

# ARE YOU LISTENING?

*The mine took  
our land and  
our livelihood.*

Rakotoarimanana, Madagascar

## AN OMBUDSMAN WILL

# A VOICE FOR JUSTICE



## A GROWING CALL FOR RESPONSIBLE MINING

From Madagascar to Peru to the Philippines, communities and church leaders are sending us an urgent call to action.

Communities in the Global South are mobilizing to denounce threats to their land, water and lives in the face of the activities of Canadian mining companies.

Their calls for justice, however, are not being heard here in Canada.

DEVELOPMENT AND PEACE is asking Canadians to support our call for an independent ombudsman who can be a voice for justice here in Canada for those whose rights have been violated by Canadian extractive companies operating overseas.

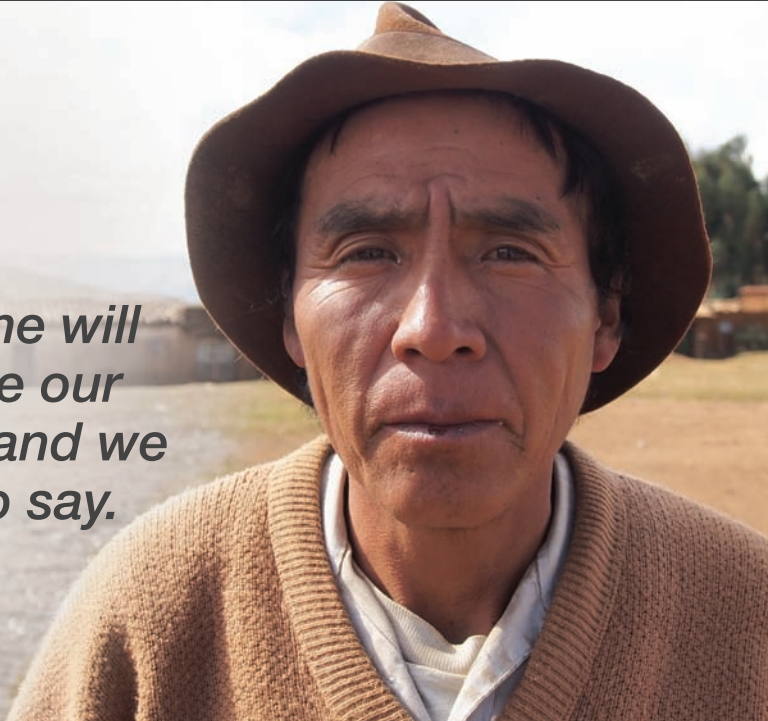
Communities want Canadians to know about the injustices they are facing and to stand in solidarity with them in their struggles.



# ARE YOU LISTENING?

## PERU

*The mine will displace our village and we have no say.*



The village of Cruz Pampa, near Huancayo, Peru, is located on a 27-km tract of land that has been given over as a concession to mining companies to extract phosphates. The open-pit mine that could eventually spread out over Cruz Pampa will affect several communities. Many oppose the mine in fear of losing their land and water sources, and mindful of the conflicts that could arise within the communities.

**“We wish that mining companies would consult us directly, and that the benefits go not only to the mining companies and the government, but also to the communities, which need it the most.”**

With the Peruvian government giving open access to their land without their consent, Arturo Castro, leader of Cruz Pampa, no longer knows where to turn so that the rights of his community are heard and respected.

## MADAGASCAR


*Will there be a future for our children and grandchildren?*



The arrival of a Canadian mine in Moramanga, Madagascar brought with it a wave of hope for the community. The mine, they imagined, would contribute to the development of the community, reduce the unemployment rate, especially amongst youth, and improve the quality of life of the residents. Their optimism, however, was quickly replaced by disenchantment and apprehension. Youth are still in search of jobs and the poorest families are struggling daily to feed their children. The village chief, Mr. Rakotoarimanana, knows this all too well.

**“Since the arrival of the mine, I have not seen any improvements in the quality of life of my children or my grandchildren. On the contrary, we are becoming more impoverished by the day because the mining company forbids us from expanding our fields.”**

## PHILIPPINES



*The mine polluted our water and poisoned my blood.*

The island of Marinduque in the Philippines was the site of one of the worst environmental disasters in the country, when the dam of a Canadian-owned mine collapsed, launching 1.6 million cubic metres of toxic chemicals and heavy sediment into the Boac River. Eliza Hernandez was washing clothes in the river when the disaster occurred. She had to be treated for heavy metal poisoning and, nearly twenty years after the incident, her skin continues to itch. The river was never rehabilitated and she continues to live in fear of its toxic contents.

*“Before the mine, we were worry-free. But now, the river is polluted and we are very afraid of flooding. I really don’t want to live a life full of fear every time it rains.”*

## CHURCH LEADERS SPEAK OUT

Church leaders in the Global South are witnessing firsthand the negative impacts mining is having on the communities they serve and are encouraging Canadians to show their solidarity. Here is what they have to say:

“With mining, poverty increases. We are very concerned about this because it has to do with our faith, especially the care for creation. It destroys our beautiful ecological system, and this destruction is permanent. Mining is not helping our people, and it is destroying our environment... The destruction done in one part of the Earth will affect the whole Earth, so I think everyone should be concerned. We want to send a message to our brothers and sisters in Canada that they should also be concerned about what Canadian mining is doing to our country.”

**Auxiliary Bishop Broderick Pabillo, Manila, Philippines**

“I am concerned by the open-pit mines that are being established in our region. They consume huge quantities of water, cause riverbeds to dry up and contaminate the rivers with cyanide, which affects the surrounding communities... In the end, the mining companies have won over the government, who lets them do whatever they want and gives concessions to everyone. So, I am calling on Canadians to react, to write to the government so that there is justice and respect for the environment. The Earth was given by God and we must exploit it, but in a way that makes it all the more beautiful, not that destroys it.”

**Bishop Guy Charbonneau, Choluteca, Honduras**

“The population here in Moramanga is suffering. The people here do not want to live in excessive wealth, but in simplicity. I am asking you, my Canadian friends, to take action and advocate for change, that is to say, to make known the reality here in Madagascar, and in particular Moramanga. We must protect the population from rules that were imposed on them by multinationals, and allow them to benefit from development that is sustainable.”

**Bishop Gaetano Di Piero, Moramanga, Madagascar**

## WHY AN OMBUDSMAN?

Canada is a big global player when it comes to mining. We, as Canadians, have a particular responsibility to hold companies and our government to account for the impact of this industry on the lives of people who may not always have the opportunity to represent their own interests.

DEVELOPMENT AND PEACE has been calling for greater accountability in the extractive sector for many years. This year, we are joining our voice with that of the Canadian Network on Corporate Accountability (CNCA), an extensive network of civil society groups across Canada, to again call for the creation of an independent ombudsman in Canada.

An independent ombudsman would have a greater capacity to verify the compliance of Canadian extractive companies operating overseas and rectify wrongs being committed.

## CALLING FOR ACCESS TO JUSTICE SINCE 2006

Our five-year campaign *Life Before Profit* is launched. In the first year, 150,000 cards are signed asking that the Canadian government develop **mechanisms to hold Canadian extractive companies accountable** for their actions overseas.

2006

DEVELOPMENT AND PEACE asks the Canadian government to **establish an independent ombudsman**, as recommended by *The Final Report of the National Roundtables on Corporate Social Responsibility and the Canadian Extractive Industry in Developing Countries*, a national consultation that included government, civil society and industry representatives. This time, 200,000 signatures are collected in support of this request.

2007

DEVELOPMENT AND PEACE reiterates to the Canadian government its call for the **implementation of the National Roundtables recommendations**. Another 150,000 cards are signed in support of this action, for a total of **500,000 signatures** asking for greater accountability from the extractive sector.

2008

Member of Parliament John McKay introduces Private Member's Bill C-300, also known as the Responsible Mining Bill, which would legislate many of the recommendations from the *National Roundtables*. DEVELOPMENT AND PEACE participates in activities in support of this Bill. The same year, the Government of Canada creates the Office of the Extractive Sector CSR Counsellor.

2009

Despite the mass mobilization of civil society organizations, including DEVELOPMENT AND PEACE, Bill C-300 is narrowly defeated in the House of Commons by only six votes.

2010

DEVELOPMENT AND PEACE relaunches the call for an ombudsman as communities in the Global South continue to be harmed by extractive companies without access to justice.

2013

## SNAKES AND LADDERS

Independent ombudsman vs. CSR Counsellor

Two mine-affected communities in the Global South are trying to seek justice in Canada. One will use the ombudsman mechanism, while the other will try the CSR Counsellor.



## FIND TWO GAME PIECES, FOLLOW THE INSTRUCTIONS AND SEE WHO REACHES JUSTICE FIRST!

	Ombuds team	CSR team
1 Seeking help	Place your game piece on Square 1 (Start).	Place your game piece on Square 1 (Start).
2 Grievance mechanism	You ask the ombudsman to evaluate your case and determine if there has been a violation of rights. <b>Advance to Square 6.</b>	You ask the CSR Counsellor to review and mediate a dispute between your community and the company. <b>Advance to Square 6.</b>
3 Participation	The ombudsman takes on your case regardless of the wishes of the mining company. <b>Advance by 3 squares.</b>	The CSR Counsellor can only take on your case if the mining company participates. It's your lucky day! The mining company agrees to the process. <b>Advance by 3 squares.</b>
4 Investigation of the claim	The ombudsman conducts an independent investigation to determine the facts regarding the issues you have brought forward. <b>Advance by 2 squares.</b>	The CSR Counsellor does a situational assessment but does not conduct an investigation to determine the facts of the issues brought forward. <b>Advance by 1 square.</b>
5 Mediation	The ombudsman provides mediation between you and the company if both parties agree to participate. <b>Advance by 2 squares.</b>	The CSR Counsellor provides mediation between you and the company if both parties agree to participate. <b>Advance by 2 squares.</b>
6 Standards	The ombudsman conducts an investigation according to corporate accountability standards that are based on international labour, human rights and environmental norms and treaties. <b>Advance by 3 squares.</b>	Sorry, the guidelines promoted by the CSR Counsellor are weak on human rights, which puts your community at a disadvantage. <b>Skip your turn.</b>
7 Process	The ombudsman continues the investigation even without cooperation from the company. <b>Advance by 3 squares.</b>	The company withdraws, which means you cannot move on to the mediation phase. <b>Go back two spaces.</b>
8 Results of the investigation	The ombudsman publishes the findings, making it known publicly what has happened to your community. <b>Advance by 2 squares.</b>	The CSR Counsellor publishes a report expressing regret that the company withdrew. <b>Skip your turn.</b>
9 End of the process	The ombudsman makes recommendations to rectify the situation. <b>Advance by 2 squares.</b>	The situation is not resolved, and your community remains vulnerable. <b>Go back 2 spaces.</b>



## TAKE ACTION

- ▶ Sign our Action Card which calls for the creation of a independent ombudsman.
- ▶ Talk or write to your Member of Parliament about the issue. Ask your MP to support this campaign and to call on his/her caucus to work towards the creation of an ombudsman mechanism.
- ▶ Tell family and friends about what is happening in the Global South and ask them to sign an Action Card.
- ▶ Visit our campaign web page at [www.dev.org/voiceforjustice](http://www.dev.org/voiceforjustice) for more stories from communities and share them on Facebook and Twitter.
- ▶ Tweet using #voiceforjustice to let us know what you think.

## MAKE A DIFFERENCE BY JOINING OUR CAMPAIGN!



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