

Sources: MiningWatch Canada Letter to the Canada Pension Plan Investment Board Sent May 8, 2014

Note: Throughout this document where original sources are in Spanish, we provide the original quote followed by our own translation to English.

1. “The CPPIB tripled its investment in Tahoe Resources from 2012 to 2013...”

CPP Investment Board, *Canadian Publicly-Traded Equity Holdings As of March 31, 2012*.
(http://web.archive.org/web/20130202032201/http://www.cppib.ca/files/F2012_-_YE/Publicly-Traded_Equity_Holdings_-_CDN_-_March_31_2012_-_Eng.pdf)

- Market value of CPPIB holdings in Tahoe Resources Inc. as of March 31, 2012: CAD \$9 million.

CPP Investment Board, *Canadian Publicly - Traded Equity Holdings As of March 31, 2013*.
[http://www.cppib.com/dam/cppib/What%20We%20Do/Our%20Investment/CanadianPublicEquity%20\(EN\).htm](http://www.cppib.com/dam/cppib/What%20We%20Do/Our%20Investment/CanadianPublicEquity%20(EN).htm)

- Market value of CPPIB holdings in Tahoe Resources Inc. as of March 31, 2012: CAD \$26 million.

2. “...well-known leader of the Mataquesuintla youth movement against mining, Merilyn Topacio Reynoso Pacheco, was murdered.... Her father, Edwin Alexander Reynoso, a community leader and key representative of the *Peaceful Resistance in Defense of Natural Resources of Mataquesuintla*, was shot...”

Nina Lakhani, *Guatemala's growing mining sector brings violence against indigenous communities with it*, (April 29, 2014). <http://www.globalpost.com/dispatches/globalpost-blogs/rights/guatemala-growing-mining-sector-violence-against-indigenous-communities>

3. Topacio was a “well-known leader of the Mataquesuintla youth movement against mining.” And “Edwin Alexander Reynoso, a community leader and key representative of the *Peaceful Resistance in Defense of Natural Resources of Mataquesuintla* [...] is recognized for his role in organizing a community consultation in this municipality.”

Network in Solidarity with the People of Guatemala / NISGUA, *International organizations demand justice in deadly attack against opponents of Tahoe Resources' mine*, (May 1, 2014).
<http://nisgua.blogspot.com/2014/05/international-organizations-demand.html>

4. “On April 27, 2013, Tahoe’s private security shot and injured six men who were peacefully protesting outside the mine site.”

Prensa Libre, *“Incidente deja seis heridos de bala frente a mina San Rafael”* (April 29, 2013).
http://www.prensalibre.com/santa_rosa/personas-resultan-incidente-San-Rafael_0_909509181.html

- Original: “Seis personas resultaron heridas de bala, dos de ellas de gravedad, el sábado por la noche cuando un grupo de vecinos caminaba frente a las instalaciones de la mina San Rafael, en San Rafael Las Flores, Santa Rosa... El comisario Pedro López, confirmó que fueron

guardias de seguridad los que dispararon contra los pobladores, aunque ellos aducen que los insultaron y les lanzaron piedras, y por eso accionaron sus armas, pero será el Ministerio Público el que deduzca responsabilidades.”

- Translation: “Six people were shot and wounded, two seriously, Saturday night when a group of neighbours walked in front of the San Rafael mine site, in San Rafael Las Flores, Santa Rosa... The commissioner Pedro López confirmed that security guards fired on the residents, although they allege that the people insulted them and threw rocks, and for this reason fired on them. But it will be the Public Prosecutor who determines who is responsible.

5. “... Tahoe’s head of security, Alberto Rotondo, was arrested as he was trying to leave the country. Rotondo remains under arrest awaiting trial...”

Ministerio Publico de Guatemala / Guatemala Public Prosecutor

Juez autorizó orden de aprehensión contra ex jefe de seguridad de Mina San Rafael / Judge authorized arrest warrant ordering apprehension of ex-head of security for the San Rafael mining company (Tahoe’s subsidiary), (January 23, 2014).

<http://www.mp.gob.gt/2014/01/juez-autorizo-orden-de-aprehension-contra-ex-jefe-de-seguridad-de-mina-san-rafael/>

- Original: El 30 de abril de 2013, el Ministerio Público capturó en el Aeropuerto Internacional La Aurora a Alberto Rotondo, ex jefe de seguridad de la Mina San Rafael, ligado a proceso el 7 de mayo del mismo año por los delitos de lesiones graves, lesiones leves y obstaculización a la acción penal.
 - Translation: On April 30, 2013, the Public Prosecutor captured Alberto Rotondo, ex-head of security for the San Rafael mining company in the Aurora International Airport. Rotondo was indicted on May 7 of the same year for the crimes of causing serious and light bodily harm and obstruction of justice.
- Original: El Juez de Primera Instancia, Narcoactividad y Delitos contra el Ambiente de Santa Rosa, ubicado en Barberena, dictó como medida sustitutiva arresto domiciliario, decisión apelada por la Fiscalía de Derechos Humanos el 10 de mayo 2013, quienes solicitaron que el tribunal le dicte prisión preventiva.
 - Translation: The Trial Court Judge for Narcotics and Crimes against the Environment of Santa Rosa, located in Barberena, ordered house arrest, a decision that was appealed by the Human Rights Prosecutor on May 10, 2013. The Human Rights Prosecutor requested that the court order pretrial detention.
- Original: El Ministerio Público determinó que el señor Rotondo está relacionado a los hechos ocurridos el 27 de abril de 2013, en el que seis personas resultaron heridas cuando manifestaban frente a la Mina San Rafael, ubicada en San Rafael Las Flores, Santa Rosa.
 - Translation: The Public Prosecutor ruled that Mr. Rotondo is linked to the events that took place on April 27, 2013, in which six people were injured as they protested against the San Rafael mine, located in San Rafael Las Flores, Santa Rosa.

La República, Peru “Justicia de Guatemala solicita captura de ex marino peruano” (February 8, 2014). <http://www.larepublica.pe/08-02-2014/justicia-de-guatemala-solicita-captura-de-ex-marino-peruano>

- Original: El Juzgado de Primera Instancia Penal, Narcoactividad y Delitos contra el Ambiente de la localidad de Santa Rosa, en Guatemala, dictó orden de captura contra el capitán de Navío (r) Alberto Rotondo Dall'orso, acusado de lesiones graves, lesiones leves y obstrucción a la justicia, a raíz del violento desalojo de un grupo de pobladores contrarios al proyecto minero Escobal, al sur este de Guatemala.
 - Translation: The Lower Level Criminal Courthouse for Narcotraficking and Crimes against the Environment located in Santa Rosa, Guatemala, issued an

order of arrest against the Naval Captain Alberto Rotondo Dall'orso, accused of serious and light injuries and obstruction of justice, related to the violent eviction of a group of residents opposed to the Esobal mining project in southeastern Guatemala.

- Original: El 22 de enero último Rotondo no se presentó a una audiencia, entonces el Juzgado de Primera Instancia Penal dispuso su orden de captura al considerarlo un acto de rebeldía. Tras enterarse de la decisión judicial, el peruano sufrió la súbita elevación de su presión arterial y tuvo que ser internado en un hospital de la capital de Guatemala, en donde permanece hasta la fecha.
 - Translation: On January 22nd, Rotondo did not appear for a hearing, so the Lower Level Court Judge ordered his immediate arrest for being in contempt of court. After hearing of the decision, the Peruvian suffered high blood pressure and had to be taken to hospital, where he remains to date.

6. “More than half of the communities in the municipality of San Rafael Las Flores, where the Escobal project is located, have declared opposition to the mine.”

Network in Solidarity with the People of Guatemala / NISGUA, *Tahoe Investor Alert*, (May 8, 2013). https://www.nisgua.org/investor_alert_tahoe_8may13.pdf

- See appendix A, “Declaration of COCODES from San Rafael las Flores” (December 6, 2012).
 - “The signatories of this letter, all community mayors and presidents of local development committees (COCODES) from the municipality of San Rafael Las Flores, [in the department of] Santa Rosa write to you in legitimate representation of our communities... We do not agree to the granting of an exploitation license to a foreign company for our non-renewable natural resources. These resources belong to the State of Guatemala, and therefore, to us.... Today we make this declaration in order to officially record our rejection of this development model for our community, and that we hold responsible those who are pushing forward the authorization of this project in the communities where our families live.”

7. “In five neighboring municipalities, in the departments of Santa Rosa and Jalapa, tens of thousands of people have participated in formal municipal referenda and voted against the project.”

Prensa Libre. Oswaldo Cardona. *Vecinos deciden sobre minería*, (August 7, 2011).

http://www.prensalibre.com/santa_rosa/Vecinos-Casillas-deciden-mineria_0_531546964.html

- First three municipal consultations in Casillas, Nueva Santa Rosa, Santa Rosa de Lima, Department of Santa Rosa
- Original: El alcalde de Casillas, Felipe Rojas, informó que se esperaba la participación de unas cinco mil personas, pues esa fue la cantidad de pobladores que participaron en eventos similares que se llevaron a cabo en Nueva Santa Rosa y Santa Rosa de Lima para conocer la postura de la población en relación a esa minera. Explicó que en aquellos municipios el 98 por ciento votó contra la minería y el 2 por ciento a favor.
 - Translation: The mayor of Casillas, Felipe Rojas, shared that he expected the participation of around five thousand people, given the number of people that has participated in similar events in Nueva Santa Rosa and Santa Rosa de Lima, designed to allow the population to express their opinion on the mining project. He explained that 98 percent voted against mining and two percent voted in favor.

Prensa Libre, *Realizan consulta Comunitaria sobre minería en Mataquescuintla*, (November 11, 2012). http://www.prensalibre.com/jalapa/Consulta-Mineria-Jalapa_0_808719174.html

- Consultation in the municipality of Mataquescuintla, Department of Jalapa

- Original: Diez mil 22 vecinos votaron contra la minería, 169 a favor, 169 votos fueron nulos y 23 en blanco. En total hubo 35 centros de votación y participaron 10 mil 375 de 19 mil 700 empadronados.
 - Translation: 10,022 residents voted against mining, 169 in favour, 169 null and 23 blank. In total, there were 35 voting centres and 10,375 voted of 19,700 on the voter registry.

La Hora, *Comunitarios de Jalapa rechazan minería*, (November 12 , 2013).

<http://www.lahora.com.gt/index.php/nacional/guatemala/actualidad/186632-comunitarios-de-jalapa-rechazan-mineria->

- Consultation in the municipality of Jalapa, Department of Jalapa
- Original: El 99% de la población se expresó en contra de la instalación de proyectos mineros en la cabecera del departamento de Jalapa donde en mayo pasado se registraron manifestaciones y disturbios que llevaron al gobierno a declarar un estado de sitio.
 - Translation: 99% of the population expressed their opposition to the installation of mining projects in the department seat of Jalapa where last May protests, marches and disruptions resulted in the government's declaration of a state of siege.

8. “...in the Municipality of Mataquescuintla, where Topacio Reynoso was from, over half of the eligible voters participated in a vote in which 96% - or some 10,000 people - voted against mining.”

Prensa Libre, *Realizan consulta Comunitaria sobre minería en Mataquescuintla*, (November 11, 2012). http://www.prensalibre.com/jalapa/Consulta-Mineria-Jalapa_0_808719174.html

- Consultation in the municipality of Mataquescuintla, Department of Jalapa
- Original: Diez mil 22 vecinos votaron contra la minería, 169 a favor, 169 votos fueron nulos y 23 en blanco. En total hubo 35 centros de votación y participaron 10 mil 375 de 19 mil 700 empadronados.
 - Translation: 10,022 residents voted against mining, 169 in favour, 169 null and 23 blank. In total, there were 35 voting centres and 10,375 voted of 19,700 on the voter registry.

9. “...to challenge the legality of the municipal referenda in two cases brought to the Constitutional Court. In both cases, the Constitutional Court dismissed the lawsuits, finding that citizens had a right to express their views on whether they were in favour of mining or not.”

Expedientes Acumulados No. 4639 y 4646-2012, Corte de Constitucionalidad, Guatemala. (December 4, 2013).

- The Constitutional Court held in cases 4639-2012 and 4646-2012 that, as per ILO Convention 169, local communities have a right to be consulted over measures that could have a significant impact on the community, such as the operation of a mine that poses environmental concerns. The results of the consultation must be taken into consideration, but decision-makers are not bound to follow them.

El Periódico, Álvaro Montenegro, *CC valida consulta sobre mina en Mataquescuintla* (December 10, 2013). <http://www.elperiodico.com.gt/es/20131210/pais/239405/>

- Original: La Corte de Constitucionalidad (CC) declaró sin lugar una inconstitucionalidad que pretendía anular el reglamento de una consulta comunitaria en Mataquescuintla, Jalapa, realizada para conocer lo que la población opinaba sobre la instalación de una planta de la minera San Rafael.
 - Translation: The Constitutional Court declared without foundation a motion of unconstitutionality that aimed to annul the regulation of a community consultation in

Mataquesuintla, Jalapa, which took place so that the population could opine regarding the installation of Minera San Rafael mining operation.

10. "In San Rafael Las Flores no official municipal referendum took place because the mayor refused to allow it..."

Network in Solidarity with the People of Guatemala / NISGUA, *Tahoe Investor Alert*, (May 8, 2013). https://www.nisgua.org/investor_alert_tahoe_8may13.pdf

- See appendix A, "Declaration of COCODES from San Rafael las Flores" (December 6, 2012).
 - We are witnesses to this extractive project going forward without our communities being consulted. Our right to be consulted has been denied for more than three years, and we have requested this on a number of occasions to two municipalities.

11. "...local organizers coordinated votes at the village level within the San Rafael Las Flores. Eight of nine to date have been overwhelmingly against mining."

Danilo Zuleta, "Consulta San Juan Bosco," Video Published (April 2, 2013).

http://www.youtube.com/watch?v=G28A_eEHm0A

- Consultation in (1) San Juan Bosco, San Rafael Las Flores, Department of Santa Rosa

Prensa Libre, *Pobladores Organizan Consulta Comunitaria*, (February 28, 2013).

http://www.prensalibre.com/santa_rosa/Pobladores-organizan-consulta-comunitaria_0_874112638.html

- Consultation in (2) Aldea Los Planes, San Rafael Las Flores, Department of Santa Rosa

El Periódico, *La población de San Rafael Las Flores se opone a la minería*, (March 25, 2013).

<http://www.elperiodico.com.gt/es/20130325/pais/226317>

- Consultation in (3) Cuchilla, San Rafael Las Flores, Department of Santa Rosa

Comunidades de Población en Resistencia, *Tres Consultas de Buena Fe se llevaran acabo este 21 de Abril en San Rafael las Flores*, (April 17, 2013). <http://cpr-urbana.blogspot.ca/2013/04/tres-consultas-de-buena-fe-se-llevaran.html>

- Consultation in (4) Aldea el Chan, (5) El Caerio Renacimiento and el (6) Caserio Las Delicias, San Rafael Las Flores, Department of Santa Rosa

CERIGUA, *Continúan consultas de buena fe, resisten explotación minera*, (April 16, 2013).

http://cerigua.org/1520/index.php?option=com_content&view=article&id=13294:continuan-las-consultas-de-buena-fe-poblacion-resiste-a-la-explotacion-minera-&catid=65:santa-rosa&Itemid=38

- Consultation in (7) Barrio Oriental, San Rafael Las Flores, Department of Santa Rosa

El Periódico, *Tenciones en Jalapa tras asesinato de líder xinca*, (March 19, 2013).

<http://www.elperiodico.com.gt/es/20130319/pais/226108>

- Consultation in (8) Volcancito, San Rafael las Flores, Department of Santa Rosa

Panorama Noticias, *Continúa consulta comunitaria de buena fe en la Aldea Sabana Redonda*, (January 12, 2014). <http://panoramanoticias.com/?p=8232>

- Consultation in (9) Sabana Redonda, San Rafael Las Flores, Department of Santa Rosa

12. “Representatives of more than half of the communities in the municipality have also signed declarations against the mine.”

Network in Solidarity with the People of Guatemala (NISGUA), *Tahoe Investor Alert*, (May 8, 2013). https://www.nisgua.org/investor_alert_tahoe_8may13.pdf

- See appendix A, “Declaration of COCODES from San Rafael las Flores” (December 6, 2012).
- Representatives of 16 Community Development Committees signed the original copy of the April 7, 2013 declaration found in Appendix B of the Investor Alert.

13. “Since 2012, there have been nearly 90 legal cases filed against protesters and community leaders, constituting a wave of criminalization against individuals for their participation in peaceful protests.”

Network in Solidarity with the People of Guatemala (NISGUA), Communications with the Center for Environmental Legal and Social Action in Guatemala City, April 2013 and April 2014.

- The number “nearly 90” is derived from 18 arrest warrants issued against community members following the state of siege in May 2013, 26 detained following peaceful protest on private property in April 2013, 32 facing legal processes following peaceful demonstration in September 2012, and some 13 legal processes against members of the San Rafael Las Flores Committee in Defence of Life and Peace and their legal advisors, the Center for Environmental Legal and Social Action in Guatemala City, during efforts to get a municipal referendum in San Rafael Las Flores in 2011-2012.

Network in Solidarity with the People of Guatemala (NISGUA), *Criminalization of violence erupt in the shadow of the Escobal mine*, (September 25, 2012).

http://nisgua.blogspot.com/2012/09/criminalization-and-violence-erupt-in_25.html

Network in Solidarity with the People of Guatemala (NISGUA), *Guatemalan gov't declares state of siege in municipalities surrounding Tahoe Escobal mine*, (May 3, 2013).

<http://nisgua.blogspot.com/2013/05/guatemalan-govt-declares-state-of-siege.html>

- While Pérez Molina and López Bonilla claim the state of siege is not in response to mine opposition, their actions suggest otherwise. Prominent community activists, members of the Committee in Defense of Life and Peace, and leaders of the community referenda in San Rafael, had their homes raided by police early Thursday morning. The government has issued at least 18 arrest warrants for individuals allegedly involved in delinquent acts, including Roberto Gonzalez president of the Xinca Parliament and Rudy Pirvaral of the Committee in Defense of Life and Peace.

Network in Solidarity with the People of Guatemala (NISGUA), *Communities of Santa Rosa and Jalapa denounce criminalization of leaders opposing Tahoe Resources' Escobal mine*, (July 5, 2013).

<http://nisgua.blogspot.ca/2013/07/communities-of-santa-rosa-and-jalapa.html>

- Since the May 2 declaration of a state of siege in four municipalities surrounding Tahoe Resources' mine, 12 members of the Committee in Defense of Life and Peace of San Rafael had their homes raided by police and military forces, five community members have been arrested and charged, and at least 18 more have pending arrest warrants against them.
- During the last year, there have been more than 70 legal processes against individuals peacefully opposing Tahoe's Escobal mine. Many of those singled out have participated in the Committee in Defense of Life and Peace and have been leaders in the organization of the 12 community consultations carried out in the region since 2011. In each of the consultations, the population voted overwhelmingly against mining projects in their territory.

14. “...the opposition to the mine is so great that in June 2012 Tahoe filed a suit against the Guatemalan government stating that protests were hindering its operations and claiming that the State was not doing enough to allow exploration and construction activities to proceed.”

Expediente 2728-2012, Corte de Constitucionalidad, Guatemala. (February 26, 2013). Apelación de Sentencia de Amparo / Appeal for Injunction Decision

- Original: Interposición y autoridad: presentado en esta Corte, el veintiocho de junio de dos mil doce. B) Acto reclamado: la amenaza que las autoridades, a la fecha de interposición del amparo, no tengan los mecanismos de prevención ni de reacción pertinentes y no los lleven a cabo al impedir, por parte de algunos grupos de vecinos que se manifiestan en contra de las actividades de Minera San Rafael, Sociedad Anónima, que realiza para exploración y construcción a las que tiene derecho. C) Violaciones que denuncia: a los derechos de seguridad y libertad de industria, comercio y trabajo.
 - Translation: Interposition and authority: Presented to this Court, June 28th, of two thousand and twelve. B) Act in question: the threat that the authorities, on the date of the presentation of the injunction, do not have the mechanisms to prevent nor to react appropriately and do not carry out actions to prevent, [actions] on the part of some groups of neighbors that are protesting against the activities of Minera San Rafael, so that [the company] can carry out the exploration and construction, [activities] that are within [the company's] rights. C) Violations being denounced: the right to security and liberty of industry, commerce and work.

15. “...the Guatemalan government imposed a state of siege in municipalities that had voted against the project.”

El Periódico, S.Menchú/A.Montenegro/ O.Archila. *Estado de Sitio se decretó por hechos delictivos*, dice Pérez, (May 3, 2013). <http://www.elperiodico.com.gt/es/20130503/pais/227769>

- Original: El ministro de la Defensa, Ulises Anzueto, informó que 3 mil 500 operativos militares se desplegaron por los cuatro municipios para garantizar que se cumplan los 53 allanamientos y las 33 órdenes de captura dictadas por la jueza Carol Patricia Flores.
 - Translation: The minister of Defense, Ulises Anzueto, reported that 3,500 military operatives were sent to the four municipalities to guarantee that the 53 search warrants and 33 arrest warrants issued by Judge Carol Patricia Flores are carried out.

16. “Five were arrested and made to suffer months in jail.”

Emisoras Unidas, *Capturados en estado de Sitio en Jalapa aún no son escuchados*, (May 13, 2013). <http://noticias.emisorasunidas.com/noticias/nacionales/capturados-estado-sitio-jalapa-aun-no-son-escuchados>

- Original: Las cinco personas que fueron capturadas hace 12 días como parte de los operativos del Estado de Sitio en Jalapa aún no son escuchadas por ningún juzgado, caso que se encuentra bajo reserva.
 - Translation: The five people that were captured 12 days ago as part of the state of siege operatives in Jalapa have still not been heard in court and remain in prison.

Prensa Comunitaria, Nelton Rivera, “Sufrimos mucho, pero sabemos que pronto nos vamos a reponer” (November 27, 2013). <http://comunitariapress.wordpress.com/category/jalapa/>

- Original: En la entrada al “Preventivo” están varias docenas de pobladores y pobladoras de Mataquesuintla, Jalapa, a la espera de don Gustavo, doña Laura y Guillermo, porque este martes 26 de noviembre deben de ser puestos en libertad. Viajaron más de dos horas desde el oriente del país durante la noche. Días antes el Juez de Jalapa ordenó el Sobreseimiento de las causas penales en contra de 5 comunitarios, causas por las que fueron injustamente

detenidos en el mes de mayo de este año, durante un Estado de Sitio... Don Gustavo, doña Laura y Guillermo son parte de pueblo Coliseño. Ellos, como miles de comunitarios de Mataquescuintla, Jalapa, se oponen a la minería a cielo abierto en su territorio.

- Translation: At the “Preventative” entrance, there are several dozen residents from Mataquescuintla, Jalapa waiting for don Gustavo, doña Laura and Guillermo, because this November 26th they should be released from prison. They traveled more than two hours from the east of the country during the night. Days before the Judge in Jalapa ordered that the legal processes against five community members be overturned, since they were unjustly detained in May of this year, during a state of seige... Don Gustavo, doña Laura and Guillermo are from the community of Coliseño. They, like thousands of others in Mataquescuintla, Jalapa are opposed to open pit mining in their territory.

17. “In 2012, community members from San Juan Bosco, located seven kilometers from the mine site, filed a legal challenge in defence of the right to water.”

Prensa Libre, *Pobladores piden que se suspenda licencia de exploración minera*, (November 13, 2013). http://www.prensalibre.com/noticias/justicia/vista_publica-mineria-exploracion_minera-santa_rosa-jalapa-guatemala_0_1028897231.html

- Original: Líderes comunitarios de tres municipios de Santa Rosa y uno de Jalapa pidieron en una vista pública, que se desarrolló este miércoles en la Corte de Constitucionalidad, que se suspenda la licencia de exploración minera en San Juan Bosco, otorgada por la Dirección General de Minería en abril de 2012 a la minal San Rafael.
 - Translation: Community leaders in three municipalities of Santa Rosa and one from Jalapa requested a public hearing, which took place this Wednesday in the Constitutional Court, to request the suspension of the exploration license San Juan Bosco, granted by the General Management of Mining in April of 2012 to Minera San Rafael.

18. “...some 250 community members filed individual complaints with Guatemala’s Ministry of Energy and Mines (MEM) in opposition to the exploitation license for the mine... MEM dismissed the complaints outright... Through the appeal process, the court found that MEM violated due process in its consideration of one such complaint.”

Network in Solidarity with the People of Guatemala (NISGUA), *Guatemalan complainants celebrate effective suspension of Tahoe Resources license*, (July 25, 2013) <http://nsgua.blogspot.ca/2013/07/guatemalan-complainants-celebrate.html>

- Quelvin Jimenez of the indigenous Xinka Parliament presented the appeal in May with legal support from CALAS, claiming lack of due process regarding a complaint he filed against the company's license prior to it being granted on April 3, 2013. The Xinka Parliament, the San Rafael Las Flores Committee in Defense of Life and Peace, and the Santa Rosa Diocese Council for the Defence of Nature (CODIDENA) supported the appeal process.
- The Appeals Court found in favour of Jimenez and ordered the Ministry of Energy and Mines to adequately attend to his complaint, which was based on concerns over negative impacts on water supplies in the area of Tahoe’s Escobal silver project, currently under construction.

Network in Solidarity with the People of Guatemala (NISGUA), *Communications with the Center for Environmental Legal and Social Action in Guatemala City*, June and July 2013.

El Periódico, Gerson Ortiz. *Pobladores ganan pulso legal a mina San Rafael*, (July 25, 2013). <http://www.elperiodico.com.gt/es/20130725/pais/231641>

- Original: La Sala Primera del Ramo Civil y Mercantil amparó a Quelvin Ottoniel Jiménez Villalta, vecino de las comunidades xincas que habitan en los alrededores de la mina San Rafael, ubicada en San Rafael Las Flores, Santa Rosa, y suspendió con ello la licencia de explotación que el Ministerio de Energía y Minas otorgó a esa empresa.
 - Translation: The Civil and Mercantile Division of Guatemala’s First Court of Appeals upheld an appeal presented by Quelvin Ottoniel Jiménez Villalta, a member of the indigenuous Xinka communities that live in the area around the San Rafael mine located in San Rafael Las Flores, Santa Rosa and in doing so, suspended the exploitation license that the Ministry of Energy and Mines granted this company.
- Original: Jiménez accionó contra la Dirección General de Minería del citado Ministerio, luego que este rechazara el recurso de oposición planteado contra la licencia de explotación otorgada a San Rafael. La Sala Civil amparó al comunitario y ordenó que en un plazo de tres días se dé trámite al recurso de oposición.
 - Translation: Jiménez presented the [legal] action against the General Director of Mining in said Ministry after his complaint against the exploitation license granted to [Minera] San Rafael was rejected. The Civil Court upheld the [appeal] of the community member and ordered [the Ministry of Energy and Mines] to process the complaint within three days.

Prensa Libre, Byron Rolando Vásquez. *Pugna legal por mina llega a Corte de Constitucionalidad*, (November 6, 2013). http://www.prensalibre.com/noticias/justicia/Pugna-legal-mina-llega-CC_0_1024697555.html

- Original: En vista pública en la Corte de Constitucionalidad (CC), representantes de las comunidades de Nueva Santa Rosa, Santa Rosa, revelaron que el Ministerio de Energía y Minas (MEM) no cumplió con la orden judicial de tramitar las objeciones contra el proyecto minero El Escobal.
 - Translation: In a hearing in the Constitutional Court, representatives of communities of Nueva Santa Rosa, Santa Rosa, revealed that the Ministry of Energy and Mines (MEM) did not uphold a judicial order to process the complaints against the mining project El Escobal.

19. “Tahoe is also under investigation by Guatemala’s Public Prosecutors’ Office for Crimes Against the Environment for industrial contamination of water supplies near the Escobal mine.”

Prensa Libre, *Denuncian contaminación de afluente por actividad minera*, (June 15, 2012). http://www.prensalibre.com/noticias/comunitario/Denuncian-contaminacion-afluente-actividad-minera_0_719328315.html?print=1

- Original: El Centro de Acción Legal Ambiental y Social de Guatemala (Calas) presentó este viernes ante el Ministerio Público una denuncia contra la empresa canadiense, de extracción minera Tahoe Resource y su representación en Guatemala minera San Rafael. Yuri Melini, representante de Calas afirmó que los desechos industriales de la minera son vertidos en el arroyo El Escobal, en la cuenca alta del río Los Esclavos, San Rafael Las Flores, Santa Rosa. La denuncia destaca que vecinos del municipio se han visto afectados por la contaminación en el agua que emplean para el consumo humano y la agricultura, poniendo en riesgo su salud.
 - Translation: The Center for Legal, Environmental and Social Action in Guatemala (CALAS) presented to the Public Prosecutor this Friday charges against the Canadian mining company Tahoe Resources and its Guatemalan subsidiary, Minera San Rafael. Yuri Melini, representative of the Center for Environmental, Legal and Social action affirmed that the industrial waste from the mine is spilled into the El Escobal stream, in the upper watershed of the Los Esclavos river in San Rafael Las Flores, Santa Rosa. The complaint emphasizes that the residents of the municipality

have been affected by the water contamination, as it is used for human consumption and agriculture putting [community members'] health at risk.

20. “...an engineering review of the environmental impact assessment substantiates community concerns. It finds a lack of sufficient information on water processing and water treatment. It also finds that there is no posted closure bond and that the three years estimated for reclamation is far too short.”

Robert Robinson, Steve Laudeman and James Montgomery, *Análisis de Estudio de Impacto ambiental del proyecto minero El Escobal, San Rafael las Flores, Santa Rosa/Analysis of the Environmental Impact Study for the El Escobal mine, San Rafael las Flores, Santa Rosa, (March 12, 2012)*. [http://www.infoiarna.org.gt/rediarna/2012/Red%20IARNA%2019%20\(02\)/adjuntos/analisis-estudio-impacto-ambiental-el-escobal.pdf](http://www.infoiarna.org.gt/rediarna/2012/Red%20IARNA%2019%20(02)/adjuntos/analisis-estudio-impacto-ambiental-el-escobal.pdf)

- Original: El EIA establece que “el tratamiento de agua está actualmente siendo revisado y será ajustado para cumplir con los estándares de descarga”. (AMBA 2011, Cap. 13.1. A 4.1) el EIA no debería ser aprobado hasta que esta parte vital del plan esté completada y aprobada.
 - Translation: The EIA establishes that “water treatment is currently being reviewed and will be adjusted to uphold discharge standards”. (AMBA 2011, Cap. 13.1. A 4.1) the Environmental Impact Assessment (EIA) should not be approved until this vital part of the plan is complete and approved.
- Original: El EIA también establece, “El depósito para agua de lluvia en la base de la instalación permanecerá por suficiente tiempo para dar seguimiento y garantizar el cumplimiento con los estándares de calidad del agua o hasta que el efluente cese.” (AMBA 2011, C. 5.6.4) El EIA debería explicar cómo este estanque de agua de lluvia garantizará cumplir con los estándares de calidad del agua y quién realizará el monitoreo.
 - Translation: The EIA also establishes that, “The deposit for rain water at the base of the installation will remain for enough time to follow up and guarantee the upholding of water quality standards or until the effluent ceases.” (AMBA 2011, C. 5.6.4) The EIA should explain how this rain water ponds will be guaranteed to uphold with standards of water quality and who will carry out the monitoring.

Section: Financing and Time Frame for Reclamation

- Original: No hay indicación en el EIA que Tahoe Resources ha proveído una fianza de cumplimiento de reclamación como es requerido por la ley AG 431-2007, Reglamento de Evaluación, Control y Seguimiento Ambiental. La fianza debería ser adecuada para realizar el trabajo de reclamación descrito en el EIA. (AMBA 2011, Cap. 13.4) Y, la fianza de cumplimiento debería ser adecuada para realizar el trabajo adicional de reclamación identificado en los documentos anteriores incluyendo el tratamiento de cualquier drenaje ácido de roca, fallos en el tratamiento del agua de efluentes de las colas y rellenos de roca de desecho, y fallos en los recubrimientos, coberturas, y drenaje del vertedero. El monto de la fianza debería incluir fondos adecuados para monitorear el sitio y realizar mantenimiento anual. Fondos anuales deberían ser suficientes para inspeccionar el área; muestreo y análisis de muestras de agua y suelos; reparar mamparos de la mina; reparar drenajes, erosión y sedimentación de las estructuras de control; mantenimiento del vertedero; operación del tratamiento de agua; y revegetación de las áreas de tierra perturbadas.
 - Translation: The EIA does not indicate that Tahoe Resources has provided financing for the fulfillment of the closure bond as required by law AG 431-2007, Evaluation Regulation, Control and Environmental Follow up. The bond should be adequate to carry out the reclamation outlined in the EIA. (AMBA 2011, Cap. 13.4) The financing should be adequate to carry out the additional reclamation work identified in the previous documents including any treatment of acid rock drainage. The amount of the bond should include adequate funds to monitor the site and carry out yearly maintenance. Annual funds should be enough to inspect the area, analysis of

water and soil samples; repair mine bulkheads; repair drains, erosion and sedimentation in the control structures; upkeep of landfills; operations for water treatment; and replanting of areas of land that have been disturbed.

- Original: El EIA propone un período muy corto de realización de tres años (AMBA 2011, C. 13.1) para demostrar una reclamación exitosa. El período de reclamación debería ser de 15 a 25 años. Fallos en los vertederos, drenajes, erosión y sedimentación en las estructuras no podrían llegar a ser evidentes hasta que haya un evento de gran tormenta, y tal evento no podría ocurrir en los tres años propuestos como período de realización. El apareamiento de un drenaje ácido de roca podría tomar un largo tiempo. Los lixiviados deben formarse, y arrasar cualquier mineral de neutralización presente, y entonces migrar a la superficie a través de las fracturas de la roca y la abertura de la mina. Adicionalmente, demostrar que la revegetación y reforestación son exitosas generalmente requiere de un tiempo mayor a tres años.
 - Translation: The EIA proposes a very short period of three years (AMBA 2011, C. 13.1) to demonstrate successful reclamation. The reclamation period should be between 15 – 25 years. Cracks in the landfills, drains, erosion and sedimentation in the structures may not become evident until there is a major storm, and such an event may not occur in the three years proposed. The appearance of acid rock drainage may take a long time. The leachate may form and ravage any neutralizing mineral present and thus migrate to the surface through fractures in the rock and the opening of the mine. Additionally, to demonstrate successful re-vegetation and reforestation generally takes more than three years.
- Original: El mundo está plagado de minas que fallaron en la realización de una adecuada reclamación cuando la actividad minera terminó. Las empresas mineras abandonan sus minas antes de completar la reclamación por varias razones, que incluyen, quiebra, agotamiento de las reservas de mineral, caída en los precios del producto, codicia, actos de Dios, etc. Ahora la mayoría de gobiernos impiden estos incumplimientos requiriendo a las empresas mineras una fianza de cumplimiento de post-reclamación con el monto total del costo de la reclamación. La fianza de cumplimiento es devuelta a la empresa minera solo cuando ésta claramente ha demostrado que la reclamación ha sido exitosa. En años recientes el período de cumplimiento de reclamación ha llegado a ser más largo, y no es poco común requerir de períodos de reclamación de 15 a 25 años.
 - Translation: The earth has been plagued with mines that failed in the carrying out of adequate reclamation with the end of a mining project. The mining companies abandon their mines before completing the reclamation for many reasons including bankruptcy, depletion of mineral reserves, fall in the price of the product, greediness, acts of God etc. Now the majority of government impede these breaches, requiring the mining companies provide a performance bond post reclamation for the total amount of the cost of reclamation. The performance bond is returned to the mining company only if it has clearly demonstrated that the reclamation has been successful. In previous years the period for fulfillment of the reclamation has been longer and it isn't uncommon to require reclamation periods of 15 – 25 years.

21. “Tahoe’s claims about the mineral deposit at its Escobal silver project are not backed by a feasibility study, which is normally used to establish greater certainty about mineral finds and the economic viability of a project.”

Tahoe Resources Inc., News Release (July 24, 2013), *Tahoe Resources Clarifies PEA Disclosure*. <http://www.tahoeresourcesinc.com/tahoe-resources-clarifies-pea-disclosure/>

- The Company has not based its production decision on a feasibility study of mineral reserves, demonstrating economic and technical viability, and, as a result, there may be an increased uncertainty of achieving any particular level of recovery of minerals or the cost of such recovery, including increased risks associated with developing a commercially mineable

deposit. Historically, such projects have a much higher risk of economic and technical failure. There is no guarantee that production will begin as anticipated or at all or that anticipated production costs will be achieved. Failure to commence production would have a material adverse impact on the Company's ability to generate revenue and cash flow to fund operations. Failure to achieve the anticipated production costs would have a material adverse impact on the Company's cash flow and future profitability.

- Accordingly, investors are cautioned that the PEA is considered preliminary in nature and includes mineral resources, including inferred mineral resources that are considered too speculative geologically to have the economic considerations applied to them that would enable them to be categorized as mineral reserves.

22. “In July 2013, the British Columbia Securities Commission placed Tahoe on its ‘Issuers in Default List’ because the company did not comply with related disclosure requirements.”

Tahoe Resources Inc., News Release (July 18, 2013), *Tahoe to Clarify PEA Disclosure*.

<http://www.sec.gov/Archives/edgar/data/1510400/000106299313003493/exhibit99-1.htm>

- In addition to yesterday's request, the BCSC advised Tahoe that it has placed the company on its Issuers in Default list until such clarification is made.

23. “...the United States Securities Exchange Commission also questioned Tahoe about its claims.”

United States Securities Exchange Commission, *Letters of Inquiry from the Security Exchange Commission* (August 28, 2013).

<http://www.sec.gov/Archives/edgar/data/1510400/000000000013047424/filename1.pdf#page=1&zoo m=auto,0,571>

United States Securities Exchange Commission, *Letters of Inquiry from the Security Exchange Commission* (October 15, 2013).

<http://www.sec.gov/Archives/edgar/data/1510400/000000000013056628/filename1.pdf>

United States Securities Exchange Commission, *Letters of Inquiry from the Security Exchange Commission* (November 25, 2013).

<http://www.sec.gov/Archives/edgar/data/1510400/000000000013064598/filename1.pdf>

24. “...Tahoe was required to amend its Preliminary Economic Assessment (PEA) to clarify that no feasibility study had been done and to acknowledge that projects lacking a PEA 'have a much higher risk of economic and technical failure.'”

Tahoe Resources Inc., News Release (July 24, 2013), *Tahoe Resources Clarifies PEA Disclosure*.

<http://www.tahoeresourcesinc.com/tahoe-resources-clarifies-pea-disclosure/>

- Accordingly, investors are cautioned that the PEA is considered preliminary in nature and includes mineral resources, including inferred mineral resources that are considered too speculative geologically to have the economic considerations applied to them that would enable them to be categorized as mineral reserves.
- Tahoe's actual results, programs and financial position could differ materially from those anticipated in such forward-looking statements as a result of numerous factors, risks and uncertainties, many of which are beyond the Company's control. These include, but are not necessarily limited to, results of exploration activities and development of mineral properties, the interpretation of drilling results and other geological data, the uncertainties of resource and reserve estimations, receipt and security of mineral property titles, receipt of licenses to conduct mining activities, country risks, civil unrest, project cost overruns or unanticipated

costs and expenses, the availability of funds, fluctuations in metal prices, currency fluctuations, and general market and industry conditions. There is no assurance that forward-looking information will prove to be accurate, as actual results and future events could differ materially from those anticipated in such information. Accordingly, readers should not place undue reliance on this information.

25. “Tahoe began production in 2014, still without a feasibility study.”

Tahoe Resources Inc., News Release (January 14, 2014), *Tahoe Announces Commercial Production at Escobal*. "<http://www.tahoeresourcesinc.com/tahoe-announces-commercial-production-at-escobal/>

- Tahoe Resources Inc. (TSX: THO, NYSE: TAHO) is pleased to announce that its Escobal mine in Guatemala has reached commercial production.
- The Company has not based its production decision on a feasibility study of mineral reserves demonstrating economic and technical viability, and as a result, there may be an increased uncertainty of achieving any particular level of recovery of minerals or the cost of such recovery, including increased risks associated with developing a commercially mineable deposit.

26. “May, 2013, the Justice and Corporate Accountability Project at Osgoode Hall Law School, filed a letter to the Ontario Securities Commission pointing out that Tahoe had failed to disclose material information in relation to the shooting of six protesters by its head of security, Alberto Rotondo.”

Justice and Corporate Accountability Project, Disclosure Letter Tahoe Resources, Sent May 31, 2013.

http://www.miningwatch.ca/sites/www.miningwatch.ca/files/disclosure_letter_tahoe_resources_sent_31_may_2013.pdf

- There are two issues of concern. First, in addition to downplaying the seriousness of events in their May 1st press release, Tahoe has not disclosed information relating to the ongoing developments that have occurred surrounding the Escobal mine since then. These include the arrest of Alberto Rotondo and Juan Pablo Oliva Trejo, revelations of incriminating wiretap evidence and broad based opposition to the mine. Second, Tahoe has made statements to the press subsequent to the April 27th that have been incomplete and misleading.

27. “Another Canadian mining company in Guatemala, HudBay Minerals, is currently being sued in Ontario by the widow of a community leader allegedly murdered by HudBay’s head of security.”

Mining Weekly, *Guatemalan plaintiffs file jury notice against Hudbay Minerals in Ontario* (December 12, 2013). <http://www.miningweekly.com/article/guatemalan-plaintiffs-file-jury-notice-against-hudbay-minerals-in-ontario-2013-12-12>

- Guatemalan Mayan plaintiffs involved with litigation against Hudbay Minerals in Ontario, on Thursday filed a jury notice choosing a trial by jury that could potentially hold the company liable in Canada for alleged sexual assault, murder and shootings at a mining project formerly owned by its Guatemala subsidiary.
- Members of the indigenous Mayan Q’eqchi’ population from El Estor had filed three related lawsuits in Ontario courts against Hudbay over the alleged killing of Adolfo Ich, the alleged sexual assault of 11 women from Lote Ocho, and the alleged shooting and paralyzing of German Chub – abuses alleged to have been committed by mine company security personnel.

28. “HudBay sold the mine for \$176 million in 2011, shortly after the launch of the lawsuit. It had purchased the mine three years earlier for \$446 million.”

Canadian Broadcasting Company, *Unfinished Business*. 2011. *Sunday Edition*. CBC.
<http://www.cbc.ca/video/player.htmlclipid=2141604355&position=990702&site=cbc.news.ca>

29. “The largest equity investor in the world, Norway’s \$840 billion sovereign fund, demonstrates that this is unnecessary. This fund has cut its holdings in mining companies last year and is reviewing all of its mining investments.”

Reuters, Gwladys Fouche and Camilla Knudsen. *UPDATE 2-Norway's \$840 bln oil fund to review mining investments*, (February 28, 2014). <http://uk.reuters.com/article/2014/02/28/norway-oilfund-idUKL6N0LW4CA20140228>

- Norway's \$840 billion sovereign fund, the world's biggest equity investor, has cut its investments in gold and coal miners due to environmental concerns and will review the entire mining sector this year.
- In 2013, the oil fund sold more than 75 percent of its stakes in each of AngloGold Ashanti, Newmont and Newcrest, among the world's biggest gold miners.
- "Companies that are having an activity that create huge externalities may over time get problems either through greater regulation, through lawsuits or through other ways of pricing the effects that they have on the external environment," Slyngstad said in an interview.

30. “In 2013, the Norwegian fund had a rate of return of 15.9%, compared to CPPIB’s rate of return of 10.1%.”

Investment & Pensions Europe, “Norwegian oil fund return of 15.9% driven by equities, real estate holdings” (February 28, 2014). <http://www.ipe.com/norwegian-oil-fund-return-of-159-driven-by-equities-real-estate-holdings/10001099.fullarticle>

CPP Investment Board, *Our Performance*. <http://www.cppib.com/en/our-performance.html>, Accessed May 2014

31. “...investment in Tahoe Resources does not meet your own environmental, social and governance criteria for responsible investments.”

CPP Investment Board, *Responsible Investing*. <http://www.cppib.com/en/how-we-invest/responsible-invest-approach.html>, Accessed May 2014

- We believe that organizations that manage Environmental, Social and Governance (ESG) factors effectively are more likely to create sustainable value over the long-term than those that do not. As we work to fulfill our mandate, we consider and integrate ESG risks and opportunities into our investment decisions.