

INNU COUNCIL OF NITASSINAN
(NGO in consultative status with ECOSOC at the United Nations)
MINING WATCH CANADA

Permanent Forum on Indigenous Issues
Eight Session

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Agenda item: 3(a) Report of the expert group meeting on extractive industries, indigenous peoples' rights and corporate responsibility.

Madam Chairperson

I am here today to speak to you as a director of MiningWatch Canada, as a Canadian, and as a member of the Innu Nation. Using all three of these voices, I would like to speak to you about the urgent need for the Canadian government to address the environmental and social conflicts that Canadian mining companies are creating and contributing to around the world. The sharpest impact of these conflicts are often felt by indigenous populations, from the Southern tip of South America, to the far north of Canada, throughout Africa, the islands of the Pacific and in Asia.

Most often considered a middle power, when it comes to mining, Canada is a giant – a mining super power. With 75% of the world's mineral exploration and mining companies registered in Canada, the Toronto and Vancouver Stock exchanges raise more funds for the mining industry than the markets of any other country. Canada's profound and extensive links to the global mining industry has, in good times, attracted significant investment and generated substantial growth on Canadian stock markets. While investors, including publicly held pension funds and so called "ethical funds" profit from the international mining sector, those that benefit most can be continents away from where the impacts of the industry are felt.

Around the world Canadian mining companies are contaminating land, air, water, wildlife and people. They are dividing communities, dislocating land-based peoples and impacting on traditional cultures. As the exploration boom pushed the industry into new territories, these impacts were increasingly borne by indigenous peoples.

In Guatemala, indigenous Mayan communities have organised to protest against mining developments by Canadian companies and community "consultas" have shown strong opposition to more open pit mining in their territory.

And in Papua New Guinea, a Canadian mining company is causing massive environmental impacts as toxic mine wastes are being dumped, directly into a river valley. Community settlement patterns have been drastically altered and forced relocation of indigenous communities has been occurring as recently as a two weeks ago.

The realities of Canadian mining operating overseas are well known to the Canadian Government. In 2006 a parliamentary committee tabled a ground-breaking report on the extractives sector. Taking the Philippines as its starting point the report recommended the Canadian Government enact legislation and policies to prevent continued abuses and contravention of international codes and standards.

In response to the committee report, the Government initiated further investigation and dialogue through a round table process that took place in 2006 and 2007. An advisory group to the round-table that included industry, and civil society representatives reached an important consensus on specific recommendations to the Government. The group called on the Canadian government to enact mandatory standards, and implement other mechanisms to make Canadian companies more accountable.

The committee report and roundtables have shown us that the concerns that have been raised do not refer only to a few "bad apples". Though there are mining companies operating with more progressive approaches, there are widespread and systematic problems in how the global extractive industry, largely based in Canada, conducts its business.

It took the Government almost 2 years to respond to the consensus recommendations. When it released its response in March of this year, the current minority government failed to live up to the expectations and implement the recommendations for mandatory standards, for an Ombudsperson to investigate accusations,

and for government support of a company to be contingent on the company meeting international standards. Instead, its response promoted voluntary corporate social responsibility approaches to addressing the problems.

While some mining companies have concretely improved their practices under their own CSR frameworks, the industry is large and diverse and many continue to act with impunity, while continuing to create environmental and social conflicts, sometimes all the while stating a commitment to CSR.

In April of this year a member of the opposition introduced a bill titled: Bill C-30 *The Corporate Accountability of Mining, Oil and Gas Corporations in Developing Countries Act*. This act would go much further towards the implementation of the consensus recommendations and have a much greater chance of actually holding Canadian mining companies accountable for their actions outside the country. I invite you to join MiningWatch Canada and many other civil society organizations in urging the Canadian parliament to pass this important bill.

Armand MacKenzie, LL.L.

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