ANTI-CORPORATE TEACH-IN
WITH LINDA MCQUAIG

Feb 26, 2011 11am-5pm
40 St. George St, Bahen center, Room 1130, UofT

TAKE ACTION!

• Spread the Word! Share this information with your network of friends.

• Sign the Petition! check out our online petition “Petition against Corporatization and for the Cancellation of the Munk Contract at the University of Toronto” on www.petitiononline.com/munkoff/

• Get involved! There are local groups in Toronto that meet regularly and work on Environmental Justice issues.
  – Mining Injustice Solidarity Network: solidarityresponse.net
  – EJ Toronto: www.opirgtoronto.org/actiongroups/current/ejto

• Learn more! MunkOUTofUofT.wordpress.com • ProtestBarrick.net
  • SolidarityResponse.net • MiningWatch.ca

Photo: Daniel Vandervoot of the Graduate Students Union Social Justice Group joins protests in front of the University of Toronto’s governing council demanding the Munk contract be annulled. allan.lissner.net
Earlier this year, Peter Munk, the chairman and founder of the world's largest gold mining company, had his foundation pledge a historic contribution of $35 million to the University of Toronto. In doing so, he created the Munk School of Global Affairs, which aims to prepare students to become global leaders and foster “a deep understanding of the broader architecture and the forces that shape the global system.”

But what are the implications of this donation? How much influence will Munk have over the University’s curriculum and bias? Who is Peter Munk and what is his company Barrick Gold’s reputation worldwide?

This zine has been created to provide facts to inform these discussions. In it, you will find a profile of Peter Munk and his company, Barrick Gold, as well as an analysis of the Munk Memorandum of Agreement with UofT and an analysis of this donation within the larger context of transnational corporate impunity and the struggle for corporate accountability within Canada.

Intended to empower students with the information necessary to demand a cancellation and renegotiation of this contract, this zine is more than a source of information, but a link to an on-going campaign to achieve that end.

Contact: MunkOUTofUofT@gmail.com if you have any questions or want to get involved!

Photo: Indigenous leaders from Chile, Australia and Papua New Guinea unite in Canada to speak their truth at Barrick's Annual General Meeting in 2008. Allan.Lissner.net
THE MUNK CONTRACT: AN ANALYSIS

THE CONTRACT WAS NEGOTIATED AND APPROVED IN SECRET

At a Governing Council orientation session on September 10, 2009, the Chair informed governors that the first Council meeting scheduled for October 22, 2009 would be cancelled due to insufficient items on the agenda. This cancellation was invalid according to By-Law 2 (one of the documents governing the operation of the Governing Council) because it had been decided upon by an online ballot that at that point, had not been ratified by the Executive Committee. It was also highly irregular given that the first cycle of meetings of the Governing Council had not been cancelled in over ten years. This meeting cancellation also allowed for the extension of Summer Executive Authority which was delegated on June 23, 2009 and allowed for the concentration of decision-making powers with the President, Chair and Vice-chair of the Governing Council, in consultation with the Chairs and Vice-Chairs of the Boards and Committees until December 10, 2009. It is during this extended period of supposed inactivity at the Governing Council that the donation and memorandum between the Munk Foundation and the University – signed on behalf of the Governing Council – was approved without any form of consultation with governors or with the students, faculty and staff. Nor did the Secretary and Chair of the Governing Council make any effort to inform Governing Council about the decision, memorandum and donation at the December 10, 2009 meeting of the Governing Council - as is the practice (to report on any and all approvals made under Summer Executive Authority).

In this fashion, a few individuals (including the President, Chair and Vice-Chair of the Governing Council) seem to have usurped decision-making powers on this critical item, which carries with it a host of ethical concerns, and deliberately and strategically sidestepped both discussion and a vote on either the Academic Board or Governing Council in order to ram through a decision on this donation.

It was several months later- on April 12, 2010 that the members of Governing Council were first made aware of the proposed Munk donation. In a confidential memorandum from the Assistant Secretary of the Governing Council, Henry Mulhall, circulated on April 12, 2010 to members of the Governing Council, asked the governors to consider a proposed change to the name of the School of Global Affairs to the Munk School of Global Affairs and were given just 24 hours to register their comments. Even at this late stage, the details of the donation and memorandum were withheld from the governors and the University community. The at-the-time confidential memorandum did not specify either that the contract had already been signed several months before

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1. Summarized from a letter from Joeta Gupta (Member, Governing Council at the University of Toronto.)

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WHO IS PETER MUNK?

Peter Munk, a former stereo manufacturer with his company Clairtone, first made a splash in the Canadian press when he disposed of his shares in the company shortly before it was declared insolvent. As founder and chairman of Barrick Gold, he now leads the world’s largest gold mining company. His fortune has allowed him to buy a reputation as a philanthropist and he has even been honored by the Canadian government by receiving the Order of Canada, the country’s highest civilian honor.

However, a look into Munk’s political connections reveals a shady past with questionable connections. For instance, former US President and CIA director George Bush Sr. was the former chairman of Barrick’s International Advisory Board, a post likely connected to the honorary degree he received from the University of Toronto in 1997. Gustavo Ciscneros, a Venezuelan Media mogul implicated in the coup attempt against Venezuelan President Hugo Chavez, sits on Barrick’s board of directors. And Adnan Khashoggi, a notorious Saudi arms dealer and known conduit in the Iran-Contra Scandal, was one of Barrick’s first major financiers. In fact, when Peter Munk was asked why he named former PM Brian Mulroney to sit on his board of directors, he famously responded, “he knows every dictator in the world on a first-name basis.”

SOME CHOICE MUNKISMS

On Feb 18 2011, in response to Barrick Security personnel being implicated in the gang rape of local women in Porgera, Papua New Guinea. Munk was quoted in the Globe and Mail saying that it would be impossible to police the behaviour of 5,550 employees, particularly in countries where, “gang rape is a cultural habit.”

note: Impacted communities from PNG have traveled to Barrick’s AGM in Toronto every year since 2008 to complain of human rights abuses at the hands of Barrick Security, such as gang rapes, only to have these allegations repeatedly denied by Barrick Gold.

At a shareholders’ meeting in Toronto on May 9, 1996, Peter Munk, Chairman of Barrick Gold corporation, praised General Augusto Pinochet for “transforming Chile from a wealth-destroying socialist state to a capital-friendly model that is being copied around the world.” Regarding Pinochet’s human rights record Munk said, “they can put people in jail, I have no comment on that, I think that may be true...I think [the end justifies the means] because it brought wealth to an enormous number of people. If you ask somebody who is in jail, he’ll say no. But that’s the wonderful thing about our world; we can have the freedom to disagree.”
and failed to provide the exact amount to be donated, stating only vaguely that this was one of the largest gifts in the history of the institution. The memorandum also discussed the provision and approval of an expedited process to consider the matter by the Executive Committee of the Governing Council at its meeting on March 25, 2010.

The Chair of the Governing Council and the President went on to inform governors about the donation as well as the accompanying Federal and Provincial contributions at the May 2010 meeting of the Governing Council—roughly six months after the signing of the contract, but the details of the contract were still withheld.

Therefore, the process leading to the approval of this donation is demonstrative of broader concerns about the corporatization of the campus and the lack of accountability and transparency of our governance processes. It is imperative that members of the University community take stock of this situation, especially in light of the more dubious provisions of the recently approved Taskforce on Governance which delegates substantial decision-making powers to the Executive Committee of the Governing Council which meets in closed session, thereby eliminating numerous opportunities for public engagement with the governance process and reduced openness and transparency in decision-making.

THE CONTRACT HAS STRINGS ATTACHED, COMPROMISING ACADEMIC INTEGRITY

Within the Munk donation there are a number of conditions that threaten the school’s academic integrity, including a condition that requires the director of the Munk School to meet annually with the Donor’s board of Directors following the submission of a detailed report “to discuss the programs, activities and initiatives of the School in greater detail.”

As there is a $15 million gift that can be terminated based on the Donor’s subjective determination as to whether the school is achieving its objectives, it is clear that this contract enables the donor to exercise undue influence over the Munk School’s program areas.

THE DONOR HAS A CONFLICT OF INTEREST IN THE SCHOOL’S AREA OF FOCUS

One of the most troubling aspects of the Munk Contract is that Peter Munk gets to brand a School of Foreign Affairs for a price, while his company has a vested interest in global policy.

In the last year, Barrick Gold has spent over $600,000 on lobbying the

Congress in the US, where companies must disclose this spending. In Canada, Barrick was singed out by NGOs and Embassy magazine as being a major lobbying force against regulatory oversight of the Canada’s international mining industry. According to Mining Watch Canada, Barrick Gold registered seven lobbyists to lobby on Bill C-300, the “responsible mining bill”, and Barrick’s lobbyists met with at least 22 Members of Parliament and 3 Senators. In October, 1010, Bill C-300 lost by a mere 6 votes.

However, Barrick does more than simply hire lobbyists to prevent legislation that could regulate the mining industry. When the Canadian Government initiated its multi-stakeholder “roundtables” process to develop standards for Canadian corporations operating abroad, Barrick refused to engage. Then, Barrick joined a parallel process called the Devonshire Initiative, which is a plat-

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2. Munk Memorandum of Agreement, section 16
3. Munk Memorandum of Agreement, section 1
4. Munk Memorandum of Agreement, section 20
form for mining companies and select NGOs, the majority of which happen to be funded by none other than Barrick Gold. Even more interestingly, the founder of the Devonshire Initiative was Marketa Evans, the founding director of the Munk Centre for International Studies.

Now, Ms. Evans is the Canadian Government’s first-ever corporate social responsibility counsellor, whose job it is to mediate disputes between mining companies in impacted communities. Her appointment to this post and the Devonshire Initiative are both seen by many civil society organizations as a deliberate attempt to avoid regulation and sideline the roundtables process. Furthermore, Marketa’s connection to the Munk Centre extends this controversy to the University of Toronto and compromises its image of academic integrity.

THE DONOR’S COMPANY HAS A REPUTATION WORLDWIDE FOR HUMAN RIGHTS ABUSES AND ENVIRONMENTAL DEVASTATION

Barrick Gold has been the subject of many documented studies of human rights abuses and environmental devastation, from NGO’s such as Amnesty International and Human Rights Watch to university studies and even the Norwegian Government. Last year, the Norwegian Pension fund divested $230 million from Barrick for ethical reasons, especially related to their mine in Papua New Guinea. And when Swiss Research firm Covalence compiled both quantitative and qualitative data spanning seven years and 581 companies they listed Barrick as the 12 least ethical company in the world.

In Papua New Guinea, Barrick housed police who acting on situation reports from Barrick Gold burnt down an entire hillside of houses adjacent to their Porgera Mine. Barrick initially denied these allegations, remarking that it was their understanding that 50 temporary shacks were tore down. But, a follow-up Amnesty report released in January 2010 showed evidence of at least 130 permanent houses burnt down, while villagers were beaten, harassed, and detained. Additionally, just this month Human Rights Watch released a report detailing gang rapes by Barrick’s security guards at the Porgera Mine.

In Tanzania, there have been two reports confirming lasting negative effects of a toxic spill in Tanzania that occurred last May. The latest report, commissioned by an interfaith committee in Tanzania and written by scientists from Norwegian University if Life Sciences and the University of Dar es Salaam, found potential life threatening levels of arsenic around Barrick’s North Mara mine in Tanzania. The study investigated the area around the tailing dam and the site of an accidental spill that occurred on May 9, 2009. Despite the fact that these areas were tested four to seven months after the spill, this study shows that the water remains toxic for human consumption and grazing use. According to Evans Rubara of the Christian Council of Tanzania, “Following the spill in May, 203 people became ill, 43 people died, and 1358 livestock died according to the Ward authorities in North Mara.” Barrick responded to the report criticizing the integrity of the science, to which the authors responded with a detailed defense of their methodology.

In addition to Barrick’s activities already having been linked to a 56-70% decrease in the size of nearby glaciers by the Government Water Commission, the Pascua Lama project is also plagued by a lawsuit by the Diaguita Huascoaltinos Indigenous community against the Chilean state, recently admitted by the Inter-American Commission on Human Rights. Their claim states that the government not only violated the Diaguita’s Free, Prior, and Informed Consent (FPIC), but they also did not consider comments submitted by their community in the Environmental Assessment Process of the Mine. The claim also states that Barrick’s claim to land on and near the Pascua Lama project on the border of Chile and Argentina relies on a series of fraudulent land claims collectively held by the Diaguita Huascoaltinos land. The Diaguita Huascoaltinos also initiated two lawsuits against Barrick in Chile, seeking to slow down and stop Barrick’s mining and exploration on their land.

26. ibid
In writing their book, the author and his collaborators used UN and government sources, the reports of respected NGOs (such as Human Rights Watch), and the writings of broadly recognized specialists in this area. Many reputable international media journals, such as Le Monde, Le Monde diplomatique, Le Devoir and France Culture, have declared that Noir Canada was a necessary book. More than 60 publishers from 30 countries have declared their undivided support for the Quebec publisher and are calling on the protagonists of the Noir Canada affair to respect the rights of freedom of expression and publication.

Over 200 organisations have also showed their support, such as the Council of Canadians and the Canadian Labor Congress (CLC), while Noam Chomsky, Avi Lewis and Naomi Klein are among the public figures that support the authors in their battle for the freedom of expression and for academic freedom.

**Strategic lawsuits against public participation**

Strategic lawsuits against public participation (SLAPP) seriously threaten freedom of expression and weaken public debate. They most often take the form of a civil libel action, instigated against an individual or an organization taking a stand in the context of an issue of public interest. SLAPPs also include the threat of legal proceedings. In fact, their success results not so much from the prospect of legal victory in court but from the process itself, which aims to intimidate the defendant, by placing such a heavy financial burden on them that they are forced into silence. The plaintiff usually therefore attacks isolated individuals or small organisations, and will use the threat of damages which are completely excessive in relation to the harm that the plaintiff has allegedly suffered. If the threats do not have the desired effect, legal proceedings are instigated, with the result that a public issue is transformed into private litigation. All the financial and emotional resources of the defendants will therefore be monopolised in their defense, to the detriment of promoting the socio-economic, environmental or cultural cause they have been fighting for.

**THE CONTRACT DEMANDS THAT UOFTHOUSE A RIGHT-WING THINK TANK**

According to the Munk Memorandum of Agreement, up to one quarter of the Heritage Mansion is to be set aside (and remodeled to accommodate) the Canadian International Council (C.I.C). According to a recent article “The Perils of Philanthropy: The Case of the Munk School” by UofT academics John Valleau and Paul Hamel, “this organization is not part of the University, and indeed is not an academic organization at all. It can best be described as a right-wing ‘think tank’, comparable in its make-up and ideology to the Canadian Council of Chief Executives (C.C.E.) but with a self-interested focus on Canada’s posture in foreign policy and trade. The C.I.C. appears to be the creature especially of 18 high-profile Canadian corporations (including for example Scotiabank, the Power Corporation, Research-in-Motion, Goldcorp, Manulife, Magna International and of course Barrick Gold), the CEOs or Presidents of which constitute the C.I.C. Senate. Its Board of Directors combines such people with other influential people such as Perrin Beatty (now CEO of the Canadian Chamber of Commerce), Bill Graham (former Foreign Minister) and Janice Stein (current Director of the Munk School).”

**MINING: Canada’s Dirty Secret is only a secret to Canadians**

In 2003, the UN Special Rapporteur on Toxic Waste and Products made special note of Canadian corporate behavior and lack of accountability. The report also noted that illicit movement and dumping of toxic and dangerous products and wastes by Canadian corporations had adversely impacted human rights. The rapporteur recommended “that particular attention is paid to allegations relating to threats to the traditional lifestyles and rights of indigenous groups” and called on “the Canadian and other Governments to explore ways of establishing extraterritorial jurisdiction over human rights violations, committed by companies operating abroad.”

2006 marked the year of the first National Roundtables on Corporate Social Responsibility and the Canadian Extractive Industry in Developing Countries, a forum that was organized in reaction to a 2005 Report from Canada’s Parliamentary Standing Committee on Foreign Affairs. The Standing Committee report admitted that Canada did not have laws ensuring that Canadian companies observe human right standards in other countries. “Public comment” was received from people all over the world who traveled to Canada to tell their stories of abuse at the hands of Canadian mining companies, though members of the press were explicitly banned from these hearings. There continues to be no laws governing Canadian corporations abroad to this day.

In March 2007, the United Nations Committee on the Elimination of Racial Discrimination (CERD) issued a formal recommendation to Canada. It called on Canada to better regulate and monitor its mining corporations abroad when they are operating on indigenous lands and to complete a report within the next 12 months on corporate activities.