

## Regulating Canadian Mining Companies Operating Internationally

### Materials for a Conference held in Ottawa, October 20, 2005.

On October 17, 2005, the Government of Canada responded to the recommendations of the House of Commons Standing Committee on Foreign Affairs and International Trade that Canadian mining companies operating internationally be regulated at home in order to prevent human rights and environmental abuses. The essence of the response can be found in this paragraph:

*Finally, while the Government of Canada can influence companies that are headquartered in Canada and where officers are subject to domestic law, it has few mechanisms at its disposal with which to influence companies that are headquartered abroad and managed by non-residents but incorporated in Canada or listed on a Canadian stock exchange.*

Over the past year, MiningWatch Canada has been engaged in a process of developing a *Policy Framework for the Regulation of Canadian Mining Companies Operating Internationally*. On October 20, we shared the results of this research with civil society, government and industry at a roundtable in Ottawa. One of the speakers was Osgoode Hall law professor Sara Seck. The title of her talk was *Exploding the Myths: Why Home States are Reluctant to Regulate*.

In preparation for the roundtable we also asked partners in the global South to write case studies showing where there is a need for regulation and how it could be framed, helping provide the context as well as the content for our discussions. José de Echave of CooperAcción (Peru), César Padilla of the Latin American Observatory for Environmental Conflicts (OLCA), Melizel Asuncion of the Legal Rights and Natural Resources Centre Kasama sa Kalikasan/Friends of the Earth-Philippines, and Abdulai Darimani of Third World Network-Africa Secretariat (Ghana) provided papers; Mr. Padilla, Ms. Asuncion, and Mr. Darimani traveled to Ottawa to present their findings and participate in the discussion.

This package comprises:

- *A Policy Framework for the Regulation of Canadian Mining Companies Operating Internationally*
- *Exploding the Myths: Why Home States Are Reluctant to Regulate* by Sara Seck
- *Canadian Mining Companies' Investments in Peru: The Tambogrande Case and the Need to Implement Reforms* by José de Echave
- *Canadian Mining Exploitation in Chile, Community Rights, and the Environment: Recommendations for Canadian Legislation* by César Padilla
- *Water Is More Precious Than Gold: The Pascua Lama Binational Mining Project (Barrick Gold, Canada)* – presentation by César Padilla
- *Righting the Wrongs* by Melizel F. Asuncion
- *Righting the Wrongs* – presentation by Melizel F. Asuncion
- *Impacts of Activities of Canadian Mining Companies in Africa* by Abdulai Darimani