Mining Association of Canada
Towards Sustainable Mining

Summary Report

3rd Meeting of the
Community of Interest Advisory Panel

March 9-10, 2005
Toronto, Ontario

Prepared by:

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strategies to sustainability

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1   Report Format

This report presents a summary of discussions from the March 9-10, 2005 meeting of the Community of Interest (COI) Advisory Panel, including decisions on the work of the Panel and recommendations to the Mining Association of Canada. Any dissenting views have been clearly identified and recorded.

2   Informal Discussions

An informal dinner for Panel members was held the evening before the COI Advisory Panel meeting. The Facilitator presented a status report on the activities of the Panel, including an update from the previous meeting.

A number of ideas for improving communications between MAC and the Panel, and for increasing interaction between meetings, were tabled. Options included establishing subgroups to work on specific issues (and then report back to the Panel), periodic communication from MAC regarding decisions made by the Board, and holding conference calls to update Panel members on current activities and exchange information on best practices.

Panel members also expressed interest in participating in field trips, including tours of a range of mines (e.g. hard rock and soft rock mining) and orphaned and abandoned mine sites.

These items were also taken up during the meeting under the agenda item on Panel priorities and agenda setting.

Follow up:
- MAC will look into options for improving communication between the Association and the Panel on an ongoing basis. Options to consider include periodic conference calls, and the distribution of a brief electronic newsletter / email update.
- MAC will identify opportunities for site visits, in consultation with Panel members

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3   New Members

New members of the Advisory Panel are as follows:

George Pirie, PlacerDome, has left his company and will be replaced by Peter R. Jones, Hudson Bay Mining and Smelting Company, as a MAC member representative.

Gordon Peeling, President of the Mining Association of Canada, will be replacing Joe Carrabba, Diavik Diamond Mines, Inc., as a MAC member representative.

The Assembly of First Nations has appointed Chief Darren Taylor, Tr'ondek Hwech'in First Nation, as its representative to the COI Advisory Panel.

Alternates attending the meeting were:
- o George Hakongak, Nunavut Tunngavik Incorporated, as an alternate for Soha Kneen, Inuit Tapiriit Kanatami;
- o Charles Campbell, United Steelworkers of America, as an alternate for George Nakitsas (same organization).

4   Overview of TSM 2005 Work Plan

MAC opened the meeting with an overview of the Towards Sustainable Mining (TSM) work plan for 2005. Work is continuing on public reporting, performance indicators and a TSM verification system. The Association is extending its communications efforts by recognizing TSM participation and achievement by MAC member companies, including the development of TSM participant certificates, and the establishment of sustainability awards for companies that demonstrate superior performance. The Association is also looking at how to extend the reach of TSM in the industry beyond its membership.

MAC also reported that its Board of Directors has approved a TSM condition of membership statement. The MAC Board agreed that: "member companies endorse the TSM Guiding Principles and commit to reporting on TSM performance elements within three years. MAC members commit to ensuring assistance is provided to members in achieving these conditions".

Panel members made a number of comments on extending the reach of TSM. MAC should encourage smaller companies to adopt TSM standards through provincial mining associations, as discussions with these associations suggests that the greatest opportunity exists with smaller companies. Although engagement of these companies may be difficult, some participants felt that making small companies aware of the business case for adopting TSM principles will encourage greater uptake. Other participants, however, made it clear that in many instances smaller companies lack the systems and capacities necessary to implement TSM priorities, and that they could face significant up-front costs.

One participant suggested that TSM is beginning to drive other associations to adopt more rigorous standards.   PDAC, for example, is trying to incorporate more performance-based elements into its E3 environmental guidelines for exploration. It was also noted that work is being done in other sectors that is compatible with TSM, and that MAC should review these initiatives as a way of better understanding and recognizing good practice elements. One Panel member stated that they had informed the Ontario Minister responsible for mining of the TSM program, and that the Minister believed the initiative could contribute positively to Aboriginal relations and training in Ontario.

It was also suggested that MAC may wish to further engage the uranium industry, which has demonstrated best practice performance with respect to Aboriginal hiring practices, and in developing environmental and social policies. MAC indicated that they have had discussions with the uranium industry on joining MAC, but as yet they have not expressed interest in joining the Association.

There was general agreement that MAC's outreach efforts with the broader mining community will, at minimum, increase awareness of TSM goals and objectives. It was also believed that TSM outreach activities directed at non-MAC members will help to enhance understanding of human resources requirements for participation, as well as impacts on the bottom line.

One member suggested that MAC should get on the agenda of meetings and workshops that focus on Aboriginal issues, and that they should coordinate with Aboriginal organizations (e.g. Canadian Aboriginal Minerals Association) to provide outreach, and to share experiences in Aboriginal engagement and dialogue.

From these discussions, Panel members stated that they could further disseminate information and help build understanding of TSM among their constituencies and provincial governments.

Follow-up:
- MAC will provide outreach materials to Panel members to be used in discussions with their constituents and with other interests
- MAC will continue to explore opportunities to increase its membership, and will work with provincial associations to further engage small companies. It is recognized that not all companies will have the necessary systems in place, and that it may be difficult for some of the smaller companies to adopt TSM policies and procedures.

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5   2004 TSM Progress Report

The 2004 TSM Progress Report was released in January 2005. TSM performance results, as reported by members, show that tailings management is the strongest performance area, which reflects the length of time that MAC and its members have been working on this issue. For crisis management, MAC has set a target of 100% adherence by member companies, but additional work is needed in order to achieve this goal. The external engagement results show a mixed level of practice across member companies: some companies have strong COI engagement practices in place, but improvement is still needed at a number of companies and/or specific facilities.

The areas in greatest need of improvement are energy management systems. Despite improvements in energy management, the majority of members have not yet met the 1% annual improvement target for energy intensity. The inability of members to meet the target may be the result of several factors, including limitations in technology, lack of engagement, limited resources, and in some cases a lack of awareness. It was also pointed out that the type of mine also affects the ability of a particular company to reduce its energy use after initial investments (e.g. open pit mines can make equipment changes, but after those changes have been made there are limited opportunities for additional reductions). For underground mining, as mines go deeper, energy demand tends to increase, making the challenge of improving energy intensity more difficult and variable, compared to a static situation.

To improve public understanding of energy challenges, one participant suggested that MAC identify and make public the barriers to improved energy performance. It was also suggested that MAC explore other innovative means of reducing energy use, including geothermal energy opportunities and the use of other alternative energy sources. It was also recommended that MAC assist companies in identifying ways of improving their energy management systems – i.e. developing a systematic management approach, rather than addressing energy on an ad hoc basis. MAC could also encourage companies to conduct energy audits to identify opportunities for energy reduction and efficiency improvements from direct as well as indirect sources.

Some participants noted the strong business case for reducing energy use, particularly when energy prices are relatively high. One MAC representative indicated that their company had realized significant cost reductions by integrating its energy systems, and by making energy management a part of the company's ongoing decision-making processes.

Recommendations for Improved Reporting

While most participants were pleased with the TSM Progress Report, there were some recommendations for improvement. It was recommended by some that the report include more detailed information on the sources of greenhouse gases (e.g. where are greenhouse gases coming from at a particular facility?), and that more information be provided on *what* is being measured. It would be helpful to have indicators for energy efficiency broken down into more detailed metrics (e.g. those related to transportation-related emissions) so that comparisons between sites and companies can be based on similar aspects of operations.

Some individuals also felt that it would be useful to present energy efficiency, total energy, and greenhouse gas metrics (intensity and totals) alongside the TSM energy management indicators as a way of improving understanding of performance related to the TSM indicator. It was also suggested that more extensive information be provided on tailings management, including both summaries of related environmental performance data and descriptions of operational elements of the management system. It was also suggested that energy management/climate change could be a focus for the next TSM report.

There was also a call for data beyond tailings management, including information related to local ecosystem and human population impacts such as soil contamination, dust transportation, and changes to air and water quality in areas adjacent to the mine. This information is being produced through Environment Canada's Ecological Effects Monitoring (EEM) program, and would provide a more comprehensive picture of performance.

Other data sets, such as those produced through the NPRI process and other parallel initiatives, should also be linked to the TSM indicator results. This will both enhance understanding of overall performance, as well as clarify differences in reporting and measurement protocols. It was also recommended that performance information be put into a broader context (i.e. performance levels and trends relative to stated targets), or expressed in normative and absolute terms.

MAC representatives noted that NPRI data for the MAC membership are provided with the TSM report. One Panel member commented that the tables used for reporting these data provide a good model for presentation of detailed industry environmental performance.

Participants recognized that there is a challenge in finding the appropriate balance between broad-based and detailed reporting. One participant suggested that the report provide an overview of performance at the association level, and that individual companies be encouraged to provide facility-specific information. While some readers are interested in getting the 'big picture', others (e.g. local communities) are more interested in information related to local impacts (e.g. facility-specific information). There is also a challenge in communicating technical subject matter to a broad audience in a manner that will be understood and relevant to local communities of interest.

Further clarity about the nature of the information included in the report could be achieved by providing a definitions list or glossary, as well as indicating which companies and facilities are managing a particular issue.

One participant also suggested that MAC could present the results of TSM at impacted communities, allowing for direct communication about the association's efforts, as well as the performance of local operations.

Input on Next Report

MAC invited Panel members to provide recommendations on how they could be involved in the reporting process for 2005. MAC noted that the 2005 TSM Progress Report will be published in April or May 2006, to allow member companies to report their full year results.

MAC proposed that the Panel consider producing a one page Panel statement, to be included in the next TSM Progress Report. Panel members acknowledged that this would demonstrate MAC's openness to advice and criticism, and provide readers with an understanding of how the Panel is encouraging MAC members to improve their performance. Other organizations that have taken a similar approach include the Minerals Council of Australia and the Canadian Electricity Association. Other participants indicated that it would also be effective to have quotes from Panel members throughout the report, making it clear to the reader that specific issues have been brought forward at Panel meetings, and subsequently addressed by MAC. In addition to providing a statement or direct quotations, Panel members also indicated that their interest to review the report prior to publication again this year.

Panel members made the following recommendations based on its review of the 2005 TSM Progress Report
- MAC (through its Energy Task Force) should analyze the constraints which member companies are experiencing in making progress in improving energy management, or putting in place energy management systems – including where they are reaching real limits in improvements
- The TSM report should include descriptive information on what lies behind some of the TSM indicator sets
- In addition to providing summary tables/descriptions of environmental release information, MAC should enhance the interpretation of this information for readers.

Follow-up:
- MAC could provide guidance to its members in the areas of alternative energy sources, integrated management systems, and innovative approaches to improved energy efficiency
- MAC could explore options for presenting TSM performance to local communities
- Panel members will assign a lead for development of a Panel statement

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6   New Performance Indicators

Good Neighbour Policy

MAC presented an overview of progress made by the Initiative Leaders in developing an approach to community development and Aboriginal relations indicators, based on preparation of a "Good Neighbour" policy. Alan Penn had participated in his personal capacity in a recent Initiative Leaders meeting addressing this topic.

Panel members gave their support in broad terms to the development of a Good Neighbour Policy for mining companies, and suggested that the policy also include the

concept of sustainable societies. One Panel member stated that the objective of such a policy is to create a legacy of trust and credibility in the relationships between the company/mine and the community.

There were several recommendations from participants regarding the content of MAC's proposed Good Neighbour Policy.   To ensure consistency in interpretation and application of the policy, one Panel member recommended that MAC establish a definition of "community". This definition would be sufficiently generic to encompass the range of characteristics of mining communities of interest, but would also be detailed enough to allow for measurement and assessment. It was also recommended that MAC look at the discussion paper prepared by Alan Penn to inform the development of indicators and measurement protocols related to community development and Aboriginal relations.

One participant stated that the evolution of land claim settlements is not well understood, and that the industry could benefit from guidance on which issues remain unresolved, and which issues are likely to be encountered when working with individual Aboriginal communities. MAC members would benefit from an external "honest broker" view of issues most important to Aboriginal communities. It was noted that, in some circumstances, the history of societal problems in Aboriginal communities is the result of government mistreatment, and that it may be difficult for mining companies to resolve the resulting issues. It was recommended by one participant that there should be efforts to hold the government accountable for its (past) actions, and that mining companies should explore opportunities for engaging governments in community development programs.

One participant presented an approach to community development that takes into consideration the differences in communities, as well as the need to establish credibility. The recommended approach would involve: (a) understanding that every community is different; (b) establishing a working relationship based on good faith; (c) developing a development plan in collaboration with the community; and (d) developing indicators that are specific to the community.

Several participants noted the importance of understanding the community's particular issues and challenges prior to and during formal engagement by mining companies. This includes recognizing historical issues (e.g. failed relationships with government or with a previous mine operator), as well as understanding current and future social conditions. Acquiring this knowledge is fundamental to establishing good faith, and allows the company to understand what members of the community may want and expect from the relationship. It was recommended that MAC members speak directly with individuals from the community to enhance their understanding of relevant challenges and opportunities.

Most participants agreed that it would be difficult to develop a single template for assessing community development and/or Aboriginal relations, and that MAC may not be able to aggregate performance reporting in this area using quantitative indicators. As such, the focus of TSM reporting should be on best practices for company roles in enhancing economic, social and environmental prosperity within the community. In addition, community development should extend beyond the creation of economic opportunities, and should include strategies for capacity development, continuing education, and long-term involvement in the community.

It was proposed by one member that the development of indicators addressing Aboriginal issues be informed by Aboriginal perspectives. It was also suggested that the mining industry's interaction with Aboriginal communities be considered and assessed throughout the lifecycle of the mine, and that targets and goals related to Aboriginal relations include discussion of local procurement (i.e. creating business opportunities for Aboriginal communities rather than outsourcing) and Aboriginal career advancement.

Case Studies

It was suggested by some participants that one of the best tools for exchanging information and best practices on community development and Aboriginal relations is through case studies. Participants stated that case studies could assist MAC in:

- Identifying elements of a Good Neighbour Policy;
- Providing a good starting point for the development of more formal guidance;
- Reviewing both new and old operations
- Identifying best practices; and
- Helping drive performance improvements.

Some participants that were concerned over the inability of indicators to drive performance also supported the use of case studies as a means of sharing best practices and encouraging improved performance. Most participants agreed that case studies provide an opportunity to learn from the experiences of other companies.

One Panel member cautioned against the establishment of too many requirements at the association level, particularly given the diversity of needs of companies and communities involved in community development activities. One option would be to establish a set of core values or principles along with industry-wide commitments as part of the Good Neighbour Policy. The core commitments would represent a minimum standard of performance, and would allow for flexibility in the development of specific indicators relevant to each community and company situation. The use of a checklist to assess performance against specific indicators was also recommended.

Recommendations:

- Support in principle for the development of a Good Neigbour Policy
- Case studies should be used as a method of exchanging information and best practices on Good Neighbour issues
- The Good Neighbour Policy should include a set of core values or principles, along with industry commitments and/or minimum performance standards; commitments should be flexible enough to accommodate the diversity among communities, and to allow each company to develop its own set of indicators for its relationship with specific communities
- Companies should be encouraged to communicate with communities prior to formal engagement and negotiation

Follow-up:

- The Panel continues to discuss whether indicators related to Aboriginal relations should form a subset of community development; if they should be included in all TSM indicators areas; or if they should be viewed independently as a separate set of indicators
- Panel members are invited to provide input into the Initiative Leaders' sub-group working on the Good Neighbour Policy and the community development / Aboriginal relations indicators

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7   External Verification Design and Verification Protocols

MAC presented the basic elements of the TSM external verification system currently under design by the Initiative Leaders. The MAC Board had approved in late 2004 the TSM verification approach, which includes external verification of the TSM performance indicators in 2006. Key elements of the design work are: mechanisms for external verification; composition of verification teams; and training and support to companies

Panel members in their discussions on this topic identified the following desirable characteristics for external verification: objectivity; competence of verifiers; transparency of process; and consistency of results. Members made specific comments and provided advice on a number of aspects of the design including qualifications of verifiers, the need for objectivity of verifiers, and the scope and timing of TSM indicator verification. On the question of objectivity, some Panel members expressed the expectation for the use of 3rd party verifiers to give confidence to communities.

Several Panel members expressed concern over the selection of auditors, particularly with respect to qualifications for conducting a TSM audit. Concern was also expressed over the potential lack of consistency among auditing professionals at the national level. It was suggested that MAC review the selection process of other associations as a means of informing an effective and transparent approach. One participant suggested that the verification exercise itself should have meaning outside the individual company and the industry.

One option put forth was to establish a list of retired industry audit experts that would be willing to act as TSM auditors. Another participant suggested that MAC could create its own auditing group, and that the auditing process would become a way of certifying membership. MAC was cautioned to take a different approach than the forestry sector, where independence and objectivity appears to be compromised by the use of consultants who, in some cases, provide advice on forest management to companies which they audit.

Several participants also recommended that MAC clarify what is meant by an "auditor" and an "audit". MAC representatives stated that they have intentionally chosen the word "verification" to differentiate the system from a financial audit (i.e. verification does not necessarily have to be as detailed or formal as auditing).

MAC is considering a verification timetable in which all companies would complete a baseline assessment for the first year of TSM indicator results, and then have one-third of MAC member companies report for each consecutive year. This would ensure that each company would complete an audit every three years, and that MAC would continue to receive information on an annual basis.

Panel members were supportive of this approach. However, they identified concerns about "who selects" which company or which facility to verify. MAC responded that this would be done by the verifier as part of good verification procedures to assure the quality of the verification results. With respect to companies with multiple facilities, one participant suggested that an auditor could complete a review at one or more facility of their choosing, and then use the results of this audit to comment on the company's overall performance.

The verification process will involve collection of information from other sources; as such, it would be helpful to have these sources referenced, and to have a brief summary of reporting practices (e.g. list the number of companies that produce VCR reports, and provide a link to where this information can be found). MAC should also indicate when MAC's reporting practices differ from those of other reporting protocols (e.g. MAC reports on all NPRI substances, regardless of whether or not the releases are above threshold levels).

Finally, one Panel member stated the value and need for having the verifiers talk to outside parties such as union representatives and community members to provide another view on the adequacy of the TSM indicator results.

Recommendations:
- MAC should consider the following key characteristics in establishing an effective TSM external verification system:
  - Objectivity
  - Competence
  - Transparency
  - Consistency
- Verifiers should be selected for their understanding of the subject matter and for their objectivity
- The selection of verifiers and the verification process itself are important to the credibility of the TSM process. Options include establishing a list of retired verifiers, and/or creating an internal audit group at MAC
- The Panel supports the proposal that MAC members be subject to external verification once every three years

Follow-up:
- MAC should review best practices at other associations to determine the most effective and transparent approach to selecting verifiers

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8 Presentation on the National Orphaned and Abandoned Mines Initiative

A presentation on the National Orphaned and Abandoned Mines Initiative (NOAMI) was provided by Elizabeth Gardiner (MAC representative to NOAMI), Christine Kaszycki (ADM, Manitoba Industry, Trade and Mines / Chair of the NOAMI Advisory Committee), and Chief Glenn Nolan (Missanabie Cree First Nation). The presentation included an overview of NOAMI's four key initiatives: information gathering; community involvement; legislative and institutional barriers; and funding approaches.

Of particular note, NOAMI has been doing work related to community involvement – including the identification of risk factors among Aboriginal and other communities, and determination of potential long-term impacts on local ecosystems. NOAMI supports the creation of a baseline assessment, as well as the use of historical and traditional knowledge to identify and assess current and future risks. Guiding principles on community outreach have been developed on the basis of information extracted from

case studies, and NOAMI is trying to engage communities in reviewing and developing workplans for remediation efforts.

NOAMI's work is guided by a multistakeholder Advisory Committee, which includes broad based representation from different levels of government, industry, Aboriginal groups, and environmental groups. The organization plans to host a best practices and case studies workshop in spring 2006 as a means of facilitating information exchange, as well as a workshop on liability and funding issues in Fall 2005. Among other things, the workshop on liability will focus on current obstacles to remediation – e.g. ensuring that third-party companies and organizations involved in reclamation activities cannot be held liable for actions committed by previous property owners.

Some participants noted the absence of Inuit and Métis representatives on the Advisory Committee, as well as a lack of eastern representatives. One of the presenters encouraged Inuit and Métis representatives from the Panel to provide advice to NOAMI on the selection of additional candidates for the Committee.

Follow-up:
- Inuit and Métis representatives from the Panel are encouraged to provide advice to NOAMI on the selection of additional candidates for their Advisory Committee.

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9   Community Consultation

Pierre Gratton presented an overview of work undertaken by MAC to provide guidance to member companies on external engagement and community consultation. This has included a field guide as well as detailed guidelines on outreach and dialogue with communities. Several MAC members have applied this guidance as part of a series of pilot tests.

Patricia Dillon from Teck Cominco provided an overview of community consultation policies and practices from a company perspective. The Panel was given an overview of the company's Charter, Code, management standards, guidelines and other requirements, along with a discussion of how these elements align with TSM performance indicators.

At Teck Cominco, community engagement is an aspect of community development, and is guided by elements of the Charter and the Code. The company has also established management procedures that are consistent with ISO standards, including protocols for specific environmental and other aspects, as well as verification and reporting requirements. Teck Cominco has an internal audit process in place, and is looking to integrate the TSM verification framework with existing audit protocols.

For Teck Cominco, the most important elements of community engagement are to (a) tailor the approach to specific community needs; (b) address the lack of formal employee training in external dialogue processes; and (c) ensure that the company has highly skilled individuals in the right place, and at the right time. The TSM indicators have helped the company realize that, despite efforts to improve performance in the area of community engagement, there was still room for improvement. The company has since endeavored to be more proactive, rather than reactive in its approach to community engagement.

The TSM process provided the company with guidance on assessing performance, identifying gaps and setting targets. Some of the greatest challenges were matching the existing auditing and management systems with the broad-based TSM system, and getting employees at the operational level to understand the importance of participating in TSM.

Panel members made a number of comments based on the two presentations. One member suggested that community engagement can be a component of corporate communications. However, another member felt that there are elements of community consultation related to capacity building and partnerships that are separate from communications issues. It was suggested by others that community engagement can take place along a spectrum, from communication to consultation. This spectrum can also match up with the mining cycle, beginning with communication and education during the exploration stage, and moving towards full disclosure as plans for development and closure are established. Good communication and consultation is required over the full life of the mine.

Several Panel members noted the importance of improving communications with communities during the exploration stage. This includes determining what communities want and need out of the relationship; informing them about what activities are about to be undertaken; and providing them with details about what the company can offer. The company must ensure that potentially impacted communities understand the nature of proposed activities, and that they approve of these actions. In some cases, the community may not welcome any proposed development activities; this decision should be respected, and the company must be prepared to respond to such a request.

Additional guidance on these issues can be found in the PDAC E3 guidelines (www.pdac.ca), which has a separate section on community engagement.

One member commended Teck Cominco for its ongoing efforts in the community of Kimberley, BC, and highlighted the company's success in establishing close relationships with local environmentalists and other members of the community. Teck Cominco has gone beyond regulatory requirements with respect to environmental technology solutions, and the company has worked closely with the community to support tourism initiatives and other economic development opportunities. The success in Kimberley is largely due to the long-term planning efforts that began nearly twenty years ago, well in advance of mine closure. Planning done only five years in advance would not have produced the same results.

Despite the many successes in Kimberley, it was noted that the community continues to face challenges associated with the closure of the mine – particularly with respect to the loss of community services (e.g. hospitals). These decisions are typically made by government, but responsibility for ongoing community development sometimes falls in the hands of industry simply by default. It should be recognized that mining companies cannot be held accountable for all decisions within the community, and that governments should be more closely engaged in community development plans.

The community of Trail, BC, was also identified as positive model for community consultation. The mining company in Trail identified and addressed emerging issues before they became problematic, which saved both time and resources and produced better health and environmental outcomes.

Several participants noted the importance of establishing credibility and trust at the early stages of the community consultation process. Companies must demonstrate good faith, establish senior level commitment, and determine how the process can produce benefits for both the company and the community. The community consultation guidelines provided by MAC will not in themselves make the company a good engager, but they will provide the necessary tools to move the company in the right direction. The guidelines also provide the public with a tool to assess a company's performance in this area.

Some participants felt that the mining sector's approach to community consultation has been somewhat inconsistent, and that companies have not been measuring the effectiveness of community consultation mechanisms.

> Panel members were encouraged to provide feedback on the following issues:
> - What is meant by "consultation"?
> - Is MAC guidance on community consultation sufficient?
> - Are external engagement indicators appropriate?
> - How does this relate to the Good Neighbour Policy?
> - Are companies responding to feedback, and incorporating this feedback into their decision-making processes?
> - Are communities being informed about all relevant issues? Are companies being as transparent as they should be?
> - How can MAC measure the impacts of community engagement and consultation efforts?

10 Panel priorities and Agenda setting

Agenda Setting

The agendas for COI Panel meetings are currently developed by MAC, with input provided by individual Panel members at previous Panel meetings. The agenda is distributed to Panel members for feedback and approval, and then posted on the MAC web site for public viewing. While this process has been reasonably effective, the Facilitator suggested the need to move towards a more effective joint agenda-setting process, whereby Panel members provide a more direct and collective input on priority items to be included on the next agenda. This would also provide MAC with sufficient clarity on the purpose of the proposed agenda item, and the opportunity to prepare for new items.

Panel members discussed how to set priorities for upcoming agendas (beyond TSM design and implementation items, which are on-going on the Panel agenda). It was suggested that items could be added to the agenda when:
- there is a clear objective for the discussion;
- there is clarity on what information is to be brought to the meeting and who will provide it; and,
- there is a sufficient consensus among Panel members that the item is a priority.

Panel members further commented that sufficient time is needed on the agenda for a meaningful discussion of new issues. Open dialogue is important and discussions on a specific issue can be continuous (i.e. it is not necessary to come to a conclusion on an issue in a single meeting).

Greater communication between meetings will also ensure MAC is effectively drawing on the expertise included in the group (note: TSM Initiative Leaders and working groups are already drawing on individual Panel members for specific advice and input).

Recommendations for Next COI Panel Agenda
Recommendations for the next COI Panel meeting included:
   (a) Discussion on the 2005 reporting process
   (b) Follow-up on climate change issues (including discussion of opportunities associated with the upcoming COP meeting in Montreal)
   (c) Ecological Effects Monitoring (EEM): Of relevance to TSM, there is a specific directive / recommendation in the guidance documents for EEM to encourage community consultation, participation in the development of EEM monitoring programs, and interpretation of results.

Follow up:
   ▪ Panel members are requested to provide their views as soon as possible on the objectives for proposed agenda items, and should indicate what preparations (including materials) are required to ensure a fruitful discussion.
   ▪ Panel members noted that it would be useful to have site visits focusing on one or more of the four current TSM performance areas.

Activities between Meetings of the Panel
A number of specific suggestions were tabled to improve communications and involve Panel members between the twice-yearly meetings of the Panel:
   ▪ e-mail updates from MAC on TSM progress
   ▪ conference calls organized by MAC to gain input from Panel members on issues that arise between meetings
   ▪ MAC could provide Panel members with materials on TSM implementation and other agenda items as a means of enabling Panel members to seek input from their constituents or other external networks
   ▪ TSM Panel members, including MAC representatives, can exchange information on best practices.

11 Follow-up

Items identified during the meeting for follow up by Panel members before the next meeting included:

1) Elizabeth May and Brenda Kelly will take the lead on developing a proposed approach/outline for Panel statement for the next TSM report
2) Panel members are invited to provide additional comments on the proposed "Good Neighbours policy" approach on community development and Aboriginal relations to Pierre Gratton; and, to identify their interest in providing input to the MAC working group working on these indicators
3) Panel members are invited to provide further written comments on the draft TSM verification protocols to Pierre Gratton.
4) Elizabeth Gardner and Alan Penn agreed to report back to the Panel at its next meeting on the federal EEM process

In an effort to reduce paper use and preparation time, future distribution of materials for COI Panel meetings will include hard copies in English only (unless specifically requested), with French versions available electronically.

Panel members agreed to make future travel arrangements directly with MAC's travel agent, rather than working through MAC staff.

12 Next Meeting

The next meeting is set for Tuesday, September 20, 2005, in St. Andrews, New Brunswick, and will coincide with the Mines Ministers meeting. A site visit focusing on one of the TSM performance elements, or a TSM presentation to a local community, will be considered. Details will follow closer to the meeting date.

List of Participants

Richard Briggs, Canadian Auto Workers
Charles Campbell, United Steelworkers of America (alternate for George Nakitsas)
Ginger Gibson, CoDevelopment Canada / UBC (via teleconference)
Larry Haber, City of Kimberley
George Hakongak, Nunavut Tunngavik Incorporated (alternate for Soha Kneen, ITK)
Stefan Lopatka, Nunavut Tunngavik Incorporated
Brenda Kelly, Canadian Environmental Network (Bathurst Sustainable Development)
Elizabeth May, Sierra Club of Canada
Allan Morin, Métis National Council
Gordon Peeling, President, Mining Association Canada
Alan Penn, Cree Regional Authority
David Scott, CIBC World Markets
Peter C. Jones, Inco Limited
Trevor Roberts, Suncor Energy Inc.
Richard Ross, INMET Mining Corporation
Eira Thomas, Navigator Exploration Corp.

Pierre Gratton, Mining Association of Canada
George Greene, Stratos Inc. (facilitator)
Mary Jane Middelkoop, Stratos Inc. (rapporteur)

Regrets:
Chief Jim Boucher, Fort McKay First Nation
Joe Carrabba, Diavik Diamond Mines Inc.
Peter R. Jones, HudBay Mining and Smelting
Soha Kneen, Inuit Tapiriit Kanatami
Christy Marinig, Timmins Economic Development Corporation
George Nakitsas, United Steelworkers of America
Chief Taylor, Tr'ondek Hwech'in First Nation