

Introduction

The Marlin Mine, located in Guatemala, was owned and operated by Glamis Gold first, and then by Goldcorp from October 2006 until May 2017, when it ceased operating. Newmont purchased Goldcorp in 2019. Marlin was already in closure and reclamation at this time. Physical reclamation activities were completed in late 2020. Newmont continues to manage the site to implement and meet the site's post-closure commitments and obligations and will do so until they are completed.

Brief Historical Summary of Goldcorp and the Marlin Mine

In 2007, during the period of Goldcorp ownership, external stakeholders raised concerns regarding the consultation process undertaken when the mine was originally permitted by the Government of Guatemala. In 2007, a human rights petition was filed with the Inter-American Commission on Human Rights (IACHR) against the Government of Guatemala. The IACHR requested that the Government adopt precautionary measures (see summary 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 conducted by "On Common Ground Consultants". 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. The Government of Guatemala and associated ministries conducted environmental and health studies 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 and the Government the remaining seven.

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 lifted the precautionary measure to suspend mining operations. Goldcorp also commissioned an external review conducted by "Business for Social Responsibility" (BSR) to verify completion of the precautionary measures identified in the IACHR petition.

In September 2016, Goldcorp formally advised the Government of Guatemala of its intent to exit the dialogue process as the participating communities attempted to expand the scope beyond the requirements listed in the IACHR precautionary measures. Goldcorp continued with the implementation of the agreed community water projects.

Summary of the Inter-American Commission of Human Rights Precautionary Measures and Response

Petition Request	Government of Guatemala Actions	Status
Suspend mining at the Marlin 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 <ul style="list-style-type: none"> - 11 projects completed (Goldcorp completed seven and Newmont completed four) - Seven 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 Government of Guatemala, via the Presidential Commission for Dialogue (COPREDEH), implemented a dialogue process 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. In June 2017, the community blocked mine access and presented a formal list of grievances 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, National Coordinator for Disaster Reduction (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 the grievances addressed by the dialogue process and the current status/outcome of the independent studies.

Status of Grievances Addressed by the 2017 Dialogue Process

Allegation	Finding and Action (as required)	Status
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 (2018)	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 (2018)	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 completed study concluding no relationship between mining operations and the reports of skin disease in the communities (2018)	Resolved
Siete Platos bridge - the bridge is in a poor state of repair	Bridge was repaired in 2019 and 2023	Resolved
Qvivichil Bridge that links El Salitre with Siete Platos is in a poor state of repair	Not resolved under the Dialogue Process; included in the Road Nationalization Program discussion	Ongoing
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 was repaired in 2022	Resolved
Sink hole near San Jose Nueva Esperanza	Partially repaired in 2019 and completed in 2022	Resolved
Marlin Mine breached the inter-institutional strategic cooperation agreement signed on April 28th, 2014 with El Salitre Village	Social Cooperation Agreement for social projects and jobs during operation of the mine was terminated due to a breach of the agreement caused by security threats	On hold due to security issues
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 in 2017	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 individual water projects presented by Human Rights Presidential Commission to San Miguel Mayor (compiled report to be submitted 2023)	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 in 2017	Resolved

Newmont Human Rights Due Diligence

Newmont is committed to respecting the human rights of the people and organizations working on our behalf, and those impacted by our activities. We recognize that our activities throughout the mine lifecycle have the potential to affect human rights. We conduct human rights training for our employees at Marlin, including training on the Voluntary Principles for Security and Human Rights for

our security personnel and contractors. We regularly review and update site risk assessments for all our sites, including the Marlin Mine. In order to actively monitor issues, we also operate a local complaints and grievance mechanism, which any community or third-party stakeholders can use to raise concerns and issues.

As part of our post-closure work at Marlin Mine, Newmont continues to monitor the issues and commitments stemming from the 2017 dialogue and IACHR processes. Through ongoing engagement with government and community stakeholders, we work to support the completion of any outstanding commitments in a timely and participatory manner. Our post-closure social investment plan, also includes voluntary contributions in the areas of local content, health and education.