in the IACHR precautionary measures. Goldcorp continued with implementation of the agreed community water projects.

Summary of Inter-American Commission of Human Rights Precautionary Measures and response.

Petition Request	Government of Guatemala Actions	Status
Suspend mining at the Marlin I project and implement effective measures to prevent environmental pollution	Ministry of Energy and Mines determined suspension was not required as the environmental impact study was approved in accordance with environmental laws and regulations. Additional studies and monitoring by the Ministry of Environment and Natural Resources concluded there was no pollution caused by mine operations	Resolved
Take necessary measures to decontaminate the water sources of 18 beneficiary communities and ensure access to water suitable for human consumption	Studies conducted by the Ministry of Public Health, Ministry of Environment and Ministry of Energy and Mines did not identify contamination and determined water sources were suitable for human consumption	Partially complete – 18 water projects were identified for implementation. Goldcorp completed 11 projects assigned to the company and eight projects remain to be completed by the government
Address health problems via precautionary measures and initiate a health care program	Ministry of Public Health conducted health and epidemiological studies and no disease or health issues were associated with the Marline Mine operation	Resolved
Ensure security and physical integrity of members of 18 communities in proximity to the Marline Mine operation	The Ministry of the Interior, through the National Civil Police, maintained efforts to ensure security and physical integrity and life of the communities.	Resolved
Plan and implement protection measures for the beneficiaries	The State of Guatemala, via the Presidential Commission for Dialogue (COPREDEH), implemented a dialogue table with government entities, municipalities, communities and the mining company.	Resolved

In 2017, Goldcorp announced the mine was entering into the closure and reclamation phase, which sparked community unrest and roadblocks. Operations at the Marlin Mine ceased on May 31, 2017 and mine access was blocked in June 2017 and a formal list of grievances was presented to the company. The Governor of San Marcos established a formal dialogue process in August 2017 to mediate the conflict and evaluate grievances filed by the communities. The dialogue process included community members, mine employees and the federal and provincial governments. Technical Committees were established with representatives from diverse government and non-governmental institutions including the Ministry of the Environment, Ministry of Energy & Mines, Ministry of Agriculture, Ministry of Health, CONRED, National Forest Institute, Human Rights Ombudsman Office, San Miguel Municipality, Representatives from 10 communities, and Marlin Mine employees. Numerous technical studies were identified and completed by the Technical Committees to address the grievances filed by the communities. Below is a summary of 12 grievances and the current status/outcome of independent studies.

**Summary of status of grievances addressed by the dialogue table starting in 2017.**

<b>Allegation</b>	<b>Finding and Action (as required)</b>	<b>Status</b>
Environmental Pollution - High heavy metals present in the water streams exiting the site as well as polluted water in the place known as the Tailings Dam	Water quality monitoring data presented by Ministry of Environment confirmed no evidence of pollution	Resolved
Cracked houses in the following villages: San Jose Ixcaniche (declared by CONRED as uninhabitable), Neneb, La Colonia, San Jose Nueva Esperanza, Corales, Agel, El Salitre, Tierra Blanca Mubel and Kyiaqjul	Studies of 1,400 houses performed by CONRED confirmed no relationship between mining operations and damaged houses	Resolved
Skin diseases in children from the villages of San Jose Ixcaniche, Neneb, La Colonia, San Jose Nueva Esperanza, Corales, Agel, El Salitre, Tierra Blanca Mubel and Kyiaqjul	Ministry of Health study completed study concluding no relationship between mining operations and the reports of skin disease in the communities	Resolved
Siete Platos bridge - the bridge is in a poor state of repair	Bridge was repaired in 2019	Resolved
Qvivichil Bridge that links El Salitre with Siete Platos is in a poor state of repair	Bridge to be repaired in early 2020	To be resolved in 2020
Dried water springs - the springs at Kyiaqjul, Excucal, Maquivil, Tierra Blanca Mubel, San Jose Nueva Esperanza, Neenb and San Jose Ixcaniche stopped flowing	Ministry of Environment conducted a hydrogeology study confirming no relationship between mining operations and the water springs	Resolved
Cracked road - the road connecting San Antonio de los Altos and Chuená is cracked	Road to be repaired in 2020.	To be resolved in 2020
Sink hole near San Jose Nueva Esperanza	Partially repaired in 2019 - to be completed in 2020.	To be resolved in 2020
Marlin Mine breached the inter-institutional strategic cooperation agreement signed on April 28th, 2014 with El Salitre Village	Agreement terminated due to ongoing threats from community	Ongoing due to security issue
Lack of documentation available to the Municipality of San Miguel Ixtahuacán regarding the start-up, mine operation, production process and closure	Closure Plan was presented to the San Miguel Mayor	Resolved
Explanation regarding the drinking water and irrigation projects mandated by the Precautionary Measures imposed by the Inter-American Human Rights Commission to the State of Guatemala	Update of all water projects presented by Human Rights Presidential Commission to San Miguel Mayor	Resolved
Information about the company in charge of closure of Marlin Mine not provided	Information about the company in charge of closure of Marlin Mine provided to the Presidential Dialogue Commission, Mining Ministry, Environment Ministry, and the San Miguel Ixtahuacán Mayor	Resolved

**Newmont Human Rights Due Diligence – Post-Goldcorp Acquisition**

Newmont established its Human Rights program in 2014 including implementation of a policy, standard, guidance documents, training programs, and more recently, a supplier due diligence program. The Human Rights standard, training, and supplier due diligence components will be rolled out to the Marlin site in a fit-for-purpose manner in 2020 with a focus on closure/reclamation activities with an elevated potential to generate human rights risks. In addition, Newmont is engaging with the Marlin site team on a regular basis to ensure existing commitments stemming from the dialogue tables and IACHR processes are completed in a timely and participatory manner. In addition, risk assessments and complaint and grievance mechanisms will more systematically capture potential human rights issues and management oversight will be implemented.