

THE ANTI-CORRUPTION LAW PROGRAM



PETER A. ALLARD
SCHOOL OF LAW
THE UNIVERSITY OF BRITISH COLUMBIA

CENTRE FOR
BUSINESS LAW



THE INTERNATIONAL CENTRE FOR
CRIMINAL LAW REFORM AND
CRIMINAL JUSTICE POLICY

ESG in the Extractives Industries

April 29th, 2021; 9:00 am to 11:00 am PT

This ACLP seminar will explore the relationship of ESG (Environment, Social and Governance) pertaining to the extractives industries from federal government and human rights perspectives to business, Indigenous and impacted community perspectives. ESG is a broad global topic encompassing relevant and critical concerns to all levels of government, industry and society. Experience tells us that while not all corruption cases involve violations of ESG standards, ESG violations usually involve some form of corrupt activity. For this reason, the Anti-Corruption Law Program has organized this webinar to provide a forum to discuss how compliance with ESG standards can be supported and how related corrupt practices can be addressed.

The establishment of the Canadian Ombuds for Responsible Enterprise (CORE) represents a commitment from the Government of Canada to provide a mechanism that will respond to concerns that are raised about human rights violations by the Canadian extractive and garment industries in their operations and projects.

The panelists, who bring diverse and extensive experience to the discussion, will address questions such as:

- Who are the relevant players in the world of ESG in the extractives industries?
- Who is responsible and accountable for ESG in the extractives industries; and who should be?
- How do we resolve conflicts in relation to alleged ESG performance?
- What metrics should apply to measure ESG performance?
- Who should monitor ESG performance?
- What remedies should apply to failure to meet ESG standards?
- What motivating factors would incentivize extractive industry organizations to meet global standards of ESG performance?

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Moderator:

Joe Ringwald - President, Geocomp International Consulting

Joe Ringwald, President of Geocomp International Consulting and former President and CEO of ScoZinc Mining, is a mining and mineral process engineer with over 35 years mining and construction experience including senior management positions in exploration, development, operations and consulting companies. His career has taken him into numerous countries on five continents to work on underground and surface projects of various commodities including base and precious metals, uranium, coal, industrial minerals and diamonds. His current and past avocation activities and affiliations include member of the Canadian Mirror Committee to the ISO for Anti-Bribery (ISO 37001), member of the Canadian Securities' Mining Advisory and Technical Monitoring Committee, past Director of Transparency International Canada (TI-Canada), founding Executive Committee Member of the Centre for Excellence on Corporate Social Responsibility (CSR), Member of the CIM Mineral Resource and Mineral Reserves Committee (17 years) and assisted in the development of the Extractive Sector Transparency Measures Act (ESTMA). He has published, presented and participated in numerous papers and events on CSR, human rights, anti-corruption and transparency relating to the extractive industry.

Keynote Speaker:

Sheri Meyerhoffer - The Canadian Ombudsperson for Responsible Enterprise (CORE)

Sheri Meyerhoffer was appointed as Canada's first Ombudsperson for Responsible Enterprise on April 8, 2019 by the Honourable Jim Carr, Minister of International Trade Diversification. Ms. Meyerhoffer established the office of the Ombudsperson at the beginning of May 2019.

Ms. Meyerhoffer is a Canadian lawyer with seventeen years experience in the upstream oil and gas industry, and thirteen years experience in international governance, rule of law and human rights. She has worked in Bhutan, Bolivia, Cuba, China, India, Jamaica, Myanmar, Nepal, Russia and the USA. Ms. Meyerhoffer has a Juris Doctor from the University of Saskatchewan and is a graduate of the Harvard Kennedy School with a Master in Public Administration and Certificate in Management, Leadership and Decision Sciences.

Panelists:

Dr. Daniela Chimisso dos Santos - Principal Consultant, Invenient Solutions Consulting Inc.

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Dr. Daniela Chimisso dos Santos is an expert on extractives and ESG (environmental, social, governance), with extensive national and international experience, including in Sub-Saharan Africa, South America, and Asia. She is Principal Consultant at Invenient Solutions Consulting Inc. Daniela has practiced law in the oil, gas, and mining industries for more than 20 years, where she worked at McCarthy Tetrault, Shell, Hatch, and Vale. She is presently a Board Member of Transparency International - Canada; she has been appointed by ICC - Canada as a member of the Task Force on "Addressing Issues of Corruption in International Arbitration", and the United Nations Development Programme has recognized her as an extractives expert. In British Columbia, she is a member of the Environmental Appeal Board, Forest Appeals Commission, and the Oil and Gas Appeal Tribunal. Daniela has lectured at a number of universities, including the University of Toronto, Western University, and Osgoode Professional Development. Daniela has a B.A. from the American University of Rome, an LL.B. from Osgoode Hall Law School, a Masters of Law (LL.M) in Natural Resources, Energy and Environmental Law from the University of Calgary, and an S.J.D. (Doctor in Juridical Sciences) from the Faculty of Law, University of Toronto.

Sharon Singh - Partner, Bennett Jones LLP

As a partner at Bennett Jones, Sharon Singh provides practical, strategic, and innovative legal solutions to clients for their priority and complex projects. She specializes in providing advice on regulatory, governance, environmental, and Aboriginal law to infrastructure, mining, energy, construction, technology, agribusiness, and transportation sectors. Sharon has been providing practical advice on implementing Environmental, Social and Governance (ESG) principles, practises, and reporting, and Indigenous and community relations for decades. She has a reputation for her ability to progress issues through creating trusting relationships between industry groups, associations, governments, Indigenous and local communities, and the not-for-profit sector.

Sharon is a member of the Canadian Bar Association and is on the executive of the Aboriginal Law section of the British Columbia chapter. She is recognized as a leading lawyer in The Legal 500: Canada and Chambers Canada and is a Business in Vancouver's 40 under 40 recipient. In March 2016, Sharon was awarded a Wendy McDonald Award, in the category of Women of Promise by the Leadership Circle of the Greater Vancouver Board of Trade.

Dr. Ian Thomson – Principal, Shinglespit Consultants Inc.

Ian Thomson has more than 40 years of experience in the mining industry, working for the last two decades to advance and refine the management of social issues in resource development projects. He has led development of new standards and guidelines for good practice, facilitated construction of the Principles and Guidance for Responsible Exploration for the Prospectors and

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Developers Association of Canada, and been a prime mover in developing both the concept and metrics of the Social License to Operate.