

# The ground is shifting under BHP

Josh Bornstein 7 January 2018



© Steve Yolen BHP has made a series of efforts to compensate Brazilian communities affected by the Samarco dam disaster

In a remarkable development late last year, the world's biggest miner made the momentous declaration that it would quit the World Coal Association, citing "material differences" on climate and energy policy.

Following its months-long internal review, BHP also put the Minerals Council of Australia (MCA) on notice, declaring that it would no longer tolerate the MCA running campaigns that sabotaged sensible climate change and energy policy.

Given the disproportionate influence of the mining industry lobby in Australian politics, this is an outcome to be welcomed. But the question remains: Why didn't BHP simply sack the Minerals Council?

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© Belinda Pratten There are some troubling omissions in the position adopted by BHP.

Its review identifies no "material differences" with climate and energy positions taken by other mining lobbyists, notably the Queensland Resources Council (QRC) and the NSW Minerals Council – despite these bodies having pursued anti-climate policy with as much or greater fervour than the MCA.

Moreover, despite its strong statements on climate policy, BHP's review took no account of "material differences" in the mining lobbyists' approaches to community engagement.

That is, while BHP emphasises its own commitment to "community" alongside "environment", its review overlooked these lobby groups' deeply troubling attacks on the communities in which BHP operates.

In recent years, Australian mining industry lobby groups funded by BHP, including the MCA and QRC, have attacked charitable organisations and environmental advocacy groups to try to silence criticism of their own activities.

Both industry bodies have argued for some of Australia's best-known environmental charities to lose their charity status and to face limits on the advocacy they are allowed to undertake.

In a single sentence in its report, BHP observes that it does not support the MCA's efforts to limit advocacy by charities but its report fails to list this matter as among those "material differences" identified elsewhere in the report that BHP states should limit mining industry lobby groups' future activities.

BHP is also silent about recent rent-seeking efforts that have undermined measures intended to protect workers' safety.

In the lead-up to the Queensland election, the QRC succeeded in its campaign to have the resources sector excluded from new industrial manslaughter laws.

So today, if a worker is killed on the job at a mine due to negligence, mining company executives will not be subject to the sanctions applied to every other industry in Queensland.

This egregious effort – again, funded in part by BHP – shirks the mining sector's responsibility to the communities in which it operates, even where lives are at stake.

We have recently marked the second anniversary of the Samarco dam disaster in Brazil. On November 5, 2015, 19 people died when two iron ore tailings dams collapsed at a Brazilian mine, co-owned by BHP.

Entire villages were swept away in a torrent of toxic mud. Two years on, a report by the London Mining Network estimates that 1.4 million people continue to seek urgent action to remediate ecosystems and restore livelihoods.

In the wake of the disaster, BHP has made a series of efforts to compensate Brazilian communities affected by the disaster, to demonstrate that it has put in place measures to prevent any potential repeat of the catastrophe, and to begin work to regain its social licence.

The ongoing attacks on civil society made by Australian mining industry groups, funded by BHP, raise questions regarding the genuineness of BHP's commitment to communities in the very country in which it is domiciled.

If BHP's commitments to operating with integrity, meeting community expectations, and to social responsibility are to be taken seriously, it must comprehensively reject mining industry lobby groups' attacks on civil society and on worker protections.

It is time for BHP to end its memberships of industry associations that do damage to its reputation, and weaken our democracy.

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