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Remarks by MiningWatch Canada at Parliamentary Press Conference

Two Corporate Accountability Bills Tabled in Parliament Today

by MP Peter Julian (New Westminster—Burnaby NDP) and MP Heather McPherson (Edmonton—Strathcona NDP)

Canada is a major global player in mining - with a large footprint. There are 1,348 Canadian mining and exploration companies and 730 of these operate overseas. Canadian mining companies are present in 97 foreign countries, many of which are developing countries in Latin America, Africa and Asia Pacific.

Since 1999, MiningWatch Canada has been working in solidarity with communities, Indigenous peoples and workers struggling to protect their human rights and their local environments from serious impacts and abuses by Canadian mining companies operating overseas.

For more than twenty years we have been dealing with realities such as – violent evictions by mine personnel of Indigenous peoples from their homes, shootings by mine security of local men and boys and rapes of women and girls, and use of forced labour, in places such as Papua New Guinea, Burma, Tanzania, Eritrea, Guatemala and Mexico, and contamination of ground and surface water at nearly all mines.

And sadly, the occurrence of such incidents is not diminishing over time. Year after year the mining industry is expanding its global footprint in search of lucrative ore bodies – expanding into ever more remote Indigenous territories, fragile ecosystems, and countries with weak governance. This reality, combined with zero accountability for their activities at home in Canada, has led to effective impunity for Canadian mining companies operating overseas – impunity which enables and drives further abuses.

What does Canada currently provide to hold our companies to account at home? We have a National Contact for the OECD Guidelines set up in 2000 that has received, since 2005, a steady and mounting critique for its ineffectiveness. MiningWatch brought and supported 7 mining cases to the NCP and none resulted in relief for the people harmed. Canada had a CSR Counsellor for the Extractive Sector for 9 years. In the early years 6 mining cases were brought by communities and workers - none of these cases were resolved in part because the mining companies involved refused to cooperate. And now, since 2019, we have an Ombudsperson who, after a sustained mining industry lobby, was stripped by the Government of Canada of

independence and the necessary investigatory powers that the Government had committed to provide her - making her now no more useful to the world's communities and workers than the National Contact Point and former CSR Counsellor. Member of Parliament McPherson's bill aims to reform the Ombudsperson into an effective accountability tool.

Canada has state duty to protect human rights – and this extends to people harmed by Canadian companies and their subsidiaries overseas.¹ Furthermore, the UN Guiding Principles on Business and Human Rights, which Canada endorsed in 2011, emphasize the right of impacted people to access remedy in the home country of multinationals. The United Nations Human Rights Committee noted in regard to Canada that it “is concerned about allegations of human rights abuses by Canadian companies operating abroad, in particular mining corporations, and about the inaccessibility to remedies by victims of such violations....” The Committee asked Canada to “develop a legal framework that affords legal remedies to people who have been victims of activities of such corporations operating abroad.” France has already implemented such legislation and the EU is moving in the same direction. Member of Parliament Peter Julian's bill will create accountability and access to judicial remedy in Canada.

To close, I just want to say that we are all aware of the horrific burden of needless human suffering in the world, and the tremendous stress our natural environment is under – Canadian companies should not be adding to these blights.

It is time for Canada to quit stalling, quit caving to mining industry lobbying and move to implement the Private Members Bills that have been tabled today.

For more information contact:

Catherine Coumans, catherine@miningwatch.ca, 613-256-8331

¹ Rather than a focus on human rights, Canada is focused on protecting the interests of Canadian companies operating overseas. Under Canada's Global Markets Action Plan and policy of “economic diplomacy” Canadian civil servants and embassy staff are mandated to promote and protect the interests of Canadian corporations operating overseas. Foreign Affairs, Trade and Development Canada, Global Markets Action Plan: The Blueprint for Creating Jobs and Opportunities for Canadians Through Trade, <https://www.international.gc.ca/global-markets-marches-mondiaux/assets/pdfs/plan-eng.pdf>