

Mining company warns of another Caledonia

Big Trout Lake

James Cowan, National Post

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A protracted dispute between a mining firm and an Ontario First Nations community threatens to escalate this summer, with the company warning of another Caledonia if the provincial government does not quickly intervene.

Platinex Inc., a Toronto-based exploration firm, has spent the past three years feuding with the Kitchenuhmaykoosib Inninuwug (commonly known as KI) community over access to a mining claim near Big Trout Lake, roughly 580 kilometres north of Thunder Bay.

The company agreed to suspend its search for platinum on the site last May while the Ontario government brokered a truce between the two sides. But Platinex representatives say no real negotiations have taken place in the past year and it is no longer feasible to simply let the claim sit idle.

If provincial officials do not act soon, they could face a situation similar to the stand-off between native protesters and land developers in Caledonia, according to Stephen Skyvington, a lobbyist with Blackstone Public Affairs Group, who acts as a spokesman for Platinex.

"A confrontation is likely unless the government starts taking this seriously," he said. "We've been forced into this situation by government inaction and incompetence."

The company last year launched a \$70-million lawsuit against the government alleging, in part, that the province had failed to enforce the rule of law.

The disputed claims are located on Crown land, which Platinex leases from the province. The KI reserve is 40 kilometres across Big Trout Lake from Platinex's claims, but community members contend the proposed drilling site sits on the band's traditional lands. Protesters from the KI reserve have twice stopped Platinex from beginning exploration. Chief Donny Morris said the company can expect further protests if it returns to the claim site.

Platinex employees first attempted to begin drilling in February, 2006, but protesters forced them to abandon their camp after a few days. (The company alleges KI members blocked roads and threatened to destroy the local airstrip; band members contend their activities were peaceful).

A second attempt to begin exploration took place in November, 2007, following an Ontario Superior Court of Justice decision that found the company took adequate steps to consult the aboriginal community and preliminary drilling would do minimal harm to the land.

Despite this court ruling, Chief Morris and five other band members refused to allow Platinex access to the site and threatened to charge company employees with trespassing.

All six individuals were later sentenced to six months in prison for contempt of court, but had those sentences reduced to a few days on appeal.

The KI First Nations have no interest in negotiating directly with Platinex, Chief Morris said, noting the company filed a \$10-billion lawsuit against his band in 2006. (The company reduced the size of its claim to \$10-million last year).

"I'm not sitting down with Platinex. I believe we paid our dues when we were jailed and that company does not exist here," Chief Morris said.

Platinex argues the KI are equal victims of the Ontario government's failure to adequately intervene in the dispute.

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