



MiningWatch Canada

Mines Alerte

Celebrating **15** Years of Mining Activism

1999-2014: Fifteen Major Achievements for our Fifteenth Anniversary

MiningWatch Canada was created in 1999 to push back against the mining industry's ability to rewrite laws, mislead the public, and bulldoze communities, workers, and ecosystems – literally – in its quest for profit. We've done that. We've changed the debate and helped put power back into the hands of the affected communities. But global demand for metals continues to grow, and the industry continues to push into remote areas, finding new ways to advance its interests. There is still an awful lot left to do.

1. Growing up

MiningWatch has not only survived, but grown by leaps and bounds in terms of the number of groups and key individuals we work with in Canada and internationally, as well as the strength and depth of those networks and relationships. We've also made huge strides in our recognition by the public, media, and decision-makers, and our presence in important civil society planning spaces and multistakeholder dialogues. We've grown in size, too, from the equivalent of two full-time staff in 1999 to five in 2014, and from eight member organisations to twenty-seven. Requests for assistance have grown even faster. It would be wonderful to have more staff – and more money – but we're moving in a great direction.

2. Expanding media reach – both social media and traditional media

People continue to come to our website in the thousands weekly for information and analysis, while our e-mail lists provide daily news, newsletters, alerts, and updates for over three thousand people. Our social media presence – something we couldn't have even imagined in 1999 – is substantial. We now have over 4,000 Facebook friends, up over a third just in the last year. Even more impressive, our Twitter followers rose by 58% last year – now well over 8,000 – including activists, academics, media, and elected representatives, but also a lot of industry types. Whether they are actually learning something or just monitoring our work, clearly they are taking us seriously! At the same time, in the “traditional” media, we get calls from print, radio and TV media virtually every day for interviews or background information and analysis. These range from community or academic publications to mainstream national and international outlets like the Globe and Mail, CBC, CTV, the Guardian, or Spain's *El País*.

3. Setting a common agenda with Indigenous peoples and communities affected by mining around the world

The very first conference we organised was “Between a Rock and a Hard Place: Aboriginal Communities and Mining.” It offered Indigenous community representatives from across the country a chance to connect and have an honest exchange about the effects of mining on their lands and people, and discuss strategies for working together. It also established MiningWatch as a trusted partner in those struggles, and set a course for our work to follow ever since. The following year, we convened a similar workshop with a global reach,

entitled “On the Ground Research: A Workshop to Identify the Research Needs of Communities Affected by Large-Scale Mining.” It, too, set an agenda for research, but also set in motion relationships, networks, and collaborations that are going strong today.

4. Making mining companies responsible for the mess they leave behind

Mines create massive environmental liabilities, and as a result of poor planning and regulation, in too many cases the operators cannot properly rehabilitate the mine sites, waste piles, and tailings dumps – or they conveniently leave or go broke before being forced to spend huge amounts of money on clean-up. MiningWatch persuaded mining industry associations to help push the federal government to set up the National Orphaned/Abandoned Mines Initiative (NOAMI) in 2001 to raise the profile of abandoned mines and find solutions for this costly and dangerous problem. Sizeable “closure bonds” are now standard practice in Canada, and increasingly, worldwide. Since the initiative started the provinces and federal government have established clean up programs for abandoned sites. We also successfully pressed the federal government to take responsibility for the abandoned Giant mine in Yellowknife with 237,000 tonnes of deadly arsenic trioxide stored underground, threatening not only the city of Yellowknife but also Great Slave Lake and the Mackenzie River.

5. Exposing public subsidies to the mining sector in Canada

The mining industry in Canada enjoys hundreds of millions of dollars in subsidies from both provincial and federal government. Public money goes into everything from infrastructure (roads, ports, and power supplies) to mine training programs and cleaning up abandoned mines, but the biggest contribution is through the tax system and the many tax breaks and credits specific to mining and mineral exploration. Our 2002 study with the Pembina Institute, “Beneath the Surface,” exposed the myths surrounding mining’s contribution to the economy, and showed that the mining sector is a poor investment for governments, creating ever fewer jobs at ever greater expense.

6. Bringing the abuses of Canadian mining companies operating abroad to Parliament and the public

A powerful presentation by MiningWatch and our Indigenous partners on mining-related human rights violations in the Philippines led the House of Commons Standing Committee on Foreign Affairs’ to issue a landmark 2005 report titled *Mining in Developing Countries and Corporate Social Responsibility (CSR)*, which made a series of strong recommendations to the government. We also held an international conference that year on “Regulating Canadian Mining Companies Operating Internationally.” When the government eventually responded the following year, it was to create a series of cross-country public sessions – the National Roundtables on CSR and the Canadian Extractive Industry in Developing Countries – that gave Canadians and developing country visitors the opportunity to present hundreds of examples of abuse committed by Canadian mining companies. The Roundtables’ joint industry/civil society advisory group released a consensus report in 2007, calling for important changes to the federal government’s support for this sector. The government response, which didn’t come until 2009, not only failed to address the recommendations of either the Standing Committee or the Roundtables, but moved to provide even more uncritical support for the industry. Still, this process led to important new developments, as described in the two items below.

7. Bringing civil society together to make mining companies accountable

MiningWatch Canada co-founded the Canadian Network on Corporate Accountability (CNCA), a coalition of non-governmental organizations, faith-based organizations, trade unions, and other civil society organizations that addresses the effective impunity of Canadian extractive companies operating abroad. The CNCA calls on the Canadian government to move beyond voluntary guidelines to implement mandatory measures – laws and regulations – to ensure that corporations respect human rights, including labour rights and Indigenous rights, and environmental standards.

8. Mobilizing support for accountability in the mining sector – Bill C-300

Bill C-300, *An Act Respecting Corporate Accountability for the Activities of Mining, Oil or Gas in Developing Countries*, based on recommendations in the 2007 CSR Roundtable report, allowed MiningWatch Canada and the CNCA to educate Parliamentarians, the media, and Canadians in general about the irresponsible practices of our mining companies the world over, and the disastrous results for the affected communities. The bill, sponsored by Liberal MP John McKay, was before Parliament for two years. We undertook an intensive campaign of public information and meetings with decision-makers. The industry responded with a lobbying campaign against the bill that some MPs said was the most intense they had ever witnessed. Although the bill was defeated by a narrow margin, it paved the way for legislation of this nature to be taken seriously by politicians and the public alike.

9. Stopping the Kemess North mine to protect Amazay (Duncan Lake)

In coordination with the five affected First Nations, we participated in the joint federal-provincial review panel of the Kemess North mine project, 250 kilometres northeast of Smithers, B.C., that would have turned Amazay into a mine waste dump. Based in part on our work, the panel took the project's impacts on the environment and also on Indigenous spiritual and cultural values very seriously and recommended against allowing the project to proceed. In 2008 federal and provincial authorities accepted that recommendation. The Panel report marked an important advance in the recognition of Indigenous values and land uses in environmental decision-making.

10. Making mining report its toxic wastes, like any other industry

Represented by Ecojustice, MiningWatch Canada and Great Lakes United won a key court decision in 2009 that obliges mining companies to report all toxic mine waste to Environment Canada for publication in the National Pollutant Release Inventory (NPRI), including effluents and wastes that are stockpiled on site, like waste rock and tailings. The decision applies to tar sands wastes as well. The importance of this achievement was made very clear last fall when a massive spill at Sherritt's Obed Mountain coal mine in northern Alberta dumped some 670 million litres of contaminated waste into the Athabasca River watershed. Thanks to the NPRI data, we could find out what the spilled wastes actually contained and tell the public.

11. Land and Conflict – Canadian Companies in Colombia

In 2009 we worked with Friends of the Earth-Colombia (CENSAT-Agua Viva) and Inter Pares to publish a ground-breaking report on the human rights risks of four Canadian extractive industry investment projects in Colombia. Referring to principles developed by the UN Special Representative on Human Rights and Transnational Corporations, the report shows that these projects run a significant risk of profiting from – and rewarding – serious human rights violations. The core message: far from improving local conditions, such investment is exacerbating violence, and even tools like human rights impact assessments cannot effectively address this.

12. Exposing Canadian Embassy involvement in Blackfire Exploration's corrupt and deadly Mexican operations

On November 27, 2009, Mariano Abarca was shot and killed outside his home in Chicomuselo, Chiapas, Mexico. Mariano was a community leader and outspoken opponent of Calgary-based Blackfire Exploration's barite mine there. It eventually emerged that not only were his accused killers company employees or former employees, but that the company had been making payments to the local mayor to stifle opposition to the mine. MiningWatch spearheaded an approach to the RCMP to initiate an investigation under the *Corruption of Foreign Public Officials Act*. The RCMP raided Blackfire's Calgary office a year after the complaint was submitted, though no charges have been filed yet. In the mean time, shocking documents from the Canadian Embassy in Mexico City that we received through an Access to Information request showed just how far

Embassy officials were willing to go to support Blackfire, and their contempt for the people of Chicomuselo – even when Mariano Abarca warned the Embassy that his life was being threatened.

13. A huge win in the Supreme Court of Canada restored the integrity of the federal environmental assessment law – temporarily

In 2010, MiningWatch – represented by Ecojustice – won a landmark environmental law case in the Supreme Court of Canada. In a case centred on the Red Chris mine project in British Columbia, the Court ruled that the federal government cannot split projects into artificially small parts to avoid rigorous environmental assessments. The ruling also guaranteed that the public would be consulted about major industrial projects, including large metal mines and tar sands developments. The ruling was so far-reaching that the government changed the entire *Canadian Environmental Assessment Act* and several closely related laws to avoid having to comply with it!

14. Helping to stop the so-called “Prosperity” mine to protect Teztan Biny (Fish Lake)

Taseko Mines Ltd. has been trying since 1995 to construct an open-pit copper and gold mine in the heart of T̓silhqot̓in territory, 125 kilometres west of Williams Lake, B.C. Originally rejected by federal fisheries officials because it would have used Teztan Biny as a waste dump, Taseko managed to get provincial approval for the project in 2010, but the federal government rejected it based on a “scathing” report from a federal review panel. MiningWatch contributed to the panel review process at the request of Xení Gwet̓in First Nation and T̓silhqot̓in National Government; the Panel made extensive use of our submissions and even cited us directly. The company resubmitted its earlier Plan B as a new proposal – “New Prosperity”. Instead of making the lake into a dump, this plan basically proposed to turn it into a swimming pool. We participated in the ensuing federal panel review, and then worked with the T̓silhqot̓in and Secwempec Nations and other NGOs to persuade the federal Cabinet to respect the Panel’s conclusions. Finally, on February 26, 2014, the federal government announced that the project would not be allowed to proceed.

15. Making the world’s largest gold company face its victims in Papua New Guinea

Following years of pressure from MiningWatch and our Papua New Guinea and international partners, Barrick Gold finally acknowledged in 2011 that local women were being routinely beaten and raped by mine security guards and police at its Porgera mine in Papua New Guinea. Barrick set up a complaints process, and offered compensation packages to the rape victims. However, not only were the packages inadequate and inappropriate, the company required the women to sign a waiver, agreeing not to take legal action against Barrick anywhere in the world! Following a field assessment and interviews with rape victims in 2013, MiningWatch took the issue to the UN High Commissioner for Human Rights who issued an opinion that “the presumption should be that as far as possible, no waiver should be imposed on any claims settled through a non-judicial grievance mechanism.” MiningWatch has since learned that African Barrick Gold, a Barrick subsidiary, is implementing a similar compensation mechanism, complete with waiver, for victims of violence by police and security guards at the North Mara mine in Tanzania. We will continue to fight against Barrick’s imposition of this unnecessary barrier to justice for victims of criminal acts of violence by the mine’s security guards – and to ensure this cynical and exploitative approach does not set a precedent of any kind.