

To: CEN Mining Caucus /MSST Task Group

From: Brennain Lloyd, Northwatch

Re. Mining Sector Sustainability Table Inaugural Meeting November 8, 2005

This brief note has been prepared for the CEN Mining Caucus and Mining Sector Sustainability Table Task Group of the CEN.

The Mining Sector Sustainability Table held its inaugural meeting on November 8, 2005 in Gatineau. I attended as a delegate of the Canadian Environmental Network, as did Joan Kuyek. Julie Gelfand of the Canadian Nature Federation also attended. Most members of the MSST were in attendance; no representatives have yet been identified from First Nations or Inuit organizations.

The day began with some preliminary remarks by Samy Watson, Deputy Minister of Environment Canada, and then a discussion of the terms of reference. Some revisions were made, with the more interesting changes including:

- the Tables will now “consider” the smart regulation approach, rather than “applying” the approach
- a replacement “mandate” section was provided and debated at length; the group subsequently returned to the earlier draft of the mandate, with the most notable change being the addition of the goal being to improve the “environmental performance” of mining companies
- the descriptor of “metal” was removed from the heading of mining activities to be included, ie. a broadening of the mining activities to be addressed

In the course of the discussion, the Secretariat committed to providing copies of documents related to Smart Regulation and the SST’s Performance Measurement Framework, and to provide a presentation on the precautionary principle.

There was a presentation of a “diagnostique” by Natural Resources Canada and by Environment Canada, which consisted of a very general overview of the mineral sector in Canada, both of which were, in my opinion, vague in terms of detail and weak in terms of analysis. More interesting was a “summary of initiatives” circulated by Environment Canada, which consisted of a list of legal instruments and current initiatives at the federal level related to mining, and including everything from CEAA to SARA. Most interesting, however, were two references that were not included on the list: an initiative underway by Environment Canada to develop a set of national environmental objectives, and an initiative underway by Natural Resources Canada to develop an overarching policy framework.

The after-lunch discussions were held in two break-out groups to set “priorities”. Group 1 came back with land access and use, cultural impacts, environmental performance, and abandoned and

orphaned mines as four priority areas; Group 2 came back with frameworks, substantive issues (air, soil, water), process concerns, and “special issues” (mega projects, north of 60, duty to consult) as four priority areas. Plenary discussion came close to a consensus on the need to identify or define what the problem is that the MSST is set up to solve (this is my sense of the room, in terms of how close to consensus the group was on this point; the chairs did not test for consensus and fail to reach it.)

Next steps for the Secretariat include setting a meeting date for mid-January, providing copies of requested documents, outlining who does what in government related to mining, preparing a Whitehorse Mining Initiative report card, and preparing an overview of relevant statutes and their objectives.