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Closing Report Request for Review File Number 2013-04-MEX

Accessible, Effective, Independent, Predictable, Responsive, Transparent

The Office of the Extractive Sector Corporate Social Responsibility Counsellor Government of Canada
http://www.international.gc.ca/csr_counsellor-conseiller_rse

**Views expressed herein are those of the Office of the Extractive Sector CSR Counsellor
Errors and omissions remain the responsibility of the Office.**

May 2017

This report is available in French, English.

Prefacing Note

This report describes a review undertaken at the request of the Mexico -Canada Responsible Mining Network, relating to New Gold Inc.'s Cerro San Pedro project and the conclusion reached. The review was carried out and the file was closed in 2013. A partial draft of the report was written, but before the report could be completed or finalized, the Extractive Sector Corporate Social Responsibility Counsellor, Dr. Marketa Evans, resigned.

A new Counsellor was appointed over a year later in March 2015, but the Counsellor did not assume the position until mid-May 2015. The completion and finalization of this report was a piece of unfinished business, but the report has now been completed for publication¹. This report follows the format of all of the previous reports written and issued by the Office of the Extractive Sector CSR Counsellor between 2011 and 2013.

The report must be read with the understanding that it summarizes the results of a review process that occurred in 2013 and reflects the Office's operating framework of the time². What follows after this page is the report of record and does not reflect important changes incorporated in the current Government of Canada policy framework, "Doing Business the Canadian Way," nor the actual situation on the ground today.

Both the company and the requestors have been contacted. The company wishes readers to understand that "significant positive developments have taken place during the phased closure plan of the mine"³. The requestors also provided an explanation as to why the community was not interested in participating in the facilitated dialogue process provided by the Office of the Extractive Sector CSR Counsellor. According to the requestors, there appeared to be a breakdown of communication between the company and the Network regarding the company's plans to expand or close the mine⁴.

This report is available in three languages on the recently updated website of the Office of the Extractive Sector CSR Counsellor. Updated contact information for the Counsellor has also been provided on the last page of this document.

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Extractive Sector Corporate Social Responsibility Counsellor
Ottawa, Ontario, Canada
May 2017

The Office's Key Guiding Principles: Accessible, Effective, Independent, Transparent, Responsive, Predictable

The Office of the Extractive Sector Corporate Social Responsibility (CSR) Counsellor is part of the Government of Canada's CSR Strategy for the Canadian International Extractive Sector. The Counsellor reports to, and acts as a special advisor to, the Minister of International Trade. The Counsellor may make recommendations to parties and provide advice; however, the Office does not have any policy-making role. In executing its dispute resolution role, the Office acts as an impartial facilitator, an honest broker who brings parties together to fix problems before they become issues and resolve issues before they become intractable.

The first Extractive Sector CSR Counsellor, Marketa Evans, was appointed in October 2009. The Office was opened in Toronto in March 2010. The Counsellor adopted a cross-sector, open and dialogue-based approach with a wide range of stakeholders interested in the issues of CSR and Canada's mining, oil and gas industries.

The construction of the Office's review mechanism, a dispute resolution process, was informed by a formal and proactive multi-perspective dialogue, during which over 300 individuals and organizations directly participated, both in Canada and overseas. The dispute resolution process was established in October 2010.

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1. Executive summary

This report closes the request for review file #2013-04-MEX submitted by the Mexico Canada Responsible Mining Network, relating to New Gold Inc.'s Cerro San Pedro project in Mexico. This closing report reflects a summary of the request for review, and the activities undertaken as part of the process.

The Office of the Extractive Sector CSR Counsellor is part of the Government of Canada's CSR Strategy for the Canadian International Extractive Sector. The role of the Counsellor's Office is to promote responsible practices for Canadian companies abroad and to resolve if possible, through constructive dialogue, corporate/community disputes connected with the CSR Strategy's endorsed performance standards.

The request for this review passed the intake screening in February 12, 2013. This intake screening determines if the request meets the criteria as set out in the Counsellor's legal mandate. The intake screening is not a judgment on the merits of the request or an assessment of the information contained in the request. The request then proceeded to step four in the review process: "informal mediation." Activities that take place under this stage include desk research, interviews, information-gathering, discussions with the parties, discussions with other relevant parties, information exchanges, etc. One part of informal mediation is a "situational assessment." Such an assessment is a common tool for third party dispute resolution. It is not a judgment on the merits of the complaint, nor of information contained in the request. Rather, it is a multi-perspective assessment of how different parties see the dispute and the issues; it informs the process going forward. An assessment helps to determine if a constructive dialogue under the auspices of the Office is likely to be effective or appropriate.

The Office's review mechanism is a voluntary dialogue process designed to explore interests and generate creative options in order to resolve and reduce disputes. This process was built to enhance the ability of Canadian extractive sector companies operating overseas to manage their social and environmental risks, including the risk of unresolved social or community disputes. Such a process requires good faith on all sides, mutual commitment, and two way responsibilities. Information was sought from and delivered to parties in equal measure.

The Office completed the situational assessment for the request in early February 2013. The main themes emerging from the assessment were (1) responsible and inclusive closure and remediation plan, (2) credible information on environmental and health impacts and (3) collaborative planning for economic development of Cerro de San Pedro town.

After a dozen of in-person and telephone meetings with the parties and a joint meeting on June 2013, the Office proposed to facilitate an information-sharing meeting in San Luis Potosi. On October 23, 2013, the requesters informed the Office that the project-affected community members did not wish to pursue the dialogue process offered. Given the voluntary nature of the Review Process and the lack of willingness on the part the requesters to participate in constructive dialogue, this request is not amenable to resolution through facilitated dialogue.

The good offices of the Counsellor remain open to the parties for facilitated dialogue, should circumstances so permit in future. The file is now closed.

2. Introduction

Summary: This is the closing report for the request for review involving New Gold Inc.'s Cerro San Pedro project in Mexico.

Reporting: In accordance with the rules of procedure of the Office of the Extractive Sector CSR Counsellor at the period in which the request was received, as approved by the Canadian Minister of International Trade in September 2010 and renewed in October 2012, this closing report reflects a summary of the request for review, and the activities undertaken by the Counsellor's Office and the participants to resolve the dispute.

The Office does not serve as a judge or an arbitrator and does not pronounce on the merits of substantive points of disagreement between the parties. The views expressed in this report on such substantive issues are those of the parties, and not those of the Counsellor. The Counsellor listens to all points of view but does not take sides. The Counsellor believes that when different perspectives are surfaced, areas of common ground and mutual interest are often found. Information sharing has been found to be an effective way of clarifying and resolving disputes.

In accordance with the rules of procedure, parties are instructed not to share confidential information with the Office until the “express written consent” to proceed to structured dialogue is obtained. In this instance, the request did not proceed to that stage.

Results: The objective of the Counsellor’s Office is to bring parties together, share information and develop a framework that would result in a productive and constructive path forward. The Office appreciates that the decision to participate in a facilitated dialogue process is not an easy one. In this case, the project affected community members declined to participate in the next stages of the review process.

Steps in the review process – file#2013-04-MEX

February 11, 2013 Step 1: A complete request for review was submitted to the Counsellor’s Office.

February 12, 2013 Step 2: The Office acknowledged the request and forwarded a copy of the request to the company.

February 12, 2013 Step 3: The request passed the Office’s intake screening and the parties were advised accordingly. This intake screening determines if the request meets the criteria as set out in the Counsellor’s legal mandate. The intake screening is not a judgment on the merits of the request or an assessment of the information contained in the request.

February 28, 2013 Step 4: The Office’s dispute analysis of the request began. This analysis takes place in the context of the “informal mediation/trust-building” stage.

June 2013 The dispute analysis continued with a first field visit.

July 2013 A second field visit was undertaken to Mexico.

August-October 2013 Step 5: Efforts to bring the parties together for an information-sharing meeting were unsuccessful.

October 23, 2013 The request file was closed.

3. Background and review process in brief

The Government of Canada’s CSR Strategy for the International Extractive Sector was announced in March 2009, and the Office of the Extractive Sector CSR Counsellor was established as part of this Strategy.⁴ The CSR Strategy seeks to improve the competitive advantage and reputation of Canada’s international extractive sector companies by enhancing their ability to manage social and environmental risks, including the risks arising from unresolved social conflict.

The Government of Canada encourages and expects all Canadian companies working around the world to respect all applicable laws and international standards, to operate transparently and in consultation with host governments and local communities, and to conduct their activities in a socially and environmentally responsible manner.

In addition to the OECD Guidelines for Multinational Enterprises, which the Government of Canada has long endorsed and supported, the 2009 CSR Strategy notes that the Government of Canada will promote three widely-recognized global CSR performance standards with Canadian extractive companies operating abroad. These endorsed standards are the IFC Performance Standards, the Voluntary Principles on Security and Human Rights, and the Global Reporting Initiative.⁵ Working with these standards helps Canadian companies to understand, meet and exceed their obligations with respect to CSR. Companies can use these standards to assess their environmental and social risks and current performance, and to formulate action plans based on their particular circumstances and unique operating environments.

The guidelines endorsed under the 2009 Government of Canada’s CSR Strategy:

- The International Finance Corporation Performance Standards on Social & Environmental Sustainability for extractive projects with potential adverse social or environmental impacts
- The Voluntary Principles on Security and Human Rights for projects involving private or public security forces
- The Global Reporting Initiative for CSR reporting by the extractive sector to enhance transparency and encourage market-based rewards for good CSR performance
- The OECD Guidelines for Multinational Enterprises

The role of the Counsellor’s Office

The role of the Office of the Extractive Sector CSR Counsellor is to promote responsible practices for Canadian companies abroad and to resolve disputes connected with the endorsed performance standards of the CSR Strategy. ***This role is linked solely to the voluntary standards of the CSR Strategy, not to host country laws, regulations or standards.***

The Counsellor’s Office promotes responsible practices for Canadian companies by promoting good practice international standards endorsed under the Government of Canada’s CSR Strategy. The endorsed standards themselves reflect critical issues facing the extractives sectors – from security at site to biodiversity. The standards provide comprehensive guidance and practical tool kits. The job of the Office is to ensure Canadian companies are aware of the standards, and how the standards can help them to more effectively manage social and environmental

risks. As many companies are financed by equity, not debt, IFC standards or Equator Principles standards would not automatically apply to their activities. As a result, many companies may be unaware of the CSR Strategy and the standards.

The Office's objective is not to audit for compliance, but rather to raise awareness and provide good practice guidance for performance improvement.

For example, IFC Performance Standards note that: "Stakeholder engagement is the basis for building strong, constructive, and responsive relationships that are essential for the successful management of a project's environmental and social impacts. Stakeholder engagement is an ongoing process that may involve, in varying degrees, the following elements: stakeholder analysis and planning, disclosure and dissemination of information, consultation and participation, grievance mechanism, and ongoing reporting to Affected Communities." Stakeholders are defined by the IFC:

"For the purposes of Performance Standard 1, stakeholders are defined as persons, groups or communities external to the core operations of a project who may be affected by the project or have interest in it. This may include individuals, businesses, communities, local government authorities, local nongovernmental and other institutions, and other interested or affected parties. Stakeholder identification broadly involves the determination of the various individuals, groups or communities who may have an interest in the project or who may affect or be affected by the project. "

Supporting documents about the review process, including the rules of procedure and participant guide, are available on the Office's website.

4. About this request for review

The Office received a request for review on February 11, 2013 from the Mexico Canada Responsible Mining Network ("Network") and inhabitants of the town of Cerro de San Pedro regarding the Cerro San Pedro project owned by New Gold Inc. in Mexico.

The Network is a small organization which aims to work with Canadian-owned mining operations in Mexico on issues of social responsibility. The requestor's stated objective in choosing to submit a request to the Office was to assist the people of Cerro de San Pedro in furthering a dialogue process with New Gold Inc.

The Cerro San Pedro project is a silver and gold mine located in central Mexico, 20 km northeast of the state capital city of San Luis Potosí. New Gold owns 100% of the Cerro San Pedro Mine through its Mexican subsidiary, Minera San Xavier ("MSX"). In accordance with the rules of procedure, the responding party was notified by telephone and was forwarded a copy of the original request.

5. Intake screening

The Office acknowledged the request on February 12, 2013 and the request moved to Step 3 of the process – intake screening. This intake screening determines if the request meets the criteria as set out in the CSR Counsellor's legal mandate. The intake screening is not a judgment on the merits of the request or an assessment of the information contained in the request.

A concern or knowledge of existing or emerging situations can be brought to the attention of the Office by anyone, including:

- Individuals, groups or communities affected by exploration, development or operations associated with Canadian extractive activities;
- National or international non-government organizations or civil society organizations;
- Canadian companies or industry organizations;
- Government of Canada officials in Canada or at offices abroad; or
- Host country governments at central or local levels.

6. What is the Situational Assessment in the context of the Office's review process?

Following initial clarification of issues, the Office began the situational assessment. This assessment is a key tool widely used by third party neutrals to inform a dispute resolution process, and it forms a critical part of the Office's due diligence.

The Office's methodology follows standard best practice for third party dispute resolution, modeled for example, by the World Bank Group's Compliance Advisor Ombudsman and the US Institute for Environmental Conflict Resolution.

The Office's situational assessment is not a judgment on the merits of the complaint, or an assessment of the information contained in the request. It is a way to inform the process going forward, and to ascertain if a dialogue-based approach is likely to be effective or appropriate. Refer to Appendix A for a more detailed outline of this approach.

The assessment: a) gathers further information on the issues; b) maps stakeholders; and c) provides information to stakeholders about the process. Its objective is to inform next steps. It can relatively quickly illuminate cases where dialogue-based alternatives are not likely to work.

The aim of the Office is to ensure a fair and balanced process. The Office meets in person, by telephone and through other means with the parties, in equal measure and to the extent possible. These meetings allow the Office to educate parties about the process, and allow parties to share information, perspectives, and concerns. It allows the parties to educate the Office on the issues and the dispute, as the parties see them.

The Counsellor is not a judge or an arbitrator and does not pronounce on the merits of substantive points of disagreement between the parties. The views expressed in this report on such substantive issues are those of the parties, and not those of the Counsellor. The Counsellor listens to all points of view but does not take sides.

Early in a dispute analysis, the Office communicates in writing any issues that are outside of our mandate, and therefore may not form part of the request for review.

In this case, those issues which fell outside of the Office's mandate included:

- Company compliance with laws and regulations in Mexico
- Judicial processes taking place in Mexico
- Disputes involving Mexican government authorities
- Company compliance with international law
- Issues of criminal law, including bribery and corruption.

Beginning in February 2013, the Office held in-person and telephone meetings with the parties to this request, both in Canada and Mexico. A first site visit to Cerro de San Pedro took place in June 2013. The Counsellor and Senior Policy Advisor travelled to San Luis Potosi and met with community members, small business owners, activists, representatives of the Catholic Church, and others. The Church in particular often plays an important facilitating role in a dialogue process between the company and community representatives. To learn more about the situation on the ground and explore possible ways forward, a second site visit took place in early July. A professional facilitator from Mexico City participated in both field visits.

To bolster trust in the process, share information and foster a better understanding of each other's perspectives, the Office facilitated a confidence building meeting on June 11, 2013 between members of the Network and New Gold senior Canadian management in Canada. In follow up conversations with the Office, participants expressed satisfaction with the process.

The meetings with the parties, both during the field visits to Cerro de San Pedro and subsequent meetings held remotely, revealed a highly complex situation with a range of social and environmental concerns that pre-date New Gold's acquisition of the project. Throughout our dispute analysis process, the Office observed at least three priority issues, shared by both the project-affected community members and company representatives with whom we met. The Office proposed these issues as agenda items for a facilitated conversation between the parties:

- responsible and inclusive closure and remediation plan;
- credible information on environmental and health impacts; and
- collaborative planning for economic development of Cerro de San Pedro town.

New information and perspectives from the project-affected community and the requesters continued to surface throughout the dispute analysis, indicating a lack of agreement or common ground regarding the issues that are most important to Cerro de San Pedro residents involved in the request, and lack of clarity or agreement on the value of a dialogue-based approach to addressing those issues.

Given the low levels of trust among the parties, we considered it important that project-affected people should be better prepared for any eventual collaborative process. During the second field visit, the Office confirmed interest from both the Requester and the company in facilitated workshops (to be held separately) to explore these questions.

In follow up discussions, both the company and the Network expressed urgency in a more focused conversation between the parties. The emerging concerns of project affected community members centered on a lack of information about New Gold's current operations and future plans – particularly in respect to the mine's remaining life. In response to these concerns the Office proposed convening a one-time information-sharing meeting between the parties in San Luis Potosi, to be facilitated by professional facilitators hired and paid by the Office.

Both New Gold and the Network expressed support for such a meeting as a first step toward opening channels of communication and providing information that could determine next steps toward resolution of the complaint.

Despite efforts to confirm and schedule the proposed information-sharing meeting, the Network was unable to help the requesters reach agreement on their participation in such a meeting. During this period, the Office worked closely with all stakeholders – including the company, impacted community members who signed the request, and the Mexico Canada Responsible Mining Network – to understand their interests, help them identify areas of common ground, and pave the way for constructive engagement. Although the company agreed to a facilitated dialogue throughout the process, no one from the project-affected community who signed the request had confirmed in writing their desire to engage directly with New Gold in a meeting facilitated by our Office. Subsequently, the Network informed the Office that an information-sharing meeting was of interest to project-affected community members.

7. Observations

The community members working with the Network acknowledged areas of interest for discussion. However, concerns about ongoing company operations became a critical barrier to initiating such discussions. As deliberations on whether to engage in dialogue, the project affected community members began to consider alternatives to the Office's dispute resolution mechanism, including pursuing a campaign against the mine.

Throughout the Office's dispute analysis, New Gold's Canadian management team remained open to meeting with project-affected requesters, and was supportive of a facilitated information-sharing meeting at which community people would be free to ask questions and present their key concerns.

New Gold remained concerned, however, that any process facilitated by the CSR Counsellor's Office would potentially duplicate its own stakeholder engagement program already underway in Cerro de San Pedro. The Counsellor's office confirms the existence of a company grievance mechanism of which the project affected people became aware of during the process but did not employ it. The company maintained that its established stakeholder engagement program, which included community meetings, household visits, and access to a grievance mechanism, remained open to all residents, – including those who filed the request.

8. Closing the request file

On October 23, 2013 the Office received written confirmation from the requesters that they did not wish to pursue a facilitated dialogue process under the auspices of the Office.

Given the voluntary nature of dialogue-based processes such as those offered by the Office, and in light of the lack of willingness by the requesters to engage in dialogue or information-sharing with the company, the Office moved to close the request file.

Previous to Office's decision to close the file, members of the Network continued to express to the Office their belief that some community members in Cerro de San Pedro were interested in, and would benefit from, a facilitated dialogue process. However, because the Office had not received confirmation from any of the signatories to the request of their own willingness to engage in dialogue, the Office informed the Network of its obligation to close the file.

The Office appreciates that the decision to participate in a facilitated dialogue is not an easy one. We wish to thank all of the parties for their consideration of the value of this approach. The Office remains available to assist the parties to this request should they wish to engage in a collaborative process in future.

Appendix A

A More Detailed Discussion of the Dialogue Based Approach Adopted by the Office of the Extractive Sector CSR Counsellor

The mandate of the Office of the Extractive Sector CSR Counsellor is to promote responsible practices for Canadian extractive companies abroad and to resolve disputes connected with social and environmental standards endorsed by the Government of Canada under the CSR Strategy.

The Office of the CSR Counsellor was opened in March 2010 in response to stakeholder demands for balanced, effective conflict resolution between Canadian extractive sector companies and project-affected stakeholders overseas. These calls came from both industry and civil society, and mirror global developments. Stakeholders overwhelmingly expressed interest in seeing the Office succeed in carrying out its mandate, while recognizing the complexity of the mandate. Civil society organizations expressed a hope that the CSR Counsellor's Office would contribute to positive change on the ground; industry saw the Office as "a positive step towards further enhancing our [industry] CSR commitments" and the review process of the Office as a "valuable forum for parties to engage in constructive dialogue and work through differences."

Our approach has been to build an effective mechanism through listening and learning. The Rules of Procedure were constructed after extensive, balanced consultations and peer benchmarking. Although direct Canadian experience with dialogue-based conflict resolution in this space is limited, similar mechanisms are in increasing use around the world. Grounded in the Order-in-Council mandate, the construction of our review process was informed by, and continues to evolve based on:

1. Extensive and wide-ranging formal stakeholder workshops and consultations on the draft rules of procedure (summer 2010)
2. Three legal experts workshops
3. Practitioner expertise and global good practice
4. Input from our expert Advisory Panel
5. Continuous stakeholder involvement, engagement, input

Even in robust regulatory environments, the past decade has witnessed a significant global upsurge in the use of third party facilitators and dialogue-based conflict resolution. The process we have adopted is based on a proven conflict resolution methodology called "interest-based negotiation," backed by over a decade of practical experience, and the highest caliber of academic research. The approach is promulgated by the Harvard Program on Negotiation, and is practiced by leading conflict resolution offices including the World Bank Group's Compliance Advisor Ombudsman (CAO), the Inter-American Development Bank's Independent Consultation and Investigation Mechanism (MICI), and the US Institute for Environmental Conflict Resolution, among others. The approach offers an alternative to litigation or social protest; it seeks solutions, rather than blame. With the recent endorsement of the UN Guiding Principles on Business and Human Rights, and additional focus on access to remedy, we expect such non-judicial processes to be in even greater demand.

The situational assessment tool of the Review Process

A situational/conflict/problem assessment is a key tool widely used by third party neutrals (as above) to inform the dispute resolution process, and it forms a critical part of the Office's due diligence. The situational assessment usually includes briefings for all parties, desk research, document review, in-field interviews.

The Office follows global best practice in using a situational assessment first, as a due diligence tool. For example, the World Bank Group's mechanism (CAO) notes:

“The CAO assessment seeks to clarify issues and concerns raised by complainants, to gather information on how other stakeholders perceive the situation, and to assist the parties in determining whether a collaborative resolution is feasible through a process facilitated by the CAO Ombudsman...The CAO Ombudsman does not gather information to make judgments on the merits of a Complaint”

Our situational assessment is not a judgment on the merits of the complaint, or an assessment of the information contained in the request. It is a way to inform the process going forward, and to ascertain if our process is likely to be effective or appropriate. Our assessment aims to clarify:

- What are the issues raised by requesters?
- Who are the stakeholders?
- How do other stakeholders, including the responding party, see the issues?
- What suggestions do people have for resolution?

Another important objective of the situational assessment is to provide more detailed information to stakeholders about the Office's process.

The situational assessment informs next steps. Parties will be better informed about the issues and possible options. A situational assessment can relatively quickly clarify the key issues, reflect possible areas of overlapping interest among various stakeholders, and what they see as potential ideas for a way forward. It can also relatively quickly illuminate cases where dialogue-based alternatives are not likely to work. Again, this follows best practice globally. For example, the World Bank Group's CAO notes that

“If, any time after completion of the assessment...the CAO Ombudsman believes that resolution of the complaint is unlikely to be possible or that it would be an inefficient use of resources, the complainant will be advised of the reasons for the decision to conclude the ombudsman process.”

Our process, as outlined in the rules of procedure dated October 2010 (approved by the Minister of International Trade in September 2010 and renewed in October 2012), is:

- Step 1: Request submitted
- Step 2: Acknowledgement of receipt
- Step 3: Intake screening
- Step 4: Informal mediation/trust building (includes situational assessment)
- Step 5: Informal mediation/structured dialogue
- Optional: Access to formal mediation

Once the situational assessment is completed within Step 4, a determination can be made as to the value and feasibility of moving beyond informal mediation/trust building. If so, parties are asked to provide written consent before moving to Step 5. The written consent of parties to participate in a more structured dialogue is only sought if the situational assessment indicates a reasonable prospect of constructive problem solving and of the continued need and value added for the Office's involvement. Such written consent might define a way forward for the parties, for instance, on the parameters of information sharing beyond publicly available documents, timelines and milestones, possible cost sharing of technical reports, selection of formal mediators, public reporting, etc.

Contact us

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- 1 This report is based on information compiled by Erica Bach, Dr. Marketa Evan's senior policy analyst, while working as the Office's Senior Policy Advisor. The task of its integration into a final report format and the final editing process was undertaken by the Counsellor's stakeholder liaison officer.
 - 2 Government of Canada's 2009 CSR policy, "Building the Canadian Advantage", and its associated Order-in-Council mandate.
 - 3 Readers who wish to know more about these developments, should contact New Gold directly.

- [4](#) The community was under the impression that the mine was undergoing an expansion, based on a copy of New Gold's Environmental Impact Assessment (EIA/MIA) for Phase V submitted by New Gold on September 2012 and approved by the Government of Mexico (Semarnat) on 22 March 2013. The community's understanding of the mine's expansion was that it would lead to the community being encircled by the mine. On this basis, the community decided it would not participate in a dialogue process. In 2016, Phase V was completed and mining operations ceased. According to New Gold, while Phase V increased the pit shell, there was no further encroachment on existing houses or town infrastructure. Readers who wish to know more about this should contact the Mexico Canada Responsible Mining Network directly.
 - [5](#) The Strategy is entitled "Building the Canadian Advantage: A Corporate Social Responsibility (CSR) Strategy for the Canadian International Extractive Sector", posted at www.csr.gc.ca.
 - [6](#) The Office does not receive requests for review pertaining solely to the OECD Guidelines for Multinational Enterprises. The review mechanism for the OECD Guidelines remains with the Canadian National Contact Point. A protocol between Canada's NCP and the Office governs how the two work together; it is posted on our website.
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Date Modified: 2017-05-30