

# Legislative and Institutional Barriers to Collaboration

National Orphaned/Abandoned Mines Initiative (NOAMI)

Overview

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## Background

- 1999
  - \* Issue raised by mining industry at Mines Minister's conference in Charlottetown
  - \* IGWG appointed committee to review the issue
  - \* MiningWatch Canada commissioned study of Abandoned Mines in Canada
- 2000
  - \* MiningWatch Canada study released in February
  - \* Industry recommendations at Mines Minister's conference in Toronto

## Key Recommendations

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### **IGWG (1999):**

"A Canadian abandoned mines forum could be organized to...formulate a national strategy...participation should include all stakeholders

### **MiningWatch Canada (2000):**

"A working level committee should be created to exchange information...membership would consist of... various stakeholders and environmental groups

### **Mining Association of Canada (2000)**

"Mines Ministers should establish a joint industry-government working group assisted by other stakeholders, to review the issue of abandoned mines and report its findings at the 58th Annual Mines Ministers Meeting in 2001"

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## Action Plan 2000

Mines Ministers:

"supported the establishment of an industry-government working group, reporting to IGWG, which will examine the steps to be taken to facilitate action in this area.

"invited this joint working group to organize a multi-stakeholder workshop before the next Mines Minister's Conference"

## Current Status

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- 2001
  - \* Multi-stakeholder working group formed
  - \* Orphaned/Abandoned Mines Workshop held in Winnipeg, June 2001
  - \* Guiding principles and recommendations endorsed by Mines Ministers in Quebec City, September 2002
- 2002
  - \* National Orphaned/Abandoned Mines Advisory Committee formed;
  - \* Task Groups has been established to develop recommendations for action in 4 key areas:
    - \* Inventorying
    - \* Community Participation
    - \* Barrier to Collaboration
    - \* Funding Models

## Advisory Committee:

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Christine Kaszycki (chair) - Manitoba  
Gilles Tremblay (secretariate) - CANMET, NRCan  
Joanna Ankersmit - Indian and Northern Affairs Canada  
Louis Bienvenu - Quebec  
Scott Clausen - Natural Resources Canada  
Dick Cowan - Ontario  
Claude David - Health Canada  
Wayne Fraser - HBM&S, Industry at Large  
Elizabeth Gardiner - Mining Association of Canada  
Gerald Harper-Prospectors & Developers Association of Canada  
Lisa Keller - Environment Canada  
Joan Kuyek - MiningWatch Canada  
Brennain Lloyd - Northwatch  
Patrick Reid - Ontario Mining Association  
Gregg Stewart - British Columbia  
Erin Wolski - Assembly of First Nations

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## Barriers to Collaboration Task Group

- \* Objectives of task group based on recommendations regarding ownership and liability from Winnipeg workshop;
- \* Key recommendations:
  - \* shared responsibility and stewardship where ownership can not be established;
  - \* evaluate options for attribution of liability:
    - allocative vs. joint and several
    - Good Samaritan legislation
  - \* implement the polluter pays principle
  - \* evaluate regulatory measures to eliminate future abandonments:
    - permit-blocking
    - non-compliance registries

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## Action Plan 2002

Mines Ministers:

“agreed with stakeholder and industry representatives that continued emphasis on the development...of strategies related to rehabilitation of orphaned and abandoned mines-sites...is a priority”

“asked that issues related to regulatory and institutional barriers to collaboration be studied...and specific recommendations be provided at their next conference”

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IISD submission to Mines Ministers 2002  
Reporting on MMSD North America

### *Action Priority 1: Addressing the Legacy of the Past*

“We urge Ministers to maintain this topic as a top priority”

“an innovative, multi-interest approach...is critical here”

“concrete resolution of this issue represents a tremendous opportunity for Canada to set itself apart from the rest of the world”

“demonstrates in a practical way the application of sustainability concepts and the results will have implications well beyond mining”