

Human rights record of CIIED strategic partners

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Abstract

This report summarizes human rights and environmental abuses that the CIIED's strategic partners (as listed in [16]) are alleged to have been involved in. The Institute's stated goals of improving accountability and environmental sustainability, and of working toward conflict prevention, are put into doubt given these partners' records. Furthermore, some of these partners have a disincentive to work towards these goals, since doing so would jeopardize their business interests.

African Minerals Ltd.

On 16 April 2012, workers of an African Minerals Ltd. mine in Bumbuna, Sierra Leone, held a protest over working conditions and pay. Police proceeded to kill one woman, injure 11 people, and destroy homes and businesses.

Amnesty International has commented the following about the incident (emphasis added):[2]

Amnesty International asked AML [African Minerals Ltd.] to comment on their relationship with the police and the events at Bumbuna. The company confirmed that it provides some material assistance to the police including transport, infrastructure, sustenance and financial contributions; however, it did not disclose information documenting its relationship with the Sierra Leone police, who appear to provide security for the company's mining operations.

The fact that AML paid compensation to the women traders for the damage done when police ransacked the market place, *raises serious questions about AML's role in the events in Bumbuna town*. The company said that the compensation was paid to the market women on compassionate grounds after a request by government officials and local community, including the paramount chief.

A similar incident of police violence occurred in 2010, also in the Bumbuna area, towards protesters against the activities of African Minerals Ltd.[20]

Colossus Minerals

The Cooperativa de Mineração dos Garimpeiros de Serra Pelada (Coomigasp), an organization representing 38,000 miners who have worked at the Serra Pelada gold mine in Brazil, claims that Colossus Minerals has usurped 24% of the shares in the site, which would otherwise belong to Coomigasp, by fraudulent means.[11]

Devonshire Initiative, CARE Canada

CARE Canada is a member of the Devonshire Initiative.

The Devonshire Initiative is an organization aimed at “direct dialogue, capacity building and coordination between the Canadian extractives industry, development NGOs and Government”.

Catherine Coumans of MiningWatch Canada writes,[9]

CIDA's [Canadian International Development Agency] new involvement supporting CSR [Corporate Social Responsibility] projects at mine sites raises a number of concerns. Given local-level conflict and community divisions that accompany many mine projects, sometimes escalating to violence and allegations of human rights abuses, Canadian government involvement in a local CSR project could be perceived by community members as overt support by the Canadian government for the mine project or the mining company, possibly in the face of their own opposition to the project. This raises a number of questions. Aside from evaluating the particulars of a given development project, how does

CIDA evaluate which mine projects to engage in? What role does community consent for a mine, or lack thereof, play in this decision making? How well placed is CIDA to assess community support for a mine project, or even for a particular CSR project?

Furthermore,[8]

Mining companies' branding of themselves as bringers of development needs to be critically examined against the burgeoning 'resource curse' literature that links mining to deepening national impoverishment in mining-dependent developing countries (through loss of competitiveness, loss of development of other economic sectors, and unequal distribution of benefits associated with mineral wealth, for instance) and against the growing global local-level opposition to mining.

Goldcorp and Barrick Gold, both implicated in serious allegations of human rights abuses (see respective sections), are members of the Devonshire Initiative.

Fasken Martineau Du Moulin LLP

The law firm Fasken Martineau is representing Hudbay in the trial *Choc v. Hudbay Minerals Inc.*[7]

Villagers in eastern Guatemala allege that private security employed by a subsidiary of the Canadian mining company Hudbay is responsible for the shooting death of an anti-mining activist, the paralysis of a young man, and the rape of 11 women. Fasken Martineau attempted to dismiss the charges on the grounds that a parent company cannot be held responsible for people harmed by the actions of security forces of a subsidiary in a foreign country.

However, Tara Scurr, Business and Human Rights campaigner for Amnesty International Canada, says that,[3]

The defendants would have the Court and Canadians believe that a company is not responsible for ensuring that its business is conducted in a way that respects the rights of the people with whom they interact.

However, Canadian companies are under an obligation to respect human rights wherever they operate, particularly where the business is operating in a conflict-affected or high risk area, and where the Indigenous peoples' lives and livelihoods are at risk.

In July 2013 the court ruled that the trial could proceed.[13]

The coordinator of Fasken Martineau's Global Mining Group opposed Bill C-300, which would have ostensibly increased the accountability of Canada's extractive sector,[6] and which had the support of Amnesty International.[4]

Goldcorp

In 2005, as Goldcorp was establishing the Marlin Mine in San Miguel Ixtahuacán, Guatemala, the Sipakapa community held a referendum, with most of the community voting against the mining operations.

In 2008 a number of shareholders requested an independent human rights report on the mine. It found that the company had not acquired the "free, prior, and informed consent" of affected communities. In 2011 a report by the United Nations Special Rapporteur on the Rights of Indigenous People came to the same conclusion.

In 2010 an environmental health study found heavy metals in rivers downstream from the mine.[15]

In 2010 and 2011, community activists were attacked after criticizing the mining project. One of those injured alleges he was threatened to stop speaking out about the mine.[5]

The Inter-American Human Rights Commission and Oxfam America have called on the Guatemalan government to suspend operations due to the human rights, environmental, and health effects of the mine.[18]

New Gold

On 19 November 2009, the Cerro de San Pedro open-pit gold mine, operated by a New Gold subsidiary, was closed by PROFEPA, Mexico's environmental agency. PROFEPA claimed that the mine's permit had been terminated in 2005, and that it had been operating illegally since then.[17] The mine has

continued operations shortly after being ordered closed.

Activists against the mine were attacked in 2009 by a crowd of people in favour of it. In 2007 and 2008 activists were shot at and threatened to stop campaigning. The authorities have offered them no protection.[1]

The Frente Amplio Opositor—a coalition of groups opposed to the mine, including several unions—claims that employees of the mine and a family which received money from it are responsible for the attacks.[10]

Appendix: Barrick Gold

Although not a strategic partner, Barrick Gold is linked to the CIIED by being a member of the Devonshire Initiative and a sponsor of the Lima, Peru branch of the Canadian Institute of Mining, Metallurgy and Petroleum (CIM),[19] itself a strategic partner.

Barrick Gold private security forces at its gold mine in Porgera, Papua New Guinea, have been involved in gang rape, abuse of people in custody, and excessive force, according to a Human Rights Watch report. Although Barrick has made some attempts to stop the violence, HRW claims that “[t]oo often, Barrick has responded with dismissive hostility to concerns about its human rights record at Porgera”, and that measures to remedy the situation as of the publication of the report in 2011 have been “inadequate”.

There have also been major concerns about the environmental impacts of the Porgera mine.[12]

On 24 May 2013, Chile’s environmental regulator blocked the continuation of construction of a Barrick Gold project in Pascua-Lama, and imposed the maximum possible fine for environmental violations.[14]

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