

COMMENTS ON MMSD DRAFT REPORT – HENRY BREHAUT

Congratulations on producing such a comprehensive document. It will prove to be a focal point for many years to come as the industry and its stakeholders come to grips with all the issues you have examined.

I am writing as a retired industry activist and as one that had hoped for stronger recommendations on key issues. I would also note that I have been involved as a member of the LVW Review Committee and Panel and as an informal advisor on health and safety matters.

As a general statement, many of your process related suggestions are good but they will take time and specific actions in several areas are required in the short term to provide credibility to industry's intent to move forward. I was particularly disappointed in your recommendations on dealing with abandoned mines. If this issue is not seen to be addressed in real terms on real sites by local and other stakeholders, the results of actions on all the other points will be significantly reduced.

Specific comments, on subjects as they appear in the draft, are as follows:

1. Pages 6-25 & 6-27 re safety performance
 - The references to recent initiatives and new regulations on the reporting of accidents are incorrect and are not supported by the reference to the Perth Conference, May 2000. The Chamber of Minerals and Energy of Western Australia, which supported the Conference, reported that "the event called for common industry standards and definitions...". Australia and a small industry group headed by Billiton (www.hsebenchmarking.com) have developed some good ideas but they have not reached to degree of broader acceptance within the industry. If anything the Billiton initiative should be referenced as the initiative and the Conference call to action should be the basis of a strong MSSD recommendation for a common global reporting scheme for safety, as well as occupational health.
2. Pages 9-45, 9-47 & 16-7 Community Sustainable Development Plans
 - This is a good idea. I believe that for it to work, governments at both the national and provincial or state levels must be signatories so that their responsibilities are formally recognized and delivered. Its preparation must be joint responsibility for this idea to work. The role of governments must be given a higher profile in both references. The report comes closer in 16-7 but more than a "willingness" is required.
3. Page 10-4 re LVW Review Committee
 - There is no way that it can be said that Committee as a group "established" views or recommendations. As individuals we asked for our individual comments but at no time were we asked to comment as a Committee. As I stated in my comments on the LVW Main Report.
 - In connection with the above, I strongly object to the suggestion on page 17 (Section 6) that recommendations were a product of the LVW Workshop. You may have based some of your recommendations on the proceedings of the workshop but at no time were recommendations put to the workshop attendees for their collective concurrence. At the most you could state that your recommendations were also based on "the comments and proceedings" of the LVW Workshop.
 - I would also note that the statement on page 10-4 of the MMSD Report considerably overstates the role of the LVW Review Committee. The Committee did not establish anything. At best we individually responded to your requests to review and comment.

- I also think that you should, at some point, describe MMSD's position re research reports such as the LVW report. That is, that they are just reports that you have commissioned and which you have used in making the recommendations in the main MMSD report. I think this is necessary as the recommendations and terminology are often different and you also need to distance yourselves from the biases of the researchers.
- 4. Page 10-14 Best Practice
 - The section on Best Practices is very good but it should also apply to whatever method is chosen, even existing riverine cases
- 5. Pages 10-23, 10-28 & 16-16
 - Table 10-1 is excellent. In the first two cases you clearly make the case that national governments have the lead responsibility yet you do not follow this up a specific action recommendations for such governments. As I stated in my comments on the LVW Main Report:
 - The recommendations under 6.6 will lead to nothing as stated. As stated on [page 10-23] of the MMSD Report "the worst sites have already been identified." In my opinion, you should recommend that national governments must formally accept responsibility for your first two scenarios (pg 16) and provide the framework required for the industry and other stakeholders to constructively work together on the development and implementation of solutions. Your second recommendation should be that individual companies and the industry should show leadership by working with national governments to develop funding solutions for the reclamation of priority abandoned sites. Inventories will be needed, but only as a means to these ends. The World Bank should be named as taking on the lead in the development of a standardized inventory format.
 - As above I believe your idea of an Abandoned Mines Sites Facility to be an exercise in futility, at least in the short term. Action must start at the national level as it is in some US states and Canadian provinces. As momentum builds, due to a push by MMSD and credible approaches, including inventories, best practices, etc, being developed, it will then be possible to attract money to such a facility. Perhaps you should describe the Facility as a long term recommendation with specific actions needed in the short term to provide the basis for its effectiveness.