



Backgrounder: Mining Justice

Widespread, well-documented human rights abuses associated with Canadian mining companies abroad are having a negative impact on the lives of grandmothers, children and youth in Africa. These companies must be held accountable for their actions in communities in which they operate. The international community, through such bodies as the Organization for Economic Cooperation and Development (OECD) has been promoting socially responsible, rights-based mining practices for over a decade, but Canada lags behind in its own commitments.

Almost half of the world's head offices of publicly listed mining operations are registered in Canada. 1300 mining companies are based in Canada. 75% of those are located in Vancouver, the "Mining Capital of the World". Others are registered in Toronto, Calgary and Montreal. Canadian-listed mining companies represent the largest source of foreign investment in Africa's mining sector. Canada should be leading by example.

Why should GRAN be concerned about mining?

Once-thriving communities have often become impoverished when a mine is built in their community. Abusive mining practices disproportionately affect women, since they experience the negative social, environmental, and economic impacts associated with mining on a daily basis.

GRAN takes a rights-based approach to our advocacy and has four areas of focus which are all in support of the United Nation's Sustainable Development Goals, adopted by Canada and many other nations around the world. We advocate for the right to health, education, freedom from violence and economic security. Abusive mining practices violate these rights.

Reported impacts of mining on local communities in sub-Saharan Africa

Violence and social disruption

- Injuries or deaths from confrontations between villagers, protesters and mine security
- Forced prostitution and an increase in the incidence of rape
- Spread of HIV/AIDS
- Destruction of cultural and social values
- Failure of mining companies to honour their commitments to provide social services, schools, medical clinics, job training and jobs

Environmental destruction

- Appropriation and contamination of air, land and water resources
- Displacement of communities to hostile environments

Financial exploitation

- Favourable mining laws enacted by African states to attract foreign investments usually ignore the needs of local communities
- Evasion of taxes and royalties to host governments

GRAN Actions

Advocate for the Empowerment of the Ombudsperson

The creation of the Canadian Ombudsperson for Responsible Enterprise (CORE) was announced in January 2018, along with a Multi Stakeholder Advisory Body on Responsible Business Conduct. According to the government's announcement, CORE would be an independent body, mandated to investigate allegations of human rights abuses linked to Canadian corporate activity abroad. To be effective the Ombudsperson must:

- be independent of government and free from political or corporate interference
- be able to compel witnesses and documents
- be able to recommend and monitor sanctions
- report the findings publicly

In April 2019 Sheri Meyerhoffer was appointed as the Canadian Ombudsperson for Responsible Enterprise (CORE) but her mandate fell far short of the independent watchdog the government had promised. She was appointed as a public servant reporting to the Minister of Trade Diversification with powers to review complaints, but lacking the powers to compel witnesses and documents. As a consequence, citing an erosion of trust, civil society and labour representatives on the Multi Stakeholder Advisory Body on Responsible Business Conduct resigned in July 2019.

The Government announced it was seeking a legal opinion on the investigatory powers of CORE, but no announcements have been made to date. GRAN will continue its advocacy for a watchdog with real powers.

Advocate for Access to Canadian Courts

Not every country has a free and fair judicial system. Therefore, there is an urgent need to improve access to justice for alleged victims of human rights abuses by Canadian mining companies by allowing cases to be tried in Canada.

- There are only two cases currently being tried in Canadian courts:
 - Nevsun Resources (Eritrea)
 - Hudbay Minerals (Guatemala)

Raise Awareness

A major goal of our campaign is to increase awareness about mining justice among the grassroots of GRAN and the general public. On the GRAN website you will find the Power Point Presentation "*Mining Justice: A Call to Action*" and accompanying notes. GRANs are encouraged to use the tools on the website to reach out to their own communities and raise the issue of mining justice in Canada.

Conclusion

What can GRAN do to help women and children in sub-Saharan Africa have healthier lives, freedom from violence, economic security, and quality education in their mining communities?

We will work together with other social justice groups who are advocating for mining justice to tell our government that Canadian mining companies should no longer be able to act with impunity around the world. GRAN is a member of the Canadian Network for Corporate Accountability (CNCA) <http://cnca-rcrce.ca>, an umbrella group which has been advocating for mining justice for many years, and provides excellent resources and support.

"I want a world where....women and communities are empowered. And I believe that we must build that empowerment together so that every woman can stand up for herself and others."

-- Gladys Mauhusa of WOMIN (African Women United Against Destructive Resource Extraction)