

## Goldcorp Feedback to 2018 Appeals Process

Thank you for taking part in the CHRB Appeals Process and for your patience throughout. Of the 19 appeals submitted to CHRB (one third of the total number received by CHRB), 6 were accepted by the CHRB and research team and the remaining indicators were submitted for a third review to our panel (led by Margaret Wachenfeld and supported by Lise Smit and Nadia Bernaz<sup>1</sup>). The panel agreed with most of CHRB's recommendations - it rejected the 12 of the appeals but accepted one appeal, as set out below:

Indicator code	Indicator title	CHRB Score (pre-appeal)	Final Score (post-appeal)	Full Appeal Committee involved? (Yes or No)	Change in score? (Yes or No)
B.2.4	Tracking: Monitoring and evaluating the effectiveness of actions to respond to human rights risks and impacts	0	1	N	Y
C.5	Commitment to non-retaliation over complaints or concerns made	0	1	N	Y
A.1.2	Commitment to respect the human rights of workers	1.5	2	N	Y
A.1.4	Commitment to engage with stakeholders	1	2	N	Y
A.2.3	Incentives and performance management	0.5	2	N	Y
D.3.2	Transparency and accountability (in own extractive operations, which includes JVs)	1	2	N	Y
A.1.5	Commitment to remedy	0	0	Y	N
A.1.6	Commitment to respect the rights of human rights defenders	0	0	Y	N
A.2.1	Commitment from the top	1	1	Y	N
A.2.2	Board discussions	0	0	Y	N
B.1.2	Incentives and performance management	0	0	Y	N
B.1.3	Integration with enterprise risk management	1	1	Y	N
B.1.4.b	Communication/dissemination of policy commitment(s) to business relationships	0	2	Y	Y
B.1.7	Engaging business relationships	0	0	Y	N
B.2.2	Assessing: Assessment of risks and impacts identified (salient risks and key industry risks)	0	0	Y	N
B.2.3	Integrating and Acting: Integrating assessment findings internally and taking appropriate action	0	0	Y	N
C.7	Remedying adverse impacts and incorporating lessons learned	0	0	Y	N
D.3.7	Security (in own extractive operations, which includes JVs)	1	1	Y	N

<sup>1</sup> Margaret Wachenfeld is an independent consultant, a director of CHRB and the co-chair of CHRB's Methodology Committee but was not involved in the actual research process. Lise Smit is a Senior Research Fellow in Business and Human Rights at the British Institute of International and Comparative Law. Nadia Bernaz is a specialist in international human rights law at the Wageningen University Netherlands.

B.1.4.a	Communication/dissemination of policy commitment(s) within Company's own operations	1	1	Y	N
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The explanation for the rejections is included in the tables below:

<b>APPEAL NUMBER:</b> 017		<b>COMPANY:</b> Goldcorp	
<b>Indicator:</b> A.1.5		<b>Indicator Title:</b> Commitment to remedy	
<b>Scorecard Text:</b> The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not met: Commits to remedy</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not met: Not obstructing access to other remedies</li> <li>• Not met: Collaborating with other remedy initiatives</li> <li>• Not met: Work with EX BPs to remedy impacts</li> </ul>			<b>2018 Scorecard Score:</b>  <b>0</b>
<b>Requested Score:</b>  1	<b>Justification from Company:</b>  WE BELIEVE WE MEET THE COMMITMENT TO REMEDY as illustrated in the company's Human Rights Policy. Goldcorp views its commitment to remedy as commitment to site-based grievance mechanisms. As such, commitment #9 of the Human Rights Policy states the following: "Goldcorp will maintain site-based community response systems (also known as grievance mechanisms), which are formal channels to receive, assess and resolve complaints or queries in the event of a real or perceived impact from activities of the company or its business relationships. These channels will be monitored for effectiveness and, whenever possible, will consider the feedback from employees, local stakeholders and other users of the system." [Human Rights Policy, July 2015]		
<b>Sources from Company:</b> <a href="https://s22.g4cdn.com/653477107/files/doc_downloads/governance_docs/gov_policies/Human-Rights-Policy-2015-Final-ENGLISH.pdf">https://s22.g4cdn.com/653477107/files/doc_downloads/governance_docs/gov_policies/Human-Rights-Policy-2015-Final-ENGLISH.pdf</a>			
<b>Methodology Notes</b>			
<b>Score 1</b>	The Company also has a publicly available statement of policy committing it to remedy the adverse impacts on individuals, workers and communities that it has caused or contributed to.		
<b>Score 2</b>	The commitment also recognises this should not obstruct access to other remedies or includes collaborating in initiatives that provide access to remedy AND the commitment also includes working with business relationships to remedy adverse impacts which are directly linked to its operations, products or services through the business relationship's own mechanisms or through collaborating with those business relationships on the development of third party non-judicial remedies.		
<b>Lock Score 2 - EX</b> - The commitment also includes working with its extractive business partners.			

**NOTE:**

- Commitment needs to be in a formal public document.
- The commitment has to be a commitment to remedy (i.e put right wrongs), as opposed to a statement that a complaints system is "a sign of commitment to remedy".

**Commentary and Recommendation from CHRB and Researchers to Panel:**

Goldcorp seems to be saying that taken together, its human rights policy commitments (UNGP commitment) plus its commitment to site-based grievance mechanisms is equivalent to a commitment to remedy.

CHRB argues that a public commitment **in policy** to remedy the adverse impacts on individuals, workers and communities (that it has caused or contributed to) is a step apart from this.

We have not allowed other companies to use 'commit to UNGPs' as a substitute for 'commit to provide remedy'.

Therefore, we recommend to reject this appeal.

<b>Panel Decision?</b>	<b>Accepted</b>	<input type="checkbox"/>	<b>Partially Accepted</b>	<input type="checkbox"/>	<b>Rejected</b>	<input checked="" type="checkbox"/>
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**Final Commentary**

Agree with the recommendation. They (the company) may get points under E for their grievance mechanism in action, but the evidence does not equate to a commitment to putting things right per se.

<b>Indicator:</b>	<b>Final Score:</b>	<b>Date:</b>
A.1.5	0	11 Mar 2019

<b>APPEAL NUMBER:</b> 018		<b>COMPANY:</b> Goldcorp	
<b>Indicator:</b> A.1.6	<b>Indicator Title:</b> Commitment to respect the rights of human rights defenders		
<b>Scorecard Text:</b> The individual elements of the assessment are met or not as follows: Score 1 • Not met: Zero tolerance attacks on HRs Defenders (HRDs) Score 2 • Not met: Expects EX BPs to reflect company HRD commitments			<b>2018 Scorecard Score:</b>  <b>0</b>
<b>Requested Score:</b>  1	<b>Justification from Company:</b> WE BELIEVE WE MEET PUBLIC COMMITMENT TO RESPECTING THE RIGHTS OF HUMAN RIGHTS DEFENDERS - On page 80 of our 2016 Sustainability Report, Goldcorp states that: "As stipulated by our Human Rights Policy, we respect the rights and dignity of employees, contractors, partners, community members and other stakeholders impacted by our business. We are committed to creating a safe and diverse workplace and embedding a human rights culture. This includes respect for all stakeholders, including human rights defenders. [2016 Sustainability Report, July 2017]"		
<b>Sources from Company:</b> <a href="https://s22.q4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf">https://s22.q4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf</a>			
<b>Methodology Points</b>			

<b>Score 1</b>	The Company has a publicly available statement of policy committing it to neither tolerate nor contribute to threats, intimidation and attacks (both physical and legal) against human rights defenders in relation to its operations.					
<b>Score 2</b>	The Company also meets the requirements under the industry lock below.					
<b>Lock Score 2 - EX</b> - The Company's policy commitment(s) also expects its extractive business partners to make these commitments.						
<b>Commentary and Recommendation from CHRB and Researchers to Panel:</b> A.1.6 requires a publicly available statement of policy committing the company to 'neither tolerate nor contribute to threats, intimidation and attacks...against HRDs in relation to its operations...and the policy also expects its business partners to make these commitments'. Their policy says they commit to respecting the rights of all stakeholders, including human rights defenders. But, there is no reference to 'not tolerating threats / intimidation' etc. This indicator is <b>intentionally stringently worded</b> , to avoid giving points for generic statements. To be consistent with other companies, we recommend not awarding the points in this Appeal as we have been very strict (93% score 0 points).						
<b>Panel Decision?</b>	<b>Accepted</b>	<input type="checkbox"/>	<b>Partially Accepted</b>	<input type="checkbox"/>	<b>Rejected</b>	<input checked="" type="checkbox"/>
<b>Justification from Panel:</b> Agree. The wording is not sufficiently specific to get a score under this indicator.						
<b>Indicator:</b> A.1.6	<b>Final Score:</b> 0		<b>Date:</b> 11 Mar 2019			

<b>APPEAL NUMBER:</b> 019		<b>COMPANY:</b> Goldcorp	
<b>Indicator:</b> A.2.1		<b>Indicator Title:</b> Commitment from the top	
<b>Scorecard Text:</b> The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>Met: CEO or Board approves policy: The Company's Human Rights Policy is signed by the President &amp; CEO. [Human Rights Policy, July 2015: s22.q4cdn.com]</li> <li>Met: Board level responsibility for HRs: In addition, it indicates in the Sustainability Report that the 'Sustainability, Environment, Health and Safety Committee of the Board is responsible for overseeing the Human Rights Policy and information regarding assessments and performance will be made available to the public through annual GRI reporting'. [2016 Sustainability Report, December 2016] Score 2</li> <li>Not met: Speeches/letters by Board members or CEO</li> </ul>			<b>2018 Scorecard Score:</b>  <b>1</b>
<b>Requested Score:</b>  2	<b>Justification from Company:</b> WE BELIEVE WE MEET BOARD MEMBERS OR THE CEO MAKING SPEECHES, PRESENTATIONS OR OTHER COMMUNICATIONS SETTING OUT THE COMPANY'S APPROACH TO HUMAN RIGHTS OR DISCUSSING ITS BUSINESS IMPORTANCE - Goldcorp's board members and its senior executive team (including the CEO) engages in multiple events with a wide range of stakeholders. These engagements often deal with a number of topics, including our approach to sustainable mining		

	<p>and respect for human rights. We don't disclose every engagement that pertains or relates to discussing human rights themes, but have included on page 18 of our Sustainability Report the various industry associations (e.g. International Council on Mining and Metals, World Gold Council, Mining Association of Canada, etc.) and membership organizations (e.g. Voluntary Principles on Security and Human Rights, Business for Social Responsibility, World Economic Forum, etc.) in which we participate to advance sustainable development initiatives in civil society. Furthermore, on page 73 of the 2016 Sustainability Report, we specify that 'human rights' is one of the topics that our senior management speaks about when engaging with investors. [2016 Sustainability Report, July 2017].</p>					
<p><b>Sources from Company:</b> <a href="https://s22.g4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf">https://s22.g4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf</a></p>						
<p><b>Methodology Points</b></p> <p><b>Score 1</b>      The Company's human rights policy commitments are approved by the Board or the CEO by name AND a Board member or Board committee is tasked with specific governance oversight of one or more areas of respect for human rights.</p> <p><b>Score 2</b>      Board members and/or the CEO make speeches, presentations or other communications setting out the Company's approach to human rights or discussing its business importance</p>						
<p><b>Commentary and Recommendation from CHRB and Researchers to Panel:</b></p> <p>A.2.1 score 2 requires 'board members or CEO make speeches/presentations/other communications setting out the Company's approach to human rights / discussing its business importance.'</p> <p>Goldcorp provide a list of justifications for the score, but it is rather vague. Membership of an organisation doesn't guarantee that human rights are being raised (by CEO etc) and their statement that 'they don't disclose every engagement that pertains to human rights' doesn't make up for the fact that we can't find any clear documentary evidence of some speech/presentation/commentary on their human rights approach or its importance. As such, we recommend this be rejected.</p>						
<b>Panel Decision?</b>	<b>Accepted</b>	<input type="checkbox"/>	<b>Partially Accepted</b>	<input type="checkbox"/>	<b>Rejected</b>	<input checked="" type="checkbox"/>
<p><b>Justification from Panel:</b></p> <p>CHRB should try to make the 'public' element of communications clearer. But we agree with the recommendation to reject the appeal: Membership of organisations is not enough on its own and investor engagements (frequently confidential, with an agenda often driven by the investor and also not guaranteed to have the CEO on the call) do not equate to the 'speeches, presentations or communications'</p>						
<b>Indicator:</b> A.2.1	<b>Final Score:</b> 1	<b>Date:</b> 11 Mar 2019				

<b>APPEAL NUMBER:</b> 020		<b>COMPANY:</b> Goldcorp				
<b>Indicator:</b> A.2.2		<b>Indicator Title:</b> Board Discussions				
<b>Scorecard Text:</b> The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not met: Board/Committee review of salient HRs: The Company states in its Sustainability Report that it has an Environment, Health &amp; Safety Committee made up of Board members, but it is not clear whether or how they review salient human rights issues. [2016 Sustainability Report, December 2016]</li> <li>• Not met: Examples or trends re HR discussion</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not met: Both examples and process</li> </ul>					<b>2018 Scorecard Score:</b>  -	
<b>Requested Score:</b>  1	<b>Justification from Company:</b> WE BELIEVE THAT WE MEET ONE OF THE TWO REQUIREMENTS UNDER SOCRE 1, THAT IS THAT THE BOARD/COMMITTEE REVIEW OF HUMAN RIGHTS. Page 15-16 of the 2018 Annual Information Form describes our Human Rights Policy and states that: "The Sustainability Committee of the Board is responsible for overseeing the Human Rights Policy". [2017 Annual Information Form, March 2018].					
<b>Sources from Company:</b> <a href="https://s22.g4cdn.com/653477107/files/doc_financials/2017/Q4/2018-Annual-Information-Form-(filed-version).pdf">https://s22.g4cdn.com/653477107/files/doc_financials/2017/Q4/2018-Annual-Information-Form-(filed-version).pdf</a>						
<b>Methodology Points</b> <b>Score 1</b> The Company describes the process it has in place to discuss and address human rights issues at Board level or how the Board or a Board committee regularly reviews the Company's salient human rights issues OR it provides examples of specific human rights issues discussed or examples of trends in types if human rights issues discussed at Board level or a Board committee during the Company's last reporting period. <b>Score 2</b> The Company meets both of the requirements under Score 1.						
<b>Commentary and Recommendation from CHRB and Researchers to Panel:</b> To get a 1, companies have to either describe the <b>process</b> it has in place to <b>discuss and address HR issues</b> at board level OR <b>provide tangible examples</b> in the last reporting period. Goldcorp states in the reference document that 'The Sustainability Committee of the Board is <b>responsible for overseeing</b> the Human Rights Policy'. There is no further information given in either describing the processes it has in place to discuss Human Rights or an explanation about how the company reviews salient human rights issues. We don't think this is enough on its own to get 1 point. They do get the points for Board oversight in 2.1, but this indicator is looking for more specifics – rather than just saying 'they're responsible'. Recommend to reject the appeal.						
<b>Panel Decision?</b>	Accepted	<input type="checkbox"/>	Partially Accepted	<input type="checkbox"/>	Rejected	<input checked="" type="checkbox"/>
<b>Justification from Panel:</b>						

Agree with the explanation provided. It is not specific enough to give a sense of whether anything is discussed at the Board.

<b>Indicator:</b> A.2.2	<b>Final Score:</b> 0	<b>Date:</b> 11 Mar 2019
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<b>APPEAL NUMBER:</b> 021	<b>COMPANY:</b> Golcorp
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<b>Indicator:</b> B.1.2	<b>Indicator Title:</b> Incentives and performance management
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<b>Scorecard Text:</b> The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not met: Senior manager incentives for human rights</li> <li>• Not met: At least one key EX HR risk, beyond employee H&amp;S</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not met: Performance criteria made public</li> </ul>	<b>2018 Scorecard Score:</b>  <b>0</b>
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<b>Requested Score:</b>  1	<b>Justification from Company:</b> <p>a) WE BELIEVE WE MEET SENIOR MANAGER INCENTIVES FOR HUMAN RIGHTS - Our Senior Management (referred to as Named Executive Officers or NEOs)'s incentives are described in detail on pages 37-43 of our 2018 Management Information Circular. Among other things, the Corporate Performance scorecard (pages 39-40) includes human rights related metrics: i) Safety - achieve zero fatalities, ii) Safety - improve safety performance as measured by AIFR to be 0.9 or better, and iii) Sustainability - Ensure all sites have a "Toward Zero Water" project identified and budgeted implementation in 2018 as part of our water stewardship vision. [2018 Management Information Circular, March 2018].</p> <p>b) WE BELIEVE WE MEET AT LEAST ONE KEY EX HR RISK, BEYOND EMPLOYEE H&amp;S - Page 40 of the 2018 Management Information Circular describes how incentives and performance management for our Senior Management (referred to as Named Executive Officers or NEOs) throughout the 2018 Management Information Circular) are linked to human rights risk beyond employee H&amp;S per Figure 5 of CHRB Methodology ("water" is a key industry risk considered salient for Extractives). On the table of page 40 of the Management Information Circular, our corporate performance scorecard under the Sustainability key performance indicators states that "ensuring all sites have a "Toward Zero Water" project identified and budgeted for implementation in 2018". [2018 Management Information Circular, March 2018].</p> <p>c) WE BELIEVE WE MEET PERFORMANCE CRITERIA MADE PUBLIC - Goldcorp's Corporate Performance Scorecard is publicly disclosed on our 2018 Management Information Circular, pages 37 to 40. [2018 Management Information Circular, March 2018].</p>
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**Sources from Company:**  
[https://s22.q4cdn.com/653477107/files/doc\\_financials/2018/Goldcorp-Inc.-Management-information-circular-English.pdf](https://s22.q4cdn.com/653477107/files/doc_financials/2018/Goldcorp-Inc.-Management-information-circular-English.pdf)

**Methodology Points**  
**Score 1** The Company indicates that it has an incentive or performance management scheme linked to aspects of its human rights policy commitment(s) for at least one senior manager.

**Lock Score 1 - EX** - This includes senior managers covering at least one of the key industry risks in Figure 5 considered salient. If health and safety is the only issue for which there is a performance incentive, it includes the health and safety of local communities and workers of extractive business partners.

**Score 2** The criteria linking the senior manager(s)' remuneration to the Company's human rights performance is also made public.

**Commentary and Recommendation from CHRB and Researchers to Panel:**

B.1.2 is looking at the 'day to day' management and incentives for human rights - not at the board level, which is covered in A1.2.

While their details provided are good for the A series, we think they have possibly misunderstood the indicator. Their NEOs are CFOs, legal counsel etc. Not the level wanted in this indicator. They do discuss practical management on P60 of their Sustainability Report (ORGANIZATIONAL RESPONSIBILITY - *Our management approach to sustainability, corporate social responsibility and human rights is led by our Executive Vice President of Corporate Affairs and Sustainability with specific accountability assigned to the Corporate Director of Corporate Social Responsibility. Additionally, each of our operations has sustainability managers and CSR/community relations teams.*)

But this doesn't provide further details that meet this indicator – such as how the **performance management scheme is linked to senior managers**.

It is quite strict, but consistent with other companies, to recommend not giving the points and rejecting the appeal.

<b>Panel Decision?</b>	<b>Accepted</b>	<input type="checkbox"/>	<b>Partially Accepted</b>	<input type="checkbox"/>	<b>Rejected</b>	<input checked="" type="checkbox"/>
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**Commentary:**

We have accepted the rejection on the basis of the recommendation, but also for consistency with other company assessments. However, we think CHRB should make the 'level' of manager clearer to companies for this indicator and show the clear separation between the A and B series for incentive/performance management linked to human rights.

<b>Indicator:</b> B.1.2	<b>Final Score:</b> 0	<b>Date:</b> 11 Mar 2019
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<b>APPEAL NUMBER:</b> 022	<b>COMPANY:</b> Goldcorp	
<b>Indicator:</b> B.1.3	<b>Indicator Title:</b> Integration with enterprise risk management	
<b>Scorecard Text:</b> The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>Met: HR part of enterprise risk system: The Company states that it will assess human rights risks and impacts through mechanisms such as enterprise risk management and due diligence processes. In its Sustainability Report, the Company states 'The primary focus of the ERM process is the identification and assessment of significant risks and the implementation of suitable risk responses. The process includes bottom-up risk identification and assessment from operations, regional business units and corporate functions'. 'On a quarterly basis, significant risk information from these and other sources is consolidated and reviewed by Regional Risk</li> </ul>		<b>2018 Scorecard Score:</b>  <b>1</b>



Committees, which involves an assessment and discussion of operational and external risks. External risks emerging from environmental, social, political and economic issues where we operate are identified through a country-level risk assessment process. All risks are revisited and updated regularly to ensure that the previous risk assessment is still appropriate and the risk impact and likelihoods have not changed.' [Human Rights Policy, July 2015: s22.q4cdn.com & 2016 Sustainability Report, December 2016]

Score 2

- Not met: Audit Ctte or independent risk assessment: The Company states that the Board delegates responsibility for the execution of certain elements of risk oversight to Board committees

to ensure appropriate expertise, attention and diligence. The committees oversee their relevant risk areas and report to the Board regularly. This oversight responsibility includes the procedures and programs implemented to mitigate risk, and the allocation of adequate resources to address risk. Management is responsible for ensuring that the Board and its committees are kept well informed of changing risks. However, it does not specify how the Board reviews these risks or the adequacy of the enterprise risk management approach.

**Requested Score:**

2

**Justification from Company:**

WE BELIEVE WE MEET AUDIT COMMITTEE OR INDEPENDENT RISK ASSESSMENT (SCORE 2) - The figure on page 53 of our 2016 Sustainability Report explains the 'quarterly' flow of risk information including the OVERSIGHT AND GOVERNANCE by the Board of Directors also on a quarterly basis. [2016 Sustainability Report, July 2017]. Furthermore, page 9 of the Terms of Reference of the Audit Committee specifies in detail how the Board's Audit Committee oversees the Enterprise Risk Management. [Terms of Reference for the Audit Committee, February 2017].

**Sources from Company:**

Audit Committee

[https://s22.q4cdn.com/653477107/files/doc\\_downloads/governance\\_docs/2017-TOR-AUDIT-COMMITTEE.pdf](https://s22.q4cdn.com/653477107/files/doc_downloads/governance_docs/2017-TOR-AUDIT-COMMITTEE.pdf)

2016 Sustainability Report

[https://s22.q4cdn.com/653477107/files/doc\\_financials/2016/0\\_0\\_goldcorp\\_csr\\_2016\\_full.pdf](https://s22.q4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf)

**Methodology Points**

**Score 1** The Company describes how attention to human rights risks are integrated as part of its broader enterprise risk management systems.

**Score 2** The Company also describes how the Board Audit Committee or an independent assessment was carried out of the adequacy of the enterprise risk management systems in managing human rights during the Company's last reporting year.

**Commentary and Recommendation from CHRB and Researchers to Panel:**

To reach a 2, the company has to first get a 1 and also describe how the Board Audit Committee or an independent assessment was carried out on the **adequacy** of the enterprise risk management system **in managing** human rights.

In the Audit Committee document, it details areas of the Enterprise Risk Management that the committee reviews such as the company's risk assessment or crisis management plans, in addition there is also a short overview of general processes that the committee is permitted to undertake when examining these areas. However, there is no explicit reference to human rights, this reads as more a policy document than an explanation of the process that is undertaken.

We think their sources miss a key part of information - an assessment of the **adequacy** of the ERM system in **managing human rights**. They did social audits. They also said they wanted to

improve their approach to social risk management...which suggests there are problems / improvements to be made on the ERM system for managing human rights.  
Overall, they don't disclose how they have reviewed the **effectiveness** of HR risk management within the ERM...so we recommend that this appeal is rejected.

<b>Panel Decision?</b>	<b>Accepted</b>	<input type="checkbox"/>	<b>Partially Accepted</b>	<input type="checkbox"/>	<b>Rejected</b>	<input checked="" type="checkbox"/>
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**Commentary**

From Panel (full detail included as it may prove useful for 2019):

We think this should be rejected for the reasons given but most importantly because if you look at what the company means when it refers to social risk it says with respect to "Social Risk Assessments" under the heading "Purpose of Assessment": "Identify and analyze potential events involving external stakeholders which *could negatively impact us*" (emphasis added)

[https://s22.q4cdn.com/653477107/files/doc\\_financials/2016/0\\_0\\_goldcorp\\_csr\\_2016\\_full.pdf, p. 54.](https://s22.q4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf,p.54)

This indicates that when the company is looking at social risk (which presumably includes human rights risks) they are interpreting that as risk to the company rather than risks from the company on human rights. So, they should not get Score 2 and should not get Score 1 unless there is other evidence, i.e. from the DD process mentioned, that they are integrating risks to HR into their systems.

In addition, their 2016 CSR Report (p. 80) says this which makes clear that HR are not yet integrated into their ERM "We are currently implementing a revised integrated risk framework, which takes into consideration the actual and potential social impacts and human rights impacts our operations may generate."

If the scores have already been awarded, they should not be withdrawn if new things are found on the appeals review, but this should be flagged to them with an indication that they may not be awarded scores for this in the future unless they can show clearly that their ERM is considering HR impacts of the operations on people, rather than on the company (as that statement seems to indicate).

<b>Indicator:</b> B.1.3	<b>Final Score:</b> 1	<b>Date:</b> 11 Mar 2019
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<b>APPEAL NUMBER:</b> 023	<b>COMPANY:</b> Goldcorp
<b>Indicator:</b> B.1.4.a	<b>Indicator Title:</b> Communication/dissemination of policy commitment(s) within Company's own operations
<b>Scorecard Text:</b> The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>Met: Communicates its policy to all workers in own operations: The Company indicates that 'the Human Rights Policy is available on our website at goldcorp.com in English, Spanish and French'. The Sustainability section of the website discloses a map indicating the countries where the Company operates. These are: Argentina, Canada, Mexico, Guatemala, Chile and Dominican Republic. [2016 Sustainability Report, December 2016 &amp; Map of projects and operations, June 2018: csr.goldcorp.com]</li> </ul> Score 2	<b>2018 Scorecard Score:</b>  <b>1</b>

<ul style="list-style-type: none"> <li>• Not met: Communication of policy commitments to stakeholder: Although the Company devotes a section of the Sustainability report to stakeholder engagement, it does not disclose how it communicates its human rights policy commitments to them, including local communities and potentially affected stakeholders. Details should include how it ensures the form and frequency of the information communicated is accessible to its intended audience.</li> <li>• Not met: How policy commitments are made accessible to audience</li> </ul>		
<p><b>Requested Score:</b></p> <p>2</p>	<p><b>Justification from Company:</b></p> <p>WE BELIEVE WE MEET BOTH REQUIREMENTS OF SCORE 2, THAT IS COMMUNICATION OF POLICY COMMITMENTS TO STAKEHOLDER AND HOW POLICY COMMITMENTS ARE MADE ACCESSIBLE TO AUDIENCE - On page 72 of our 2016 Sustainability Report, we describe how Goldcorp communicates with communities and indigenous peoples including type of engagement (e.g. roundtables, face-to-face, open house events, community response mechanisms, radio, newsletters, etc.), frequency (daily to annually) and topics/issues of concern (e.g. health and safety, environmental protection, land rights, cultural heritage, etc.). On that same table (page 72) we provide examples of the form and frequency of the engagement and how it is accessible to communities and indigenous people (e.g. joint committees meet two to four times a year and informally as necessary). [2016 Sustainability Report, July 2017].</p>	
<p><b>Sources from Company:</b></p> <p><a href="https://s22.q4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf">https://s22.q4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf</a></p>		
<p><b>Methodology Points</b></p> <p><b>NOTE:</b> In order to get any Score under this indicator, the human rights policy commitment must include the ILO core labour standards at a minimum. If a company clearly commits to the ILO Declaration on Fundamental Principles and Rights at Work, this will be accepted as including the four ILO core labour standards. If a company commits to the UN Global Compact alone, this will not count as including the ILO core labour standards unless the company chooses to list out each of the UN Global Compact principles. This is because for communication, training, and monitoring purposes, clarity of message is important. If in doing so a company only explicitly refers to less than all four UN Global Compact labour rights principles then this will not meet the requirement to score 1 or 2 for these indicators.</p> <p><b>Score 1</b> The Company describes how it communicates its policy commitment(s) to all workers, including local languages where necessary.</p> <p><b>Score 2</b> The Company also describes how it communicates its policy commitments to stakeholders, including local communities and potentially affected stakeholders AND the Company provides an example of how it ensures the form and frequency of the information communicated is accessible to its intended audience.</p>		
<p><b>Commentary and Recommendation from CHRB and Researchers to Panel:</b></p> <p>To get up to a 2, Goldcorp needs to describe how it communicates its policy commitments to stakeholders AND provide an example of how it ensures the form and frequency of information is accessible to intended audience.</p> <p>This was debated internally, but the <b>recommendation is to reject the appeal</b> on the basis that while the detail is good, this indicator is focused on <b>communication of policies</b>, rather than just stakeholder engagement. To give the points, CHRB would have to assume that during those engagements, Goldcorp is actually setting out its commitments/promises and approach.</p>		
<p><b>Panel Decision?</b></p>	<p>Accepted <input type="checkbox"/> Partially Accepted <input type="checkbox"/> Rejected <input checked="" type="checkbox"/></p>	
<p><b>Commentary</b></p> <p>Agree with CHRB recommendation. The company identifies the topics but it does not say that it is discussing its <b>commitments</b> when engaged in these discussions.</p>		
<p><b>Indicator:</b></p>	<p><b>Final Score:</b></p>	<p><b>Date:</b></p>

B.1.4.a	1	11 Mar 2019
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<b>APPEAL NUMBER:</b> 024		<b>COMPANY:</b> Goldcorp	
<b>Indicator:</b> B.1.4.b		<b>Indicator Title:</b> Communication/dissemination of policy commitment(s) to business relationships	
<b>Scorecard Text:</b> The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not met: Steps to communicate policy commitments to BRs: The Company indicates in the Human Rights Policy that: 'Goldcorp will take actions to embed a human rights culture in our company and ensure employees and contractors are made aware of this Human Rights Policy and understand their responsibility to comply. These measures include awareness-raising and training on the policy and specific aspects within it, such as how to report concerns related to human rights via company grievance mechanisms'. In addition, in the Stakeholders relations section of the Sustainability report, the Company indicates that common topics of engagement/issues of concern in its relation with business partners (which, according to the report, are 'suppliers, contractors, industry organizations and other companies') include 'supplier requirements', 'agreement terms', and other topics. However, it is not described how human rights policy commitments are communicated nor whether it includes human rights policy in contractual or other binding agreements. [Human Rights Policy, July 2015: s22.q4cdn.com &amp; 2016 Sustainability Report, December 2016]</li> <li>• Not met: Including to EX BPs</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not met: How HR commitments made binding/contractual</li> <li>• Not met: Including on EX BPs</li> </ul>			<b>2018 Scorecard Score:</b>  <b>0</b>
<b>Requested Score:</b>  2	<b>Justification from Company:</b> a) WE BELIEVE WE MEET COMMUNICATIONS WITH BUSINESS PARTNERS (SCORE 1) - Page 84 of our 2016 Sustainability Report describes our Third-Party Due Diligence Standards that we conduct on every potential supplier as part of the procurement process. The procurement section of our website ( <a href="https://www.goldcorp.com/English/contact-us/procurement/default.aspx">https://www.goldcorp.com/English/contact-us/procurement/default.aspx</a> ) also states that "Suppliers must respect our Code of Conduct and other policies (including Human Rights Policy) that apply to them in their business dealings with us and on behalf Goldcorp. [2016 Sustainability Report, July 2017]. Furthermore, page 1 of our Code of Conduct (which includes section 16.1 Respect for Human Rights) states that the "Code is applicable to all Goldcorp Board members, Officer and Employees as well as to any third party conducting work or acting on Goldcorp's behalf. Section 10 on page 12 also states Goldcorp's responsibility to "ensure that third parties are aware that they need to comply with Goldcorp policies (including Human Rights Policy)." [Code of Conduct]. b) WE BELIEVE WE MEET HOW HR COMMITMENTS MADE BINDING/CONTRACTUAL (SCORE 2) - Section 10 on page 12 of our Code of		

	<p>Conduct states among other things Goldcorp's responsibility to "ensure that the compliance requirements for third parties are clearly stated in applicable contracts or purchase orders". [Code of Conduct]. Furthermore, Goldcorp's Standard Terms and Conditions, more specifically on page 4, section 4.5 Compliance with Buyer Policies, serve as evidence of how our Human Rights Policy commitment is reflected within contractual arrangements with our suppliers and business partners. [Goldcorp Standard Terms and Conditions, June 2015].</p>					
<p><b>Sources from Company:</b> 2016 Sustainability Report <a href="https://s22.q4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf">https://s22.q4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf</a></p> <p>Code of Conduct <a href="https://s22.q4cdn.com/653477107/files/doc_downloads/governance_docs/gov_policies/Goldcorp-Code-of-Conduct.pdf">https://s22.q4cdn.com/653477107/files/doc_downloads/governance_docs/gov_policies/Goldcorp-Code-of-Conduct.pdf</a></p> <p>Procurement <a href="https://www.goldcorp.com/English/contact-us/procurement/default.aspx">https://www.goldcorp.com/English/contact-us/procurement/default.aspx</a></p> <p>Terms &amp; Conditions <a href="https://s22.q4cdn.com/653477107/files/doc_downloads/goldcorp_terms-conditions.pdf">https://s22.q4cdn.com/653477107/files/doc_downloads/goldcorp_terms-conditions.pdf</a></p>						
<p><b>Methodology Points</b></p> <p><b>NOTE:</b> In order to get any Score under this indicator, the human rights policy commitment must include the ILO core labour standards at a minimum. [see full note at B.1.4.a]</p> <p><b>Score 1</b> The Company describes the steps it takes to communicate its human rights policy commitment(s) to its business relationships.</p> <p><b>Lock Score 1 - EX</b> - This must include extractive business partners.</p> <p><b>Score 2</b> The Company also describes how its human rights policy commitments are reflected within contractual or other binding arrangements with its business relationships.</p> <p><b>Lock Score 2 - EX</b> - This must include extractive business partners.</p>						
<p><b>Commentary and Recommendation from CHRB and Researchers to Panel:</b></p> <p>This is a difficult case due to there being lots of info there, but that info is most relevant for Score 2 rather than Score 1 requirements.</p> <p>To get a 1, the company must describe the steps it takes to communicate its HR policy commitments to its business relationships.</p> <p>Goldcorp seem to say that all suppliers/purchasers must meet their policies, including human rights. But this is a communications indicator and despite their good content (like 'ensure that third parties comply with Goldcorp Policies, including human rights' in their Code of Conduct), we still can't find any details as to how the wide human rights policy is communicated to business relationships (especially business partners <b>and JVs</b> - not just direct suppliers).</p> <p>A tough one, but recommend to reject.</p>						
<p><b>Panel Decision?</b></p>	<p><b>Accept</b></p>	<p><input checked="" type="checkbox"/></p>	<p><b>Partially Accepted</b></p>	<p><input type="checkbox"/></p>	<p><b>Rejected</b></p>	<p><input type="checkbox"/></p>
<p><b>Justification from Panel:</b></p> <p>We overturned CHRB's original proposal as we found additional references to joint ventures. They do have an obligation on themselves as part of their Code of Conduct to explain to BR that the BR must comply with the Code of Conduct and the Human Rights Policy, and in Part 1 of their Code of</p>						

Conduct, there is actually reference to the application to Joint Ventures. This covers the missing piece that CHRB wasn't originally directed towards and based on this we accept the appeal.

<b>Indicator:</b> B.1.4.b	<b>Final Score:</b> 2	<b>Date:</b> 11 Mar 2019
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<b>APPEAL NUMBER:</b> 025	<b>COMPANY:</b> Goldcorp	
<b>Indicator:</b> B.1.7	<b>Indicator Title:</b> Engaging business relationships	
<b>Scorecard Text:</b> The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not met: HR affects selection extractives business partners: The Company indicates in the Sustainability report that it screens its business relationships: 'Out of the 320 contracts reported by our sites, 96% were screened for human rights compliance. The Company also assesses 'significant investments against numerous criteria, including human rights risks'. Regarding these investment the report indicates that: 'There were 81 of such investments and contracts reported at our sites in 2016. Of those agreements, 80 had human rights clauses and two were screened for human rights compliance'.</li> </ul> However, despite this screening, the Company does not disclose documents indicating how human rights performance is taken into account and how can affect the selection of business relationships nor how performance on human rights interacts with decisions to renew, expand or terminate business relationships. The Company's human rights policy indicates that 'for contractors, non-compliance may be grounds for contract termination'. However, no further details are provided. [2016 Sustainability Report, December 2016] <ul style="list-style-type: none"> <li>• Not met: HR affects on-going business partner relationships</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not met: Both requirement under score 1 met</li> <li>• Not met: Working with business partners to improve performance</li> </ul>		<b>2018 Scorecard Score:</b>  <b>0</b>
<b>Requested Score:</b>  1	<b>Justification from Company:</b> WE BELIEVE WE MEET DESCRIPTION OF HOW HUMAN RIGHTS PERFORMANCE IS TAKING INTO ACCOUNT IN THE IDENTIFICATION AND SELECTION OF POTENTIAL BUSINESS RELATIONSHIPS (ONE OF THE TWO CRITERIA UNDER SCORE 1) - Page 84 of our 2016 Sustainability Report describes Goldcorp's Third-Party Due Diligence Standards which define "the minimum due diligence that employees must fulfill when entering into a relationships with a third party on behalf Goldcorp." On that same page Goldcorp states that "Under the Global Supply Chain Policy, human rights , environment, safety and sustainability performance are requirements that must be assessed when selecting a third party." [2016 Sustainability Report, July 2017].	
<b>Sources from Company:</b> <a href="https://s22.g4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf">https://s22.g4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf</a>		
<b>Methodology Points</b>		

**Note:** Indicators D.1.2 and D.2.2 are related to indicator B.1.7 but focus on different aspects of human rights impacts in supply chains. D.1.2 and D.2.2 focus on how the company's actions can impact human rights in the supply chain whilst B.1.7 is about how the suppliers' actions (should) influence the company's acts.

**Score 1** The Company describes how human rights performance is taken into account in the identification and selection of potential business relationships **OR** in decisions to renew, expand or terminate business relationships.

**Lock Score 1** - EX - This must include business partners.

**Score 2** The Company meets both the requirements under Score 1 **AND** describes how it works with business relationships to improve human rights performance and provides an example.

**Lock Score 2** - EX - This must include business partners.

**Commentary and Recommendation from CHRB and Researchers to Panel:**

To get a 1, companies have to either describe how human rights performance is taken into account in the identification and selection of potential business relationships/partners OR in decisions to renew, expand or terminate business relationships.

Their references indicate that they do have a screening process ('due diligence that employees must fulfil when entering into a relationship with a 3rd party'), but we could not find any mentions of joint ventures (which they have several).

So in terms of evidence, they do not appear to meet the Lock, so can't get a point. However, as the CHRB business partners definition (including JVs) appears much earlier in the methodology, it may be that Goldcorp hasn't recognised the need for JV reference.

Still recommend rejecting the appeal due to the inability to see how screening/rejection etc applies to JVs.

<b>Panel Decision?</b>	<b>Accepted</b>	<input type="checkbox"/>	<b>Partially Accepted</b>	<input type="checkbox"/>	<b>Rejected</b>	<input checked="" type="checkbox"/>
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**Justification from Panel:**

Agree with CHRB recommendation.

It is very clear its human rights requirements apply to third party suppliers. But agree that these requirements do not seem to apply to joint ventures. We could not find a definition of "third parties" but they seem to refer to them as in the supply chain (see p. 17 of 2016 CSR Report).

Its [Human Rights Policy](#) also does not seem to apply to JV:

"This policy applies to Goldcorp Inc. and its wholly owned subsidiaries. Goldcorp Inc. expects that each of its wholly owned subsidiaries that conduct mining operations will establish procedures to ensure compliance with this policy. All Goldcorp board members, officers, contractors or any third party conducting work or acting on Goldcorp's behalf will behave in a manner that respects human rights and avoids infringing upon them."

<b>Indicator:</b> B.1.7	<b>Final Score:</b> 1	<b>Date:</b> 11 Mar 2019
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<b>APPEAL NUMBER:</b> 026		<b>COMPANY:</b> Goldcorp				
<b>Indicator:</b> B.2.2		<b>Indicator Title:</b> Assessing: Assessment of risks and impacts identified (salient risks and key industry risks)				
<b>Scorecard Text:</b> The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not met: Salient risk assessment (and context)</li> <li>• Not met: Public disclosure of salient risks</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not met: Both requirements under score 1 met</li> </ul>					<b>2018 Scorecard Score:</b>  <b>0</b>	
<b>Requested Score:</b>  2	<b>Justification from Company:</b> WE BELIEVE WE MEET BOTH REQUIREMENTS OF SCORE 1 (AND THEREFORE SCORE 2 TOO), THAT IS SALIENT RISK ASSESSMENT AND PUBLIC DISCLOSURE OF SALIENT RISKS. - In our 2017 Sustainability Report, we describe in-depth our materiality analysis (pages 22-33) which identifies "those topics and indicators that reflect the organization's significant economic, environmental, and social impacts or that would substantively influence the assessments and decisions of stakeholders." The topics identified and publicly disclosed in our matrix on page 27 include: Human Rights, Water Management, Rights and Engagement of Indigenous Peoples, Workforce Safety and Health, etc. [2016 Sustainability Report, July 2017].					
<b>Sources from Company:</b> <a href="https://s22.q4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf">https://s22.q4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf</a>						
<b>Methodology</b>						
<b>Score 1</b> The Company describes its process(es) for assessing its human rights risks and what it considers to be its salient human rights issues. This description includes how relevant factors are taken into account, such as geographical, economic, social and other factors OR publicly discloses the results of the assessments, which may be aggregated across its operations and locations.						
<b>Score 2</b> The Company meets both the requirements under Score1.						
<b>Commentary and Recommendation from CHRB and Researchers to Panel:</b> B2.2 score 2 requires the company to describe its processes for assessing HR risks and disclosing its salient human rights issues, including how relevant factors, like economic factors are taken into account PLUS it discloses the results of the assessments of its risks/issues. The evidence supplied by Goldcorp is distinctly different to the requirement. They describe how they assess material risk (of which human rights is considered to be one) - but there is a focus on the importance to stakeholders, rather than scale/scope of human rights risks to <b>rightsholders</b> or what their key human rights issues are. The lack of clear info on the most important human rights issues - from the rightsholder perspective - means we recommend rejecting this appeal.						
<b>Panel Decision?</b>	<b>Accepted</b>	<input type="checkbox"/>	<b>Partially Accepted</b>	<input type="checkbox"/>	<b>Rejected</b>	<input checked="" type="checkbox"/>
<b>Justification from Panel:</b> Accept recommendation to reject: They have potentially misunderstood the GRI definition of "materiality" - and turned it to looking at significant impacts on the company. [GRI Definition of Materiality (Foundation Doc 101): <i>An organization is faced with a wide range of topics on which it can report. Relevant topics, which potentially merit inclusion in the report, are those that can reasonably be considered important for reflecting the organization's economic, environmental, and social impacts, or influencing the decisions of stakeholders.</i>						



*In this context, 'impact' refers to the effect an organization has on the economy, the environment, and/or society (positive or negative). (Emphasis added) A topic can be relevant – and so potentially material – based on only one of these dimensions.]*

As such, they have not considered the impacts they have on stakeholders – only the issues that some selected stakeholders find important. As such they have not reported on salient human rights using an approach as outlined in the UNGPs. This is reinforced by the fact that only 14% of those polled were community members or IPs; it is unclear if the 41% of internal stakeholders included employees and unions.

<b>Indicator:</b> B.2.2	<b>Final Score:</b> 0	<b>Date:</b> 11 Mar 2019
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<b>APPEAL NUMBER:</b> 027	<b>COMPANY:</b> Goldcorp
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<b>Indicator:</b> B.2.3	<b>Indicator Title:</b> Integrating and Acting: Integrating assessment findings internally and taking appropriate action
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<b>Scorecard Text:</b> The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not met: Action Plans to mitigate risks</li> <li>• Not met: Example of Actions decided</li> <li>• Not met: Including amongst EX BRs</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not met: Both requirements under score 1 met</li> </ul>	<b>2018 Scorecard Score:</b>  <b>0</b>
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<b>Requested Score:</b> 1	<b>Justification from Company:</b> WE BELIEVE WE MEET EXAMPLES OF ACTIONS DECIDED (an example of the specific conclusions reached and actions taken or to be taken on at least one of its salient human rights issues as a result of assessment processes in at least one of its activities/operations) - Page 92 of our 2016 Sustainability Report provides an example and update of the actions taken by our Marlin mine as a result of a Human Rights Assessment. In 2016, Goldcorp undertook an assessment to review the status of the initiatives/actions that Goldcorp took internally in response to a 2010 Human Rights Assessment of its Marlin mine. [2016 Sustainability Report, July 2017].
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<b>Sources from Company:</b> <a href="https://s22.q4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf">https://s22.q4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf</a>
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<b>Excerpt from Research Manual:</b> <b>NOTE:</b> Indicators B.1.6 and B.2.3 are related but focus on different dimensions of a company's actions: B.1.6 (which is in section B.1 on management systems) is about the company's systemic approach to on-going monitoring and follow up on policy implementation whilst B.2.3 (which is in section B.2 on Human Rights Due Diligence) is about a specific step in the human rights due diligence process in addressing salient (or other) human rights impacts. <b>Score 1</b> The Company describes its global system to take action to prevent, mitigate or remediate its salient human rights issues <b>OR</b> provides an example of the specific conclusions reached and actions taken or to be taken on at least one of its salient human rights issues as a result of assessment processes in at least one of its activities/operations.
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**Lock Score 1 - EX** - This includes describing how its global system to take action to prevent, mitigate or remediate its salient human rights issues applies to extractive business partners. *(The lock for score 1 only applies to the first requirement, before the "OR")*

**Score 2** The Company meets both of the requirements under Score 1.

**Commentary and Recommendation from CHRB and Researchers to Panel:**

B.2.3 requires either a description of the global system to take action to prevent, mitigate or remediate its salient human rights issues OR provide an example of specific conclusions reached and actions taken or to be taken on at least one of its salient HR issues as a result of assessment processes in at least one of its activities/operations.

They argue their examples of Marlin mine meets the requirement for the score 1. The research team have rejected this evidence due to the nature of the evidence provided

([www.csr.goldcorp.com/2016/img/docs/BSR-Report-Marlin-Mine-at-Closure.pdf](http://www.csr.goldcorp.com/2016/img/docs/BSR-Report-Marlin-Mine-at-Closure.pdf)), where the report on Marlin is caveated as follows:

*"The objective of this report is to provide Goldcorp and its stakeholders with a review of the current status of the initiatives that Goldcorp undertook in response to OCG's original 2010 recommendations that pertain to mine closure. This report summarizes BSR's assessment of Goldcorp's progress in adhering to the commitments it made relating to stakeholder consultation, the environment, land acquisition, labor, economic and social investment, security, and access to remedy that are pertinent to mine closure and post-closure.*

*BSR does not consider this report to be comprehensive, given that our conclusions are exclusively based on internal documentation and interviews with company employees. Specifically, we did not engage external stakeholders as part of this research. Therefore, notably absent from this report are the voices of stakeholders who have historically alleged that their rights have been impacted by Montana and the Marlin Mine.*

*The report is not intended to provide a summary of all Goldcorp's activities relevant to human rights at Marlin Mine. Likewise, this report does not introduce, analyze, or address human rights issues or impacts other than those included in the 2010 HRA. Given that the 2010 HRA is now over seven years old and was focused on an operational mine, not one that was in the process of closure, some of the original recommendations are outside the scope of mine closure.*

*Given the research limitations of this report, BSR strongly recommends that at any time Goldcorp refers to the findings of this report, it includes a written acknowledgement that no external stakeholders were consulted and that the human rights impacts of company actions (or inactions) were not reviewed. Additionally, BSR strongly recommends that Goldcorp maintain a human rights-based approach through closure and post-closure."*

The report provides BSR's conclusions, but it's not clear to see what the follow up response from Goldcorp is on the report (in particular the unfulfilled areas). Also, the links in their sustainability report that guide you to the original HRA and their response don't appear to work/don't lead you to anything useful. Lastly, there are issues as to the salience of water as it only seems to be viewed through an environmental lens.

Taken together, we find it hard to give the points for this evidence and recommend rejecting.

<b>Panel Decision?</b>	<b>Accepted</b>	<input type="checkbox"/>	<b>Partially Accepted</b>	<input type="checkbox"/>	<b>Rejected</b>	<input checked="" type="checkbox"/>
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**Commentary**

Agree with the CHRB assessment. Given the strong caveats from the BSR Report, it cannot be considered appropriate action to update the HRA for Marlin.

<b>Indicator:</b> B.2.3	<b>Final Score:</b> 0	<b>Date:</b> 11 Mar 2019
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<b>APPEAL NUMBER:</b> 028		<b>COMPANY:</b> Goldcorp	
<b>Indicator:</b> C.7		<b>Indicator Title:</b> Remediating adverse impacts and incorporating lessons learned	
<b>Scorecard Text:</b>  The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not met: Describes how remedy has been provided: In the Grievance mechanisms section of the Sustainability report, the Company states that there were no significant disputes related to land use or customary rights of local or Indigenous Peoples, however the Company has not provided a description of how remedies have been put into place or the steps it would take to remedy issues, introduce changes to prevent issues or its approach to learning from its impacts. [Sustainability Policy, February 2018: s22.q4cdn.com]</li> <li>• Not met: Says how it would remedy key sector risks</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not met: Changes introduced to stop repetition</li> <li>• Not met: Approach to learning from incident to prevent future impacts</li> <li>• Not met: Evaluation of the channel/mechanism</li> </ul>			<b>2018 Scorecard Score:</b>  <b>0</b>
<b>Requested Score:</b>  1	<b>Justification from Company:</b> WE BELIEVE THE REQUIREMENTS UNDERS SCORE 1, THAT IS HOW REMEDY HAS BEEN PROVIDED TO MITIGATE POTENTIAL IMPACTS - On page 87 of our 2016 Sustainability Report we state that: "In 2016, there were no significant disputes related to land use or customary rights of local or Indigenous Peoples." At the same time, on pages 87-88 of the 2016 Sustainability Report we described how Community Feedback Mechanisms work in practice to address local concerns in the community of Chapleau: "Among the key concerns identified by locals were the visual and noise impacts related to exploration drilling. Through dialogue with local stakeholders, the Borden team identified several solutions to address these concerns and mitigate some of the impacts. Sound walls, sound monitoring equipment, and noise mitigation procedures, as well as directional lighting and broadband back-up alarms, are some of the examples of the noise and visual mitigation measures that remain in place...The Community Feedback Protocol has been a critical tool for hearing and addressing local stakeholders' concerns. The Borden project continues to use the Protocol as an important engagement and grievance management tool. The project has also incorporated noise and visual impact mitigation measures as part of future site planning. [2016 Sustainability Report, July 2017]		
<b>Sources from Company:</b> <a href="https://s22.q4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf">https://s22.q4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf</a>			
<b>Methodology Points</b>			
<b>Score 1</b> For adverse human rights impacts which it has caused or to which it has contributed, the Company describes the approach it took to provide or enable a timely remedy for victims (or if none, then it describes the approach it would take).			
<b>Score 2</b> For adverse human rights impacts which it has caused or to which it has contributed, the Company also describes changes to systems and procedures to prevent similar adverse impacts in			

the future (or if none, then it describes the approach it would take) AND the Company provides an evaluation of the effectiveness of the grievance channel(s)/mechanism(s).

**Commentary and Recommendation from CHRB and Researchers to Panel:**

C7 score 1 requires that 'for adverse HR impacts it has caused or contributed to, company describes the approach it took to provide or enable a timely remedy - or if none, then describes the approach it would take'.

Goldcorp refer to the Chapleau community issues, which describes how the community feedback tool has been useful to identify stakeholder concerns. They then discuss some impact mitigation (less noise, less dust). But we don't think that this equates to what we are looking for in this indicator.

If Goldcorp was willing to say that 'the dust and noise in this site constitute a human rights impact and this is how we provided remedy to the impacted rightsholders' then they would be better placed for the points. But they are discussing mitigation for ongoing impacts and it is also not clear that they view these as human rights impacts that need remedying.

Recommend rejection.

<b>Panel Decision?</b>	<b>Accepted</b>	<input type="checkbox"/>	<b>Partially Accepted</b>	<input type="checkbox"/>	<b>Rejected</b>	<input checked="" type="checkbox"/>
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**Commentary:**

Eventually agreed with recommendation to reject the appeal.

If this example was differently framed, then it might be different. For instance, if Goldcorp was willing to publicly state that the dust and noise at Chapleau constitute a negative human rights impact AND that they publicly state how they have provided sufficient remediation to the impacted parties, then it would be a good example.

<b>Indicator:</b> C.7	<b>Final Score:</b> 0	<b>Date:</b> 11 Mar 2019
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<b>APPEAL NUMBER:</b> 029	<b>COMPANY:</b> Goldcorp
<b>Indicator:</b> D.3.7	<b>Indicator Title:</b> Security (in own extractive operations, which includes JVs)
<p><b>Scorecard Text:</b></p> <p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: How implements security (inc VPs or ICOC): The Company states 'in 2016, after years of preparation, we signed on to the UN's Voluntary Principles on Human Rights and Security, and we are working to ensure that these principles are implemented consistently throughout our operations'. 'Our security teams conduct in-depth analysis to determine threats to our workforce within their area of operation and influence. Our sites are required to develop security plans in accordance with all applicable laws and regulations as well as with our Human Rights Policy and Security Policy. When local conditions require us to deploy armed staff, careful consideration is given to this deployment and additional safety measures and training are implemented as necessary'. 'We have designed training programs for security providers at sites in Mexico and Guatemala based on international best practices. 100% of our security personnel in our Latin America region underwent training on the use of force and the Voluntary Principles on Security and Human Rights; 98% of our security personnel in Canada received this training'. [2016 Sustainability Report, December 2016]</li> <li>• Met: Example of respecting HRs in security: On its website, the company provides</li> </ul>	<p><b>2018 Scorecard Score:</b></p> <p><b>1</b></p>

an example in the case of Security personnel training at Marlin: ‘All security staff are required to undergo annual training on the Universal Declaration on Human Rights and to sign a form indicating that they have received the requisite training and will comply with the Company’s human rights requirements. The security contractors include human rights training in their new employee orientation. All security staff receive at least one pre-shift briefing per month on the use of force and firearms. These issues are also reinforced as part of the bi-annual firearms training. Company security supervisors provide ongoing training and refresher classes’. The example also discloses the following: ‘All Marlin security staff are screened on a regular basis and are subject to polygraph testing that includes questions regarding the candidate’s involvement in human rights offences. The new contract terms with Marlin’s security providers indicate that the contractors will ensure that they vet prospective security staff for human rights abuses before they are presented to the Company. Goldcorp’s Office of the Security Director performs additional enquiries as well. Regularly-scheduled Voluntary Principles reviews conducted by third-party experts include assessments of the background checks, training and interviews with the security contractors’. [Closed sites - Marlin, June 2018: goldcorp.com]

- Met: Ensures Business Partners follow security approach [2016 Sustainability Report, December 2016 & Closed sites - Marlin, June 2018: goldcorp.com]

Score 2

- Not met: Assesses and involves communities
- Not met: Working with local community

<b>Requested Score:</b>  2	<b>Justification from Company:</b> WE BELIEVE WE MEET BOTH REQUIREMENTS UNDER SCORE 2, THAT IS, INVOLVING AND WORKING WITH LOCAL COMMUNITY - Page 82 of our 2016 Sustainability report describes Goldcorp’s Security Practices including how our sites "engaged relevant public security partners located within their area of influence in order to build awareness of the Voluntary Principles and their importance. For example, at the Los Filos mine, our security team engaged with the State Police (Instituto de la Policía Auxiliar Estatal), which is contracted to provide perimeter security for the mine, in order to review the Voluntary Principles and build awareness of our Code of Conduct and Security and Human Rights policies, as well as our procedures on the use of force. In Argentina, Cerro Negro conducted a presentation with local police and the Gendarmerie (who are not contracted by the mine) on our commitment to the Voluntary Principles and the importance of respecting human rights. In Peñasquito, we are a key participant in the local Security Council, which is composed of peer companies and public security forces, to enhance collaboration and share best practices around security management and the respect of human rights. [2016 Sustainability Report, July 2017]
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**Sources from Company:**  
[https://s22.g4cdn.com/653477107/files/doc\\_financials/2016/0\\_0\\_goldcorp\\_csr\\_2016\\_full.pdf](https://s22.g4cdn.com/653477107/files/doc_financials/2016/0_0_goldcorp_csr_2016_full.pdf)

<b>Methodology Points</b> <b>Score 1</b>	The company describes how it implements its security approach (including implementing its commitment to the Voluntary Principles on Security and Human Rights or the International Code of Conduct for Private Security Providers) and provides an example of how it ensures respect for human rights (including the human rights of people in local communities) in the course of maintaining the security of company-managed operations, including when working with contracted private or public security providers, if applicable.
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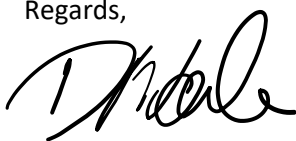
<b>Score 2</b>	<p>AND the Company describes how it ensures its business partners, including joint ventures, implement an equivalent approach to security management that ensures respect for human rights.</p> <p>The Company also provides evidence that its security and human rights assessments include inputs from the local community, including about their security concerns AND provides an example of working with community members to improve security or prevent or address tensions related to its operations.</p>					
<p><b>Commentary and Recommendation from CHRB and Researchers to Panel:</b></p> <p>D3.7 score 2 asks for two things: evidence that its security and human rights assessments include inputs from the <b>local community</b> (including about their security concerns) AND provides an example of working with <b>community members</b> to improve security or prevent/address tensions related to its operations.</p> <p>Their evidence provided only talks about engagement with <b>security organisations</b> - not the community. Goldcorp does not show integration of local community security concerns, so does not meet score 2.</p> <p>Recommend - reject appeal and reiterate the primacy of community input, as opposed to just having input from local security forces.</p>						
<b>Panel Decision?</b>	<b>Accepted</b>	<input type="checkbox"/>	<b>Partially Accepted</b>	<input type="checkbox"/>	<b>Rejected</b>	<input checked="" type="checkbox"/>
<p><b>Commentary</b></p> <p>Agree with the CHRB assessment as their description does not include any indications that they have engaged with local communities.</p>						
<b>Indicator:</b>	<b>Final Score:</b>	<b>Date:</b>				
D.3.7	1	11 Mar 2019				

As a result of the accepted appeals, Goldcorp's overall score has increased by 8% across the Themes as follows:

Goldcorp	Theme A	Theme B	Theme C	Theme D	Theme E	Theme F	Total	Change Band?
2018 Score	4.2	2.3	2.5	6.9	5	4	24.8	Yes
After Appeal	5.9	4.4	3.3	8.1	6.6	4.7	33.2	
Change	1.7	2.1	0.8	1.2	1.6	0.7	8.40%	

This results in a 'move up' past several companies including Chevron, Coal India, AB Inbev etc into the 30-40 banding. Once CHRB has completed a review of all appeals and replied in detail to all companies, we will update the table online, as well as the downloadable data sheets, plus publish a short report on the Appeals Process. Please note that this is the final position on 2018 scores and any further engagements regarding evidence and indicators should be directed to the research team for inclusion in the 2019 assessment.

Regards,



Dan Neale, CHRB Programme Director