

The new owner of Serbia based copper-gold project Timok is Nevsun Resources accused by Canadian NGOs as miner violating human rights and environment standards.

A new report by the UN Commission of Inquiry on Human Rights in Eritrea describes “a totalitarian state bent on controlling Eritreans through a vast security apparatus that has penetrated all levels of society.” Nevsun’s Bisha gold-copper mine is repeatedly cited for appalling labour abuses by the company’s Eritrean contractors, including forced labour and inhuman living and working conditions.

The findings clearly echo the charges levelled against the company last year in a lawsuit on behalf of former workers at the site.

The range of alleged human rights allegations that the commission investigated is extraordinary:

“The commission of inquiry was established by the UN Human Rights Council in June 2014 to conduct an investigation of all alleged violations of human rights in Eritrea, including: extrajudicial killings; enforced disappearances; arbitrary arrest and detention; torture and inhumane prison conditions; violations of freedom of expression and opinion; freedom of association and assembly; freedom of religion and belief; freedom of movement; and forced military conscription.”

Unfortunately, the commission was able to corroborate these violations in disturbing detail, through 550 interviews and 160 written submissions, despite fear of reprisals, even among witnesses now in third countries.

“Many potential witnesses residing outside Eritrea were afraid to testify, even on a confidential basis, because they assumed they were still being clandestinely monitored by the authorities and therefore feared for their safety and for family members back in Eritrea.”

The UN report dedicates several pages to the Bisha mine, including detailed testimony about conditions there, clearly echoing the allegations brought against Nevsun in the Supreme Court of British Columbia last November, that its contractors – specifically Segen Construction, owned by Eritrea’s ruling party – used forced labour, under abhorrent working and living conditions. The suit was filed November 20, 2014 in British Columbia by law firms Siskinds and Camp Fiorante Matthews Mogerman, Toronto lawyer James Yap, and the Canadian Centre for International Justice

The commission’s report details how Segen, like other government agencies, uses conscripts in Eritrea’s national military service program as labour, under inhuman conditions and for pitiful pay: “The commission concludes that forced labour in this context is a practice similar to slavery in its effects and, as such, is prohibited under international

human rights law.”

For its part, Nevsun has acknowledged that such abuses may have taken place but denies that it had any knowledge of them, and has commissioned what it calls a human rights impact assessment to show that its current practices are within international norms, for example, requiring workers to show a certificate of completion of national service. At the same time, the UN report notes that forged documents are common in Eritrea. Such safeguards, it would seem, are barely worth the paper they’re printed on.

There is a much larger issue at stake here, of course. It has nothing to do with how the company operates, but rather with the simple fact that it is operating in Eritrea, in partnership with the Eritrean government, and is providing an estimated one-third of Eritrea’s foreign exchange earnings. That revenue is going directly to support a regime that is most assuredly using the money to repress its own citizens, buying weapons and maintaining a brutally repressive and exploitive police and military apparatus.

The UN report provide horrific detail of the repressive measures used by the Eritrean government against its own citizens, including imprisonment, torture, rape, and death. Eritrea is ranked the most heavily censored country in the world, ahead of even North Korea and one of the most repressive.

The UN commission of inquiry does not recommend sanctions as such, but it clearly states that,

“In negotiating access to the country and in proposing programmes and projects, organizations should ensure that a positive impact on the enjoyment of rights and freedoms of the people of Eritrea as recognized under international law is a central priority.”

Nevsun maintains that it is helping Eritreans by providing employment and income to several hundred people, and by providing income to the government to improve services and infrastructure more generally. It takes no responsibility for improving the “enjoyment of rights and freedoms of the people of Eritrea as recognized under international law,” and to the contrary, have indicated that there are limits to the demands it can make of the Eritrean government and still be allowed to operate there.

The Canadian government doesn’t seem to care if corporations do business in the most repressive countries in the world, and has no legal mechanism to do anything about it even if it wanted to, short of full scale sanctions under the Special Economic Measures Act. It’s certainly aware there’s a problem — the House of Commons Standing Committee on Foreign Affairs and International Development’s Subcommittee on International Human Rights has been holding hearings on Nevsun’s operations since February, 2012.

At the same time, corporate management and shareholders alike seem to be more

concerned with self-justification and public relations than in meeting the most basic requirements to improve social conditions in the places they operate. These are, after all, profitable operations; they are not only not widely denounced, but actually supported by investors. Eritrea may be a worst-case scenario, but major elements of this equation are present in many other parts of the world, from the Democratic Republic of the Congo to the Philippines to Colombia, among others.

The Canadian government – and a significant number of Canadian companies – have no minimum legal or even ethical requirements for some level of democratic governance, the rule of law, or even just the humane treatment of citizens in the places they do business. They aren't even trying to come up with a credible transition plan whereby they could do what the UN commission of inquiry asks: ensure their projects have a positive – not a negative – impact on people's rights and freedoms. Apparently it's up to the most courageous escapees and dedicated Canadian lawyers to seek some measure of justice, and, it is to be hoped, have some cautionary effect on the industry as a whole.

source: [miningwatch.ca](http://miningwatch.ca)