Big Fish in a Big Pond: How Governments, Companies, and International Stakeholders Influence Corporate Social Responsibility

By

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Abstract

The international mining sector is constantly scrutinized because of its impact on social and environment issues. Stakeholders interested in improving the social conduct of mining companies have looked towards the development and promotion of Corporate Social Responsibility (CSR), the idea that companies have an intrinsic duty to operate in a way which limits negative impacts and builds a positive relationship with society. However, in a complex international system, how do stakeholders get others to adopt CSR norms that align with their interests, and which ones are the most effective at doing so? Existing narratives, such as those by Weber (2008), Brin & Nehme (2019), and Vashchenko (2017), have examined the impact of governments and international CSR initiatives on improving company practices, focusing on reducing operational risks and increasing profits (Brin and Nehme 2019; M. Weber 2008; Vashchenko 2017). While insightful, this research has looked more at the content of CSR norms and practices, rather than how stakeholder groups attempt to influence the practices of others.

To better understand the dynamics of mutual influence and its relationship to CSR governance, this dissertation focuses on three stakeholder groups in the global CSR arena: governments, companies, and international bodies. I introduce a model, based on institutional and stakeholder theory, to identify and measure the organizational relationship between CSR stakeholders and study how this relationship influences their CSR approaches. This study relies on a comparative approach, examining each stakeholder’s organization, capabilities, and limitations for influencing the practices of others. I find that there are significant differences in the organizational ability of stakeholder groups to influence the practices of others, and that there are mechanisms employed by stakeholders to ensure conformity without the use of traditionally non-
voluntary instruments – such as laws or regulations. In fact, while non-voluntary mechanisms are often seen as the most influential for having stakeholders align their practices, the international arena is visibly devoid of these mechanisms and relies more heavily on voluntary approaches which have enforceable qualities. The dissertation adds to the voluntary vs. non-voluntary debates and our understanding of norm diffusion, illustrating the complexity which is inherent to dynamics of mutual influence in the CSR space.
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# Table of Contents

Abstract ........................................................................................................................................... i
Acknowledgements .......................................................................................................................... iii
List of Tables .................................................................................................................................... vii
List of Figures ................................................................................................................................... ix
List of Abbreviations ....................................................................................................................... x

Chapter One: Introduction .................................................................................................................. 1
  State of the Debates ....................................................................................................................... 2
  Argument .......................................................................................................................................... 7
  Overview of the Dissertation ......................................................................................................... 8

Chapter Two: CSR, Mining, and the Ongoing Debates .................................................................... 10
  Defining Corporate Social Responsibility ................................................................................... 14
  CSR across Theoretical Traditions .............................................................................................. 16
  The Roles of Stakeholders ........................................................................................................... 20
  Domestic and International CSR ................................................................................................. 25
  International Stakeholders and CSR Programs .......................................................................... 30
  The Importance of Institutions ..................................................................................................... 33
  Moving Forward ............................................................................................................................ 35

Chapter Three: Theory and Methods .............................................................................................. 37
  Institutional Theory ..................................................................................................................... 37
  Stakeholder Theory ..................................................................................................................... 40
  Important Definitions .................................................................................................................. 44
  Case Selection ............................................................................................................................. 44
  Company Case Selection ............................................................................................................. 45
  International Case Selection ......................................................................................................... 48
  Excluded Cases ............................................................................................................................. 49
  Methodology ................................................................................................................................ 50

Chapter Four: Government of Canada ........................................................................................... 54
  Background .................................................................................................................................... 55
  The Government of Canada’s CSR Approach and Strategy ......................................................... 60
  International Guidelines under the Canadian National Strategy ................................................. 64
  Design ........................................................................................................................................... 68
  Enforceability .............................................................................................................................. 72
  Power & Legitimacy ...................................................................................................................... 74
  Conclusion .................................................................................................................................... 77

Chapter Five: Barrick Gold & Goldcorp ......................................................................................... 80
  The Company Profiles .................................................................................................................. 81
  How Barrick Gold and Goldcorp Approach CSR ...................................................................... 83
  Design ........................................................................................................................................... 85
  Enforceability .............................................................................................................................. 92
  Power & Legitimacy .................................................................................................................... 96
  Influence with Others .................................................................................................................. 102
  Conclusion .................................................................................................................................... 104

Chapter Six: International Stakeholders .......................................................................................... 105
  The International Initiatives ........................................................................................................ 106
List of Tables

Table 1: Overview of Major CSR Schools of Thought ................................................................. 18
Table 2: Summary of Debates from Peng & Pleggenkuhle-Miles (2009)................................. 26
Table 3: Degrees of Influence Based on Structural Mechanisms of Stakeholders ..................... 39
Table 4: Institutional Concepts of Structure and Enforcement used in the Analysis ................. 40
Table 5: Stakeholder Concepts of Power and Legitimacy used in the Analysis ......................... 42
Table 6: Important Definitions ................................................................................................... 44
Table 7: Case Selection Criteria for the Government Stakeholder ........................................... 45
Table 8: Case Selection Criteria for the Company Stakeholders .............................................. 46
Table 9: Case Selection Criteria for the International Stakeholders ........................................ 48
Table 10: List of International Stakeholders ............................................................................. 49
Table 11: Process for Analysis of the Stakeholder Cases ......................................................... 51
Table 12: Requirements found under the Government of Canada's Legislative and Regulatory Instruments .................................................................................................................. 61
Table 13: Priorities under the Government of Canada's National CSR Strategy ....................... 63
Table 14: International Initiatives included in the Government of Canada's CSR Strategy ......... 65
Table 15: Canadian Governments Involvement with International CSR Initiatives ............... 65
Table 16: International CSR Initiatives Promoted by the Government of Canada under their National Strategy .................................................................................................................. 66
Table 17: Different Types of Enforcement Mechanisms Observed ........................................ 74
Table 18: Canadian National Contact Point (NCP) Dispute Resolution involving Barrick Gold and Goldcorp ................................................................................................................. 95
Table 19: Different Degrees of Enforcement Amongst International Bodies ............................ 95
Table 20: Example of Barrick Gold's 2018 Community Relations Priorities ............................ 100
Table 21: Examples of the Different Types of International Stakeholders which Operate Internationally ........................................................................................................................................ 107
Table 22: Relationship between the Membership and Non-Members at the Governance-level 113
Table 23: Comparison of General vs. Precise Approaches ........................................... 129
Table 24: Differences in Relationship between Stakeholder Cases and the Membership ........ 133
Table 25: Different Membership Models in Organizational Structures ............................. 134
List of Figures

Figure 1: The Components of Organizational Structure.......................................................... 38
Figure 2: Relationship Between the Theoretical Approaches.................................................. 42
Figure 3: Geographic Distribution of Canadian Mining Assets - 2019(Natural Resources Canada
2021b; 2021a) ......................................................................................................................... 57
Figure 4: The Components of the Government of Canada's Approach to CSR. ...................... 68
Figure 5: Departmental Oversight of Non-Voluntary CSR Instruments ................................ 69
Figure 6 Examples of Options for Enforcement ..................................................................... 119
Figure 7: Direct Norm Diffusion between two Actors ............................................................. 120
Figure 8: Norm Diffusion through an Interlocuter ................................................................. 121
Figure 9: Influence of CSR Practices through Non-Members................................................ 121
Figure 10: Examples of Hierarchical Structures within all three Stakeholder Groups .......... 131
List of Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>CBCA</td>
<td>Canadian Business and Corporations Act</td>
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<td>CDC</td>
<td>Community Development Committee</td>
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<td>CEPA</td>
<td>Canadian Environmental Protection Act</td>
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<td>CfE</td>
<td>Canadian Centre for Excellence in CSR</td>
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<td>CFGS</td>
<td>Conflict-Free Gold Standard</td>
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<td>CFPOA</td>
<td>Corruption of Foreign Public Officials Act</td>
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<td>CORE</td>
<td>Canadian Ombudsperson for Responsible Enterprise</td>
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<td>CSR</td>
<td>Corporate Social Responsibility</td>
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<td>CS</td>
<td>Corporate Sustainability</td>
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<td>EITI</td>
<td>Extractive Industries Transparency Initiative</td>
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<td>EPs</td>
<td>Equator Principles</td>
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<td>ESTMA</td>
<td>Extractive Sectors Transparency Act</td>
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<td>FDSA</td>
<td>Federal Sustainable Development Act</td>
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<td>GAC</td>
<td>Global Affairs Canada</td>
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<td>GRI</td>
<td>Global Reporting Initiative</td>
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<td>ICMI</td>
<td>International Cyanide Management Institute</td>
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<td>ICMM</td>
<td>International Council of Mining and Metals</td>
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<tr>
<td>ILO</td>
<td>International Labour Organization</td>
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<tr>
<td>ISED</td>
<td>Innovation, Science and Economic Development Canada</td>
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<tr>
<td>ISO</td>
<td>International Organization of Standardization</td>
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<tr>
<td>MNE Declaration</td>
<td>The Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy</td>
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<tr>
<td>NCP</td>
<td>National Contact Point</td>
</tr>
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<td>NRCAN</td>
<td>Natural Resource Canada</td>
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<tr>
<td>OECD</td>
<td>Organization for Economic Cooperation and Development</td>
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<tr>
<td>PRI</td>
<td>Principles for Responsible Investment</td>
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<td>SDGs</td>
<td>Sustainable Development Goals</td>
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<td>TCS</td>
<td>Trade Commissioner Service</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNGPs</td>
<td>United Nations Guiding Principles on Business and Human Rights</td>
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<td>Acronym</td>
<td>Description</td>
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<tr>
<td>UNGC</td>
<td>United Nations Global Compact</td>
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<td>VPSHR &amp; VPs</td>
<td>Voluntary Principles on Security and Human Rights</td>
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<td>WGC</td>
<td>World Gold Council</td>
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Chapter One: Introduction

“It takes 20 years to build a reputation and five minutes to ruin it. If you think about that, you’ll do things differently.”

- Warren Buffet (Snyder 2017)

When one thinks of poor business practices it is difficult not to remember some of the worst private and public sector disasters in modern history. The Chernobyl nuclear disaster in 1986, a result of poor employee and government management, led to the closure of a major energy project in Ukraine and the permanent evacuation of thousands of nearby residents (World Nuclear Association 2020). More recently, the 2010 Deepwater Horizon oil spill in the Gulf of Mexico led to widespread contamination along the coastline, forcing a response from governments to improve environmental protections around offshore drilling (EPA 2021). In some instances, tragedy is the result of excessive physical force. The killing of 34 miners by public security forces near Marikana, South Africa in 2013 ultimately led to international revisions of extractive sector security practices by several stakeholders (VPSHR 2016; SAHO 2021). Examples of businesses acting in a way which results in tragedy are sadly all too common, ranging from environmental contamination, poor labor and safety standards, human rights abuses, and in some cases violence and ethical violations to name a few. To improve their practices and reputation, companies have reassessed their Corporate Social Responsibility (CSR) strategies to avoid or mitigate the negative

1 The disaster at Chernobyl has also been argued as one of the major points which led to the dissolution of the USSR, as it increased political and economic schisms within society and led to greater scrutiny over government controls and protection (Stern 2013). Even Mikhail Gorbachev, the last President of the Soviet Union, even inferred in a 2006 speech that the nuclear disaster was critical in stirring public sentiment against the USSR and its means of governing and the lack of substantive changes being brought (Llewelyn 2019).
2 While the ecosystem in the Gulf of Mexico has rebounded to a certain degree there are indications that the damages caused to local wildlife will have consequences for the biodiversity of the area for generations (Meiners 2020; Beyer et al. 2016). Not only do lifecycles and stresses on aquatic populations emerge, but also on economic factors as well, as local communities which are reliant on the local ecosystems face concerns over contamination, sustainability, and reproduction of live stocks over time.
effects they can or do have on society. Yet it is unclear, from the earlier examples, that if corporate stakeholders were left to their own devices, they would have responded to issues of CSR on their operations. Instead, the examples illustrate that while companies implement the solutions, these were often influenced by the pressure of a diversity of stakeholders. While connections between stakeholders are seen as positive, the question remains: how do different stakeholder groups influence the CSR practices of others in the global arena?

To better understand how stakeholders influence each other, I argue that there must be an examination of how CSR relates to stakeholders’ organizational structures (membership, governance, management bodies, etc.) (C. Williams et al. 2008; Frynas and Stephens 2015). An examination of this type reveals the extent to which stakeholders can promote or undermine the CSR objectives of others, affecting norm development in the process.

State of the Debates

As CSR is viewed as a way to improve corporate practices, the question of who sets the norms and standards that companies follow is an intriguing one. Should governments take the lead and regulate corporate practices for the common good, or should companies take charge of improving their operations to limit the chances of harm? From a business perspective, there are positive examples of practices which limit societal harm, particularly through CSR programs which include setting industry standards, promoting corporate charity, and community development projects (Tench, Bowd, and Jones 2007; Horrigan 2010; Rahman 2011; Scherer et al. 2016; Fombrun 2005; Fernández and Rajagopal 2014). While CSR is an added upfront cost for companies, the positive trade-offs can include increased oversight and transparency, higher safety and health standards, and protection of company reputation and economic stability (S. Brammer, Jackson, and Matten 2012; Goel and Ramanathan 2014).
The concept of CSR is not new and has been a part of companies decision-making processes for decades, evolving over time to respond to political, economic, and social pressures (Latapí Agudelo, Jóhannsdóttir, and Davídsdóttir 2019; Farcane and Bureana 2015; Phillips, Schrempf-Stirling, and Stutz 2019). We can observe distinct moments where the notion of CSR differs, such as the focus on philanthropic activities by companies in the 1920’s to 1930’s, the increases in government scrutiny over company practices in the post-World War II era, and the deregulation of state oversight in favour of private-sector self-regulation in the 1980’s and 1990’s (Dashwood 2014; 2020; 2005; Latapí Agudelo, Jóhannsdóttir, and Davídsdóttir 2019). Since the 1990’s the CSR landscape has further evolved with the increases in globalization and the expansion of multi-national corporations, many of which fill not only important economic roles where they operate, but also political and social ones as well (Dashwood 2020; Detomasi 2008).

Today the CSR space can be seen as a culmination of what came before, with the more recent pivoting towards industry self-regulation in an era of globalization bringing with it increased scrutiny by a wider-range of actors – community groups and NGOs (Hasmath, Hildebrandt, and Hsu 2019; Pillai, Wei, and Maleku 2013; Peloza and Falkenberg 2009). The global landscape today was largely informed by the early pioneers and adopters of CSR norms and practices – many of which set the foundations for expectations and practices we will see in later chapters. For instance, Placer Dome and Noranda, two major mining companies which operated in the early 2000’s, developed and implemented early iterations of socially responsible business practices on their
operations and ingrained within their governance (Dashwood 2005; 2007). At the same time we saw governments come together to create the Millennium Development Goals (MDGs), the precursors to the Sustainable Development Goals (SDGs) and the setting of overarching voluntary sustainability benchmarks which stakeholders work towards (Servaes 2017; D’Alessandro and Zulu 2016; Liverman 2018). We also saw international non-governmental organizations coalescing to address CSR at the global level in collaboration with other stakeholders, for example under the Voluntary Principles on Security and Human Rights (VPSHRs), the Global Reporting Initiative (GRI), and the Equator Principles (EPs) (Griggs et al. 2013; Kinderman 2015; Doh and Guay 2006; Chiraz and Frioui 2012). The current global context for CSR can be seen as building upon these pioneer groups, each of which set the tone – and often the norms - for developing new and exciting forms of global governance, norm diffusion, and networks of mutual influence between them (Tanimoto 2019; Scherer et al. 2016).

Despite advancements there is pessimism over CSR as well. Some critics view the activities of companies as fundamentally exploitative, requiring intervention by external stakeholders to compel company improvement (Banerjee 2008; UNICEF 2012). Within the extractive sectors, the mining industry has received significant scrutiny over its negative practices and the need for increasing oversight to improve CSR practices within companies. Leading

3 Placer Dome was a precursor company to Barrick Gold, one of the cases covered in this dissertation. Placer Dome became defunct in 2006 and had a considerable portfolio of 16 operations worldwide in 2005, as well as an estimated market capitalization of over $6 billion USD (Dashwood 2005). Noranda, on the other hand, was a smaller company which ceased operations in 2005 when it merged with Falconbridge.

4 While it is difficult to argue that one government stakeholder was the driver behind the MDGs it has been argued that they were largely advanced by “rich” or developed countries (Hulme and Scott 2010). David Hulme and James Scott (2010) provide an overview of the MDGs, noting that many of the goals imposed more requirements on developing countries.

5 Extractive sectors usually refer to oil & gas, mining, and forestry.
economies, such as Australia and Canada, have large global mining industries, which operate globally, yet companies from these countries are not always the most socially responsible. For instance, the Australian mining sector has faced criticism for their relations with Indigenous communities at home, specifically over land title rights, the ability of Indigenous communities to access development programs, or forced relocation (Scambary 2013; Smith et al. 2016, 5–8). Seemingly strong regulatory standards in Australia and Canada are criticized for not going far enough to improve corporate behavior (Seck 2012; Dashwood 2007; Wudrick 2015; Idemudia and Kwakyewah 2018; Bodruzic 2015).

On the Canadian side, a 2019 audit performed by the Canadian Commissioner of the Environment and Sustainable Development found that while Environment Canada had strong controls to regulate wastewater disposal, their ability to punish transgressors and ensure consistent monitoring practices was weak (Clark et al. 2018). While the Canadian Government has made efforts to improve the CSR practices of mining companies headquartered within its borders, it has had limited success abroad (Imai, Gardner, and Weinberger 2016; Global Affairs Canada 2018a). As companies are given discretion over voluntary CSR, especially within weak overseas regulatory environments, they often face greater responsibility when setting CSR standards—for example around environmental or labor standards (Natural Resources Canada 2019a; Ciupa and Zalik 2020; Imai, Gardner, and Weinberger 2016; Dashwood 2005). In essence, a strong domestic legislative and regulatory system is no assurance that companies will have adequate CSR practices at home or abroad.

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6 Much like Australia, companies and federal and provincial governments in Canada have also faced criticism concerning their relations with Indigenous communities around mining sites.
CSR norms and practices have not only received attention from companies and governments, but international organizations as well. International stakeholders, such as the United Nations (UN), the International Council of Mining and Metals (ICMM), the Global Reporting Initiative (GRI), and the Organization for Economic Cooperation and Development (OECD), have developed their own CSR guidelines and standards which look to influence the activities of other stakeholders - whether they be companies, governments, or other types of organizations. These international bodies, a diverse array of organizations, use their membership and networks to influence the implementation of CSR approaches, to help guide stakeholder practices. For example, the OECD provides general and specific CSR guidelines for both governments and companies. It also has member states create OECD offices, known as National Contact Points, to help companies implement CSR programs (OECD 2011).

Despite the attention it gives to CSR issues, the international community also faces its own set of criticisms and challenges (Hamann 2003; Jette S Knudsen and Brown 2015; Seck 2012; Neglia 2016; Carroll 2016; Fordham and Robinson 2018). The CSR programs that companies use tend to disappoint social expectations, governments fail to address issues beyond their borders, and international bodies receive criticism for their weak implementation models or inability to institute real change (Sovacool et al. 2016; Tamvada 2020; Testa, Boiral, and Heras-Saizarbitoria 2018; Bazillier and Vauday 2014). Solutions have been developed, such as resorting to multi-stakeholder initiatives which draw together actors from different backgrounds to collaborate (Albareda and Waddock 2018; Huber and Schormair 2021). Companies, governments, and international bodies have all participated in these types of collaborative initiatives, acting to address issues together rather than individually.
Two questions arise. First, what determines dynamics of mutual influence in the global CSR space? Second, under what conditions will a stakeholder lead, follow, or resist the influence of other actors when it comes to defining CSR norms and practices in the global context? I argue that a stakeholder’s ability to influence CSR is dependent on their organizational structure, which creates opportunities and imposes limitations on their actions. Stakeholders with tools, such as policies, requirements, and reporting processes, and which can be applied to others’ CSR practices have a higher degree of influence over setting CSR norms than those that do not. Focusing on the organizational make-up of companies, governments and international actors helps explain their interaction and overall influence over CSR norms and practices, from legislation to general “best-practices” guidance, while at the same time grappling with the perceived criticisms of CSR in the international context – lack of enforcement, oversight, common industry standards, etc. - which can also be traced back to structural limitations.

As we will see in Chapter Two, CSR has been covered extensively, however, research has focused much less on systematically comparing the dynamics of CSR development and implementation across different stakeholder groups. Instead, we see notable developments for understanding definitions, responsibility for setting CSR norms, and the impacts different CSR approaches can have on a stakeholder’s practices (Peloza and Shang 2011; Roszkowska-Menkes and Aluchna 2018; Hamann 2003; Kemp and Owen 2013; Ruggie 2018). Other studies, such as those by Amer (2018) and Olsen (2014) have spoken to the international context of CSR, specifically debating the utility of non-voluntary versus voluntary approaches for setting CSR norms (Olsen 2014; Amer 2018; Eijsbouts 2017; Ruggie 2014). Less emphasis has been placed on
connecting the organizational tools – policies, processes, membership – stakeholders use to get others to adopt their preferred CSR norms, a gap this dissertation proposes to fill.

Studying the relationship between organizational structure and a stakeholder’s clout in the global CSR space offers several benefits for advancing our understanding of social responsibility and contributing to the existing literature. First, it improves one’s understanding of the structural mechanisms which underlie CSR approaches, especially how they affect others and how this then shapes actors' strategies. A focus on organizational structure helps explain some of the shortcomings scholars have identified when it comes to the implementation of CSR norms, while also highlighting the distinctive capabilities stakeholders can leverage to compete and collaborate with other actors in this space. Second, it allows for a more robust understanding of how stakeholders approach governance and management, helping to clarify the power relations which appear within multi-stakeholder initiatives. We know that these initiatives provide a collaborative space for a range of interests to collaborate and set norms, yet we need to clarify the structural arrangements which facilitate this (S. Brammer, Jackson, and Matten 2012; Grant and Hamilton 2016; Albareda 2013; Moberg and Rich 2012; Tanimoto 2019). Finally, this dissertation seeks to better understand CSR in the global context, highlighting the relationships between stakeholders and dispelling the notion that they operate in silos (Kurland et al. 2010; Sheehy 2014; Athanasopoulou and Selsky 2015; Hofstetter et al. 2021).

Overview of the Dissertation

The dissertation’s focus is on three stakeholder groups: government, companies, and international actors. Empirically, Canada is the focal point for two of the stakeholders: the government and the two companies which are compared in Chapter Four and Five. Like the selection of the government and company cases, the choice of international stakeholders focuses
on major players in the development and promotion of CSR within the global mining sector. The dissertation outlines how the stakeholders organize their internal bodies, drawing out the structural tools and mechanisms which they create in relation to CSR objectives. The analysis views the international CSR arena as an environment made up of competing stakeholders, vying for influence over the CSR practices of others and leveraging their organizational tools to do so.

After this introductory chapter, Chapter Two frames the major debates surrounding international CSR and the relationship between different actors. The chapter includes an analysis of the perceived importance of the different groups, how CSR is managed, and the voluntary and non-voluntary debates over CSR. In Chapter Three, I outline my theoretical framework. Specifically, I summarize the key tenets of institutional and stakeholder theory and how they are used to identify the conditions under which governments, companies and international actors prevail in the competition for influence, as well as outline key components of my research design. Chapters Four, Five, and Six focus on the case studies: Chapter Four analyzes the approach of the Government of Canada; Chapter Five focuses on company stakeholders – Goldcorp and Barrick Gold; Chapter Six addresses the major international players in the global CSR arena. After the three case studies, Chapter Seven and Eight provide an overview of the major findings, offer recommendations, and identify avenues of future research. By the end of the dissertation not only will we see why organizational structure is an important explanatory variable to understand each stakeholder's ability to influence the CSR practices of others, but also that there are subtle differences in how these structural factors can provide stakeholders with opportunities and constraints when addressing CSR in the international context.
Chapter Two: CSR, Mining, and the Ongoing Debates

“There is one and only one social responsibility of business—to use it resources and engage in activities designed to increase its profits so long as it stays within the rules of the game, which is to say, engages in open and free competition without deception or fraud” – Milton Friedman (Friedman 1970)

Before diving into an examination of how actors construct their CSR approaches, it is important to first understand what CSR is. While definitions and conceptual clarifications will be provided below, it is worth noting that there are many kinds of CSR standards, guidelines, and best practices, which present different approaches and solutions to address issues ranging from the environment to security. Some approaches are required and non-voluntary, such as taxes, while others are voluntarily adopted, such as employment training, improved labor standards, or commitments to having responsible supply chains.7 Consider Canadian mining companies, which are influenced by both voluntary and non-voluntary measures. These companies must report to Environment Canada when there is a wastewater spill, but often voluntarily adopt the Voluntary Principles on Security and Human Rights (VPSHR) to standardize security practices.8 Companies have access to an assortment of CSR guidelines, allowing them to choose the policies which best fit their organizations. But first, what are the trade-offs for stakeholders to pursue CSR at all?

There are competitive incentives for companies to incorporate CSR standards within their organizations, such as a positive corporate image, improved reputation, and increased access to markets (Jo and Harjoto 2011; Tench, Bowd, and Jones 2007; Haddaway et al. 2019; Fernández and Rajagopal 2014; Mobley 2019; Futter 1990; Kim and Kim 2010; Zhu and Chang 2013). In

7 There are baseline operating standards which all companies, irrespective of the jurisdiction, are expected to adhere to (they may not in reality). These include, for example, laws on labour, environmental protections, taxation, business reporting, and consumer protections, to name a few. On top of requirements to operate there are other standards, undertaken by stakeholders, to enhance their operations with respect to social responsibility.
8 There are also health and safety guidelines which set security standards in many countries.
their large-scale analysis, Kang, Germann, and Grewal (2016) found that companies which adopted CSR practices within their corporate culture took advantage of many of these benefits. For instance, they were able to build a type of social insurance should they face a negative event, partially protecting them from negative social perceptions (Kang, Germann, and Grewal 2016, 73–74; Vanhamme and Grobben 2009). The competitive advantage CSR can provide cannot be understated. As Peloza and Shang (2011) note, CSR can improve customer loyalty, generate premium prices, and create reputational protections during times of crisis, insuring companies from financial consequences (Peloza and Shang 2011).

Not all companies approach CSR to build this competitive advantage in the same way. There are a range of options to choose from, differing not only from company to company but also by industry type (Peloza and Shang 2011; Fransen, Kolk, and Rivera-Santos 2019; Bhimani and Soonawalla 2005). In some cases, companies focus on environmental protection; for example, the move away from single-use plastics by many companies in 2019 or the implementation of technologies that decrease carbon emissions to reach a ‘net zero’ carbon footprint – as members of the oil & gas industry have in recent decades (United Nations 2019; GoC 2019; Canada Green Building Council 2019). In other cases, companies can build social programs, such as implementing education or health initiatives around mining operations or aiding in the building of local community capacity by investing in local businesses (Peloza and Shang 2011). In Canada, Rio Tinto invests approximately $10 million each year to help construct and operate major social projects in the country – some of which are not tied directly to their operations (Rio Tinto 2019).9

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9 This has included investment into the Breakfast Club of Canada, the Rio Tinto Alcan Planetarium, the Grand défi Pierre Lavoie, the Festival international de jazz de Montréal, Pathways to Education Canada, and United Way
Since CSR is often undertaken by companies, impacting their operations and profitability, there has been significant interest in understanding how different approaches improve practices. Given the social, environmental, and political effects the mining sector can have on developed and developing countries there has been focus not only on the effects of corporate irresponsibility, but also which types of CSR programs are the most beneficial when integrated into a company’s processes – such as the VPSHR for addressing issues of security on mining sites (T. Andrews et al. 2017; Abuya 2018). Gamu and Dauvergne (2018) looked at company-created CSR programs for rural communities in Peru. They found that while short-term solutions and relationships were created, long-standing issues such as environmental degradation and social unrest continued to persist (Gamu and Dauvergne 2018). While short-term approaches are seen as ineffective, Fordham et al. (2017) argue that strategies which create Enduring Community Value (ECV), and are integrated into the long-term decision-making process, are more effective at building better operational environments. Addressing ECV early in a project, and creating processes which maintained oversight, had longer lasting effects for companies than if handled on an ad-hoc basis (Fordham, Robinson, and Blackwell 2017; Fordham and Robinson 2018).

While companies bear the brunt of incorporating CSR within their organizations, they are not the only player at the table. External pressures, like societal forces, government regulations, competition, or industry norms, help shape how companies approach CSR in different contexts. A company operating in a region where the local community values education, for example, might

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Centraide Canada. It’s interesting here that the CSR programs are not always targeted for the communities in which they directly impact but can also be broader and be done for communities which are far-removed from the mining operation.
focus their CSR approach on these social needs over others (Ismail et al. 2014). Detomasi (2008) provides an overview of the important relationship between governments and a company’s decisions to pursue CSR approaches, highlighting that political and social conditions influence a company’s response to issues. This includes not only the type of government (democratic, autocratic, authoritarian, etc.), but also the structures it employs to oversee social responsibility development (Detomasi 2008). International pressures present an additional layer to improve CSR practices, as there are numerous international, non-governmental and trans-governmental organizations which provide their own guidelines and standards for adoption – helping shape global CSR norms (Shangquan 2000; Schneiderman 2008; Lang and Mandes Tavares 2018; Hilson 2012).

The importance of responding to social issues within the international mining sector, and the development of different CSR programs which companies implement has been extensively studied (Friedman 1970; R. E. Freeman 1999; J. Moon 2002; Othman, Darus, and Arshad 2011; Horrigan 2010). The existing research has fostered debates over definitions (Tench, Bowd, and Jones 2007; Association of Corporate Citizenship Professionals 2019; Brueckner and Eabrasu 2018; R. E. Freeman and Velamuri 2006; Friedman 1970), the impact and effectiveness of different types of CSR programs (Ho 2005; Cominetti and Seele 2016; Goldcorp 2017b), and the roles different stakeholders take when developing CSR norms (L. Fransen, Kolk, and Rivera-Santos 2019; Hamann 2003; McBarnet 2011; Scherer et al. 2016). A major body of literature has focused on understanding how stakeholders perceive CSR, or the impact it has on operating efficiency,

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10 An example of this came in June 2021 as I was finishing up this draft during pride month. As I was going through Instagram (looking for inspiration obviously) I stumbled on several posts showing the differences in social media accounts and their content between European countries and those in the Middle East. While the former advertised support for LGBTQ+ events, the same accounts in the latter made no mention of pride month.
seeking to provide value, particularly to companies, on the benefits of adopting socially responsible practices (Horrigan 2010; Fordham and Robinson 2018; Carroll 2016). For example, an analysis undertaken by Steurer and Sullivan (2013) looks at how non-voluntary government instruments impact company operations, whereas Gouldson’s (2017) analysis investigates how companies internally govern climate change programs and how it is defined within different corporations. While previous research has touched on inter-stakeholder relationships and governance, less focus has been placed on the dynamics of mutual influence between them and the conditions under which each stakeholder influences CSR norms and practices.

**Defining Corporate Social Responsibility**

“The definition of CSR is both complex and complicated. It is complex because of the nature and context of the problems. The ecology, society and the economic system are highly complex dynamic systems and CSR is intimately involved in each. Further CSR is complex because of the inherent ambiguity of the issues under consideration.” – Benedict Sheehy (Sheehy 2014)

Existing research has struggled to uniformly define CSR and that can perhaps best be explained by the fact that the term is interpreted differently by governments, companies, and international stakeholders. The differences in definition can have an impact not only on how it is approached, but also the types of CSR initiatives stakeholders develop (Dashwood 2020; I. Freeman and Hasnaoui 2011; Sheehy 2014). Through an examination of thirty-seven definitions of CSR, Dahlsrud (2008) found that while the general idea of acting responsibly is uniformly understood, the concept varies significantly at the operational level; indeed, at this level, CSR is more contextually informed (Dahlsrud 2008; Kloppers and Kloppers 2018).\(^\text{11}\) As Costa &

\(^{11}\) As Rahman (2011) points out, CSR is not new and has been a part of corporate culture for decades. In the 1950s CSR was viewed as a general obligation, one which was voluntarily adopted, to one which involved societal obligations which stressed best-practices, guidelines, standards, and protections (Rahman 2011; Aggerholm and Trapp 2014). As CSR became more complex in the 21st century, it was partnered by an explosion of definitions and moving
Menichini (2013) point out, how a company defines its CSR in relation to external pressure affects the types of internal processes it develops, leading to conflict or agreement depending on how the company’s approach align with the interests of external stakeholders (Costa and Menichini 2013; Yakovleva and Vazquez-Brust 2012; Kloppers and Kloppers 2018).

Given the range of interests stakeholders have concerning CSR, it can lead to disagreement or collaboration. Dahlsrud (2008) outlines five general categories of CSR: stakeholder, social, economic, voluntariness, and environmental. He notes that some CSR types are weighed as more important than others within the existing research. For example, he argues that the environmental dimension has received less attention; the environment has only recently become a policy priority because of social pressure and also, environmental issues tend to overlap with the other categories (Dahlsrud 2008). Meanwhile, research on economic CSR has garnered more attention as there are tangible material incentives for companies, and government, that address social issues through an economic lens. Carroll (2016, 2015) expands on Dahlsrud’s categorization, highlighting that CSR interests also change over time, and that definitions are not only indicative of the approaches of government or company stakeholders, but also societal values of the time (Masoud 2017; Carroll 2016; Carroll and Brown 2018; Carroll 2015).

While Dahlsrud provides general categories of CSR, van Marrewijk (2003) argues that generalizations can mask nuances within the types of approaches organizations implement and how they impact their operations, specifically differentiating between CSR and Corporate
Sustainability (CS). He argues that CS focuses on internal social responsibility issues within organizations; it changes internal processes. CSR relates to the communal aspect of social responsibility; it involves external groups (Van Marrewijk 2003). For example, CSR involves transparency, reporting, stakeholder dialogue, and community relations – which tie back to the company’s image with external stakeholders. Meanwhile, CS focuses on internal practices, such as building value, management systems, and the operating effects of different programs (Bansal and Song 2017). Within an organization, CSR not only responds to internal pressures, but external ones as well.

CSR across Theoretical Traditions

While defining CSR has been one avenue of academic study, others have looked towards understanding which stakeholders should be responsible for leading the charge in setting and enforcing norms, organized generally under the neo-liberal, state-led, and third way schools (See Table 1)(Michael 2003; Matten and Moon 2008). The neo-liberal school, famously espoused by Milton Friedman, advocates for self-regulation of CSR by companies, with external stakeholders having as little influence over their processes as possible (Broomhill 2007; Friedman 1970). Proponents of this view argue that businesses are, first and foremost, responsible to their shareholders, and that any voluntary CSR activities must provide benefits to them above all else. According to this school, companies will adapt their internal processes to maximize profits, adopting CSR approaches to respond to societal preferences and remain competitive.

While neo-liberals focus on companies as leaders of CSR, the state-led school pushes against total self-regulation, arguing that formal government and intergovernmental organizations should be active, guiding stakeholders in setting CSR standards for companies to follow and enforcing penalties against those which contravene them (Michael 2003, 118). Since CSR is meant
to benefit society and businesses alike, governments are key participants in setting and enforcing CSR standards and should take an active role in their development. At the international level, this includes setting the conditions to influence company approaches directly, using regulations and penalties, but also supporting voluntary initiatives between public and private stakeholders to promote a more socially responsible environment (Zueva and Fairbrass 2019; Albareda et al. 2008; Scherer et al. 2016). Proponents point to the structural powers governments can use to influence CSR, specifically their legislative and regulatory enforcement networks and their access to material and financial resources; together, they can help guide, either through voluntary or non-voluntary means, the practices of companies.

While the state-led school prioritizes government actors, the ‘third way’ school focuses on the influence of civil society for guiding CSR development. While civil society lacks the resources of the government or company stakeholders, they can build collaborative CSR practices and provide communities with the ability to protect their interests—like through multi-stakeholder initiatives (Michael 2003). The third-way school focuses on stakeholders which influence companies from outside of the traditional business, government and international organization sectors, leveraging largely voluntary tools to help address CSR issues (C. A. Williams and Conley 2005; Vial 2007). Consider, for example, the development of independent reporting entities, such as the GRI and PRI, which use voluntary oversight mechanisms to measure the degree by which companies, and sometimes governments, conform with certain CSR norms (Denčić-Mihajlov and Zeranski 2018; Costa and Menichini 2013; Hyun 2017).

Whereas the three schools see the previous stakeholders as positive for influencing CSR, there are also schools that are critical of CSR - the most well-known coming from proponents of
Critical political economy (Broomhill 2007, 8). Critical political economy is skeptical of CSR as a means for improving practices, seeing the world economic system as one which inherently rewards those which prioritize economic gains over social protections and which limits the development of adequate CSR approaches (Roth et al. 2020; Sandoval 2015; de Bakker et al. 2020). For many, the core issue is the voluntary nature of CSR at the international level; the international arena lacks viable enforcement or penalties that can be imposed on stakeholders which operate in contravention of social good (Detomasi 2006; Olsen 2014). Voluntarism has created an international environment which relies on self-regulation without enforcement or penalties, creating CSR norms which may seem adequate but often lack substantive impacts on company practices.

**Table 1: Overview of Major CSR Schools of Thought**

<table>
<thead>
<tr>
<th>School</th>
<th>Most Important Stakeholder</th>
<th>Relationship to other Stakeholders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neo-liberal</td>
<td>Companies</td>
<td>Companies are the most important stakeholder and should be given the freedom to pursue CSR initiatives at their discretion. Governments and International Stakeholders should minimize their influence over CSR.</td>
</tr>
<tr>
<td>State-led</td>
<td>Governments</td>
<td>Governments, either acting alone or as part of a multinational organization, should create mechanisms which influence CSR adoption by firms – either non-voluntary or voluntary.</td>
</tr>
<tr>
<td>Third way</td>
<td>Governments, Business, Civil Society</td>
<td>International CSR is most effective when multiple stakeholders can influence initiatives and the CSR approaches of others. Focuses on providing avenues for stakeholders to collaborate and address issues together. Touches upon the idea that there are non-voluntary mechanisms, but that other stakeholders can contribute and enhance the approaches of others through voluntary means.</td>
</tr>
</tbody>
</table>

While sometimes referred to as radical political economy within some literature, I believe that using this creates a connotation which distracts from the valid critiques this school has on the advancement of CSR (Banerjee 2010; Joo and Halx 2012; Sandoval 2015). Furthermore, critical political economy is more often used by the scholars which subscribe to said school of thought.

Global governance has also been criticized for reinforcing systems which undermine advancement over the long-term, normalizing and legitimizing certain international political structures. Soederberg (2006) provides an interesting critique of global governance systems and the reinforcement of global capitalist tendencies which benefit the existing global power structures. This includes an increasing reliance on transnational dept and coercive aid which hinders development in so-called “failed states” (Soederberg 2006).
The current system of international CSR is inherently weak due to the global economic system and a continuation of systems which are inherently weak. Approaches to address CSR may seem to respond to issues, yet often they do not go far enough or mask substantial change.

Depending on which school one uses to approach CSR, the roles and responsibilities of stakeholders differ. If one favours the neo-liberal approach, CSR practices are driven through the voluntary initiatives of company actors, and rest on the creation of programs which are influenced primarily by shareholder values (Mpofu and Karedza 2013). For the state-led school, CSR is influenced by the regulations and enforcement of governments and multinational institutions, with a company’s CSR policies conforming to the pressures imposed by these stakeholders. The ‘third way’ school is relatively recent, focusing on the linkages between different stakeholders to fill existing gaps in addressing societal pressures (Michael 2003). The different approaches by, and relationships between stakeholders, create a substantial debate in the literature. As Diane Windsor (2006) points out, the CSR approaches of different stakeholders are often in conflict due to the underlying emphasis placed on reconciling ethical and economic interests between them (Windsor 2013; Slabá 2014; You 2015).

Those who believe that economic foundations are the priority will be more inclined to favour policies which improve profitability and follow the neo-liberal tradition. Meanwhile, those who prioritize ethical considerations will lean towards policies that may diminish profitability and increase regulations or civil society action in line with state-led or third way ideals (You 2015). While attention has been placed on understanding which stakeholders are the most effective for influencing CSR, less attention has been paid to the ways in which companies, governments, and
international bodies are engaged in dynamics of mutual influence, which is the focus of this dissertation.\footnote{Regardless of the approach – (neo-liberal, state-led, or third-way) – the agency of the stakeholders and their relationship to one another is consistently brought up when considering the literature on the international CSR environment (Broomhill 2007, 16–18; Windsor 2006; Arthaud-Day 2005). The reason for differences between domestic and international CSR standards, as referenced by Knudson (2018), Kim et al., (2013), and Khojastehpour & Saleh (2019), point to the importance of not only the institutional environment where a company operates, but also the increased responsibility stakeholders can have vis-à-vis CSR when operating in countries where governments have weak CSR mechanisms in place. As the authors note, institutional environments which have not only weak governance, but also poor societal mobilization, labour protections, and competition, see greater responsibility on other stakeholders to address issues of CSR or face unrest (Swaminathan and Wade 2016).}

**The Roles of Stakeholders**

Historically, CSR approaches have generally favoured the neo-liberal approach; government influence and regulations are seen as disadvantageous to the economic progress of companies (Jackson and Apostolakou 2010; Sheehy 2014; Broomhill 2007). It was only in the early 2000s that literature began to emerge on the positive influence governments and other stakeholders had on ensuring CSR compliance and implementation through collaborative efforts (Aaronson 2012; Fombrun 2005).\footnote{This does not mean that governments or international stakeholders did not wade into CSR before the 2000s, but rather that there emerged an academic focus to look at how these groups approached it.} For example, Govindan et al. (2014) looked at CSR drivers within the Indian mining sector, finding that government stakeholders were one of the most important stakeholders in influencing responsibility practices on mining operations of both domestic and international firms – often through the application of their regulatory and enforcement instruments. However, as Lattemann et al. (2009) pointed out, even though governments may influence CSR practices, both at home and abroad, they acknowledge that poor governance frameworks within many countries leads to inadequate implementation. While governments have non-voluntary means to influence company practices, these coercive tactics are more effective when paired with pressure from other stakeholder groups, such as international...
organizations or even companies (Peloza and Falkenberg 2009; Peloza and Shang 2011). The idea that a stakeholder can operate in a silo, independent of the others, is hard to fathom today.

The difficulty of a single stakeholder to affect CSR has been brought up before. Jedrzej Frynas (2012), looking over oil spill penalties for twenty oil & gas companies, found that while companies did increase internal regulation over their CSR practices following a spill, it was unclear to what extent they improved standards in the long-term. Instead, he found that coercive government influence played a far more significant role than reliance on purely voluntary measures. Governments can create a common regulatory system that is mandatory for all companies, and oversee baseline standards of entire industries (Frynas and Stephens 2015; Frynas 2012). Yet Frynas notes that while voluntary measures have limitations, they have utility when influencing practices when used in tandem with non-voluntary ones, as government enforcement is limited by legislative boundaries, poor governance, or lack of common enforcement mechanisms from country to country (Frynas, 2012).

Laura Albareda et al. (2008) found that governments, rather than dictating CSR approaches, fill a balancing role between voluntary and non-voluntary mechanisms, creating a ‘win-win’ environment by setting baseline standards while allowing for flexibility to ensure economic sustainability for companies (Albareda 2013; Slabá 2014). In their study of Italy, Norway, and the United Kingdom, Jette Knudsen and Dana Brown (2014) discovered that government CSR strategies increasingly involved meeting the demands of businesses and social organizations, and that government approaches are now more interconnected with those of other stakeholders (Jette S Knudsen and Brown 2015). However, the success of government CSR strategies relies heavily on their ability to create an institutional environment which is based on strong structural foundations; for example, lacking in corruption, having independence between
departments, and having a strong judiciary which can enforce laws and regulations. If a government does not have this sturdy foundation, it is less able to fulfill this balancing act between stakeholders.

Despite the cooperation between governments, companies, and international bodies on how to address CSR, there are identifiable weaknesses in voluntary approaches. Omoteso and Yusuf (2017), in line with critical political economy approaches, argued against the utility of voluntary CSR approaches within the international context, citing the lack of domestic government foundations. Voluntary CSR programs, to them, leave important policy gaps which go unresolved when companies lack external pressure. The burden is placed on other stakeholders to ensure the compliance of companies without a way to penalize transgressors (Omoteso and Yusuf 2017). David Vogel (2009) sees a similar issue for private regulation of CSR internationally. He notes that while there are several positive instances of CSR initiatives in influencing practices through voluntary approaches, such as the Voluntary Principles on Security and Human Rights (VPSHR), they have been largely ineffective at creating sustainable and uniform business practices amongst stakeholders (Vogel 2010, 73–76). Both authors do not necessarily argue that government intervention is the only mechanism, or even the correct one, to address CSR gaps, but rather that the focus on voluntary practices lack the government tools which ensure adoption. Apart from enforcement, Vogal (2010), as well as Scherer and Palazzo (2011), point towards differences in how international bodies govern themselves, noting that influence from different stakeholder groups can provide them with distinct pathways to achieve influence in the global environment (Scherer et al. 2016; Scherer and Palazzo 2011; Vogel 2010).

While governments can influence CSR practices, they do not always guarantee the desired outcomes. Ntim and Soobaroyen (2013) suggest that even in strong regulatory environments, a
company’s poor internal governance standards can negatively impact their CSR approaches. To them, the issue with properly addressing CSR does not come from the effectiveness of government intervention, but rather ensuring that corporate structures are organized to effectively implement standards. Amran, Lee, and Devi (2013) offer a similar argument when analyzing reporting standards of companies in the Asia-Pacific. They note that poor company leadership, including a lack of focus on promoting in-firm CSR standards, worsens overall performance (Amran, Lee, and Devi 2014; Harjoto and Jo 2011). The issue, in both examples, is that internal governance and management have effects both on internal and external CSR approaches (Harness et al. 2018). It also shows that when there is external pressure, either from government regulation or a CSR initiative, it may not be incorporated within companies’ processes if their internal structures are not adapted for it.

When companies choose to incorporate CSR across their corporate structure, there are indications that they are influenced by external pressures (Harness et al. 2018). Eduardo Ortas et al. (2015), in an analysis of corporate CSR practices in Spain, France, and Japan, found that while companies implement CSR practices, the standards amongst firms were relatively similar based on the country. Furthermore, the authors found that companies influenced one another, as firms adopted CSR programs to improve competition with others and enhance their own image (Ortas et al. 2015). Pressure to respond to CSR from the outside is an important consideration for companies, especially if they wish to remain competitive, providing an opportunity for external

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16 This can be achieved through CSR investment, setting internal governance and management structures, and aligning practices with industry standards where applicable.

17 Internal effects include policies like Human Resources, Financial Reporting, and Health and Safety, things which are operationalized for the internal running of the company. In contrast, external effects are those which deal with relations with outside actors, like environmental and financial disclosures, community relations, and public relations in general.
stakeholders to influence a company’s CSR practices (Amran, Lee, and Devi 2014; Jamali, Safieddine, and Rabbath 2008). Zheng, Luo, and Maksimov (2015) expand on this, identifying two corporate CSR legitimation strategies which stem from the type of pressure that is exerted – internal or external. When facing internal pressures, from their own employees or government regulations, companies are more likely to employ CSR practices that deal directly with sustainability within the company and set operating standards. When facing external pressure, including partners, NGOs, and customers, the firm is more likely to employ philanthropic CSR programs – providing society with resources to illustrate their desire to act responsibly (Zheng, Luo, and Maksimov 2015). The identification of different internal and external influences draws back to the differences between CSR and CS advanced by Marrewijk and referred to earlier; influence is treated differently by the company based on the audience (Zheng, Luo, and Maksimov 2015; Van Marrewijk 2003).

The design of CSR approaches by companies to address internal and external pressures does lead to collaboration between stakeholders, particularly through multi-stakeholder initiatives (Maktoufi, O’Connor, and Shumate 2020; Saffer, Yang, and Taylor 2018; Gond, Kang, and Moon 2011; Cooper and Shumate 2012; Tanimoto 2019). Fransen (2012) looks at how multi-stakeholder initiatives are set up, finding that power sharing structures for collaborative CSR initiatives are not only becoming more common, but are providing competition for traditional sole stakeholder approaches and forcing them to adapt as well (Albareda and Waddock 2018; Albareda 2013).\textsuperscript{18} However, the structural make-up of these governance frameworks, and the distribution of power

\textsuperscript{18} The legitimization, as well as range of stakeholders, aids in creating CSR approaches and responses which are seen as potentially more effective at responding to the core issues. Furthermore, it aids in incorporating other stakeholders who feel they may be dismissed or excluded from traditional CSR approaches.
between participants, still is an underdeveloped side of the existing research.\(^{19}\) Do stakeholders always approach CSR in these collaborative relationships in the same way or are they organized differently, providing certain powers and responsibilities to specific groups? My research directly looks at the organizational relationships in these collaborative settings, expanding one’s understanding on how they are governed and the powers they afford to different actors.

**Domestic and International CSR**

The home environment can also influence how companies operate globally, with certain industry traditions, norms, and practices transcending national borders and being engrained in their organizational make-up. Even countries with strong institutional environments, as Knudsen (2018) points out in a comparison of the US and UK, do not lead to the same regulatory systems to oversee CSR practices at home or abroad (Jette Steen Knudsen 2017; Jette S Knudsen and Brown 2015; Jette S. Knudsen 2018).\(^{20}\) Mike Peng and Erin Pleggenkuhle-Miles (2009) provide an overview of common academic debates concerning global company CSR strategies, arguing that there are four areas of focus when comparing institutional environments; cultural vs. institutional distance,

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\(^{19}\) Kolk (2016) takes a different approach than Fransen, tracing CSR development and the key issues it has dealt with over the past 50 years. Specifically, she highlights that while a divide between stakeholders exists, public, private, and NGOs are increasingly collaborating when addressing CSR issues not only domestically, but especially internationally (Kolk 2016). To Kolk, while voluntary or non-voluntary programs can be effective in domestic contexts, multi-stakeholder initiatives are particularly valuable in the international area; they draw together resources in an environment which lacks non-voluntary foundations (Kolk 2016; Mena and Palazzo 2012). Others, such as Asah Shafiq et al. (2014) and Tanimoto (2019), found that these multi-stakeholder approaches were not only able to leverage more support, but they also led to beneficial immaterial (reputation, community relations) and material (profits, employee retention) outcomes for both companies and other participating stakeholders taking part.

\(^{20}\) The operational environment is important to consider as well for the development of CSR. As Ortas et al., (2015) point out in their analysis of company CSR practices in Spain, France, and Japan, the social and political environment sets different normative priorities given their unique cultural and economic histories – both when constructing CSR at home as well as when companies operate abroad. The comparison found that the country of origin had effects on the outcomes of CSR programs, with Japanese firms seeing higher rates of programs which dealt with environmental issues whereas the French and Spanish companies were more interested in social and governance performance. When moving into the international environment there is interplay between the home country standards and those which are exerted in the broader global sphere, as the difference in CSR expectations from region to region can present additional pressures which stakeholders need to consider (Hah and Freeman 2014; Ortas et al. 2015; Othman, Darus, and Arshad 2011).
global vs. regional geographic diversification, convergence vs. divergence of corporate governance, and domestic vs. overseas corporate social responsibility (See Table 2).

Table 2: Summary of Debates from Peng & Pleggenkuhle-Miles (2009)

<table>
<thead>
<tr>
<th>Debate</th>
<th>Institutional Issues at Play</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultural vs. Institutional Distance</td>
<td>Cultural focuses on informal pressures on institutional environment, while Institutional focuses on the relationship between both formal and informal.</td>
</tr>
<tr>
<td>Global vs. Regional Geographic Diversification</td>
<td>Debate over regional definitions of political, cultural, and historical commonalities</td>
</tr>
</tbody>
</table>
| Convergence vs. Divergence of Corporate Governance| Interested in the convergence and divergence of corporate governance with regards to international governing systems with two views.  
                                                      | 1. Formal institutions seem to be converging, however;  
                                                      | 2. Informal institutions may not be working to implement these formal convergences.       |
| Domestic vs. Overseas Corporate Social Responsibility | Looks at the competing institutional environments, arguing that there is a global and country environment which have different expectations. The debate centers around who a company ultimately has responsibility towards. |

These debates provide a range of explanations to understand CSR approaches, yet there is less emphasis on the *ability* of individual stakeholders to develop and respond to CSR norms, ultimately influencing the practices of others (Ghemawat 2007; Peng and Pleggenkuhle-Miles 2009a). These debates reference the importance of relationships between stakeholders yet focus on the contextual differences which affect actors’ practices, whereas I propose to highlight how the organizational structure of companies, governments and international actors helps explain their respective level of influence and efficacy. As Peng and Pleggenkuhle-Miles (2009) highlight, the country of origin for companies and how they approach CSR has been explored but understanding the tools governments use to promote CSR amongst companies working abroad has not received the same attention. Pisani et al. (2017) argue that the gap in understanding international CSR is partly the result of the nature of the research programs themselves, with much of the work not always crossing disciplines, or in some cases separating the stakeholder groups within different disciplines. For example, business studies deal with how companies manage their CSR approaches,
looking at effectiveness and impact, but less on the political power at play between a company and a government – as political studies would. We know that there are ties between actors, but when moving into the international arena the stakeholders are separated in their analysis. Here we see the utility of understanding the organizational specificities of each stakeholder group and how this might shape their relationship with other actors in the global arena.

It is safe to assume that governments have an effect on the types of CSR practices of companies, yet how does the international community weigh in? As Salomon and Wu (2012) point out in their analysis of multinational companies’ operating practices, geographic distance between a headquarters and its operations does lead to differences in how a company behaves. Furthermore, there are external pressures which inform CSR, yet the analysis of local pressures is privileged over an assessment of the international environment as a whole (Davis, Desai, and Francis 2000; Roszkowska-Menkes and Aluchna 2018; Beckert 2010; Salomon and Wu 2012). As Pisani et al. (2017) point out, international organizations, like the UN and OECD, do influence CSR approaches at a general level, but their impact on actual operations is less understood (Pisani et al. 2017). Again, the issue of research silos comes up, which underscores the importance of questioning certain assumptions about CSR, such as a uniformity in how international stakeholders approach CSR practices through purely voluntary means, because it risks clouding our understanding of the underlying power relationships between international actors, governments, and companies. We know that there are differences in the approaches and tools used by international bodies. Pope and Lim (2017) point out that some international stakeholders, specifically industry associations, do not approach influencing other stakeholder groups the same way the UN or OECD does, and they leverage their respective strengths to increase their influence, such as increased industry participation in their initiatives, setting of performance indicators, and
the mobilization of resources for operational projects and development of guidelines. They note that assessing the differences in organizational structure between stakeholders can improve our understanding of how influence works in this context, an insight I build upon in this dissertation (Pope and Lim 2017).

Equally important for this purpose is a segment of the literature that addresses the importance of the relationships between stakeholders who work together in the CSR realm. In their work on Canadian mining associations, Buchanan and Marques (2017) show that these associations place different CSR priorities on members operating at home versus abroad (Buchanan and Marques 2018). The difference in priorities is partly explained by regulatory environments, but it also involves the relationships between companies that are members of the association. Even though the companies come from the same country and would be assumed to approach CSR in the same way, individual interests, and the exposure to different CSR issues in their operations around the globe lead them to pursue different priorities through these collaborative associations.

One factor influencing the difference between domestic and overseas practices is how to juggle the diverging interests of stakeholders when working together. Joutsenvirta & Vaara (2015) analyze CSR policies used by foreign companies in Uruguay, highlighting the political struggle between three stakeholders who had distinct CSR priorities based on their country of origin. These differences centered around the project’s lifecycle and its impact on local communities (Joutsenvirta and Vaara 2015). The assortment of stakeholders and their differences led to concessions when working together, having them focus on areas of mutual priority while distancing themselves from points of conflict. While this is only a single case, the Uruguayan pulp-paper mill example illustrates key issues in understanding the political nature of CSR and how
stakeholders temper their expectations in collaborative undertakings. First, stakeholders’ interests can lead to collaboration and conflict, yet the process by which they respond to them or organize the collaboration is less well known. Second, the interests of the various governments involved differ, in this case the Uruguayan, Finnish, and Argentinian governments, and on top of that, companies do not always agree completely on how to approach CSR, leading to a fairly complex CSR environment to navigate.21

Disagreement and pressure between stakeholders can also be seen in multi-stakeholder CSR initiatives. As Huber and Schormair (2021) point out, competing interests between stakeholders lead to differences in how they seek to influence CSR initiatives within a collaborative environment, adapting their priorities in relation to the interests of others. According to the authors, multi-stakeholder initiatives face a unique challenge, needing to balance the interests and influence of the diverse set of members (governments, companies, civil society, etc.) each seeking to maximize their ability to influence the initiative – including making concessions (Huber and Schormair 2021). Banerjee (2014) outlines a framework that incorporates a broader range of stakeholders into the political decision-making process and seeks to reconcile competing interest, in order to develop CSR norms and practices in a way that is inclusive of differing interests (Banerjee 2014; 2008). If valid, it means that collaborative CSR initiatives are the result of a multitude of stakeholder interests coming together, which implies tempering the narrow interests of individual stakeholders to pursue a common goal. However, the framework that Banerjee (2014)

21 In this case, the Finnish stakeholders saw a large part of their contribution to the project coming through economic interests and were less inclined to place blame on the large Finnish MNC involved in the operation. There was also conflict specifically between the Uruguayan and Argentinian governments over the social and environmental issues the project was having on local citizens. The Finnish stakeholders were less involved in the social and environmental disagreement, allowing them to partially avoid conflict (Joutsenvirta and Vaara 2015).
proposes is one that relies largely on democratic values, but only touches briefly on how actors, and the resources at their disposal, shape their participation. An understanding of how stakeholders position themselves in these collaborative initiatives, through an appreciation of their respective organizational strengths and weaknesses, is thus a key avenue to further our understanding of global CSR processes.

**International Stakeholders and CSR Programs**

While the earlier sections have addressed the importance of companies and government-level stakeholders, I now turn to the role of international-level stakeholders (international non-governmental organizations, inter-governmental organizations, or international initiatives). Stakeholders such as the UN, GRI, and the VPSHR have a range of roles when it comes to CSR in the global context. International stakeholders, as Banerjee (2014) pointed out, have become increasingly important when it comes to CSR as forums for collaboration and norm diffusion.

Backer (2005), in an early examination of UN efforts to influence the CSR practices of multinational firms, argues that while these might not be binding, they do provide an important standard-setting role. First, they provide a focal point for growing global action around company activities; second, they show that traditional power relations are evolving between national, international, public, and private law systems to collaborate over how to handle regulatory power at the international level when there is a lack of traditional enforcement (Backer 2005; Kloppers and Kloppers 2018; Singh and Misra 2021). Like power sharing between company and government stakeholders, Deva (2006) points to comparable power-sharing mechanisms between multiple stakeholders operating under the UN Global Compact (UNGC) framework. To respond to the interests of multiple stakeholders, the UNGC has designed a system to ensure that no individual stakeholders can dominate the initiative. Initiatives like the UNGC are increasingly seen
as a specific form of power sharing as they include more stakeholders which can influence and advance CSR (Deva 2006).

Governance arrangements and their underlying power-sharing mechanisms thus help us understand dynamics of mutual influence between stakeholders as they seek to shape CSR norms and practices. As Horrigon (2010) points out, some bodies have traditional types of governance hierarchies, but there are non-hierarchical one (see Chapter Six) (Horrigan 2010, 54–58). In traditional hierarchies, governing power and the ability to influence CSR initiatives is distributed to certain preferential stakeholders. In non-hierarchical structures, the power over influence is more evenly distributed to a variety of stakeholders. However, power sharing within these organizations also leads to a predominance of voluntary forms of influence, such as impact accountability, transparency tools, and standard-setting mechanisms amongst stakeholders. While not viewed as enforceable, these voluntary mechanisms have certain benefits, especially for weaker stakeholders, who may not be able to influence policy preferences directly but are still able to participate in such frameworks (Horrigon 2010; Drahos & Braithwaite 2001).

While some academics highlight the positive influence that international bodies have on improving CSR, especially as it relates to gaps in policies and regulation, there is nonetheless a lack of enforcement within these initiatives which ultimately weakens them (Tamvada 2020; Ruggie 2014; 2018). In his work, Ruggie (2014; 2018) speaks to this lack of enforcement directly. He argues that because of the watered-down nature of voluntary initiatives, their approaches to creating CSR norms are weakened as they face challenges in expanding their mandates, but also because they lack the enforcement tools which state-level actors monopolize control over. The reliance on state actors to enforce CSR norms is seen by Ruggie as detrimental to the long-term advancement of international standards when it comes to addressing social responsibility issues.
Lempert 2017 takes a similar critical perspective of international initiatives, looking at the Sustainable Development Goals (SDGs) and their content. He argues that while the SDGs set goals to work towards, they do little to create substantial change from the Millennium Development Goals (MDGs), simply reasserting existing norms and overlooking responsibility for addressing issues (Lempert 2017).

The issue of responsibility and the influence of non-state stakeholders in international organizations, as Ruggie points out, is explained by the voluntary nature of global CSR programs (Ruggie 2014; Abbott and Snidal 2010). While the UN has tried to create a global governance framework which could be applied to all companies, the voluntary adoption allows governments and companies to choose which global initiatives they would like to subscribe to, based on their own preferences and interests (Deva 2006; Ruggie 2018; Abbott and Bernstein 2015; Abbott and Snidal 2010; Slabá 2014). This creates competition within international initiatives between stakeholders looking to influence CSR, as they are each seeking to ensure the initiative is closely aligned with their own interests, but also giving them the ability to ignore those which do not. More problematic still, as pointed out by Lund-Thomson & Lindgreen (2013), is that, while stakeholders may subscribe to certain initiatives, it does not necessarily mean their membership influences their CSR approaches, or that it will have a bearing on their management (Lund-Thomsen, Lindgreen, and Vanhamme 2016; Lund-Thomsen and Lindgreen 2014).

There is a paradox at play for international stakeholders as, for the most part, they require external stakeholders to adopt their standards, yet at the same time make sure that said standards do not impose too much or violate the participating stakeholder’s interests too greatly. Therefore, there could be mechanisms in place, besides a general commitment to CSR, which incentivizes participants to remain committed to international initiatives. Careful design of multi-stakeholder
initiatives can ultimately incentivize deeper commitment to CSR norms, on behalf of governments, companies and international actors, an important practical implication which is highlighted by my research.

The Importance of Institutions

Institutional theory provides several useful explanations for how stakeholders align or adopt CSR practices based on connections with or pressures emanating from external stakeholders. Institutional environments can make the approaches of different actors converge as they collaborate, setting formal and informal norms which companies copy from one another to remain competitive (DiMaggio and Powell 1983; Ilhan-Nas, Koparan, and Okan 2015; Roszkowska-Menkes and Aluchna 2018). The institutional environment reinforces agreed upon CSR norms amongst participating stakeholders which creates path dependence (Joo and Halx 2012; Beckert 2010). Competitive institutional environments, on the other hand, focus on the competitive nature of stakeholders for setting norms and the continuous drive to gain the lead over others. It argues that the natural push for stakeholders to maximize their interests over others will lead them, over time, to adopt not only similar norms which maximize efficiency and outcomes, but also develop their own approaches, distinct from those of other types of actors (Thornton 2011; DiMaggio & Powell 1983). In both cases, the pressure that exists between competing actors is what influences

22 The institutional environment argument resembles the ideas behind organizational group-think, where organizations will continually reinforce certain values or requirements so that aspects of how they work (employees, processes, hierarchy) are as similar to one another as possible. While good at ensuring consistency within an organization, the continual reinforcement can lead to internal identity or cultural issues, valuing conformity over creativity when addressing problems.

23 The institutional relationships have also been explained by DiMaggio & Powell (1983) who outlined three main types - coercive, mimetic, and normative (Li and Ding 2013; Beckert 2010; DiMaggio and Powell 1983; Koelble et al. 1995). Coercive influence refers to formal and informal pressures that are exerted onto a stakeholder to force conformity with an approach. This includes, for example, binding legal authorities or institutions which set standards, influencing norms over time which are non-voluntary (Roszkowska-Menkes and Aluchna 2018; Othman, Darus, and
the change in stakeholder behaviour, partially explaining how collaborative and voluntary initiatives can take hold.

Institutional approaches provide a useful avenue for understanding dynamics of mutual influence in the CSR space. It also helps clarify that, while non-voluntary pressures are important, there are other processes at play which can lead to stakeholders aligning their practices with one another at the international level, either by mimicry or norm setting. The impacts of different CSR practices in response to social issues, rather than the relationship between stakeholders, has drawn focus in much of the existing literature, making some assumptions about the nature of the international environment, and the stakeholders within it, downplaying the diversity of voluntary mechanisms that exist (Tschopp and Nastanski 2014; Misani 2010). I draw from institutional theory to inform my explanatory framework since it allows for a careful analysis of organizational structures and how these vary across stakeholder groups, an important dimension which can account for how different CSR actors interact and influence each other.

To illustrate, differences in corporate governance structures yield different results on how they approach CSR, placing more emphasis on certain priorities over others and affecting overall effectiveness (Ebers and Oerlemans 2016). Indeed, the organizational hierarchy of a company – the relationship between the shareholders, governing board, and management - can lead to higher profits, more effective implementation of CSR initiatives, or better external relations, to name a

Arshad 2011). While coercion instills conformity, mimetic influences deal with how stakeholders adopt certain CSR approaches through the imitation of others (Martínez-Ferrero et al. 2017; DiMaggio and Powell 1983). Stakeholders will align their practices with the successful practices of others, slowly adopting them and standardizing their operations to be in line with best practices that have already been tested by another. Finally, there is normative influence, where stakeholders are influenced by stakeholder behavioural pressures around them, for instance following a “certain way of doing things” or baseline industry norms (Teodoro 2014; Martínez-Ferrero et al. 2017). Taken together these types of influential pressures provide three avenues for how stakeholders decide when to adopt the CSR approaches of others, as well as how they can go about influencing others.
few. As Sahut, Peris-Ortiz & Teulon (2019) point out, governance of CSR can also be influenced by global guidelines when companies operate overseas, with entry points for a variety of stakeholders to influence the process (Sahut et al. 2019). Yet while the international environment impacts how CSR is governed, Barkemeyer & Figge (2014) find that many companies stay true to their home country’s norms and practices when operating overseas (Barkemeyer and Figge 2014).

Government regulations ultimately require companies to adopt internal mechanisms to measure and report on CSR, whereas voluntary adoption of international initiatives can only suggest such requirements and rely on companies to follow them. I thus focus on the organizational structure of stakeholders rather than the impact they have, to understand their positions and strategies in advancing and responding to CSR.

**Moving Forward**

This chapter has reviewed existing scholarly debates on CSR, ranging from understanding how to define CSR to the impacts of organizational features on various CSR stakeholders, as they compete for influence on the global stage. When it comes to dynamics of mutual influence, I have stressed the importance of unique structural opportunities and constraints that companies, governments, and international actors might face, factors which will anchor the comparative case studies in subsequent chapters. There are a few key points of mutual influence to keep in mind. One, stakeholders do not operate independently, and there are very real connections which manifest themselves between actors which influence the CSR norms they subscribe to. Second, the types of tools the stakeholders use to advance their CSR interests are not all the same, and we see different stakeholders employing certain types of strategies – like governments using legislation to force adherence to requirements – to achieve their interests. Third, some strategies of influence are more effective at impacting the CSR practices of others. It is here that this
dissertation seeks to add to the existing literature on CSR influence, clarifying these dynamics through the structural arrangements of competing actors in the global space. The next chapter will outline my research design, which includes an in-depth introduction to my theoretical framework, as well as data collection and analysis strategies.
Chapter Three: Theory and Methods

The previous chapter showcased literature that sheds light on my research aim of uncovering the dynamics of mutual influence between three stakeholders – companies, governments, and international stakeholders – while introducing my proposed analytical pathway, which highlights key organizational differences in membership, governance, and management structures (Mashne and Baracskai 2020). Two main points were identified: how the organizational make-up of individual stakeholders can provide opportunities or constraints for influence, and how stakeholders deploy strategies to impact the CSR decisions of others. My theoretical framework combines institutional and stakeholder theory and is applied across three stakeholder groups – government, company, and international bodies. The chapter begins by examining institutional and stakeholder theory in greater detail, followed by an overview of the research design, which includes a description of the chosen methods for data collection and analysis.24

Institutional Theory

My argument is that the organizational structure of each stakeholder impacts how they influence CSR norms and the CSR approaches of others in the global arena. Particular attention is paid to the make-up of each stakeholder’s governing and managing bodies, and their internal CSR mechanisms, policies, and formal partnerships. As previously mentioned, two theories are used to help explain the connection between structure and influence. The institutional theory helps in “understanding how and why organizations attend, and attach meaning, to some elements of their institutional environments and not others” (Suddaby 2010, 15)

24 If they wish.
The *how* and *why* focus on the formal and informal mechanisms which are found within the organizational make-up of each actor (See Figure 1)(Koelble et al. 1995; Scott 2013). Formal mechanisms are those which impose requirements to ensure conformity (non-voluntary and voluntary), such as laws and regulations, while informal mechanisms include those which do not have requirements, like norms, beliefs, or standards (Holmes et al. 2013, 532). CSR approaches are made up of these formal and informal pieces and embedded within the organizational structure.

*Figure 1: The Components of Organizational Structure*

The CSR strategies, or approaches, of stakeholders refer to the general direction they take in responding to issues, whereas the mechanisms of each of the stakeholders are what are used to influence either internal CSR practices or those of others. Mechanisms with non-voluntary coercive approaches (penalties, non-voluntary requirements, laws, regulations) lead to more influence than those which rely on the promotion of CSR guidelines or standards without the ability to ensure alignment through enforcement. The typology is developed based on the existing literature which focuses on voluntary vs. non-voluntary CSR approaches. However, the terms voluntary and non-voluntary are overly general, and I believe that we can see distinctions in both types of approach which differentiates them and leads to multiple types of influence. For instance, a government using legislation to set industry standards which are supported by financial penalties
would be classified as using a high-influence mechanism. In contrast, an international body which has guiding CSR standards, but no membership requirements or implementation tools, would be classified as having low-influence. Examples of how I classify mechanisms to better understand their degrees of influence are detailed in Table 3.

**Table 3: Degrees of Influence Based on Structural Mechanisms of Stakeholders**

<table>
<thead>
<tr>
<th>Mechanism</th>
<th>Degree of Influence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-voluntary with enforcement (penalties)</td>
<td>High</td>
</tr>
<tr>
<td>Non-voluntary with requirements (no penalties)</td>
<td>High-Medium</td>
</tr>
<tr>
<td>Voluntary with enforcement</td>
<td>Medium-High</td>
</tr>
<tr>
<td>Voluntary with requirements</td>
<td>Medium</td>
</tr>
<tr>
<td>Voluntary with participation, but no requirements</td>
<td>Medium-Low</td>
</tr>
<tr>
<td>Voluntary with no requirements, no participation</td>
<td>Low</td>
</tr>
</tbody>
</table>

Two concepts will be used under institutional theory: first, there is a focus on outlining the design of the cases (how they organize themselves, the types of mechanisms they have, what they target, etc.); secondly, how they enforce their mechanisms (e.g. are there penalties or requirements which are built into the organizational structures) (See Table 4). Focusing on these two institutional concepts of design and enforcement allows for a classification of what tools the stakeholders have when it comes to influence, and if they have the means to impose their CSR strategies onto others.

For clarification, design relates to how stakeholders organize themselves with regards to CSR; for instance, their governance and management systems, their role, and how these structural elements relate to other stakeholders (Koelble et al. 1995). Enforcement focuses on the way in which stakeholders ensure compliance with their approaches, both internally and externally, and what mechanisms they can leverage to impart their CSR strategies on others (DiMaggio and Powell 1983; Zaid, Abuhijleh, and Pucheta-Martínez 2020; Scott 2013). Under both, special attention will be placed on identifying if they apply internally or externally, and if they are
specifically applicable domestically and/or internationally. Together, design and enforcement help clarify the ability of each stakeholder to influence the practices of others in the global CSR context.

Table 4: Institutional Concepts of Structure and Enforcement used in the Analysis

<table>
<thead>
<tr>
<th>Concept</th>
<th>Relation to Mechanisms</th>
<th>Examples of Influence</th>
</tr>
</thead>
</table>
| Design     | Organization of governance and management of CSR within the different stakeholder groups, including board of directors, committees, management, and reporting systems, etc. | ▪ Governing body of a stakeholder is independent of external stakeholders would have lower degrees of external influence.  
▪ Governing body is made up of members of another stakeholder groups would have higher degrees of external influence. |
| Enforcement| The ways in which stakeholders impose their CSR approaches on others, for example membership requirements, legislation, reporting requirements, etc. | ▪ A stakeholder has CSR mechanisms which force another to adopt their approaches with the threat of penalties would have high degrees of influence.  
▪ A stakeholder has CSR mechanisms which have membership requirements but do not impose penalties would have lower degrees of influence. |

The institutional part of the framework outlines the CSR approaches of stakeholders and their organizational make-up. While this sets the stage for understanding the capabilities of the stakeholders, we still need to understand how they leverage those tools to influence the practices of others. A stakeholder may have mechanisms with high degrees of enforcement through laws but is unable to get others to adhere to them. To examine the relationships between companies, governments and international actors, I draw theoretical inspiration from stakeholder theory (Herold 2018; Dearden 2003).

Stakeholder Theory

Mitchell, Agle, and Wood’s framework of stakeholder salience can be adapted to the question at hand (Mitchell, Agle, and Wood 1997; Majoch, Hoepner, and Hebb 2017). More specifically, the framework is expanded to view each stakeholder group (business, government, and international stakeholders) as competing at the global level to influence CSR norms. The
mechanisms (See Table 3) help anchor the comparison between the three groups of stakeholders, highlighting how they are applied to influence CSR practices.25

To further build the comparison between the three cases, I turn to the concepts of power and legitimacy (See Table 5).26 Power measures how the stakeholders use their tools to influence the approaches of another – either non-voluntary or voluntary (Mitchell, Agle, & Wood, 1997).27 For example, if a government has mechanisms which require conformity through penalties, without a chance of flexibility, this provides them with power through non-voluntary means. By contrast, an international body which has no enforcement mechanism at its disposal will have limited power because it relies on voluntary participation.

Legitimacy, on the other hand, looks at how the stakeholders validate their approach in the international context and position themselves as leaders of CSR norms. For instance, an international organization may base its legitimacy off having others adopt and report on their CSR policies or programs, with buy-in and participation conferring legitimacy. Companies may base their legitimacy off through strong operationalization of norms, or through meaningful collaboration with other actors in the development of CSR norms. In essence, legitimacy measures how the stakeholders draw others in to follow their approach by attraction rather than coercion.

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25 Like the approach under institutional theory, stakeholder theory expands the analysis to additional, non-traditional, stakeholders groups (Herold et al. 2019).
26 In an earlier draft of this dissertation urgency was also included as an indicator for measuring influence, however, it was removed as it was difficult to measure under the type of analysis put forward.
27 There are other interesting conceptions of power and its relationship between stakeholders at the global level which should be mentioned. For instance, Susan Strange provides a compelling framework of power which has four dimensions in the international context, made up of security, production, finance, and knowledge (May 2008; Garriga and Melé 2004). These dimensions work in unison to provide certain actors with more power over influencing the economic practices of others in the global environment – especially if it lacked coercive underpinnings such as the use of force. Prieto-Carrón et al. (2006) discusses the critical aspects of CSR, highlighting that stakeholders which undertake it can be afforded power over certain societal developments, such as who participates, who governs, and who sets the agenda for impact (Prieto-Carrón et al. 2006; Rajak 2017; Garriga and Melé 2004).
Table 5: Stakeholder Concepts of Power and Legitimacy used in the Analysis

<table>
<thead>
<tr>
<th>Concept</th>
<th>How it is Measured</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>Power</td>
<td>Measured by the types of CSR tools stakeholders use, with those that have access to non-voluntary mechanisms having more power than those that do not.</td>
<td>The government has laws which are enforced through penalties and need to be adhered to. This would afford the government more power as they can impose requirements.</td>
</tr>
<tr>
<td>Legitimacy</td>
<td>Measured by how the CSR approaches of a stakeholder are legitimized vis-à-vis others (e.g. do stakeholders base their legitimacy off their membership, having their guidelines or processes adopted, or by forcing others to adopt their standards).</td>
<td>An international stakeholder bases its legitimacy on having members adopt their CSR reporting process. In contrast, another international stakeholder acquires legitimacy by having participants adhere to their general guidelines.</td>
</tr>
</tbody>
</table>

To summarize, the institutional part of the argument measures the organizational component of each stakeholder’s approach to influencing CSR, while stakeholder theory measures the relationships and connections between the cases, dynamics which are illustrated in Figure 2 below.

*Figure 2: Relationship Between the Theoretical Approaches*

My central claim, therefore, is that stakeholders with access to high-influencing mechanisms (non-voluntary ones) are more powerful at setting norms and practices in the global
context than those relying on voluntary mechanisms. While it seems intuitive that stakeholders with non-voluntary, rather than voluntary mechanisms, are likely to exert more power, the reality in the international arena is more complex as the existing literature highlights that there is a lack of non-voluntary tools in this space. Furthermore, it is expected that there exist certain types of voluntary mechanisms – those with penalties and requirements especially - which afford stakeholders greater influence over the CSR practices of others. The goal of this dissertation is to tease them out to better understand them.

It should be noted that I’m not arguing that organizational structure is the only determinant of a stakeholder’s ability to influence the CSR practices of others. As we have seen in Chapter Two there are many factors which can impact a stakeholder’s decision to engage with CSR, ranging from internal considerations of employee preferences to external ones like social or political contexts (Brin and Nehme 2019; B. Il Park and Ghauri 2015). Some alternative explanations for influence can include actor sizes, the number and locations of operations they have, what type of political environments they operate in, and the financial or material capabilities they are able to bring to bear (Jenkins and Yakovleva 2006; Peng and Pleggenkuhle-Miles 2009b). We see, for example, that corporate culture has an important bearing on CSR adoption, with companies which have managers or directors who are more agreeable with improving environmental, social, and corporate governance performance having more robust – and often successful – CSR outcomes than those which do not (Jamali, Sidani, and El-Asmar 2009; Perry 2012; Fordham, Robinson, and Blackwell 2017). In essence organizational structure is one factor, of many, which determines a stakeholders ability to influence the practices of others (Bradshaw, Liao, and Ma 2019; Jamali, Safieddine, and Rabbath 2008; Mostovicz, Kakabadse, and Kakabadse 2011; Ntim and Soobaroyen 2013; N. Andrews and Grant (Eds.) 2020).
Important Definitions

As we saw in Chapter Two, there has been significant debate over how to define CSR. For simplicity, I propose the following definition: “Corporate Social Responsibility (CSR) is a stakeholder’s approach to managing social, environmental, and economic pressures related to their mandate, both from internal and external pressures.” While we have a working definition for CSR, there are also several terms used throughout the dissertation which would be helpful to define early. The table below defines key terms (See Table 6):

Table 6: Important Definitions

<table>
<thead>
<tr>
<th>Influence</th>
<th>Influence refers to a stakeholder’s ability to effect the CSR approaches of others.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design</td>
<td>Refers to organizational construction of membership, governance, and management bodies.</td>
</tr>
<tr>
<td>Mechanism</td>
<td>Refers to the tools, policies, instruments, and processes stakeholders use to accomplish their approach to CSR, and can include policies, reporting processes, and instruments. Mechanisms are differentiated based on if they are voluntarily or non-voluntarily used on others.</td>
</tr>
<tr>
<td>Governance</td>
<td>Refers to the bodies which make-up the governance of an organization and direct the organizations activities but does not manage the day-to-day activities. This includes bodies such as the board of directors, committees, or councils.</td>
</tr>
<tr>
<td>Management</td>
<td>Refers to the bodies which make-up the management of an organization and handle the day-to-day activities.</td>
</tr>
<tr>
<td>Power</td>
<td>This deals with what the actor bases their CSR approach on, including if it uses a voluntary or non-voluntary approach and the extent to which it can enforce its approach on others.</td>
</tr>
<tr>
<td>Legitimacy</td>
<td>This refers to how actors legitimize their CSR approach in relation to others, as well as how they position themselves within the global context.</td>
</tr>
<tr>
<td>Enforcement</td>
<td>Refers to how stakeholders ensure that their CSR approaches are adhered to, including penalties, requirements, and repercussions.</td>
</tr>
<tr>
<td>International Bodies</td>
<td>This includes international organizations, intergovernmental organizations, international initiatives, international associations, etc. Basically, any international stakeholder which deals with CSR related to mining.</td>
</tr>
</tbody>
</table>

Case Selection

The choice of cases focuses on three stakeholder groups – government, companies, and international bodies. Given the breadth of actors working in the international CSR space, the dissertation is limited to three to ensure feasibility. The case selection criteria, the same for all the stakeholders, is that they must be involved in the international CSR landscape, have an interest in mining, and be seen as major stakeholders within the international CSR space and is in line with
existing categorizations of stakeholders found in the literature. The case selection criteria is consistent with this dissertation’s theory development goal and could, in future research, be modified to assess the generalizability of the argument to a wider range of stakeholder groups.

The Government of Canada was chosen as the government case based on its position as a major government-level stakeholder with active engagement in the international mining sector. It has a highly developed extractive sector - one of the largest in the world - with existing legislative and regulatory structures which oversee the mining industry (Ciupa and Zalik 2020; Marshall 2019a). The strong legislative and regulatory environment provides the government with the ability to materially influence others, as well as the institutional ability to ensure that their tools are adhered to (See Table 7 for a summary of the government case selection criteria).

### Table 7: Case Selection Criteria for the Government Stakeholder

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Must have institutions and processes to regulate actors within the mining sector, including, but not limited to, a developed political structure, rule of law, functioning taxation system, and an existing mining sector operating from within the country.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Have a range of private mining sector stakeholders headquartered within the country.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Have a range of private mining sector stakeholders headquartered within the country which have operations overseas.</strong></td>
<td></td>
</tr>
</tbody>
</table>

The strong home environment has also placed Canada in a position where it actively engages with international stakeholders in addressing global issues of CSR (Sanchez 2015; Gerrity 2016; UN 2020d). Because of Canada’s strong global mining sector, it has sought to protect its reputation, engaging in international initiatives as an active participant (Olley 2020; Global Affairs Canada 2019c; Trade Commissioner Service 2021).

**Company Case Selection**

The selection of Canada, as the government stakeholder, informs the selection of the company cases. The first requirement for selection of these cases is that their headquarters must be in Canada and be incorporated under Canadian law. The connection between a government and
a company from the same country provides a baseline of influence between the stakeholders, allowing for a comparison between the formal and informal mechanisms the stakeholders can use to influence one another domestically and overseas (See Table 8 for a summary of the company case selection criteria).

Table 8: Case Selection Criteria for the Company Stakeholders

<table>
<thead>
<tr>
<th>Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Be headquartered in Canada.</td>
</tr>
<tr>
<td>Have the largest market share of gold mining companies in Canada.</td>
</tr>
<tr>
<td>Be primarily interested in the extraction and production of Gold.</td>
</tr>
<tr>
<td>Have operations domestically and overseas.</td>
</tr>
</tbody>
</table>

There is a tendency for large mining companies, especially those with a global network of operations and significant market shares, to gravitate towards headquartering within countries with developed governance structures due to their regulatory and financial stability (Natural Resources Canada 2021a; PwC 2020).28 As Canada provides a stable domestic environment, there is a broad range of mining companies which are headquartered within its borders. These companies differ in size, in both financial weight and areas of operations. The dissertation focuses on the largest mining companies: Barrick Gold and Goldcorp.29 Selecting the largest mining companies ensures the cases have access to adequate material resources to be able to adopt, implement, and manage their own CSR approaches as well as be active contributors in the global CSR space. If the companies are unable to implement and enforce sustainability policies, then the measure of stakeholder and institutional connections would be surface level at best. Both Barrick Gold and Goldcorp fulfill this requirement. In 2019 Barrick Gold reported a gross income of 2.7b, while

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28 There are several reasons for this, including stable internal markets, the ability to access funding, and certain competitive advantages which countries can offer to make their jurisdictions more attractive to mining companies operating globally.
29 In 2019 both Barrick Gold and Goldcorp underwent mergers with Randgold and Newmont, respectively, making them two of the largest gold producing companies in the world.
Goldcorp had a gross income of 2.02b that can sustain healthy CSR programming (MarketWatch 2019b; 2019a). With comparably high gross incomes, both companies can institute sustainability policies on their sites, as well as have the material resources to ensure that they have mechanisms to manage them effectively.

While both Barrick Gold and Goldcorp had significant market weights, they also mine the same mineral - gold. Different minerals place different CSR requirements on a company, not only when it comes to infrastructure or supply chains, but also the governance and management structures within the organization. For instance, a company extracting precious metals will need to invest more heavily into security measures during extraction process and within the supply chain. Meanwhile, coal mining may emphasize air pollution controls (Haddaway et al. 2019).30 Because both companies are primarily interested in gold, it may be assumed that their CSR are similar. There are two instrumental benefits to analyzing companies within the same mineral sector. First, it provides a better understanding of influence within the gold industry. Second, the conclusions from one sector can be generalized to provide a better understanding of the precious metals industry.

A final justification for choosing these two companies is that they both have operations in Canada and operations abroad. With companies operating domestically and overseas there can be an analysis of their relationship both with the government and international stakeholders. While there are other Canadian gold companies that have a significant market share, and domestic and

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30 A diamond, silver, or gold mining company would see very different security concerns to both their sites and their supply chains than a coal or iron (Calam 2018).
overseas operations (Kinross Gold, Yamana Gold, and Agnico-Eagle Mines), Barrick Gold and Goldcorp were the two largest mining companies at the time of the writing of thesis.\textsuperscript{31}

**International Case Selection**

The final group consists of international stakeholders. They were chosen because of their relationship with the other two stakeholder groups and because of their prominence in the mining sector and literature review (See Table 10)(Potts et al. 2018; Global Affairs Canada 2019c; Dashwood 2014). The international CSR landscape is vast, with multiple stakeholders creating their own CSR programs and initiatives, trying to set norms across a wide variety of issues (See Chapter Six). Like the government and private stakeholders, the number of international actors requires limitations to ensure feasibility and guarantee that the observations still relate to CSR in mining. To ensure that the international stakeholders are related to the mining industry, the analysis will select the international stakeholders based on their references within the literature, outlined in Table 9.

**Table 9: Case Selection Criteria for the International Stakeholders**

<table>
<thead>
<tr>
<th>Referenced by the government and company stakeholders.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Referenced by other international stakeholders.</td>
</tr>
<tr>
<td>Identified as a CSR initiative related to the mining sector.</td>
</tr>
<tr>
<td>Have the organizational capabilities to approach CSR.</td>
</tr>
</tbody>
</table>

The list of international stakeholders showcases their diversity (See Table 10), with some being intergovernmental organizations (UN), while others are industry associations (ICMM) or multi-stakeholder initiatives (VPSHR). Rather than confine the analysis to one type of actor, the dissertation takes an inclusive approach. It compares different international stakeholders to uncover how they influence others, and if some approaches are more effective than others. Since

\textsuperscript{31} It is estimated that there are only 4-6 gold mining companies in Canada who are referred to as large-capital companies, those with over 10 billion in market capitalization.
the analysis looks at governments and companies, a focus on international actors of only one type (ex: intergovernmental organizations) would limit the findings. The international stakeholders which were chosen based on these criteria are summarized in Table 10.

Table 10: List of International Stakeholders

<table>
<thead>
<tr>
<th>International Initiatives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organization for Economic Cooperation and Development (OECD) Guidelines for Multinational Enterprises(^{32})</td>
</tr>
<tr>
<td>Extractive Industries Transparency Initiative (EITI)(^ {33})</td>
</tr>
<tr>
<td>Global Reporting Initiative (GRI) Standards(^ {34})</td>
</tr>
<tr>
<td>United Nations Sustainable Development Goals (SDGs)</td>
</tr>
<tr>
<td>United Nations Guiding Principles on Business and Human Rights (UNGPs)</td>
</tr>
<tr>
<td>United Nations Global Compact (UNGC)</td>
</tr>
<tr>
<td>International Labour Organization (ILO) The Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy (MNE Declaration)</td>
</tr>
<tr>
<td>UN Principles for Responsible Investment (PRI)</td>
</tr>
<tr>
<td>Voluntary Principles on Security and Human Rights (VPSHR)</td>
</tr>
<tr>
<td>Equator Principles (EPs)(^ {35})</td>
</tr>
<tr>
<td>International Organization of Standardization (ISO) ISO 26000</td>
</tr>
<tr>
<td>International Council of Mining and Metals (ICMM)</td>
</tr>
<tr>
<td>World Gold Council Conflict Free Gold Standard (CFGS)</td>
</tr>
<tr>
<td>International Cyanide Management Institute (ICMI)</td>
</tr>
</tbody>
</table>

Excluded Cases

While the dissertation focuses on the three stakeholder groups, there are two notable stakeholder groups which are not included but should be mentioned. First, as Canada is the focus as the government stakeholder, the analysis does not include the governments of foreign countries where Canadian companies operate (See Chapter Five). The relationship between a home country government and the mining company is the purpose of the dissertation, with foreign jurisdictions

\(^{32}\) (OECD 2001; 2019b; 2017; 2020; 2018a; 2013)

\(^{33}\) (EITI 2020; Andreasen et al. 2013; EITI 2017)

\(^{34}\) (GRI 2016b; 2020b; 2020c; 2020f; 2018; 2020d; 2016a; 2019)

\(^{35}\) The difference between the Equator Principles and the PRI is minor, as the former deals with project finance, while the later deals with sustainability within institutional investments (O. Weber and Acheta 2014; 2016)
assumed to impose different influential pressures on the CSR approaches of a company.\textsuperscript{36} Focusing on one country allows for an analysis of the differences between domestic and overseas dynamics in a more analytically manageable context.

The second actor group which was not covered within this dissertation are community-level stakeholders. While these stakeholders may not always have the resources or organizational capability that the government or company stakeholders have, they do play an important part in influencing CSR practices and approaches of the other stakeholders. The choice not to include them stems from the issue of feasibility. Much like state-level actors, looking at community-level actors would significantly expand the scope of the project and will be left for future research. Looking at the strategies of the government, companies, and international stakeholders, without the inclusion of these two other stakeholders, implies trade-offs which I hope to have captured here, but analytically, does not impact the causal claims I develop in the study.

\textbf{Methodology}

The dissertation relies on the qualitative analysis of primary documents from each of the stakeholders. A qualitative analysis is useful to study the relationship between organizational structure and influence, a relationship which requires an interpretive lens to make sense of how formal processes and procedures ultimately shape interactions between stakeholders. Indeed, based on the framework I have outlined above, it would be difficult to assign weights and strict

\textsuperscript{36} Detomasi (2008) provides a comprehensive overview of the politics of CSR and how government institutional environments can lead to different outcomes for companies. This is true even for countries which have similar government systems, like those which are democratic in nature, as we will see different influential tools created within their respective structures (Detomasi 2008).
A qualitative approach is better suited for tying the organizational mechanisms to influence. For instance, while companies may have similar approaches to management, say using internal mechanisms to handle CSR, it does not mean that they act in the same way, or influence the CSR practices of others in the same way. The stakeholder analysis then can guide the researcher in identifying those differences and their implications for the dynamics of influence this dissertation attempts to account for.

Based on the existing CSR literature, it is also assumed that there are differences in how the stakeholder groups approach CSR. However, even using a qualitative approach requires a foundation of information on which to build factual observations. By focusing on how stakeholder's make-up their organizations, and what types of tools they use, this thesis builds a foundation which future researchers could replicate with other cases. The qualitative approach used here allows for a systematized, focused comparison between stakeholders' mechanisms. A qualitative approach also allows for each mechanism to be contextualized to examine how influence manifests itself between stakeholders – like changes to operating practices, policies, or reporting. The process for data collection is found in Table 11.

Table 11: Process for Analysis of the Stakeholder Cases

<table>
<thead>
<tr>
<th>Stage</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Collection of published materials which are publicly available through printed or online sources.</td>
</tr>
<tr>
<td></td>
<td>• Policies, reports, guidelines, memos, etc., specific to CSR.</td>
</tr>
<tr>
<td>2.</td>
<td>Analysis of collected materials. Focus on identifying mechanisms of CSR approaches and the governance and management structures related to CSR for each case.</td>
</tr>
</tbody>
</table>

A quantitative analysis of the content of each of the stakeholders, such as through a content analysis looking at key repetitions of words, could be considered, however, because this project looks at structures and the relation to influence – something immaterial - would only highlight convergence and not the informal relationships between the different stakeholder groups (Tench, Bowd, and Jones 2007; Lockett, Moon, and Visser 2006; Pope and Lim 2017). Furthermore, the low number of stakeholder groups, specifically when it comes to a singular government actor and only two private actors, would be skewed and not provide viable results from a quantitative search.

Look at how a company, government, or international body organizes its operational structure, identify the mechanisms related to CSR, highlight those which impact outside stakeholders, gain an understanding of the ways in which stakeholders influence others.
- Reporting processes, management policies, CSR processes, etc.
- Categorization of mechanisms and structures, specifically looking at points of comparison between stakeholders and measuring the degree of influence they have.
- Governing bodies, committees, management hierarchy, implementation processes, etc.
- Analysis of mechanisms and structures based on the institutional and stakeholder theory identifiers – (Institutional) structure, enforcement, (Stakeholder) power, legitimacy.
- Summarize how the organizational make-up of each case provides them with the ability to influence the practices of others.
- Highlight the common trends and tools which stakeholders use, looking specifically at how the make-up can impact their ability to influence. Look for differences and what it means for influence.

The case analysis chapters proceed using a straightforward, focused comparison and this is reflected in the way each chapter is organized. Each chapter begins with a brief introduction of the stakeholder, moving directly into an analysis of how the key dimensions of organizational structure – design, enforcement, power, and legitimacy – play out. Each chapter concludes with an analysis, indicating the main observations and providing a summary of how the organizational structure impacts each stakeholder’s ability to influence others and develop global norms and practices. Chapter Seven ties together the observations and findings from each of the empirical chapters, summarizing how influence manifests itself at the international level.

The timeframe for the collection of information focuses on documents which were created before January 2020, with additional information on the stakeholders not being gathered after this date – except for background information for context. When it comes to duplicates of documents, the most recent version is used, unless there is an analysis of previous versions for an understanding of governance and management priorities or background information. The decision to use a set year limits the number of documents being analyzed to make the analysis more feasible. The next chapter begins by introducing the first stakeholder group, the Canadian

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39 Or an interesting example which adds to the narrative.
Government, and how it positions itself vis-à-vis companies and international actors in the CSR space.
Chapter Four: Government of Canada

“Canada’s leadership in strengthening responsible business conduct abroad reflects the values supported by Canada’s progressive trade agenda where all parties should benefit from economic development and contributes to Canada’s reputation as an international business partner of choice.” - François-Philippe Champagne, Minister of International Trade (Global Affairs Canada 2018a)

As a government-level actor Canada should have the capacity to regulate and enforce CSR, yet why has the Government received such harsh criticism concerning its oversight of global CSR practices? In 2019 MiningWatch Canada summarized a number of pitfalls facing the Government’s approach, generally a lack of enforcement mechanisms, poor transparency on incident reporting, and few instruments applied to practices overseas (MiningWatch 2019; Global Affairs Canada 2016). In the international environment, governments play a crucial role overseeing the practices of companies operating within and beyond their borders and setting baseline operating standards through legislation and regulatory tools. Yet despite evidence that the Canadian government employs some of the most developed and effective controls at home, critics point towards Canada’s difficulty in imposing these controls on Canadian companies operating abroad (Open Canada 2014; Imai, Gardner, and Weinberger 2016; King and Torrance 2011; Saunders 2014). It appears there is a tension between the perception that Canada is a leader when

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40 MiningWatch is an independent organization whose mandate is to work “in solidarity with Indigenous peoples and non-Indigenous communities who are dealing with potential or actual industrial mining operations that affect their lives and territories, or with the legacy of closed mines, as well as with mineworkers and former workers seeking safe working conditions and fair treatment” (MiningWatch 2021).

41 Canada has received quite a bit of the attention, both in terms of understanding how the Government influences the mining industry, but also the ways in which Canadian companies construct their CSR approaches at home and abroad (T. Andrews et al. 2017; Buchanan and Marques 2018; King and Torrance 2011; Lacy and Bourassa 2020; Imai, Gardner, and Weinberger 2016). Yet the case of Canada, both with regards to government and company CSR, has suffered a few limitations. As Foster et al., (2009) points out, the development of CSR in Canada has followed a different trajectory than other developed nations, such as the US and the UK, due to differences in corporate practices
it comes to CSR practices, with strong governance and regulatory frameworks in place, and the realities of their involvement overseas.

This chapter begins by providing an overview of the Canadian mining environment and the strategy the Canadian Government uses to set CSR norms. Next, the chapter applies the institutional and stakeholder framework, comprised of design, enforcement, power, and legitimacy. The chapter concludes by providing key observations, highlighting the strengths and weaknesses of the Canadian Government when influencing CSR practices. We see that the Canadian Government has non-voluntary tools it can impose at home but lacks these same mechanisms in the international arena. Instead, the Government relies on voluntary approaches to help guide company practices overseas, participating and promoting international CSR initiatives to strengthen norms.

**Background**

Before applying the theoretical framework, it is important to understand Canada’s position as a major player in the global mining environment. Let us start with the size and impact of the Canadian mining industry, at home and abroad (See Figure 3). Canada has one of the largest market shares when it comes to multinational companies headquartered in the country – approximately half of the world’s publicly listed mining and exploration firms in 2017 (Els 2017; Marshall 2019a; Imai et al. 2016; Krumwiede et al. 2012; Freeman and Hasnaoui 2011). While early conceptions of CSR in Canada relied on government intervention and oversight, the expansion of the global economy and increased presence of Canadian firms overseas led to companies taking more responsibility for the creation of CSR standards (Foster et al. 2009; Freeman and Hasnaoui 2011). However, the large presence of Canadian firms overseas also meant that government actors needed to engage within the global arena of CSR. As Imai et al. (2016) point out in their analysis of Canadian companies operating in Latin America between 2000 to 2015, finding that for the most part Canadian companies had a poor responsibility track record which not only became a focal point for scrutiny, but also led to increased pressures on the Canadian government to address those issues (Imai, Gardner, and Weinberger 2016).
Several factors have contributed to Canada’s dominant position as a draw for companies to headquarter in the country. First, Canada has an abundance of domestic mineral deposits, allowing for companies to build their operations within the country before expanding into overseas markets. Second, the country has a variety of natural mineral resources, allowing for the diversification of companies as well as lower levels of competition between firms. These two factors help contribute to a company’s ability to develop early exploration activities and expand them over time. Furthermore, the natural mineral resources of Canada benefit from a number of government support programs which invest into developments such as financial and logistical assistance to help build a company’s operational capacity (Natural Resources Canada 2017a; 2019d).

While that percentage has decreased in recent years, Canada remains the principal country for mining companies to locate their headquarters. This includes extractive companies, exploration companies, and companies manufacturing and producing materials and items related to the mining industry. There is an interesting relationship between countries as they compete to attract multinational companies to their jurisdictions, however, this competition will not be covered in this dissertation. For more information on this see (Pan et al. 2015; Guimén 2009; Rao 2015; Strauss-Kahn and Vives 2009).

For instance, in 2019 Canada was ranked as the world’s number one producer of potash, the second largest producer of uranium and niobium, third in graphite, fourth for aluminum and cadmium, and fifth in sulphur and gold, to name a few (Marshall 2019a, 23; MAC 2019b)

It’s also important to note that there is sizeable infrastructure within Canada which helps with the development of the mining industry, including access to support, transportation, and professional services. Mining is a complex process beyond the extraction of resources from the ground, and there are many moving parts within the supply-chain which are available in Canada.
Figure 3: Geographic Distribution of Canadian Mining Assets - 2019 (Natural Resources Canada 2021b; 2021a)

(1,290 companies with $263.2 billion in mining and mineral exploration assets)

On the financial side, Canada is also a draw for mining, as the country provides competitive advantages to companies headquartered in the country. Canada has two globally recognized stock exchanges, the Toronto Stock Exchange (TSX) and the Toronto Stock Exchange Ventures (TSX-V), each of which have sections specifically created to support mining industry investment. Access to these exchanges allows investors to leverage finances for mining development, increasing their capacity to grow, and expand their operations in a structured and relatively stable way (Marshall 2019b; 2019a). In summary, the financial environment not only allows developing

45 The contrast with the total number of listed companies on both exchanges illustrates clearly how important the industry is in Canada, with mining companies making up 14% of the TSX (219/1520) and 58% of the TSX-V (987/1692) in 2019 (TSX 2021).

46 As of July 2018, there were a total of 1,206 mining companies listed on both financial markets, 219 of which are seen as senior TSX companies with the remaining 987 listed on the TSX-V and classified as junior issuers. TSX Senior companies have raised a significant amount of financial capital to the point where they can have senior equity investments. Not all the companies listed are headquartered in Canada, however, many of them are.
companies-- for instance those in the exploration stage to grow- but also for existing companies to increase their operational size within Canada and abroad.47

The strong natural and financial environment is also directly supported by the Government of Canada. Not only do Canadian regulations benefit mining companies, but they also create a legal foundation which provides direction and stability for companies operating in the country. For instance, Canadian loss carry-over rules partially protect companies from financial fluctuations, while also providing them with incentives to increase their operational capabilities through investment write-offs (Natural Resources Canada 2019b; 2019d; 2019c).48 Even during the operational phase, companies can take advantage of a number of government incentives - like processing and replacement allowances for mining equipment (Natural Resources Canada 2019d; 2019c). In terms of industry stability, the legal structure in Canada is codified, setting strict auditing, shareholder protections, and anti-corruption laws which create consistency - both for the company and the government. The legal system ensures that companies can operate with

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47 The presence of two major international financial bodies with large portfolios in the mining sector cannot be understated as a crucial reason of why the country is seen as a key destination for mining companies to headquarter. A double tiered financial industry, while existing in other countries, provides both an access point for emerging companies and a stable market for existing companies to grow their market share. The TSX-V, as a first step, provides junior companies with access to investment capital for project development – providing tiers based on values and expected development costs. For example, for a Tier 1 company the TSX-V requires a minimum of $2,000,000 in net tangible assets and $500,000 in investment on a property. In contrast, Tier 2 companies have no minimum tangible asset level, and only need to prove $200,000 on a work program, allowing for projects early in the lifecycle, such as during the exploration phase, to gain capital to build their presence. The TSX is more stringent in its requirements, not only to ensure financial investments are suitable for listing but also to ensure that companies on the exchange are properly regulated and are able to conform to certain requirements of the exchange. There exist three company tiers on the TSX, which are; the TSX Non-Exempt Exploration and Development Stage, the TSX Non-Exempt Producer; and the TSX Exempt. On the financial side, the three levels require certain net tangible assets ranging from $3,000,000 on the lower end to $7,500,000 on the highest level. The levels are also differentiated by the types of mining operations they target, with the lower end targeting advanced exploration properties, the second focusing on mines coming into production, and the final focusing on a commercial level mining operation. Furthermore, companies on the TSX are required to have independent review of their operations and financials, while on the TSX-V only Tier 1 companies are required to have independent review and only on their property requirements.

48 Look to Canadian development expenses (CDEs) are a 30% declining deduction for development of a mining operation, which can be carried forward to other years to minimize taxable profits until a later date (Natural Resources Canada 2019b).
independence from undue government or external pressure and have legal recourse to protect their interests, but also that the government is able to apply its legislative instruments.

The Government of Canada is not solely reliant on industry to set CSR norms, having built several programs and initiatives which directly respond to issues of social responsibility (See Appendix 5). The Government has a monopoly over non-voluntary instruments (regulations and laws) which provide baseline standards for companies to follow (Global Affairs Canada 2019c). The use of non-voluntary instruments does not only apply to company practices in Canada, with some laws, like the Corruption of Foreign Public Officials Act (CFPOA), setting standards for how companies operate abroad. However, while the government has a monopoly over these coercive measures at home, there are noticeably fewer non-voluntary tools which apply CSR standards for Canadian companies abroad (See Appendix 1). In the absence of these tools the Canadian Government advocates for companies to adhere to the national laws and regulations where they are operating, while at the same time promoting several voluntary measures – some created by the Government itself or by international stakeholders.

While laws and regulations are one way in which the Government of Canada approaches CSR, they also have an official voluntary strategy – Doing Business the Canadian Way - which provides guidelines that companies can adopt, or are encouraged to adopt, at their discretion (Cohen 2020; Global Affairs Canada 2019a). This includes formal support and participation in initiatives such as the Sustainable Development Goals (SDGs) and Organization for Economic

49 We’ll see in Chapter Five that while the Government, structurally, has a monopoly over non-voluntary mechanisms to influence the CSR norms of others, companies do have considerable power at the implementation level which provides them with a different form of internal non-voluntary mechanism.

50 There are ways in which some national legislation can be applied into overseas contexts even when it was not intended to. For example, Canadian labour protections can be applied for individuals from Canada operating abroad. If an employee who resides in Canada is sent abroad, they can see recourses under the Canadian labour codes, for instance. However, the main instruments applied overseas are those which deal with financial issues.
Cooperation and Development (OECD) Guidelines, while also promoting the use of other international guidelines – such as the VPSHR. The CSR strategy employed by the Canadian Government is thus one which melds non-voluntary and voluntary approaches together.

The Government of Canada’s CSR Approach and Strategy

“The Government of Canada defines CSR as voluntary activities that go over and above legal requirements. However, it is recognized that, in implementing regulations, companies often go beyond a strict application of obligations. Instances in the Catalogue where companies reported following legal requirements were thus included in the belief that companies will often go beyond a strict application of the regulation.” (Government of Canada 2020a)

The foundation of the Canadian Government’s approach to CSR is built on its legislative and regulatory tools. These tools are coercive in nature, enforced by mechanisms which impose requirements and penalize transgressors. If a mining company chooses not to respect allowable tailings emissions, or does not properly report on government contributions, it can face financial – and sometimes criminal – penalties (Government of Canada 1999). Enforcement of these coercive mechanisms is accomplished through Government agency oversight, including set-period (quarterly reports, disclosures, etc.) or incident reporting (wastewater spill, contribution over limit, etc.). However, the range of legislative and regulatory tools related to CSR have limitations in their breadth, focusing primarily on addressing environmental, labour, taxation, and criminal issues. The main regulatory and legislative instruments which impose CSR requirement are outlined in Appendix 1, with notable differences in what they seek to do, the environment (homes vs. abroad) and stakeholders they target, and the underlying mechanisms they use.

The Government tools can be categorized as high influence; each of which impose requirements that the government in turn enforces. The only instance of a legislative instrument which does not impose penalties is the FDSA, which sets the rules for the Government itself to address CSR (Government of Canada 2008). These rules include setting up internal CSR processes.
within departments and agencies, developing of an overall Government strategy, and outlining general guidelines for the Government to develop. While all the instruments have penalties, the requirements found under them are imposed differently onto external stakeholders, broadly broken down below into operational, organizational, and reporting (See Table 12).

Table 12: Requirements found under the Government of Canada's Legislative and Regulatory Instruments.

<table>
<thead>
<tr>
<th>Operational requirements</th>
<th>Organizational requirements</th>
<th>Reporting requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deals with influencing operational practices, for instance through health and safety norms, environmental protection processes, or acceptable emissions levels. These requirements seek to change a stakeholder’s way of operating and setting operational norms. Ex: Canada Labour Code, CEPA, Criminal Code.</td>
<td>Influences how the stakeholders organize and create their structures. This includes governance and management make-ups and processes, or the requirement for certain institutional bodies to be created. It instills a specific organizational requirement on the external stakeholder that they must adhere to. Ex: CBCA, FSDA.</td>
<td>Influences a stakeholder by requiring them to make certain disclosures concerning their operations. This is handled through a government oversight body, with penalties arising should there be non-compliance with the rules. Ex: CBCA, ESTMA, CFPOA.</td>
</tr>
</tbody>
</table>

While these instruments are effective at influencing mining companies, as they create required baselines, they are largely limited to the domestic realm. Besides the ESTMA and the CFPOA, penalties of non-conformity do not apply to actions taken by a company beyond Canada’s borders. These two instruments focus on financial issues and public corruption, not the environmental, health and safety, or labour issues as the other instruments do. Thus, while high-influence mechanisms are available to the Government, their reach is constrained in the global arena. To fill in the gap between at home and abroad non-voluntary instruments, the Canadian

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51 While Canadian companies operating abroad have been shielded from court judgments against them at home, there have been some interesting developments over the past few years which have expanded the scope of cases Canadian courts are willing to hear. For instance, in 2014 three Eritrean plaintiffs filed a lawsuit against Nevsun Resources for alleged human rights abuses in their home state (Steyn 2020). While the Vancouver-based Nevsun tried to argue that the plaintiffs had no reasonable chances of succeeding under Canadian law, in February of 2020 the Supreme Court of Canada sided with the plaintiffs, upholding a decision by the British Columbian Supreme Court and the Court of Appeals to proceed the matter to trial. Under the decision the Justices referred that customary international law was intrinsically part of Canadian law, and that even though the plaintiffs were basing their claims off international law it was not certain that they would not succeed. The Nevsun case is only one of many where claimants from other countries are bringing claims against Canadian companies in Canadian courts.
Government relies on several voluntary mechanisms which rounds out its approach to responding to issues of CSR. The voluntary mechanisms deal with issues that: (a) are not covered by legislative or regulatory instruments, or (b) concern specific issues related to Canadian companies operating overseas (Office of the Extractive Sector Corporate Social Responsibility Counsellor 2017). This voluntary section also provides an opportunity for external stakeholders (companies and international bodies) to weigh in on the approach of the Canadian Government by adding their own strategies and content.

The Canadian Government’s approach to CSR, characterized by a combination of voluntary and non-voluntary instruments, is organized under the Corporate Social Responsibility National Strategy (See Appendix 5). The Strategy details an all-of-government framework and delegates mandates to the different organizational bodies of the Government (Global Affairs Canada 2019a). Specifically, the Strategy builds on legislative and regulatory instruments, identifying key areas and priorities departments and agencies can focus on for the development of voluntary initiatives (See Table 13 for a summary of priorities). In line with the Government’s position, the Strategy emphasizes the importance of respecting jurisdictional boundaries and non-voluntary requirements, arguing that companies must, at a minimum, comply with the rules set out by governments where they are operating to set baselines. However, this means that if a host country has a weaker legislative system than Canada, companies can choose to adhere to those lower standards. In other words, there is no requirement for companies to use Canadian standards abroad.

52 The Corporate Social Responsibility National Strategy was born out of the FDSA.
Table 13: Priorities under the Government of Canada's National CSR Strategy

<table>
<thead>
<tr>
<th>Priorities</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Improving support for sustainability initiatives within the Canadian diplomatic corps, especially overseas, so that they can provide support for the development of best practices with businesses.</td>
</tr>
<tr>
<td>2. Provide support to the Canadian Trade Commissioners abroad to ensure that they are able to detect sustainability issues in their given regions and provide resolution support before they escalate.</td>
</tr>
<tr>
<td>3. Strengthen the mandate of the CSR counsellor to improve their ability to promote sustainability guidelines within the Canadian extractive sector, as well as providing support to companies on how to improve and implement sustainability practices.</td>
</tr>
<tr>
<td>4. Provide the CSR Counsellor with the ability to refer formal disputants to Canada’s National Contact point, or an NCP in another jurisdiction.</td>
</tr>
<tr>
<td>5. If companies align their practices with the Government of Canada’s sustainability position, the Office of the CSR counsellor can make them eligible for ‘enhanced’ economic diplomacy. On the other hand, companies who do not align their practices with Canada’s sustainability position will have Canadian foreign support withdrawn.</td>
</tr>
<tr>
<td>6. Ensure that Canada’s sustainability position includes international guidance direction – particularly the UNs Guiding Principles on Business and Human Rights, as well as the OECDs Due diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High Risk-Areas.</td>
</tr>
<tr>
<td>7. Increase awareness of sustainability initiatives and guidance in the extractive sector, promoting best practices and advances in the domain.</td>
</tr>
</tbody>
</table>

The voluntary side of the Canadian Government’s approach relies on Global Affairs Canada (GAC) and Natural Resources Canada (NRCAN) for its implementation (See Appendix 5). While both bodies have access to departmental instruments, these instruments are not coercively enforced, and fall into the categories of medium to low degrees of influence outlined in Chapter Three as they are voluntary in nature. In summary, the voluntary approach to CSR lacks enforcement mechanisms; stakeholders choose whether to follow these voluntary requirements and guidelines and are not coerced into their adoption. Indeed, the voluntary approach is centered around promoting and advancing CSR guidance amongst stakeholders, fostering networks and partnerships for the improvement of practices, and facilitating dialogue towards dispute resolution (Global Affairs Canada 2019c; 2020b).

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53 Mechanisms which fall under the medium influence have requirements or enforcement mechanisms but are voluntary in nature, with the external stakeholder having the ability to decide if they want to participate and subscribe to them.
While the approach of the Canadian Government has departments which create their own voluntary guidelines for companies to adopt, a section of their strategy also relies on leveraging the CSR guidelines of external stakeholders – many of which come from international bodies – to fill in the gaps when Canadian companies are operating abroad.\textsuperscript{54} As part of the Government’s strategy, these external guidelines are promoted for adoption by companies operating in other countries, having been identified as helpful initiatives which can improve CSR practices (See Appendix 3).\textsuperscript{55}

**International Guidelines under the Canadian National Strategy**

International guidelines are a significant part of the voluntary side of the Government of Canada’s CSR strategy, using them to complement their own non-voluntary and voluntary instruments (Global Affairs Canada 2019a). In some cases, Government departments refer to these international guidelines or participate in their adoption, for example having GAC chair the VPSHR in 2021 (VPSHR 2020). In other cases, departments will require that an international initiative is adopted before providing government assistance, as is the case of the IFC Standards and Innovation, Science and Economic Development (ISED) assistance (ISED 2014).\textsuperscript{56} The international initiatives which are officially used under the Government’s CSR strategy are listed in Table 14 (Global Affairs Canada 2019a).

\textsuperscript{54} While the Government of Canada notes that these international initiatives are contributors to the advancement of CSR, it is not made clear within the content why they choose to promote them.

\textsuperscript{55} While the Government promotes the adoption of these various guidelines, how it chooses which ones are important is not known in this manuscript.

\textsuperscript{56} The example of ISED is interesting here as it shows how a government department can use an external initiative to help guide one their processes. Meeting IFC standards is an internal decision by ISED, not outlined under the rest of the strategy. CSR influence can target the major government bodies which deal with social responsibility, but also touch upon other bodies which are not directly part of the strategy but who could see their processes improved by adoption or promotion of certain norms.
Table 14: International Initiatives included in the Government of Canada's CSR Strategy

<table>
<thead>
<tr>
<th>International Initiative</th>
<th>Relationship with Government of Canada</th>
</tr>
</thead>
<tbody>
<tr>
<td>OECD Guidelines for Multinational Enterprises (MNEs)</td>
<td>Signatory, Member</td>
</tr>
<tr>
<td>United Nations Guiding Principles on Business and Human Rights (GPs)</td>
<td>Sponsor</td>
</tr>
<tr>
<td>Voluntary Principles on Security and Human Rights (VPSHR)</td>
<td>Member</td>
</tr>
<tr>
<td>International Finance Corporation’s (IFC’s) Performance Standards on Social &amp; Environmental Sustainability</td>
<td></td>
</tr>
<tr>
<td>OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas</td>
<td></td>
</tr>
<tr>
<td>Global Reporting Initiative (GRI)</td>
<td>Partnership</td>
</tr>
</tbody>
</table>

While the Canadian strategy formally uses the content of international guidelines, they are also direct participants under a number of them as well (Global Affairs Canada 2019a; 2019c). As will be built upon in Chapter Six, participation in an initiative affords Canada with the ability to exert power over the CSR guidelines through membership and governance, allowing for the setting of priorities and direction of the CSR approach. For instance, when updating the OECD MNEs, the Government of Canada was part of the process as an advisor, helping guide the content based on their expertise and interests (Global Affairs Canada 2014). Here we can see a point where the Government was able to influence an international stakeholder and include their own interests within a decision-making process. The type of involvement the Canadian Government has with international initiatives is outlined in Table 15.

Table 15: Canadian Governments Involvement with International CSR Initiatives

<table>
<thead>
<tr>
<th>International Initiative</th>
<th>Relationship with Government of Canada</th>
</tr>
</thead>
<tbody>
<tr>
<td>OECD</td>
<td>Signatory, Member</td>
</tr>
<tr>
<td>UNGPs</td>
<td>Sponsor</td>
</tr>
<tr>
<td>VPSHR</td>
<td>Member</td>
</tr>
<tr>
<td>IFC</td>
<td>Signatory, Steering Committee Member</td>
</tr>
<tr>
<td>GRI</td>
<td>Partnership</td>
</tr>
</tbody>
</table>

While participation is one avenue of influence under the Canadian Governments strategy, there is also promotion of CSR guidelines which the Government is not involved in but does note are useful for companies to consider (See Table 16)(Global Affairs Canada 2019c). The difference is important, as inclusion of external CSR guidance within the Government’s approach is not
exclusive to initiatives in which it is a member and might have clout. Rather, the Government is more lenient when it comes to including voluntary guidance and promoting external initiatives, even initiatives it does not have control over or a say in their development, as long as they are in line with the Government’s broader strategy (Natural Resources Canada 2017b). For a government stakeholder to promote an external initiative either relies on participation within the structure of the initiative, or for the initiative to be seen as a complementary international norm, in line with government priorities.

Table 16: International CSR Initiatives Promoted by the Government of Canada under their National Strategy

<table>
<thead>
<tr>
<th>Initiative</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children’s Rights and Business Principles (CRBPs) – UNICEF, UN Global Compact, Save the Children</td>
<td></td>
</tr>
<tr>
<td>UNICEF Tools for Business</td>
<td></td>
</tr>
<tr>
<td>ILO-IOE Child Labour Guidance Tool for Business</td>
<td></td>
</tr>
<tr>
<td>United Nations Global Compact (UNGC) – In Canada there is the Global Compact network Canada (GCNC), a non-profit entity used to advance the UNGC’s with Canadian partners.</td>
<td></td>
</tr>
<tr>
<td>Sustainable Development Goal (SDG) Compass – GRI, UNGC, World Business Council for Sustainable Development</td>
<td></td>
</tr>
<tr>
<td>ISO 26000 – Social Responsibility</td>
<td></td>
</tr>
</tbody>
</table>

Inclusion of external initiatives which complement the Government’s own strategy provides external stakeholders – both companies and international bodies – with an opportunity to have their CSR interests included into a formal Government’s approach through voluntary means. While inclusion of external guidance does not provide access to using non-voluntary instruments (laws, enforcement, regulations, etc.) it does allow external stakeholders a point of entry with the Government stakeholder to set and confirm norms, as well strengthens their legitimacy through official recognition. For example, Barrick Gold and Goldcorp were both included as examples of how to properly approach CSR practices, lending weight to their processes and strategies by having the Government highlight and endorse their practices (NRCAN 2017). Appendix 2 provides an overview of the voluntary instruments which the Government endorses under its strategy,
providing stakeholders with information on how to access them and the type of social responsibility issue they address (Industry Canada 2014).

In essence, the Canadian Government’s strategy has three general levels (See Figure 4). The most influential are non-voluntary instruments which impose CSR requirements on companies, laws and regulations which have different degrees of penalties and requirements (organizational, operational, reporting) for non-compliant companies. At the second level of influence are voluntary Government-created or externally created initiatives, including CSR recommendations under GAC and NRCAN or the OECD Guidelines. These are included within the Government’s strategy and put into practice by the different departments and agencies. Finally, at the lowest level of influence are external initiatives which the government references but does not participate in or officially use within its approach. Figure 4 helps demonstrate the diffusion of responsibility within the Government’s CSR approach, from being completely within its control through the non-voluntary instruments, to slowly allowing for the influence of external stakeholders as it moves into the voluntary space. It also shows a certain reliance on the norms of external stakeholders to act as guiding forces for CSR which fall outside of legislative requirements - especially overseas (Global Affairs Canada 2019d; 2020c; S. Park 2006; Winston 2018).
Design

The CSR strategy of the Canadian Government is organized in a way that mixes mechanisms which are internally created with those of external stakeholders. Domestically, there is a unified national strategy, employing an all-of-government approach to respond to CSR issues. Internationally, the supervision of overseas firms falls under the responsibility of GAC or NRCAN, although many voluntary initiatives are the responsibility of external stakeholders. The Government implements its strategy through its departments, spreading responsibility of the high-influencing instruments to different bodies that are afforded oversight powers (See Figure 5). Design-wise, there is coordination between the different departments; however, when it comes to the responsibility of implementation of non-voluntary mechanisms, departmental control is clearly defined, for example NRCAN overseeing ESTMA or Environment Canada taking charge of CEPA (Summarized in Figure 5). While some departments have access to non-voluntary instruments to set CSR standards, others rely purely on voluntary approaches to influence company practices, for example ISED and GAC.
The non-voluntary instruments used by departments is largely geared towards responding to CSR issues in Canada, with only the RCMP and NRCAN having access to instruments which are applicable overseas through the CFPOA and ESTMA. The lack of high-influencing mechanisms for practices overseas, particularly with financial and corruption issues, narrows the responsibility the Government has when seeking to regulate CSR practices beyond its borders through non-voluntary means, consistent with the weaknesses facing government stakeholders identified in Chapter Two (McBarnet 2011; I. Freeman and Hasnaoui 2011; Ciupa and Zalik 2020; Global Affairs Canada 2019a).

Differences between departmental ability to influence CSR through non-voluntary instruments reveals which bodies rely on voluntary mechanisms for influencing company practices. This does not mean that departments like GAC do not have CSR tools they can use.
Rather, the type of influence they can impose is not as strict as the non-voluntary tools and requires different approaches. While non-voluntary mechanisms rely on coercive pressure to align company approaches with the government’s, the tools available to GAC are non-coercive, instead focusing on incentivizing companies to follow the Government’s direction (Global Affairs Canada 2019a). Consider the overall strategy, which makes specific reference to providing GAC with the ability to provide improved financial and diplomatic services to stakeholders whose practices are aligned with government interests, withholding the same enhanced aid from those who do not.57 Because incentives provide a competitive advantage to companies that adhere to Government guidance, they can be seen as more influential as they do have specific requirements to access them.

In addition to the major departments and agencies which oversee CSR strategy, there are also several other bodies the Canadian government uses to advance the voluntary side of its approach. These include the Canadian Ombudsperson for Responsible Enterprise (CORE) the Centre for Excellence in CSR (CfE), the Trade Commissioners Service (TCS), and the OECD National Contact Point (NCP) (Global Affairs Canada 2019a). These bodies have several voluntary CSR tools to influence the CSR practices of other stakeholders. CORE, for its part, is the government body created specifically under the National Strategy to review existing and emerging issues of CSR facing Canadian mining companies abroad but does not have access to high-influence instruments.58 Instead, it has voluntary tools such as such as complaint and dispute

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57 The type of assistance is not formal, but can include mediation services, negotiation with local government officials, and providing support in overseas territories for business interests. This assistance primarily occurs through the Trade Commissioners Services (TCS), found in Canadian diplomatic offices around the world.

58 CORE came out of the Office of the Extractive Sector Corporate Social Responsibility (CSR) Counsellor whose mandate was to provide support to extractive companies concerning their CSR standards and guidelines, as well as review CSR issues abroad. The Office’s mandate officially came to an end on May 18th, 2018, at which point the responsibilities were transferred to CORE (Global Affairs Canada 2018b).
resolution mechanisms, studying CSR issues, and providing support to companies looking to improve their CSR practices. The main tool CORE uses which affects external stakeholders, the complaint and dispute resolution mechanism, relies on the voluntary participation of parties and can only advise on which next steps which should be taken (Cohen 2020). Rather than impose judgments and decisions internally, the Ombudsperson relies on enforcement by other departments if the issue requires intervention, or Canada’s National Contact Point (NCP) to recommend next steps. The CfE, in comparison, is a body with low influence over the practices of others, focusing on providing information to stakeholders without the imposition of requirements, membership, or other mechanisms which increase the chances of adoption. The CfE seems to not have much of an active role in the CSR approach of the Government besides acting as an informative body which can provide advice and research.

The TCS and the NCP are like the Ombudsperson’s office, falling into the medium to medium-low categories of influence based on the tools they use. The TCS does have voluntary enforcement mechanisms, including the ability to recommend penalties to be levied against companies which do not align with the direction of GAC and the legislative instruments of Canada. The NCP also has oversight mechanisms, primarily through its dispute resolution mechanism; however, unlike the TCS it cannot impose penalties onto contravening stakeholders.

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59 In March of 2021 the Ombudsperson had put in place procedures to handle complaints and provide recommendations without coercive mechanisms. Until this date it was handled on a case-by-case basis and required the voluntary participation of the parties. The dispute resolution mechanism is now formalized but retains the requirement that participation be voluntary and cannot be imposed on, let’s say, a mining company.

60 From the structural analysis there was not much information on the work being undertaken by the CfE, and there was a distinct lack of guidance tools which we see under the other voluntary bodies of the Canadian Government. While there were position statements and guidance documents, current work or a formalized process were visibly lacking.

61 The recommendations for penalties are limited, as it can only provide information when a company (or individual) is contravening a Canadian law, or if there is a reason to withhold diplomatic support.
only recommendations. The organizational breakdown of the Government of Canada’s approach to CSR, much like the strategy itself, is made up of a range of bodies, with different parts of the structure being afforded different degrees of influence based on how they can be used. The organizational structure also shows that enforcement is not uniform amongst government bodies; different bodies rely on different tools to ensure conformity, as outlined in Appendix 4. For influence, it means that the Government has access to a range of voluntary and non-voluntary tools under its strategy, but that not all of its organizational bodies approach influencing the practices of others in the same way, or even to the same degree.

**Enforceability**

The design of the Government of Canada’s CSR approach includes several enforcement mechanisms which it uses to influence company practices, international initiatives, and at times even other governments. While one might assume that only non-voluntary instruments are subject to enforcement mechanisms, government bodies also have enforcement mechanisms for voluntary CSR approaches; these mechanisms are notably weaker than those for non-voluntary approaches. For the non-voluntary instruments, the different Government departments do not all have the same enforcement tools, imposing a range of penalties depending on the severity, length, or impact of the offence. In general, these instruments rely on either a financial penalty or a criminal penalty if the offense is severe enough. Of the two pieces of legislation which are

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62 The work of the GAC and the TCS was geared towards companies and providing diplomatic access points, but there are also indications that part of their role is to aid in the development of sustainable business practices by government actors abroad as well. This can include promotion of certain standards and helping advise on CSR issues as some examples.

63 In October of 2019 a mining industry consultant and Chief Executive Officer of Tournigan Gold Corporation was found guilty of fraud under the Canadian Criminal Code (Government of Canada 2020b). Government departments have leniency in terms of imposing penalties, being able to decide on the severity of the penalty in relation to the offence. The process of choosing penalties, however, is not ad-hoc, and Government actors are required to have internal policies which dictate how they allocate enforcement weight, creating a uniformity within their internal process which is precise.
applied overseas, ESTMA and the CFPOA, only the latter can impose criminal penalties on contravening stakeholders (See Appendix 1). The enforcement penalties provide degrees of severity for government instruments, meaning that while they set fixed standards, departments have leeway on their application.64

Domestically, coercive enforcement mechanisms comprise the foundation of the government’s strategy. Overseas, the Government strategy does not provide the same degree of non-voluntary enforcement instruments. Apart from the ESTMA and CFPOA, the enforcement tools used to influence firms overseas are voluntary and lacking substantive penalties. While the Strategy relies on voluntary mechanisms, the TCS is the only body where we see penalties being applied through the review and consideration for breaking off financial and diplomatic assistance through the embassy offices. The Ombudsperson and the NCP, for their part, only have access to medium to medium-low enforcement tools. While they can promote voluntary requirements and a review system, they do not have the internal means to ensure adoption of requirements or impose a penalty on a contravening actor as the TCS does.

The distinction between voluntary and non-voluntary tools used by the Canadian government reveals a gap; there is a lack of voluntary mechanisms that have enforcement, participation, or requirement mechanisms (See Table 17). Indeed, the voluntary approach of the government focuses more on providing general CSR guidance to companies operating overseas. Here we may ask: can there even be voluntary tools which can be enforced or impose requirements? Yes, they can, as the case of the TCS and its positive reinforcement of CSR norms amongst companies highlights that these incentivization approaches do exist within the strategy,

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64 It’s not uncommon for government departments to provide leniency to offenders, for example if it is a first-time offense or if the severity of the offense is minimal.
yet they have not been developed under CORE or the CfE. The enforcement tools available to the Government of Canada fall into four categories (See Table 17), each of which has a different impact on its ability to influence the CSR practices of others.

Table 17: Different Types of Enforcement Mechanisms Observed

<table>
<thead>
<tr>
<th>Reporting requirements: Government departments have oversight where they have reporting requirements from external stakeholder to assess their adherence with the Government approach. These reporting requirements can either be voluntary or required obligations for stakeholders, and penalties are enforced is standards are not met or if there is no compliance. Voluntary and non-voluntary.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operational Requirements: Requirements from the Government of Canada which provide requirements on stakeholders on how they operate, setting requirements which alter their structure of the way in which they do business. For example, this can be through baseline health and safety, environmental controls, or physical security requirements, to name a few. Unlike reporting requirements these impose a baseline requirement which must be adhered to. Voluntary and non-voluntary.</td>
</tr>
<tr>
<td>Operational Support: Support for companies in integrating CSR initiatives into their operations, either by assessing the effectiveness of their current programs, or by supporting the development of operational reporting requirements for companies. Enforcement here is largely voluntary, as the Government body will help with implementation but not impose requirements which must be adhered to.</td>
</tr>
<tr>
<td>Diplomatic Support: Government of Canada actors provide support to companies in matters of foreign relations, specifically helping them pursue new developments or responding to issues through diplomatic engagement.</td>
</tr>
</tbody>
</table>

Power & Legitimacy

The organizational structure and enforcement provide the Canadian Government with a diverse set of tools by which to influence CSR, but what does this mean for affording the Government power in the international arena? Based on its organizational make-up, the Government’s power when it comes to influencing CSR relies heavily on the imposition of its non-voluntary instruments to influence company practices. The voluntary side of the Government’s strategy sees less direct influence over company practices overseas, as they lack enforcement and rely instead on the promotion or participation in non-binding CSR approaches. The reliance on voluntary strategies to guide company practices overseas is clear when we look at the Government's organizational tools, as the foundations of their approach, those non-voluntary instruments, are largely constrained to application at home. The shift between the approach at home and abroad provides a gap where companies begin to subscribe to the influence of other
stakeholders rather than the Government in overseas jurisdictions – whether these be foreign governments, international organizations, or civil society.

However, despite a lessening of non-voluntary mechanisms used by the Government at the international level, it maintains a critical position as a state-level actor with significant resources which it can use to advance CSR norms globally. As the strategy highlighted, part of the Government’s overseas approach is the support and promotion of international initiatives, either as a member, participant, or advocate. By virtue of having access to non-voluntary instruments, the Government is also afforded power; it has control over the means to impose non-voluntary CSR requirements onto companies (Bone 2021). Looking at the CFPOA, for example, its construction was influenced through Canada’s involvement within the OECD, which relies on its state-level membership to implement their own CSR norms. The power of the country is largely based on its non-voluntary instruments, with the Government developing fewer voluntary tools which have requirements or standards for stakeholders to follow.

The Government’s legitimacy follows the same structural logic when responding to CSR issues at home and abroad. The power afforded to the Government through non-voluntary instruments also acts to ensure its legitimacy with companies and international bodies as they monopolize control over coercive tools which the latter simply do not have access to. While external stakeholders may be able to influence the CSR strategy of the Government, for instance through OECD deliberations on CFPOA or the establishment of the NCP, the government keeps exclusive control over the non-voluntary and most powerful parts of its CSR strategy. This means

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65 As will be seen in Chapter Six the OECD’s membership is exclusively comprised of state-level actors, with companies and other international bodies being able to participate in discussions but not in the direction of the organization.
that companies must adhere to the rules and norms dictated by Canadian legislation, while international stakeholders must work through the Government if they want to influence the non-voluntary mechanisms. If a stakeholder wants to influence the Government’s approach, they can either target non-voluntary mechanisms, or fill in gaps which the Government does not legislate by providing voluntary initiatives the Government can then promote.

The Government’s strategy does show a decrease in its control over voluntary mechanisms as responsibility over their creation and implementation is largely undertaken by companies and international bodies. However, this can be seen, within the overall CSR strategy, as a way of legitimizing their approach as well, first by promoting guidelines of other stakeholders which reinforce or expand their foundation CSR approaches, collaborating with other stakeholders in the international CSR space, but also by filling in CSR areas which it does not want to legislate with voluntary recommendations (Global Affairs Canada 2019a). Cooperation with external stakeholders, when dealing with CSR issues outside of Canada, is an approach the Government can leverage to respond to social responsibility issues facing Canadian companies without having to develop non-voluntary instruments, while at the same time legitimizing their approach by advocating for global norms (Cohen 2020). For external stakeholders this is useful as they can use the power of the Canadian Government to legitimize their own approach, but also use government resources to diffuse their own norms to a broader set of stakeholders.

In the international arena, Canada’s legitimacy is reinforced through cooperation with other stakeholders. Cooperation may occur through the participation and support of non-governmental initiatives and by building relationships with other governments and overseas communities, participating to the development of global norms around responsible mining practices (Cohen 2020). Assistance for foreign governments or communities is either handled through participation
within existing initiatives, largely through GAC, or through CORE (Global Affairs Canada 2019a; 2019b). For instance, CORE provides direct support to communities who can levy grievances against a company operating in contravention of CSR norms overseas. A dispute levied against a company can be initiated by a community group from either Canada or another country, and the Ombudsperson can act as a formal dispute resolution mechanism between these groups - yet requires the willing participation from all the parties. The national strategy also allows for GAC and the TSC to provide support to Indigenous communities overseas. For example, local communities may bring issues of companies acting irresponsibility, but companies have the discretion if they wish to participate in mediation or dispute resolution (Global Affairs Canada 2020a). The use of non-voluntary mechanisms to support foreign government or community-level stakeholders is not prevalent within the CSR strategy of Canada. Instead, the government derives its legitimacy and power overseas from the voluntary approaches and participation to advance its social responsibility interests.

Conclusion

The Canadian Government’s approach to CSR is comprised of several different bodies and mechanisms, and while it does have a breadth of control over non-voluntary instruments it can impose on companies at home, its ability to exert these same mechanisms overseas is significantly diminished within its current strategy. The government’s overseas strategy, as outlined in its documents and the structural organization of its enforcement mechanisms, relies on voluntary guidance and promotion, passing responsibility concerning high-influence, non-voluntary instruments onto other stakeholders. Despite the strategy of focusing more on voluntarism in the international space, the Canadian Government still maintains a strong presence within the global
CSR community; it is a key player in the promotion and participation of initiatives and affords power and weight to the development and advancement of CSR norms.

The power and legitimacy of the Canadian Government as a CSR actor in the international ecosystem is based on several factors. First, it controls high-influence mechanisms at home, and can still leverage (more limited) power over Canadian companies overseas, something other comparable governments are assumed to be able to do as well. Second, the Government participates in the CSR initiatives at the international level, not only through promotion, but also through formal participation in the governance of international initiatives. Brought together, these two points ensure that the loss of the high-influence mechanisms when moving into the international arena does not diminish the ability of the Government to influence CSR. Instead, the Strategy is more reliant on voluntary mechanisms for guiding overseas practices – particularly those of international stakeholders.

The analysis shows that within the global context, the Government plays a role, both in influencing international initiatives and the companies and acting as an interlocuter which diffuses their voluntary norms to others. While a connection between the Government and companies has been established, \textit{how does the structural make-up and the influence of the Government compare with the company stakeholders}? As Canadian companies, Barrick Gold and Goldcorp are directly subject to the non-voluntary instruments of the Government, but as private stakeholders it is expected that how they approach CSR and influence differs significantly. The next chapter introduces both companies, examining their CSR strategies and highlighting how they have designed their structures to advance their interests in the same way that the Government case was done. While the Government imparts responsibility onto other stakeholders to influence CSR in
the global environment, it is expected that both companies take a more active, influential role as they are the ones on the ground – or in the case of mining, beneath it.66

66 While extremely corny I believe this transition is literary “gold”.
Chapter Five: Barrick Gold & Goldcorp

“In order to realize our vision of Together, Creating Sustainable Value, we must recognize the economic, environmental and social impacts of our business – and we need to understand the assessments and/or decision-making of our stakeholders.” (Goldcorp 2019a)

“Our sustainability vision is to create long-term value for all our stakeholders. We live our vision by embedding environmental, social and economic considerations into all our business decisions.” (Barrick Gold 2020f)

The case of the Canadian Government helped us understand how a government can mobilize a range of tools to influence the CSR practices of companies and international bodies. These tools included non-voluntary instruments such as the CEPA or the ESTMA, and purely voluntary mechanisms with no requirements or enforcement capabilities, such as the development of guidelines by the CfE or those used by the Ombudsperson. While the Government employed a mix of tools, the majority are non-voluntary instruments, created to improve company practices in Canada. For their part, companies oversee CSR approaches within their organization, being sensitive to Canadian rules and regulations, but also needing to adapt to specific challenges that affect their ability to operate. Based on their experience, companies often advise the government on CSR issues, collaborating in the development of the Government’s strategy by outlining their operational realities and successful programs (Jette S Knudsen and Brown 2015; Natural Resources Canada 2017b). This chapter follows the same plan as the last one. First, it introduces Barrick Gold and Goldcorp and their approaches to CSR. Next, it provides an overview of how their organizations relate to the concepts of design, enforcement, power, and legitimacy. The chapter concludes by highlighting the key tools that companies use to influence CSR and their relationship with the other stakeholder groups for comparison in Chapter Seven.
The Company Profiles

Barrick Gold and Goldcorp are both privately-owned gold mining companies whose primary responsibility is to their shareholders who, in most cases, are interested in increasing profits (Donaldson and Preston 1995; McIntyre 2019; PwC 2017). This means that their CSR approaches are built to advance profitability in some way, for example through forming sustainable relationships with other stakeholders (governments, civil society, other companies) or increasing the legitimacy of the firm so they can increase profits in the long-term (Albareda 2013; M. Weber 2008). For example, companies will reference acquiring the social license to operate, the idea that companies tailor their CSR approaches with the goal of getting local communities and stakeholders to accept their mining activities and mitigate the potential for conflict (Gehman, Lefsrud, and Fast 2017; Kemp and Owen 2013). Both companies reference the value-added component of CSR for securing preferable business environments for their operations, but also the limitations – such as supply-chain problems or regulatory penalties - which can arise should social issues be left unaddressed (Barrick Gold 2020a; 2020f; Goldcorp 2013b; 2019a). CSR, within the business models and decision-making of both companies, is both an opportunity and a risk.

It is expected that a publicly owned company would influence CSR in distinct ways, consistent with their different structure, and ultimately leading to a closer connection with the Government. An earlier draft of this dissertation compared private and public mining companies, and from the preliminary analysis there were indications that the structure of the two groups differed, which helps explain the difference in outcomes when it comes to influence. For instance, public companies had organizational bodies which directly linked them to the government, either through oversight or direct governance, whereas private companies did not. The relationship between government stakeholders and public companies when it comes to CSR would be an interesting future research area, and there have been a number of interesting studies coming out of China on this interconnection vis-à-vis social performance (Tilt 2016; Zheng, Luo, and Maksimov 2015; Barkemeyer 2009; Zhu and Chang 2013).

The social license to operate will be brought up later as a legitimizing tool used by companies to undertake their operations. The idea is that if local communities hold positive views of a mining operation and their activities it gives the company the right to extract minerals. There are similarities with a social contract, where the company operates in a certain way which produces social capital that it can then use to legitimize its operations.
Referring back to the case selection criteria in Chapter Three (See Table 8), both companies were top-tier companies within the international mining sector based on market cap, operational size, and the location of mines in multiple countries other than Canada. At the end of 2019, both companies had market caps over $10 billion and active operational portfolios in Canada, South Africa, Mexico, and Argentina (Caplinger 2019; Barrick Gold 2020e; Goldcorp 2019a). The headquarters of the companies were based in Canada - Barrick Gold in Toronto and Goldcorp in Vancouver – with their portfolio of sites in the operational, exploration, and closure stages. Barrick Gold was comparably larger than Goldcorp, not only having a higher market cap and more mining sites, but also operating in a more diverse set of geographic regions (See Appendix 6)(Barrick Gold 2019f; Goldcorp 2019b). Goldcorp, for its part, had operations focused on North, Central, and South America, with no operations in Africa, Asia, or Europe. In contrast, Barrick Gold also had operations in North and South America, but also had operations in different regions of Africa (See Appendix 6 for a list of the company’s operations). Apart from focusing on gold as their major mining commodity, both companies also mine other metals, such as silver, copper, lead, and zinc. The case selection provides comparisons which can apply to major stakeholders

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69 Since 2019 both companies have undergone mergers with others, with Goldcorp merging with Newmont, and Barrick Gold merging with Randgold. The mergers have placed both of the newly amalgamated companies at the top of gold producing companies globally in 2020 and 2021, both by market weight and production yield (NS Energy 2020).

70 For more depth there are generally five stages of a mining life cycle. First, exploration, which includes the finding of deposits of mineral resources and analysis of feasibility. Second, there is the design and planning stage, where the operations side of the mining operation is developed. Third, the construction stage, where equipment and initial digging take place to make the mine operational. Fourth you have the production phase, where minerals are extracted and sent for processing. Finally, there is closure and reclamation, where the operations are dismantled, and the mining site is returned (as close as possible) to its pre-operation state. In some cases, companies can forego the exploration stage and rehabilitate an existing mining operation, usually when there is new technology which allows them to process minerals more effectively, new deposits have been uncovered, or when the mine is being used to produce another mineral (for example transitioning a gold mine to a copper mine as there were deposits of the latter found).

71 While companies usually focus on one mineral type it is not uncommon for a single operation to produce a range of minerals.
in the mining sector, irrespective of the type of mineral they extract, as it is expected that large extractive companies will have similar organizational structures and approaches to CSR.

**How Barrick Gold and Goldcorp Approach CSR**

Both companies directly reference CSR approaches within their organizational structures, and coordinate with government and international efforts. The companies approach CSR in similar ways; they each have general guiding CSR principles which apply organization-wide and are reinforced by more precise CSR policies to deal with select issues facing their companies - like security measures on sites or financial disclosure policies (See Appendix 7). Finally, each company has policies which are not specific to CSR but have an impact in addressing social issues – such as taxation guidance (Barrick Gold 2020e; Goldcorp 2019a). The layout of the internal CSR approaches of both companies are straightforward and representative of standard operating practices of large multinationals in the mining industry.72

The companies also make direct reference to external CSR guidance - by international initiatives, community groups, or governments – to complement and strengthen their own strategies. For example, Barrick includes ILO guidance within its Human Rights policy, directly referencing the need to align company practices with the labour priorities and protections under the international organization’s guidance (Barrick Gold 2020b). In other cases, companies directly incorporate the CSR processes of external stakeholders, for instance the use of the WSG Conflict-Free Gold Guidance and checklist, or the Government of Canada’s anti-corruption legal requirements. The CSR strategies of external parties can influence the companies in two ways.

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72 For example, the tax department of the companies would not be seen as a CSR body, however aspects of its role within the organization have an impact on the ethical practices (reporting government disclosures, community contributions, auditing, etc.). Other bodies are made specifically for CSR, such as community relations teams and the CSR committees.
One, companies can generally reference their alignment with another's approach and build their own processes; and two, a company can adopt an external process into their own operating procedures (reporting guidelines, security standards, risk assessments). For example, Barrick Gold and Goldcorp both reference adherence to the Sustainable Development Goals (SDGs) and working towards achieving them on their sites, but there are no actual processes (management and reporting systems, for example) which the companies have directly adopted from the SDGs. In contrast the Global Reporting Initiative (GRI), used by both companies, has set tools and guidance procedures which the companies can use without having to build their own.

The inclusion of external guidance is important to highlight the influence they can have on companies’ operating practices. When companies reference an external initiative, yet there is no specific guidance or process for a company to adopt it, we see the company assuming responsibility for its implementation.\(^{73}\) Consider Goldcorp’s human rights policy. While it does include a general reference to respecting international human rights norms (specifically the Universal Declaration of Human Rights and the ILO Conventions on Organizing and Collective Bargaining), the specifics of how the company will incorporate the norms into their organization is left up to them. Indeed, it appears that, while general guidelines have been referenced, the implementation and control of the internal processes remains the responsibility of the company.\(^ {74}\) In contrast, the inclusion of other international initiatives which outline specific implementation directions, like the GRI and VPSHR do (coming up in Chapter Six), specify how they should be put into practice (measurements, processes, criteria, etc.). This provides less flexibility to the company over how to

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73 This involves setting the baseline standards, the governance and management standards, and what programs or processes are required to address the issue.
74 Corporate Social Responsibility Policy, Environmental and Sustainable Development, Occupational Health and Safety, Code of Business and Ethics.
approach implementation of the CSR measures. The impact on organizational make-up is important here, as the general guidance sees less structural change resulting from external influence, like setting up specific offices or reporting processes, than those which are precise.

A perfect example of how external stakeholders can influence the CSR approaches of a company, which have a direct, material effect on their organizational processes, can be seen in the imposition of reporting requirements by governments. Goldcorp’s Disclosure, Confidentiality, and Insider Trading Policy, as well Barrick Gold’s Insider Trading Policy, both reference the need to follow government financial reporting requirements and industry rules (market rules) which mandate the disclosure of certain information on revenues, disbursements, and shareholder relations (Goldcorp 2013a; Barrick Gold 2019e). For instance, companies are required to report on suspicious transactions or ensure that information concerning the day-to-day financial or operational status - like mine closures or revenue projections - is not disclosed early to provide unfair investment advantages. These requirements impact their organizational make-up, as they require companies to implement internal processes, such as financial tracking systems (audit and tax bodies), to ensure compliance with external requirements (See Appendix 7 for a summary of the organizational make-up).75

Design

Organizationally, Barrick Gold and Goldcorp are almost identical; they each use hierarchical models which delegate governing powers within the companies to different internal bodies which flows from the top-down (Morgan 2015).76 While governing bodies are clearly

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75 Apart from a change to the organizational make-up there are requirements for training of personnel, which is another illustration of how outside influence can effect a company’s operations.

76 The use of a hierarchical model is common for many high-market cap companies, not only in mining but other industries as well. Throughout the analysis the hierarchical model is common for the highest governance structures of all three stakeholder groups.
separated in the organization's hierarchy, independence between them is also structurally integrated. At the highest level of each company, there is a clear separation between the shareholders (members) and the Board of Directors, with shareholders having limited influence over the day-to-day activities of the corporations (Barrick Gold 2019b; Goldcorp 2018b).\textsuperscript{77} Notably, the governing structure is completely independent of the government and international stakeholders (unless they become shareholders) and does not provide either of them with the ability to influence the direction of the corporation through governance means.\textsuperscript{78}

Shareholders are connected to the Board through the election of directors. These elected directors are given discretion to oversee the operations of the company, including strategic CSR planning (Barrick Gold 2019f; Goldcorp 2019b).\textsuperscript{79} At the Board level of both companies, there is further division; different responsibilities are delegated to different governing committees, each of which focuses on a specific aspect of the company’s operations (See Appendix 7). This division

\textsuperscript{77} Some examples of shareholders responsibilities are that they accept the financial statements of the company, vote on board nominations, accept changes to the constitution of the company (by-laws), or voting on the winding up of a company. The separation between the shareholders and the Board, and the powers afforded to each, are found within the by-laws of the corporate, which are created at inception and can only be changed through a vote by the shareholders. This acts as a mechanism which clearly outlines how the corporate is structured, but also ensures that individual actors (whether they be shareholders or directors) cannot abuse their powers.\textsuperscript{78} This may seem like a basic point, but the involvement of government actors as shareholders does take place in certain situations. For instance, in an earlier version of this dissertation I looked at the structural connections between Chinese governments (local and national) and multinational mining companies, finding that not only did some of the largest Chinese mining companies have direct ties to the state (even when they were majorly privately-owned) but that at times the Chinese government actor was also a significant shareholder within the organization (Bradshaw, Liao, and Ma 2019). This is not limited to practices within non-democratic countries, as there are instances of governments in democratic countries being major shareholders of Canadian corporations – albeit as Crown corporations which are public (Via Rail, Canada Post, Canadian Broadcasting Corporation (CBC) – but also certain rights afforded to government actors when a major corporation is under financial duress, such as was the case with Bombardier and the ownership transfers by the Government of Quebec in 2020 (Bombardier 2020; Kahan and Rock 2011). The latter is especially important, as specific powers can be provided to government actors, such as financial oversight, governance organization, and priority setting, depending on the type of an agreement a company enters with a government financier (Kahan and Rock 2011).\textsuperscript{79}Within both companies the elected directors need to make known any conflicts of interest, and there is a nominations process which puts forward candidates which can be seen as independent as possible from financial gain concerning the corporations’ activities.
allows for specialization and ensures that overall governance is manageable and not the responsibility of a single entity. The committees each touch on a part of the company’s CSR approach as well, with audit committees dealing with issues of taxation, and policy committees dealing with issue-specific strategic planning.\textsuperscript{80} While the general organizational division of the companies is similar, Goldcorp and Barrick Gold differ in their oversight of CSR at the highest governance level; Goldcorp had a governance-level Sustainability Committee, whereas Barrick Gold focused on a management-level body – the Environmental and Social (E&S) Oversight Committee (Goldcorp 2018c; Barrick Gold 2020c). These structural differences are analytically interesting; the highest level of CSR strategy oversight in both companies is not uniform. While CSR oversight at Goldcorp began at the governance level, oversight at Barrick Gold began at the management levels. It appears that the inclusion of a specific governance committee, to deal with CSR, changes the make-up of the corporation as it distributes responsibility within the overall structure differently. In the case of Barrick, responsibility over CSR is spread out to the governing committees. In contrast, Goldcorp has a single governing committee to oversee CSR, concentrating responsibility over the decision-making process to one body.

There is another observable difference between the companies at the governance level. Specifically, Barrick Gold used a formal independent advisory body – the International Advisory Board - which provided guidance and direction to the company on global issues including sustainability (Barrick Gold 2019b).\textsuperscript{81} The use of a formal advisory body is not found under the

\textsuperscript{80} Within the Canadian Government strategy, we saw a similar diffusion of responsibility to different bodies under the stakeholder, rather than a clustering of responsibility into a singular entity.

\textsuperscript{81} The International Advisory Board is not solely interested in issues of CSR, but also advises the company on political and general financial issues as well. Barrick Gold also had a CSR Advisory Board that it had set up in 2012 to help develop its company-wide approach. Much like the International Advisory Board it was made up of independent experts who provided advice on strategies the company could implement (Barrick Gold 2012).
Goldcorp governance model, with Barrick’s body bringing together leaders who are able to advise the Board on issues related to geopolitical or strategic issues. While the International Advisory Board does not have any actual power over the corporation, it does show that there can exist formal organizational bodies which allow for external influence to be included in the decision-making process of a company.82

The separation of responsibilities and power between the membership and the Board is also seen between the governance and management levels. These levels are connected through the committees to ensure that corporate direction remains consistent within the structure of the organization, but also that the management can undertake day-to-day activities concerning CSR. In both companies the corporate CSR tools, especially at an operational level, are handled by the management-level of the organization, with the governance-level overseeing CSR performance so that it is still in line with the priorities of the Board and the shareholders. In neither of the cases are the membership given the means to oversee the management level, even in a limited manner as they are with the governing level and cannot influence the operational practices of the two companies.83 The same type of separation exists for members of the governing level, as they are able to oversee the company’s direction, yet must go through an officer of the company – like the Chief Financial Officer (CFO) who sits on the audit committee – who in turn responds to management issues.

82 Barrick Gold had also set up a governance body specifically to provide advice on issues of CSR - the CSR Advisory Board – and which also drew its membership from outside of the organization in an independent manner. The CSR Advisory Board is no longer active, having been replaced by the international Advisory Board and bringing external expertise on a case-by-case basis (Barrick Gold 2020e; 2012).
83 This will become an important point of comparison on Chapter Six where we see more interaction between a membership of an organization and its management. We also see a level of independence between the governance and management levels of the organization, as the governing bodies have oversight but not on a day-to-day basis.
How CSR fits within Barrick Gold and Goldcorp is measured through several organizational tools, some of which are developed by the companies, while others are taken from outside sources (Barrick Gold 2020e; Goldcorp 2019a). Internal CSR reporting tools and processes, for example Goldcorp’s Sustainability Excellence Management System (SEMS), are used to track issues and responses (accident rates, robberies, wastewater spills), but there are also reporting systems which are created from a requirement by outside stakeholders, like taxation or environmental reporting required by law by government actors. The inclusion of government or international approaches within these company processes is either required or voluntarily adopted, confirming the claim in Chapter Three that outside influence can have a structural impact on how a company operates. For instance, non-voluntary reporting requirements from the Government of Canada, like ESTMA, see the companies creating internal reporting processes and oversight mechanisms to ensure conformity with those requirements.

How external stakeholders affect the structure and processes of the companies can be distinguished and is not uniform. Non-voluntary requirements imposed through legislative or regulatory obligations, such as tax, corporate governance, or financial disclosures required by government stakeholders, create observable structural changes within the company’s organization – like tax oversight departments or shareholder reporting. We see this with voluntary initiatives as well, such as the GRI and VPSHR, which include requirements through the initiatives membership for the companies to adopt operational practices which keep track of said requirements – like setting up security incident reports under the VPSHR. The common trait here is that the organizational changes from outside influence, voluntary or non-voluntary, are made stronger if

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84 Barrick Gold also has a similar reporting process that sees monthly and quarterly reporting of CSR issues on sites, as well as a tracking of issues so that they can be addressed or tracked for future response (Barrick Gold 2020e).
there is a formal commitment which outlines a specific way the company should operate – in effect precise guidance. The external programs which do not have precise requirements, such as those with general guidelines like the SDGs or the guidance under the CfE, see the companies having more flexibility on how they implement them within their structures. The observations that there can be structural requirements from government and international stakeholders’ voluntary initiatives is particularly interesting, highlighting those organizational changes do not only come about through non-voluntary influence.

Looking at both company cases there is not only alignment of operating practices with the Global Reporting Initiative (GRI), and in the case of Barrick Gold with the ILO, but also yearly reporting requirements which see the companies launching internal processes to ensure compliance (WGC, VPSHR, GRI, ICMM). Internal processes include ways to measure and ensure conformity, but also certain operational reports – such as wastewater management, incident reports, and community contributions. However, much like government requirements, the breadth of information required under the voluntary external reporting standards is not always expansive; furthermore, there are arguments that reporting requirements are not always indicative of the actual progress being made by stakeholders on their sites (Fonseca, McAllister, and Fitzpatrick 2014; Jenkins and Yakovleva 2006). Still, there are arguments that these types of requirements not only reinforce CSR norms within companies, but they also create and maintain certain operating standards within their organizational structures which set norms.

The Conflict-Free Gold Report and the GRI show another way a requirement can lead to a company creating certain processes, but also one which creates legitimacy for them at the same time (Barrick Gold 2019g). Both reports require an independent assessment to gauge the level of conformity with the initiative’s requirements to ensure their validity, thus increasing the legitimacy
of how companies work. These reports ensure that the operations of companies do not promote, cause, or support conflict or human rights abuses, or jeopardize health and safety. The independent assessments can also include the adoption of company processes, including site-wide conflict and risk assessments, evaluations to ensure compliance with external regulations and internal operating policies. As an organizational tool, independent assessments allow for external oversight, measuring the extent to which companies respect norms developed by international or government stakeholders. These assessments can also provide companies with validation that they are respecting internationally-recognized CSR standards.85

Finally, there are structural changes from external influence which the companies decided to adopt completely voluntarily, without any requirement from a government or international stakeholder to follow them. For example, both companies reference the SDGs and report on their fulfillment in yearly sustainability reports, yet there is no external influencing mechanism which imposes adoption or alignment to them (Barrick Gold 2020f; Goldcorp 2017c). When it comes to reporting, enforcement mechanisms, or development of programs and guidelines, the companies themselves create the processes within their organizations. While external guidance may not provide specifics, they are seen as powerful norms and do provide legitimacy for a company’s overall CSR approach, as they can point to alignment with recognized global standards. The distinction is relevant, as voluntary adoption can prompt changes in a company’s structure, but there are degrees which it can affect their organizations. In a case where there are no requirements coming from the outside to dictate the contours of the company’s CSR approach, companies have a higher degree of flexibility for implementing solutions based on the external guidance. When

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85 Both companies make these reports available for review by external stakeholders, showing that transparency within their reporting on CSR also plays a factor in their approach.
there are precise requirements, the structural impacts are more direct and implementation measures, less flexible.

**Enforceability**

Barrick Gold and Goldcorp reference the construction of internal enforcement mechanisms which are used to oversee their CSR approaches; however, there are fewer examples of mechanisms which are specifically created to enforce their interests on other stakeholders. Both companies have the resources to enforce the CSR mechanisms with these reinforcement mechanisms. Different government and management levels can levy punishments and incentives against internal actors who do not abide by CSR standards - like citations, dismissals, and employee incentives (Barrick Gold 2019c; 2017; Goldcorp 2017a; 2017b). There are several instances where companies have exercised their enforcement power over the CSR approaches of other stakeholders as well; this enforcement typically occurs through their membership or participation within an outside initiative.⁸⁶ For relations with the Canadian Government both companies reference providing advice, cooperation, and respecting the Governments non-voluntary instruments, but no structural elements which enforce standards for government stakeholders to abide to.⁸⁷

The voluntary side of the company approaches reveals that when there is an external requirement which dictates the company’s CSR practices, the company is given the flexibility and

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⁸⁶ The companies also have certain enforcement capabilities afforded to them through the supply-chain, including requiring sub-contractors to use operating practices which are in line with the companies’ preferences. For example, both Barrick Gold and Goldcorp made mention that security practices of outside personnel must conform, when able, with their own policies (Barrick Gold 2020b; Goldcorp 2019a).

⁸⁷ There is a point of distinction, however, that should be mentioned here concerning the relationship between companies and governments. When a company is operating in a country there are certain rules they abide by when dealing with government actors, for instance contribution limits or taxation reporting. In instances where a government actor does not act in a way which is uniform with company rules, either their own or required by other governments (think ESTMA or CFPOA), the company can decide whether they will build a working relationship with them.
control over how to enforce the standards. The international stakeholders rely on the companies to put the CSR standards into practice and to enforce them, typically having limited oversight tools to monitor implementation (See Chapter Six). However, companies can use the enforcement mechanisms of government stakeholders to reinforce their own CSR strategies. For instance, Barrick Gold’s *Code of Conduct, Anti-Bribery and Anti-Corruption* policy makes use of company repercussions and the possibility of using more severe government penalties, including material (jail time) and financial, to ensure that employees adhere to the standards. International initiatives, or voluntary Government initiatives, such as the VPSHR, GRI, or OECD Guidelines have requirements, but lack the mechanisms which can be applied to company practices. In the latter example here, the responsibility for enforcing CSR standards largely remains under the control of the company.

Internally, both companies have specific processes to enforce their CSR policies, summarized under their respective Codes of Conduct (Goldcorp 2017a; Barrick Gold 2017). The policies themselves dictate the roles and responsibilities of employees to adhere to the company’s requirements, as well as potential punishments which could be levied against those which disregard requirements (Goldcorp 2017a; Barrick Gold 2017). The means of enforcement under the policies do not, except for in cases of contravention of legal requirement where an individual is liable (mainly criminal acts), empower the government or an international stakeholder to enforce a penalty onto an employee within the company. It appears that unless a company does something that contravenes a requirement, either voluntary or non-voluntary, they have full autonomy over how to enforce discipline within their own organizational structure for most CSR issues.

While company stakeholders largely focus on the internal enforcement of CSR issues, they can impose certain enforcement powers over the international stakeholders through their
membership relationships. Membership within international initiatives provides a direct enforcement mechanism for the companies; they have control over the governance of the initiative and, in some of the cases, control over the CSR strategies of those initiatives (covered in detail in Chapter Six) (Goldcorp 2019a; Barrick Gold 2020f). Through membership on these initiatives’ governing bodies, companies dictate the direction of the initiative, set the CSR standards, and are also able to enforce penalties if they come up. For instance, the OECD (which will be covered in the next chapter) has its members on the governing board, who in turn are able to impose penalties (although rare) on participants who do not follow the organization’s direction.

While companies largely control internal enforcement, there are examples of enforcement tools imposed by government and international stakeholders that are voluntarily based. While limited in their applicability, these enforcement tools are largely related to imposing reporting requirements concerning a company’s operating practices. As illustrated by the Government case study, enforcement mechanisms can be imposed on company actors through their voluntary tools. Specifically, governments apply pressure through diplomatic channels, but as mentioned in Chapter Four, these are not penalties but rather incentives to follow the Government’s direction. Another example comes from the OECD’s NCP; it acts as a dispute resolution mechanism for communities bringing grievances against companies, but requires participation from the parties and does not impose penalties (See Table 18 for examples)(Global Affairs Canada 2014).

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88 While one may be wondering about the independence between the membership and the governing bodies within these initiatives, the next chapter will show that there is in fact no an organizational separation between the membership and the governance of many international initiatives (except for a few).
89 To me they are positive penalties, or carrots rather than sticks, which entice companies to operate a certain way but do not punish them for not following them. Incentives, rather than punishments, are an effective way at drawing stakeholders to follow CSR norms, especially if they are voluntary.
Table 18: Canadian National Contact Point (NCP) Dispute Resolution involving Barrick Gold and Goldcorp

<table>
<thead>
<tr>
<th>Company</th>
<th>Use of NCP Dispute/Mediation Mechanism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goldcorp</td>
<td>▪ FREDEMI Coalition vs. Goldcorp (OECD Watch 2009)</td>
</tr>
<tr>
<td>Barrick Gold</td>
<td>▪ MiningWatch Canada et al. vs. Barrick Gold Corporation (OECD Watch 2011)</td>
</tr>
</tbody>
</table>

Still, despite government and international stakeholders’ ability to exercise some voluntary enforcement over company actors, the most effective type of enforcement mechanisms remains those which the company uses themselves, or those which are applied through outside non-voluntary or a penalty-based instruments – which we only see from governments. The real threat of penalties requires companies to adhere to them as it can have material or reputational consequences. In terms of priority, the company’s enforcement first requires conformity with external high-influence mechanisms as a baseline, after which they have wide control over enforcement mechanisms which are voluntary. The table below shows examples where enforcement requirements lead to the adoption of mechanisms within the two companies, the strong ones lead to greater structural impacts than the weak ones (See Table 19).

Table 19: Different Degrees of Enforcement Amongst International Bodies

<table>
<thead>
<tr>
<th>Stakeholder</th>
<th>Strong Enforcement</th>
<th>Medium Enforcement</th>
<th>Weak Enforcement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goldcorp</td>
<td>▪ Code of Conduct&lt;br&gt;▪ Internal Policies&lt;br&gt;▪ Non-voluntary Government Regulations (With Penalties)</td>
<td>▪ Voluntary International Requirements (with formal enforcement mechanism – GRI, ICMM, VPSHR, WGS)&lt;br&gt;▪ Voluntary Government Requirements (with formal enforcement mechanism – NCP, Global Affairs, Ombudsperson)</td>
<td>▪ Voluntary International Initiatives (no enforcement mechanism, SDGs)&lt;br&gt;▪ Government policies (no enforcement mechanism, promotion for international initiatives, guidance documents).</td>
</tr>
<tr>
<td>Barrick Gold</td>
<td>▪ Code of Conduct&lt;br&gt;▪ Internal Policies&lt;br&gt;▪ Non-voluntary Government Regulations (With Penalties)</td>
<td>▪ Voluntary International Requirements (with formal enforcement – GRI, ICMM, VPSHR, WGS, Global Affairs, Ombudsperson)&lt;br&gt;▪ Voluntary Government Requirements (with formal enforcement mechanism – NCP)</td>
<td>▪ Voluntary International Initiatives (no enforcement mechanism, SDGs)&lt;br&gt;▪ Government policies (no enforcement mechanism, promotion for international initiatives, guidance documents).</td>
</tr>
</tbody>
</table>
Power & Legitimacy

With few examples of the companies having organizational mechanisms created specifically to influence the CSR approaches of governments or international bodies, what are the bases of their power in the global arena? We know that Barrick Gold and Goldcorp have a high degree of power over their operational CSR processes, controlling the means of implementation and the enforcement of standards within their own organizations. Companies have power over their internal structure, adopting and adapting CSR programs as they see fit, choosing what kinds of mechanisms to adopt, and effectively making them the target of influence by the other groups. Since implementation is undertaken by the company, government and international stakeholders must work through the company structures to have their CSR approaches adopted and are less involved in the operationalization of their standards. The company, as the stakeholder which builds CSR programs, can set expectations and norms within the mining industry which informs the approaches of others – for instance how to approach risk assessments or societal relations programs. Analyzing the approaches of both companies, there is little divergence from the general direction and expectations of the external stakeholders, but also a high degree of corporate ownership to address CSR through their own processes and strategies.

When it comes to influence, implementation is important in the power relationship between companies and the other stakeholder groups. Responsibility for enforcement is largely under the

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90 There is a sense that the CSR strategy from the Government of Canada incorporated a certain level of realism vis-à-vis what companies could accomplish, based on financial and operational capabilities. Within the analysis of the structures so far there is collaboration between the stakeholders to set realistic standards and goals, rather than impose absolute CSR requirements onto a company. For example, looking at the government non-voluntary instruments they are baseline, with adequate flexibility and leeway to allow companies to operate and remain financially and operationally viable. The voluntary part of the Governments approach, while adding onto this baseline, includes active collaboration with the companies to set realistic expectations on what they can accomplish within the mining environment.
direction of the company when they are following an external stakeholder’s CSR direction, giving them considerable control over how to operationalize standards. As illustrated in the Government of Canada case, there is a process whereby responsibility is transferred during the operationalization of a CSR approach. We see this when companies create internal processes to adhere to government of international requirements. While the Government may continue to keep power over penalties and setting requirements, it is the company which puts them into practice. Non-voluntary external pressure, such as government regulations or legislative requirements, have binding requirements and penalties which do not afford the company as much power over setting standards, however, the act of putting them into practice solidifies a company’s position as a CSR player.91

The power afforded to the companies when it comes to voluntary approaches provides them with even more leeway on controlling the implementation of CSR standards. Where there is no specific requirement, only guidance or suggested norms, the company maintains more power, choosing when to implement and enforce the specifics of each policy. Implementation provides a buffer for the company, allowing them to keep control on how they operationalize CSR approaches while at the same time limiting the extent of external influence. However, external CSR approaches which provide specific requirements on what to address are less flexible for the company—especially when there are strict guidelines, processes, or requirements. The company is

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91 A more direct illustration is the Canadian Governments corporations’ law for structuring the governance of the corporation. Both companies are required to adhere to the Corporations Act of Canada, however, the regulations from Government provide flexibility, and the companies are able to dictate specifics of how they are applied, for instance through board structure, committee set-up, and the decision-making process (Barrick Gold 2019b; Goldcorp 2018a). The organizational structure of the companies adheres to the legislative instruments, but is also adapted based on companies’ needs where flexibility is provided under the law (Government of Canada 1985a).
still able to choose the CSR processes and how they are enforced yet do not have complete control over specific targets or requirements they should adhere to and then report on.

Despite this diffusion of power and responsibility during operationalization there are examples where the companies limit their power over CSR approaches. The first is during participation in a program or project with other actors where power is shared over the implementation, for example a multi-stakeholder initiative. For example, Goldcorp and Barrick Gold voluntarily worked alongside others under the VPSHR to implement security and safety programs on their mining sites, allowing for collaborating stakeholders to take part in influencing the operationalization of CSR approaches and setting the security standards for the companies. CSR-specific processes provide one illustration, but there is also direct imposition of CSR processes which are adopted by the companies on the operational side. For example, under the VPSHR, there is a requirement that the principles are incorporated into the decision-making process around mining sites, and that training of security personnel integrates the VPs within courses and program development rather than allowing the company to completely dictate these programs (Barrick Gold 2019a). The international stakeholder is given power to influence the CSR approach of the company either through collaboration in program development, or by having the company agree to adopt a formal process into their decision-making process.

While membership in multi-stakeholder initiatives showed one way power was afforded to company stakeholders there were other examples. Both Barrick Gold and Goldcorp, when making community contributions, provided investment programs which allowed for community representatives to take part in the decision-making process of where CSR investments are concentrated. Barrick Gold allows for the creation of Community Development Committees (CDCs) to provide local communities near their mining operations with the ability to make choices
concerning investments.92 This includes having community members choose representatives who work within a formal company process to highlight and address CSR issues. While the company does reserve the right to dictate the final allocation of resources, the creation and inclusion of a permanent outside body, made up of representatives which are externally elected, is an important point of nuance for our discussion (Barrick Gold 2020e).93 It shows that external pressure can be afforded formal structural power through the creation of internal processes, a valuable avenue of influence for external stakeholders (Owen and Kemp 2013; Kemp and Owen 2013; Harvey 2014).94 It also shows a process within the company which goes beyond simple advisement of CSR approaches by external stakeholders, providing them with control over actual company resources. While companies keep much of the power over structural implementation of CSR programs, they also adapt certain power-sharing models to advance their approaches.

The legitimacy of both companies, vis-a-vis CSR, depends on three factors. First, companies must ensure they comply with non-voluntary instruments in the areas they operate. Second, companies must prove that their practices are aligned with industry best-practices and norms (Goldcorp 2019a; Barrick Gold 2020f). Finally, companies may increase their perceived legitimacy through direct engagement with industry standards and norms. For instance, when they

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92 Choice over who sits on these committees is given to the community, who elect representatives from a range of backgrounds to ensure a difference of opinions and issues are included in the process, providing special circumstances – for example for women and children – to ensure their representation (Barrick Gold 2019d, 44).

93 There are certain provisions for election to the CDC’s. for instance, Barrick Gold requires that the members act as representatives of the community, not simply the majority. The company makes a point of including minority groups, such as women, children, and indigenous community members into the CDC membership.

94 Barrick Gold does retain power over aspects of the CDC with a set budgetary allowance and requires disbursements of this budget to be invested in education, health, food, water, and local economic development. The company has the final say in approving investments so that they conform with their social responsibility priorities (Barrick Gold 2020e). This creates a relationship where the CDC is able to set the content of the investment, however, the power over the application continues to rest with the company, and the company is able to ultimately dictate the broad categories of external social investment.
conform and integrate national laws and internationals initiatives into their CSR approaches, companies can build confidence with others that they are willing to lead when it comes to address CSR issues (ISO, VPSHR, ICMM, etc.).

The stakeholder relations processes found within both companies highlights the importance of raising CSR issues with external groups, specifically the need to engage with local communities and develop a mechanism to formalize their relationships with them and demonstrating that action is being taken. Barrick Gold, for instance, names eight internal and external stakeholder groups which are interested in the social responsibility of the company and may be important when responding to CSR issues and creating solutions (See Table 20 for an example of their community priorities) (Barrick Gold 2019d; 2020a). Concretely showing exactly how companies implement CSR guidelines provides them with greater legitimacy, but building relationships with these external partners reinforces that they are acting in a corporately responsible way.

Table 20: Example of Barrick Gold's 2018 Community Relations Priorities

<table>
<thead>
<tr>
<th>Activity</th>
<th>Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Risk, Impact, and Opportunity Assessments</td>
<td>Assessments targeted towards site level management for the design and implementation of operational-specific policies and strategy.</td>
</tr>
<tr>
<td>Dedicated resources for community engagement</td>
<td>The company provides dedicated resources to implement community service programs so that programs are developed continuously over time and are also created to respond to the size of challenges on the sites.</td>
</tr>
<tr>
<td>Annual stakeholder engagement plans</td>
<td>Mapping of local stakeholders takes place, along with engagement plans to ensure that they are integrated into the business processes. Here are two engagement mechanisms, those which are formal, such as dialogue tables, and those which are informal, such as ad hoc meetings at community events.</td>
</tr>
</tbody>
</table>

95 They include: shareholders, employees & unions, home & host governments, local communities, civil society organizations, suppliers & contractors, joint venture partners, and the media.

96 For example, in 2019 the main issue for Barrick Gold shareholders were identified as climate change, financial and operational performance, and responsible governance. Local communities, as another external actor, has major issues which were more operationally environmentally specific, such as employment & economic development, supplier impacts, closure, and environmental impacts. Tools used include in-person meetings, formal reporting, dissemination of information, introduction of grievance mechanisms, participation in multi-stakeholder initiatives, reporting, and providing interviews and press releases to showcase the company’s response to CSR.

97 For example, smaller sites require smaller community engagement teams, sometimes one person, whereas larger sites, such as the Porgera mine operating in Papua New Guinea, have a 140 person community team.
<table>
<thead>
<tr>
<th>Local community development programs</th>
<th>The company implements a consultation program which creates localized Community Development Committees (CDCs) to incorporate community voices during the social investment budgetary process.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grievance mechanisms</td>
<td>The company implements a formal grievance mechanism to allow local communities to have their concerns over an operations impact heard. The inclusion of a grievance mechanism, while a part of the company’s governance structure, is also a requirement of the IFC Performance Standards, as well as ensures commitment with the respect for human rights under the UN Guiding Principles on business and Human Rights.</td>
</tr>
<tr>
<td>Monitoring and reporting</td>
<td>Issues of sustainability are continuously monitored by various levels of the company’s management, including daily briefings between site staff, weekly regional calls, and quarterly reporting to the E&amp;S Oversight Committee.</td>
</tr>
</tbody>
</table>

Beyond developing relationships with external groups, companies also increase their legitimacy by adopting more transparent practices (Stuebs and Sun 2015; Bansal and Song 2017). For example, Barrick Gold has looked to improve its transparency by increasing public access to information through a regular sustainability report. Since 2002, this report has outlined the activities Barrick Gold has undertaken, the priorities it has identified to be addressed moving forward, the relationship between their strategy and external stakeholders’ norms, and the CSR initiatives they are working on (Barrick Gold 2020e). Reporting is done internally, with the company either using their own processes or, in a number of cases – like GRI and VPSHR reporting - using external requirements from a global norm to illustrate their commitments (Barrick Gold 2020d).

Their CSR reports specifically refer to highlighting connections with the government and international stakeholders, using reporting and independent assessments to illustrate their alignment with industry norms. Not only do the reports legitimize the approaches of the company, but the independent assessments add to the credibility of the company's CSR strategy. When it comes to assessments and credibility of the reports, certain external stakeholders require

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98 The sustainability reports provide baseline information on social responsibility, including community contributions, health and safety on site, governance contributions, and mine closure
independent validation of CSR approaches, for example conformity with the GRI and the VPSHR, and have membership penalties which could be applied should the assessments not meet reporting criteria. Legitimacy, for the companies, comes not only from meeting non-voluntary and voluntary standards that they are subscribed to, illustrating that they address social issues, but also proving that they adhere to common norms through their reports. It also helps to build their reputation as socially responsible actors, building the legitimizing norms and protections which were in line with the notions of CSR vs CS outlined in Chapter Two. Reputation is key for the approaches of both companies, especially building relationships and partnerships, and proving the legitimacy of their CSR practices helps build and reinforce their reputation within the global CSR ecosystem.

Influence with Others

While the analysis of Barrick Gold and Goldcorp reveals how other groups can influence the CSR processes of companies, it appears companies place little emphasis on influencing the CSR approaches of government and international stakeholders through their organizational tools. Indeed, the interests of stakeholders are different. Whereas the Government was mainly interested in promoting the adoption and development of CSR within business and international stakeholder groups, the companies were primarily interested in implementing CSR approaches and internal tools which improve their operational capabilities.

The lack of organizational tools created specifically to influence governments and international bodies does not mean that the companies do not influence the CSR approaches of other stakeholders within their designs. First, within both companies’ CSR strategies, engagement and participation with government and international bodies are priorities. This involves aligning a company’s operations with best practices and norms which the aforementioned stakeholders
reference, providing the companies with legitimacy and a competitive advantage - such as the social license to operate or improved reputational standing. Participation in the CSR approaches of others, either through and advisory role or through direct participation, allows companies to influence the standards being created, ensuring that company interests are incorporated, while also increasing their legitimacy by showing they are active contributors to global CSR development.99 Second, in both companies there were specific members whose role is government or international stakeholder relations, working to convey the company’s position on certain issues with outside groups (Goldcorp 2019b; Barrick Gold 2019f). We see that there are direct linkages between the companies and the other two groups, and both cases expended material resources to build partnerships to help develop CSR norms.100

An interesting observation when it comes to participation comes from company membership with national and international mining and metals associations. Reference by both Barrick Gold and Goldcorp is made to membership with the Mining Association of Canada (MAC) and the International Council on Mining and Metals (ICMM) which act as representatives for the companies with the other stakeholders and can lobby on their behalf (Goldcorp 2019a; Barrick Gold 2020e). While the companies can have their own representatives to influence CSR initiatives themselves, they can also rely on associations to take a unified approach and lobby as an industry group (Buchanan and Marques 2018; ICMM 2019a; MAC 2019a). The purpose of these bodies is partly to influence the approaches of the Government and international stakeholders, so it makes sense for the companies to join their approaches to a body which acts as an all-of-industry representative.

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99 This will be covered more in-depth in Chapter Six.
100 Material resources could be in the form of financial aid, advisement, or participation.
Conclusion

The analysis of the two companies also highlighted that there are direct connections between their CSR approaches and those of the final stakeholder group being studied – international bodies. The next chapter builds the last section of the case analysis, looking to understand how the international stakeholders structure their organizations and influence the practices of the government, company and in some cases other international actors. It is expected, based on the government and company case studies, that international actors rely more on membership and voluntary participation than the others, building their CSR strategies through collaboration with companies and governments rather than coercively imposing standards. How the international bodies are organized, and how this effects their ability to influence CSR norms, should vary considerably across the cases – especially the multi-stakeholder ones.
Chapter Six: International Stakeholders

“We must work closely together to make this year a year of global action, one that will be remembered as the dawn of a new era of sustainable development.” Ban Ki Moon – Former Secretary General of the United Nations (B. K. Moon 2015)

So far, we have seen how companies and governments both influence CSR norms in the global arena, each using their organizational tools to have others follow their lead. In both the previous chapters, reference to the importance of international stakeholders was evident, often directly included as a part of government of company’s CSR approach or referenced as informing them. While some stakeholders simply adopt or promote the CSR guidelines of international actors, others directly participate in them, as a member or participant, and will include external CSR processes into their operations. This chapter follows the same structure as the previous two. It begins by presenting a general background of the cases before examining the connections between the concepts of design, enforcement, power, and legitimacy. From the onset the observations from this stakeholder group are significantly different than the others. The unique organizational make-up of the international stakeholders leads them to influence the CSR practices of others differently, but we also see that while they are all voluntary, some are able to leverage tools which do have characteristics of non-voluntary mechanisms – like enforceable requirements and penalties.

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101 Ban Ki-Moon served as the 8th Secretary General of the United Nations from January 2007 until December 2016.
102 In Chapter Four we saw the Government of Canada incorporate CSR standards into their national strategy (OECD), and in Chapter Five we saw that both Barrick Gold and Goldcorp use the processes of international initiatives (GRI reporting, VPSHR security requirements) to complement their own approaches.
The International Initiatives

The existing literature and CSR approaches of the Government of Canada, Barrick Gold, and Goldcorp reference several international bodies which contribute to defining global CSR norms. These included the Voluntary Principles for Security and Human Rights (VPSHR), the OECD Guidelines for Multinational Enterprises, the UN Guiding Principles (UNGPs), the UN Global Compact (UNGC), the Sustainable Development Goals (SDGs), the Global Reporting Initiative (GRI), ISO 26000, the Equator Principles (EPs), the Extractive Industries Transparency Initiative (EITI), the UN Principles for Responsible Investment (PRI), the International Council of Mining and Metals (ICMM) Guidelines, the World Gold Council’s Conflict-Free Gold Standard (CFGS), and the International Cyanide Management Institute (ICMI). These international actors were chosen as they are seen as the major players in the CSR space and had an interest in the extractive industries, creating, and working on norms and practices related to the global mining industry.¹⁰³

Despite all these international bodies being voluntary in nature, there is quite a bit of uptake from actors who, on the surface, should have more power in managing their own programs independently. The input these actors have is genuine and impactful, even if they are operating under constraints as they are under a collaborative body which can tempter individual interests. Not all international bodies are the same either, and we see that there are different organizational models which include, and exclude, certain actors from participating in their governance and management levels (See Table 21). For example, some international initiatives are run by intergovernmental organizations, such as the UN led UNGCs and the UNGPs. Others are

¹⁰³ See Table 9 in Chapter Three for case selection criteria.
independent and only focused on CSR, as is the case for the VPSHR. The ICMM and the CFGS are also independent organizations, yet they differ from the VPSHR as they are representative associations of the metals and mining sector, populated by company actors. Differentiating the types of international stakeholders is important as it has a direct bearing on how their membership and governance bodies are organized. The UN is an inter-governmental organization whose membership is made up exclusively of government actors, and while the UN has a wide range of initiatives which partner and collaborate with other stakeholders (like companies), the governance of the organization is restricted to governments who set the priorities and goals.

*Table 21: Examples of the Different Types of International Stakeholders which Operate Internationally*

<table>
<thead>
<tr>
<th>Name</th>
<th>Description</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inter-Governmental Organization (IGO)</td>
<td>An organization which is created and comprised of members of nation states (governments).</td>
<td>UN, OECD</td>
</tr>
<tr>
<td>International Non-Governmental Organizations (INGOs)104</td>
<td>An organization which is composed of members who are non-governmental stakeholders.</td>
<td>GRI</td>
</tr>
<tr>
<td>International Industry Association (IA)</td>
<td>An organization that acts as a representative for a specific industry at the international level.</td>
<td>ICMM, WGC,</td>
</tr>
<tr>
<td>Multinational Enterprise</td>
<td>A company which operates in several different countries</td>
<td>Barrick Gold, Goldcorp</td>
</tr>
<tr>
<td>Multistakeholder Initiative</td>
<td>An international initiative which is made up of a membership with stakeholders from multiple backgrounds to respond to a specific issue.</td>
<td>VPSHR</td>
</tr>
</tbody>
</table>

104 Sometimes INGOs are referred to as simply Non-Governmental Organizations (NGOs). However, this can lead to confusion when comparing those which are nationally based with those which are transnational. There are also a number of other terms for INGOs which are exciting, such as Business-Oriented non-governmental Organization (BINGO), Religious-oriented non-governmental Organization (RINGO), Environmental non-governmental organization (ERGO), Quasi-autonomous non-governmental organization (QUANGO), and my personal favourite the Government-operated non-governmental organization (GONGO) (Hasmath, Hildebrandt, and Hsu 2019; Ruggie 2014; UIA 2021). I have opted for the acronym INGO.
International stakeholders also differ in what aspect of CSR they address, with some choosing to focus on environmental issues, like the EPs, while others seek to responding to security (VPSHR), finance (PRI), and/or social impacts (SDGs) (Potts et al. 2018, 2–3). In some cases, advancement of CSR is not the organization’s primary mandate. Consider the OECD, whose first goal is to advance economic cooperation and development between countries. In this case, CSR fits under economic development and has gained attention from the organization; CSR complements the OECD’s overall mandate. The VPSHR, on the other hand, are purely interested in advancing a specific aspect of CSR – that of security and human rights practices around extractive sites. The type of initiative, coupled with the range of issues which can be addressed, enables international stakeholders to occupy their own spaces within the global CSR landscape and limit competition over setting norms on similar issues – although there sometimes is overlap. For instance, the PRI and the EPs both deal with financial investing, yet limit competition as the latter targets financial institutions (banks) while the former targets investment institutions (exchanges, asset managers, funds, etc.). It also means that there is potential for cooperation, as international stakeholders can position themselves to respond to specific issues while also building and reinforcing relationships with others – especially given the interconnectedness of certain CSR issues (Albareda 2013).

The breadth of the international stakeholders means that there are many ways they can influence the CSR of governments and companies and vice-versa. The CSR approaches of

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105 These are only examples, and many of these initiatives try to tackle a range of CSR issues. Looking at the EPs they are interested in improving financing practices by including environmental considerations within their framework for participants, whereas the VPs are interested in security issues, yet touch on governance and social well-being. CSR, consistent with the literature in Chapter Two, often transcends specific issues and touches on many.

106 The PRI has significantly more signatories than the EPs since it takes a more expansive signatory model. We also see overlap between the two, where signatories can be part of both initiatives without issue.
international actors do not rely on the non-voluntary instruments used by governments, instead focusing on voluntary mechanisms adopted and implemented by participants. Much like the CSR approaches of governments and companies, international stakeholders also use a variety of guidelines, some precise, while others general. General approaches consist of broad guidelines or recommendations, allowing for flexibility and interpretation by external stakeholders on how to implement them. The SDGs provide an example of this general approach; the broad guidelines have goals for companies and governments to strive towards but do not specify how to reach them. Precise approaches have less flexibility, outlining concrete solutions to CSR problems. The PRI, for instance, sets specific reporting standards for stakeholders to follow, like including a formal environmental, social, and governance reporting requirement for stock exchanges to use as a listing criteria (PRI 2021, 27). We see precise tools clearly outlining expectations for companies and governments in relation to specific CSR issues – whether they be finance, environmental, or economic – in line with the observations found in Chapter Four & Five.

Like companies and governments, the international stakeholders often employ a mixture of general and precise CSR guidance. In the example of the VPSHR, there are principles which the participating stakeholders generally subscribe to (protecting human rights, identifying risks, limiting violence), but also precise guidelines and implementation plans for each of them on how to concretely address security and human rights issues (training, verification procedures, decision-making guidance, risk assessment guidelines) (Pitts 2011; VPSHR 2000b; 2020). Within the CSR approaches of international actors, precise guidelines are typically the ones which have enforceable requirements for companies and governments to follow, while the more general ones do not. For example, the GRI and VPSHR have general guidelines, like position statements, but they do not have define operational requirements under them. However, these general guidelines are supported
with precise ones which do have specific requirements, such as reporting and membership expectations, which participants subscribe to (GRI 2013; VPSHR 2000b). The use of both general and specific guidelines allows for adoption by multiple stakeholders, especially in cases where the targeted actors of the CSR approach differ – for example including both governments and companies – while the precise ones allow for specifics based on industry or CSR issue being addressed.

For implementation, precise approaches use standards and benchmarks which are clearly and uniformly defined for stakeholders, but they also have enforcement tools which support them, such as membership penalties in certain cases. Precise mechanisms tend to include a measurement system such as baseline reporting (GRI) and success measurements (VPSHR & CFGS). Within the VPSHR, successful implementation is viewed as including integration of human rights risks assessments within company operations, as well as the development and implementation of grievance mechanisms and training programs for security practitioners (VPSHR 2021; 2000a). On the side of the GRI, there are requirements to report on occupational health and safety standards, as well as implementation of a monitoring program to ensure that issues are identified and resolved in a consistent manner (GRI 2020a, 348). Precise approaches both set certain measurable goals to achieve, but also require participants to report that they have achieved the specified standards – something we do not see with more general approaches, like the SDGs. All reporting initiatives examined here (GRI, PRI, CFGS) would be coded as medium, in terms of their influence level, as their CSR approaches are reinforced with requirements and penalties (although the latter are not as strong as non-voluntary approaches, and we will see later in the chapter the limitations they face).
We also see that the international stakeholders rely on alignment between the different international norms, reinforcing the notion that collaboration is a form of legitimacy within the global context touched upon in Chapter Five. In some of the cases there is direct reference to aligning their CSR priorities with the approaches of other international stakeholders, for instance with GRI and PRI both align their standards with the SDGs, illustrating the development of norms between the international stakeholders. In other cases, such as in the CFGS, alignment involves direct use of other international initiatives rather than just support, for instance having those which use the CFGS also incorporate the VPSHR within operations, with specific reporting requirements (WGC 2012; Barrick Gold 2019g). The approaches of the international cases, like those of the Government of Canada, Barrick Gold, and Goldcorp, are not constructed in a vacuum, but rather directly incorporate and rely on the norms of other stakeholders to complement and reinforce their own.

Design

The international cases were organized in a similar way to government and company cases. Almost all the international stakeholders used a hierarchical model which had a membership, governing body, and managing body layout, with the ICMI as the single exception. From the onset, the membership of the international bodies was observably different not only for how government and companies are involved, but also between the cases. Members within the international bodies, usually governments or companies, were afforded different levels of control and participation over the governance and management. In the case of the OECD and the ILO they had a membership which was exclusive to one type of stakeholder – governments – who in turn

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107 See Appendix 9 for an example on how the hierarchy is laid out.
were also the participants of the initiatives. Others are more inclusive at the membership level, made up of a diverse set of stakeholder groups who are also active participants in the initiatives, such as the VPSHR, which include community groups, governments, companies, and security providers. In both the membership models, members are also the participants of the CSR initiatives. There is a final type of organizational structure which includes members who do not implement the CSR programs but are involved in the process of their development – as is the case of the VPSHR and multi-stakeholder initiatives.

Participation in an international body does not always guarantee membership. In several cases, specifically those which have government stakeholders as the main member like the OECD or UN, the targets of the CSR mechanisms can be expanded and target non-members. For instance, international stakeholders can target companies but not have companies on the governing body of the initiative. Looking at the OECD Guidelines and the ILO, both organizations seek to influence the CSR practices of company actors, yet the membership of both initiatives is exclusive to government stakeholders. In essence, while members are often the participants within the international cases, there are instances when organizations decide to have tiers which afford some actors membership powers while excluding others.\textsuperscript{108} Without membership within these

\textsuperscript{108} The linkage between the membership and governance is important as there are different degrees of power members can be afforded over an organization’s CSR approach. In nearly every case, the membership has direct representation on the highest governing body, enabling them to influence the direction of the organization. Members are involved with setting the organizational CSR standards, priorities, and the programs and policies undertaken (Abbott, Green, and Keohane 2013). The International Cyanide Management Initiative (ICMI) was the only case where the membership, in this case signatories, were not given the ability to sit or elect the governance of the initiative. Instead, signatories were only included as participants (ICMI 2021a; 2019). In cases where the members make up the governing body, a space on the governing body is not always guaranteed to them. Examining the OECD, all the members are given a seat on the governing body, providing each member with an equal amount of control over the governance of the initiative. In other cases, such as the GRI, the governing body is elected by the membership, allocating governing power to certain members who act as representatives. In a limited number of cases, however, influence over the governing body is also provided to stakeholders which are not members of the initiative, such as in the case of the
international bodies there is a barrier when it comes to influencing the governance of these CSR initiatives, meaning that stakeholders on the outside do not have direct access to the decision-making process. However, in most of the cases non-membership does not exclude an actor from influencing the management of the initiative, still ensuring they can have a say in the development of the CSR standards.

- Full Membership Governance: Members afforded full oversight over the direction of the initiative and the ability to influence the policies.
- Partial Membership Governance: Member’s influence is diffused to a limited number of elected representatives.
- Expanded Membership Governance: Members and non-members are given the ability to influence the governing direction of the organization.
- Non-Membership Governance: The members are not given the ability to influence the governing direction of the organization but are rather kept independent.

Table 22: Relationship between the Membership and Non-Members at the Governance-level

<table>
<thead>
<tr>
<th>International Initiative</th>
<th>Members Role</th>
<th>Non-Members Influence</th>
</tr>
</thead>
<tbody>
<tr>
<td>OECD Guidelines</td>
<td>Direction, Priorities</td>
<td>Advisory</td>
</tr>
<tr>
<td>EITI</td>
<td>Direction, Priorities, Advisory</td>
<td>Advisory</td>
</tr>
<tr>
<td>GRI Standards</td>
<td>Independent</td>
<td>Direction, Priorities, Advisory</td>
</tr>
<tr>
<td>SDGs</td>
<td>Direction, Priorities</td>
<td>Advisory</td>
</tr>
<tr>
<td>UNGPs</td>
<td>n/a</td>
<td>Direction, Priorities, Advisory</td>
</tr>
<tr>
<td>UNGCs</td>
<td>Direction, Priorities</td>
<td>Advisory</td>
</tr>
<tr>
<td>MNE Declaration</td>
<td>Direction, Priorities, Advisory</td>
<td>Direction, Priorities, Advisory</td>
</tr>
<tr>
<td>VPSHR</td>
<td>Direction, Priorities, Advisory, Management</td>
<td>Advisory</td>
</tr>
<tr>
<td>PRI</td>
<td>Direction, Priorities, Advisory</td>
<td>Advisory</td>
</tr>
<tr>
<td>EPs</td>
<td>Direction, Priorities</td>
<td>Advisory</td>
</tr>
<tr>
<td>ISO 26000</td>
<td>Direction, Priorities</td>
<td>Advisory</td>
</tr>
<tr>
<td>ICMM</td>
<td>Direction, Priorities, Advisory</td>
<td>Advisory</td>
</tr>
<tr>
<td>CFGS</td>
<td>Direction, Priorities, Advisory</td>
<td>Advisory</td>
</tr>
<tr>
<td>ICMI</td>
<td>Advisory</td>
<td>Direction, Priorities, Advisory</td>
</tr>
</tbody>
</table>

UNGCs and ISO. The relationship between the membership, governing body, and non-member stakeholders is important for influence, as it has different outcomes in terms of which actors can guide the CSR approach of the initiative (See Table 22).
There is also a management body, like a secretariat, within all the international cases that highlights an additional interesting relationship between the members and the organizations management. While the membership and management bodies of governments and companies are structurally independent, there are several international cases where members can oversee or influence the management practices directly. For instance, the OECD relies on members to set up and maintain their National Contact Points (NCPs), bodies which manage the national implementation and oversight of the OECD Guidelines. Similarly, the management and development of standards under of the VPSHR relies on members who are both participants in the initiative and members of the governing body. There were no cases in the other stakeholder groups where the membership was able to directly influence the content, development, or implementation of the CSR approaches, making international cases somewhat unique. The lack of independence between the membership and management is not the same for all the international cases, however, with some such as the ICMI being able to increase independence and limit members’ influence over norms by having an independently elected Board of Directors. Indeed, both the GRI and ISO have structures that separate the management of the CSR initiatives from the influence of the membership. In summary, when membership and management are not structurally independent, members have greater influence over how the CSR initiative is governed and vice-versa.

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109 It should be noted here that simply because the Board of Directors of the ICMI is independently elected does not entail the absence of ties to the cyanide or mining industry. Indeed, if we look over the governing body of the ICMI many of their members have backgrounds in the mining industry, either as CEOs of companies or as leaders in industry associations (ICMI 2021a). However, we also see that members of the Board are not all drawn from the industries the organization seeks to influence. For example, Michael Rae is currently a board member (2021) and had previously worked for 17 years for the World Wildlife Fund.
Enforceability

Organizational structures reveal that although international initiatives are voluntary, there are mechanisms which these actors can use to ensure that participants conform with their CSR approaches. While international initiatives lack the kind of non-voluntary penalties that governments can employ, because these initiatives are purely voluntary, they can use enforcement mechanisms within their own institution’s membership. Participants willingly join the international initiatives and allow for these enforcement mechanisms to be applied to them. Several initiatives, including the GRI, the ICMM, the ICMI, and VPSHR even require participants to contribute financially to become members. In instances where there is enforcement or membership requirements for participation within the international body there is the use of a binding model even though they are voluntary, whereas in other cases, such as the SDGs, they are general enough that they are non-binding in nature and not confined to the membership.110 Still, even though there are differences in terms of setting requirements which bind membership to adopt CSR norms, having the members also sit on the governance of the organizations diminishes their effectiveness.

There are two ways international stakeholders can penalize contravening members: expulsion from membership and the revocation of a certification. Expulsion, as an enforcement tool, relies on the international initiatives having defined membership requirements. Interestingly, these requirements are often also created by the members themselves.111 In the case of a revocation...

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110 An argument can be made that since international bodies often rely on participation they are also bound to their membership and representative of their interests.
111 During the analysis and collection of the documents from each of the stakeholders’ references to expulsion were not included; however, there is literature on when companies or governments decide or are forced to leave an international initiative. Rasche et al. (2020) provide a case study of when companies decide to leave a multi-stakeholder initiative, the UNGPs, finding that those which see benefits and adopt early are less likely to leave (Rasche et al. 2020). Wessel (2016) looks at the process of the United Kingdom leaving the EU, and while not a CSR initiative,
of membership due to non-conformity (an instance which was not observed) having the participants also sit as the governing members does not make it an impartial process.\textsuperscript{112} Members who disregard the CSR approach, or fail to adhere to standards, are voted out by other members, but the threshold of non-adherence required for this kind of penalty is so high that expulsion is difficult to exact. Because members set standards and oversee their enforcement, the stringency of international initiatives is severely weakened as they are invariably sensitive to the interests of the participants.

International bodies can also revoke certifications as punishment for non-compliance with a CSR initiative. Under the VPSHR, WGC, and the ICMI, for instance, conformity with standards is assessed by a third party, with the international body having power to revoke certification if they fail to meet required standards. Yet the VPSHR and WGC both have models which allow for the stakeholders they are certifying to have direct influence over their governance and management bodies. However, the ICMI is unique, with its governance and management bodies operating independently of the members, giving them independence from the influence on setting CSR norms related to cyanide.\textsuperscript{113} This is important, as the ICMI can deny certification as an independent administrator of the cyanide code and can even de-certify an existing site if they do not maintain the cyanide standards. Decertification does not involve a financial or material penalty on a contravening actor, but it does present a point of enforcement through reputation; certification and

\textsuperscript{112} While a member being removed from an initiative was not observed, there are instances where members will decide to leave an initiative on their own (Rasche et al. 2020).

\textsuperscript{113} The ICMI uses a signatory model which does not afford them power over the international body itself (ICMI 2019).
de-certification are both made public and can have effects on a stakeholder’s operations (ICMI 2021b). When comparing the imposition of penalties, the international cases were often limited to having either a severe penalty (expulsion), a reputational penalty (de-certification), yet oftentimes nothing.\(^\text{114}\) Even with the Government of Canada had instruments which imposed penalties (laws), there were different levels of repercussions which could be leveraged against a company, something we see less of amongst the international cases.

But which stakeholder oversees the application and adherence to standards? Enforcement, within most of the cases (13 out of 14 in fact), is reliant on companies or governments to monitor and oversee the adherence to the CSR standards themselves. In only one case was there an observed formal mechanism in the organizational structure of an international stakeholder which imposed an enforcement mechanism onto the structure of government stakeholders – that of the OECDs National Contact Points (NCP). The NCP is unique, not only does membership within the OECD Guidelines impose obligations, but it also requires members to create and maintain a formal office in which issues of CSR can be examined with each member country – a direct material commitment. However, the NCP is a medium-influence mechanism at best. While it does have an independent grievance and dispute mechanism and voluntary requirement, it cannot impose penalties on external stakeholders and must yield to government or company actors to do so.

Without access to penalty-imposing mechanisms for enforcement, the international stakeholders instead focus on guiding implementation, oversight, and alignment of their CSR approaches with other stakeholders. As illustrated by the GRI, CFGS, PRI, VPSHR, and OECD, reporting tools focus on monitoring and standardizing CSR practices over time, diffusing norms

\(^{114}\) While certification can be seen as a middle-ground in terms of enforcing CSR standards, it was rarely observed amongst the international cases.
which external stakeholders then incorporate into their organizational processes (Winston 2018). There are also other mechanisms which aid implementation, such as knowledge generation on best practices or CSR development, and operational support like CORE and the CfE provide in Canada, yet these also lack enforcement mechanisms. For the international cases, collection of information and oversight of the development of company and government practices does provide international bodies with an assessment of issues which can be addressed through the membership but does not afford them with tools which force participants to address them.

Besides reporting and compliance, the enforcement of CSR approaches by international bodies relies on government and company follow-through. In the case of the UNGPs, PRI and the ILO, there is direct reference to the importance of having government stakeholders incorporate these international CSR approaches within their national legislative and regulatory systems so that they can leverage non-voluntary instruments. We see this with the Government of Canada’s CFPOA, which is a non-voluntary instrument whose content partially came out of OECD working groups which Canada participated in (OECD 2001). Therefore, we can see that enforcement of CSR approaches is often not handled by the international stakeholder themselves, but rather the participants of their CSR initiatives. This provides international initiatives two options (See Figure 6) when it comes to enforcing CSR standards, either having enforcement tools they use themselves

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115 While the CFPOA directly came out of the OECD working group on combating bribery in international business transactions, the adoption of the legislation also bolstered other aspects of the Government of Canada’s organizational design. For instance, while not coming directly out of the CFPOA, the Government of Canada had set up the Financial Transactions Reports and Analysis Centre of Canada (FINTRAC) whose mandate was complementary to that of the RCMP and legislation (although they also got their own legislation in the Proceeds of Crime (Money Laundering) and Terrorist Financing Act (PCMLTFA). While not a direct connection in the work undertaken by the OECD and Canada, the CFPOA and the PCMLTFA complemented one another and bolstered the requirements imposed on external stakeholders when it came to financial reporting. For the Government, adoption of the CFPOA not only provided them with a tool to oversee financial reporting when it came to foreign public officials but added to their entire approach for addressing illicit financial activity undertaken by Canadian actors at home and abroad.
– uncommon – or using the enforcement tools of governments and companies to ensure compliant with their CSR approaches – much more common (See Figure 6).\textsuperscript{116} Responsibility over enforcement is diffused, in the majority of the cases, to an outside stakeholder (S. Park 2006).

\textit{Figure 6 Examples of Options for Enforcement}

While there is a tendency to use the enforcement mechanisms of governments and companies, international bodies can also use the tools and guidance of other international initiatives to reinforce their own approaches – a type of team-up strategy which coordinates efforts to strengthen overall norms. For example, both the ICMM and the CFGS have membership requirements which include participants to formally commit to other international initiatives, such as the VPSHR and GRI. These requirements involve going beyond simply promoting another stakeholder’s approach (ICMM 2019c). The connections between international stakeholders means that there is coordination of their efforts to respond to CSR issues, using an established initiative to complement their own approach rather than use their resources to create their own. Another

\textsuperscript{116} This helps to strengthen the observation of enforcement seen in Chapter Five on Barrick Gold and Goldcorp, as there was a large degree of responsibility for the two companies to internally enforce CSR approaches – especially those which were voluntary.
example comes from the VPSHR; they are strengthened by the ICMM who lists them as a requirement for association membership, with failure to comply to the standards set out in the VPSHR leading to potential removal from the association.

Still, despite the limited enforcement tools wielded by the international actors, enforcement mechanisms within their organizational structures are visibly lacking – both in terms of access to them but also in application onto external actors. Enforcement mechanisms overwhelmingly lack independence from the membership and are limited by penalties which are either extremely severe (removal) or have no consequences. This means that the international initiatives, from an institutional perspective, need to rely on other methods to influence the practices of others when pushing norm adoption.

**Power & Legitimacy**

While the structural analysis highlighted organizational and enforcement issues, international bodies can still influence the practices of companies and governments, revealing they have considerable power in the global CSR landscape. International stakeholders can leverage their power to not only attract companies and governments to participate in their initiatives, but also have them adopt international CSR norms. The power relationship between the stakeholders is, within many of the international cases, a straightforward one. The international bodies seek to influence a specific stakeholder group and build its membership based around that group. In these cases, the power relationship is upfront between the international stakeholder and the government/company stakeholder – and is illustrated by direct norm diffusion between two actors (See Figure 7).

*Figure 7: Direct Norm Diffusion between two Actors*
There also exist power relations where an international body turns to its members, let’s say governments, to influence the CSR approaches of a company. This type of power relationship is more complex, what I would call indirect norm diffusion (S. Brammer, Jackson, and Matten 2012; Roszkowska-Menkes and Aluchna 2018; S. Park 2006). In the case of the VPSHR, influence is directed towards changing company practices; however, part of that influence is also directly related to changing government practices through the company’s relationship with the government. The OECD takes a similar approach, turning to governments to adopt their CSR approaches, in order to change company practices through official government strategies (OECD 2001). The member of the international initiative acts as the interlocuter in this relationship, piggybacking of another to set specific CSR norms.

*Figure 8: Norm Diffusion through an Interlocuter*

There is third observable relationship in how the international stakeholders influence CSR, using promotion through non-members of the initiative, when there are common CSR goals (See Figure 9). The OECD exemplifies this situation of exercising power beyond the membership of the initiative, by seeking out formal partnerships with non-member countries – like developing recommendations on improving community education and training with the South African Government (OECD 2019a). Furthermore, there are joint work programs with government stakeholders outside of the OECD’s structure – Brazil, China, and Indonesia – which align their own approaches with OECD standards (OECD 2018b; 2018c; 2015; 2019b). Membership, while most effective for direct norm diffusion, is not always required to promote norm adoption. There are several benefits to this strategy of norm diffusion, such as involving stakeholders which do not
meet the organization’s criteria for membership and involving actors which are not direct participants, broadening the reach of these CSR norms.

*Figure 9: Influence of CSR Practices through Non-Members*

Finally, power can be applied in another indirect way when the international initiative is seen as a best practice, an adjustment stakeholders can make on a voluntary basis to align themselves with international CSR norms (Rosati and Faria 2019; Risse 2017). Consider the SDGs, weak in their enforcement ability and capacity to exert power over others. The SDGs rely on their position as influential global goals, setting benchmarks which stakeholders can work towards on their own. The content of the SDGs, rather than setting precise norms, identify priorities which the government, companies, and even other international stakeholders’ reference. The SDGs illustrate that, while the international stakeholders may not directly influence CSR with others through direct engagement, they are able to do so by setting norms and creating an environment which advances these norms through more indirect pathways. The ICMI presents another example of an international initiative that has become a normative best practice, having governments and companies highlight it as an international best practice for cyanide controls. This observation is consistent with the existing literature on norm diffusion which argues that international organizations can create and reinforce norms across stakeholder groups, and how over time, the legitimization of norms by other actors reinforces an international actor’s position and clout within a given community of practice (See Appendix 9 for an overview international stakeholders influence) (S. Park 2006; Winston 2018).
The international cases rely on attracting and maintaining membership as a means of influencing CSR, as well as promoting global norms that will be adopted by others. In all the international cases included in this study, the membership of the initiative was pivotal as they were also the targeted stakeholders of the organization’s CSR approaches. This means that the CSR priorities, policies, and programs of the initiative are reflective of the capabilities and priorities of the membership. The ICMI was the only case which had independence from the stakeholders they sought to target and influence. But even here, part of their legitimacy stemmed directly from having cyanide users subscribe to the standards and prove that they adhered to them on their operations (ICMI 2021b). Even in the SDGs, a case which did not have direct membership but was widely referenced by the others (Barrick, VPSHR, ICMI, Canadian Government, etc.), there was a reliance on attracting external stakeholders to increase the initiative’s reach and diffuse the goals to others. The membership then contributes to driving international initiatives forward, but also contribute to their overall legitimacy. They are the ones which, structurally, populate and finance the organizations to give them a participating base and provide them the means to operate. In effect, the legitimacy of the international stakeholders is tied to their membership and participants, not only for creating and setting the CSR approaches, but also for adopting and putting the approaches into practice – financially and materially.

There are instances within the international cases where their legitimacy is based on increasing independence between their CSR initiatives and the stakeholders they seek to influence. The first illustration comes in the form of multi-stakeholder initiatives, where power over the governance and management is dispersed to a greater range of stakeholders, some of which are not the targets of the CSR approach. The VPSHR, UNGC, and EITI reference the importance of including multiple stakeholders within the governance of the international initiative, citing that
diffusion of power and responsibility amongst a greater range of stakeholders increases the success of the initiative and expands the changes which can be brought to CSR practices. Even the ICMM, to a much more limited degree, includes perspectives of commodities associations within the governing body to diffuse governing power to multiple stakeholders and increase their legitimacy in the process. From the analysis of organizational tools this observation seems to be supported, as the international bodies which involved more stakeholders at the governance and management levels saw more CSR approaches which had set standards, requirements, and access to enforcement mechanisms (L. Fransen 2012; L. W. Fransen and Kolk 2007).

Secondly, there are oversight mechanisms, such as reporting and compliance requirements, which the international stakeholders rely upon to measure and ensure that external stakeholders are aligning their practices with their norms. While all the stakeholders measure CSR approaches and alignment, a few of the cases, including the ICMM, CFGS, ISO and GRI require independent assessments, like audits, from their members. In the case of the CFGS and the ISO, this also includes providing certification to the reporting stakeholders to help show that the influence of the international initiative had, or is having, an impact. Furthermore, in some cases the review and development process of CSR standards, as in the case of the ISO and GRI standards, employ an independent review process of the standards to limit the degree of influence the targeted stakeholders have over their content (ISO 2020; GRI 2020e). The strongest of these oversight mechanisms was the independent certification seen in the ICMI which required third-party validation and was kept separate from the membership (ICMI 2021b). While the international initiatives do not have the high-influence, or even medium-high influence, mechanisms we have seen in other cases, they do have the means to ensure their approaches are not self-serving.
Multiple references by other stakeholders also legitimize the international actors' positions for leading global CSR norms, as there is reputational value in being recognized by governments, companies, and other international initiatives (See Appendix 11). While one can say that this is assumed, several of the cases place an emphasis on formally tracking the implementation of their CSR approaches with external actors – such as the VPSHR, the SDGs, and the ILO - and then using those references to highlight the legitimacy of their own initiative. The ICMI, since it relies on voluntary signatories to adopt the guidelines but does not offer them governing power, sees external recognition as a particularly important legitimizing force.

**Conclusion**

The range of international stakeholders, from the UN to the ICMM, has shown that they play an important role in defining and supporting CSR norms within the global environment. However, structurally they have very little leverage over the government and company stakeholders to ensure norms are put into practice. International actors also have an interesting organizational structure, including both companies and governments within the membership, governance, and management levels with low levels of independence between the different levels of the hierarchy. While the government and company stakeholders had independence built into the layers of their organizational make-up, the international cases create structures which forgo independence and include members and participants at all levels. This is important for explaining part of the weaknesses outlined in Chapter Two, as those who are being influenced by the international cases are also the ones creating the CSR strategies and norms themselves (L. W. Fransen and Kolk 2007).

While international stakeholders are unable to rely on non-voluntary mechanisms to influence the practices of others, they do have unique voluntary approaches which show how they
can get companies and governments to follow their lead. It became clear that the voluntary approaches did not rely on imposing penalties, but rather focused on setting requirements which participants implemented and enforced themselves. The most common tools available to the international initiatives were the use of reporting requirements which measure CSR development or supporting stakeholders to integrate CSR norms into their organizations. While international bodies had a limited number of tools to impose CSR requirements, their role in bringing together multiple stakeholders to develop and set CSR norms in a collaborative setting made them important actors in the global ecosystem.

The previous chapters have shown the ways in which each of the stakeholder cases are influenced by, and seek to influence, other CSR players. The Government used an approach which combined non-voluntary and voluntary mechanisms. The company cases were the ones responsible for the implementation of the CSR approaches of the other stakeholders, and while they had fewer organizational mechanisms designed to directly influence others, they were identified as important contributors and participants. Because of their position as the targeted stakeholder of many initiatives they invariably have influence, affording them power through their membership in international initiatives or through government relations. Influence, in the international context, is both competitive – with stakeholders seeking to have their CSR interests prioritized – but also one of collaboration and connection between groups, working together to create CSR norms which are mutually beneficial. The next chapter will conclude the analysis on the dynamics of mutual influence, highlighting the key relationships between CSR players for advancing global norms.
Chapter Seven: Observations & Findings

The previous three chapters, focusing on the Government of Canada, Barrick Gold, Goldcorp, and international stakeholders, demonstrated the importance of organizational structure for explaining dynamics of mutual influence in the global CSR space. The organizational make-up of each stakeholder group facilitated the use of different tools to influence the CSR practices of others, but also led to limitations in their ability to do so. We see an international arena where stakeholders are each looking to influence norms and practices in distinct ways, through both competitive and collaborative dynamics.

The Government of Canada had several non-voluntary instruments at its disposal, such as the adoption of environmental and labour laws. However, most of their strongest tools were applied domestically, with significantly fewer non-voluntary avenues to influence companies operating abroad. Barrick Gold and Goldcorp structured their CSR approaches with an emphasis on operational implementation and appeared to focus less on pressuring other stakeholder groups. Instead, their positions as mining companies provided them with a seat at the table to set global norms, participating in international initiatives and engaging with Government programs. Participation with government and international stakeholders provided an opportunity for companies to set standards and broader CSR directions which aligned with their interests - as made clear by multi-stakeholder interactions under the VPSHR (VPSHR 2016; 2000a). Ultimately, the international stakeholders provided the most diverse set of cases in this study. Some international bodies, such as the GRI, ICMI, and VPSHR, had tools which clearly defined expectations for the participating actors to adopt. Others, like the SDGs and OECD Guidelines, provided general guidance which was less effective at setting precise CSR standards, but which were nonetheless integrated into the CSR narratives of all three stakeholder groups.
While the three stakeholder groups employed different tools to influence the CSR practices of others (policies, regulations, content, enforcement), it became clear that some were more effective at getting others to follow their lead. As expected, international stakeholders lacked enforcement mechanisms to ensure CSR norms were adopted in the global space but found alternative strategies to bolster their influence. A similar issue plagued the Government of Canada when it came to enforcing its CSR strategy abroad. The lack of non-voluntary tools at the global level is consistent with weaknesses identified in the existing literature, yet what was unexpected was that a number of the voluntary tools had enforcement qualities (Ruggie 2018; Dashwood 2014; Sheehy 2014; Neglia 2016; Lambooy 2014). The enforceability of voluntary approaches varied in interesting ways, leading to adaptation on behalf of international stakeholders and the Government, when pushing for certain CSR norms. Despite criticisms that the international realm is weak and faces enforcement challenges, this dissertation uncovered the ways in which different tools can be strategically leveraged by each stakeholder group in pursuit of their goals, thus revealing precise dynamics of mutual influence.

The Importance of General and Precise CSR Approaches

All three stakeholders had CSR approaches which included general and precise tools. To recap, general approaches set broad CSR standards or priorities which were flexible when being implemented. Precise approaches set specific standards and processes, offering less leeway during implementation and influencing practices to a greater degree (See Table 23).117 For example, government regulations had precise, often measurable, standards which set requirements on the

117 All the stakeholders had a mixture of precise and general content in their CSR approaches. Stakeholders would outline general commitments to address issues, following them up with precise implementation and action plans, strategies, and operating policies. Companies had broad CSR standards which summarized their overarching positions, followed by precise guidelines to operationalize them – human rights policies, insider trading, environmental policies, etc. (Goldcorp 2019a; Barrick Gold 2020f).
operations of companies – like wastewater management or taxation rules. The presence of general or precise mechanisms impacts each stakeholder’s ability to influence CSR practices, with those using precise mechanisms able to dictate implementation of CSR norms more effectively. Indeed, precise approaches had a clearly visible impact on how actors operated, even leading to structural changes within organizations or the adoption of specific CSR processes, as set out in the guidelines. For example, companies created internal government contributions and environmental protection policies to comply with CSR requirements, but also created internal bodies which oversaw them. With the OECD, the prerequisite for an NCP imposed precise requirements on participating governments to create and maintain an office. However, the content of the OECD Guidelines was general, meaning governments and companies could choose how to implement them, developing their own internal CSR management processes and approaches to reflect the content of the Guidelines. The distinction is important, as it helps explain how some tools are more effective at changing the CSR practices of other stakeholders. For example, given the enforcement constraints faced by international stakeholders, resorting to precise and even prescriptive content was more effective to influence companies and governments.

Table 23: Comparison of General vs. Precise Approaches

<table>
<thead>
<tr>
<th>General</th>
<th>Precise</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broad content (General standards, priorities, positions)</td>
<td>Specific content (measurable goals, guidelines, implementation rules, requirements, specific targets)</td>
</tr>
<tr>
<td>Flexibility in implementation, less stringent requirements.</td>
<td>Set implementation through requirements, less flexibility.</td>
</tr>
<tr>
<td>The targeted stakeholder has responsibility on how to address the issue.</td>
<td>The influencing stakeholder retains control over the requirements of the CSR standards.</td>
</tr>
</tbody>
</table>

The existing literature emphasizes that CSR standards can lead to different outcomes and this dissertation builds on these contributions by developing a model rooted in organizational analysis to uncover why actors choose certain CSR approaches over others, given the unique
opportunities and constraints they face (Jenkins and Yakovleva 2006; Roszkowska-Menkes and Aluchna 2018; Stephen Brammer, Millington, and Rayton 2007; Karim, Manab, and Ismail 2020; Zaid, Abuhijleh, and Pucheta-Martínez 2020). Consider the Government of Canada. Most of their non-voluntary instruments were founded on either precise measurements or requirements – like environmental or labour protections – which imposed structural changes to companies’ operating practices and included adapting corporate processes and procedures accordingly, but also having dedicated personnel on staff to support these efforts. General approaches, by contrast, do not lead to such discernable impacts on a company’s organizational structure and processes.

Whether international stakeholders used precise or general mechanisms also informed the ways in which they pursued voluntary CSR approaches. When international stakeholders used precise mechanisms, they clearly exercised more influence on the operational CSR standards and practices of others. Although the relatively general SDGs were promoted and widely adopted by both companies and the Government, they lacked precise tools to change how stakeholders operate (having set reporting requirements or an office to oversee them). The precise tools embedded in reporting initiatives such as the GRI, PRI, and WGC presented an alternate model, whereby precise approaches appeared to improve enforceability.

**Design**

All three stakeholder groups had similarities and differences when it came to their organizational designs, which were made more visible through my framework. They were all hierarchical, with control over CSR decisions flowing from the top to the bottom, yet the make-up of each organization afforded power over CSR directions differently. We see clearly defined membership, governing bodies, and management structures within all the cases, yet some afforded more power in the decision-making process to the membership, governance, or management levels
- helping to explain the differences observed when it came to mutual influence (See Figure 10). In the case of Goldcorp, the Board of Directors was mandated by the membership to set the CSR direction of the company, while the main management body - the Sustainability Committee - was responsible for putting the direction into practice on the ground (Goldcorp 2018c). However, Barrick Gold organized itself so that the main CSR body was at the governance level, tying the direction of sustainability approaches more closely to the membership. The only organization which did not afford the membership direct power to dictate CSR within an organization was the ICMI as it relied on signatories, but kept its governance separate through an independent nomination process (ICMI 2021a). All the stakeholder groups used a top-down approach to CSR and while management bodies did provide operational advice, there were no instances where the lower levels were able to set the general priorities.118 Of all the stakeholders, international bodies were the only stakeholder group where membership was not separated from the governance and management of the organization.

*Figure 10: Examples of Hierarchical Structures within all three Stakeholder Groups*

<table>
<thead>
<tr>
<th>Membership</th>
<th>Governance</th>
<th>Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Shareholders, Citizens, Members, Partners, Associates</td>
<td>• Board of Directors, Board Committees, Advisory Board</td>
<td>• Secretariats, Head Offices, Managers, Regional Offices</td>
</tr>
</tbody>
</table>

118 While one may believe this is normal, there are competing organizational structures which can be used, including flatter organizations, flat organizations, flatarchies, and holacratic organizations. The difference is in how power is diffused within the organizational hierarchy, with those which are “flat” removing layers within the organization and spreading out the decision-making process to bodies which are, in theory, equal.
The case studies revealed that there are varying degrees of independence between membership and the governance and management bodies, when comparing different types of organizations. In some cases, independence was clearly defined between the bodies. In others, there was virtually no independence (See Table 24). Of all the cases, the Government of Canada had the highest separation between membership and governance of their organizational bodies, while the international stakeholders had the lowest. Looking at the VPSHR, the membership was both part of the governing board and responsible for the management of the CSR approaches (Chapter Six). Barrick Gold and Goldcorp are seen as occupying a middle ground between the government and international stakeholders when it came to independence. The membership of each company elected independent Board members who in turn were responsible for the internal CSR management of the companies. The international cases, except for the ICMI, had membership overseeing CSR approaches and influencing their development. The ICMI was the only international case where participants were kept independent from the initiative, meaning that while independence is uncommon for international bodies, it is not impossible. The organizational make-up in each case either restricts stakeholders’ ability to influence the CSR norms of others, or, as we saw with the international cases, facilitates it (See Table 24).

The relationship between the membership and the governance of an organization led to differences in their ability to create CSR programs that are independent of the influence of the participants (See Table 24). Furthermore, this relationship also impacts the degree to which CSR norms reflect the interests of the membership. For example, the OECD Guidelines resulted from collaboration between OECD members, leading to a common approach to developing standards. These members are also stakeholders who oversee the implementation of those standards, giving them a dual role in setting the standards as well as putting them into practice. The existing literature
is critical of global CSR norms for not going far enough, arguing that the standards that are set fall short of creating meaningful solutions (Fritsch 2008; Ruggie 2014; 2018). Yet when the structural make-up of organizations creates entry points for participants to include their own CSR interests, one cannot be surprised if the solutions only go as far as their interests. We see that structural independence is a fundamental problem of global CSR, creating a catch twenty-two situation whereby cooperation is viewed as necessary, but the standards are constrained by the interests of members and participants.

*Table 24: Differences in Relationship between Stakeholder Cases and the Membership*

<table>
<thead>
<tr>
<th>Companies</th>
<th>Country</th>
<th>International Bodies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shareholders ▪ Meetings of the members with required timelines (Annual General Meetings) ▪ Accept financials of the companies. ▪ Elect representatives to the governing body (Board of Directors) ▪ Accept priorities set out by the governing body.</td>
<td>Citizens ▪ Indirect meetings for the appointment of the governing party (through MPs), but not over the direction of departments or agencies. ▪ Governing bodies of government departments and initiatives overseen by elected officials, but appointments of governance or management undertaken independently.</td>
<td>Members &amp; Participants ▪ Variable meetings of the members, however, at minimum one meeting a year. ▪ Variable responsibilities of the membership depending on the organization. ▪ Total or partial representation on the governing body. ▪ No representation for members on the governing body is unlikely, as the ICMI was an outlier when compared with the others.</td>
</tr>
</tbody>
</table>

While independence between organizational bodies was a major issue highlighted in Chapter Six, there were three ways to disperse governing power between members to govern an initiative, some of which are more effective for diminishing concerns of undue influence. First, international initiatives can guarantee members a seat on the governing body, assuring them influence over the decision-making process. This setup allowed members to influence the organization’s governance, creating the kind of one-to-one relationship demonstrated in the OECD
This is also the model where concerns of independence are strongest. Second, governing bodies could be made up of a limited number of elected members who could act as a smaller representation of the total membership. For example, if the membership was made up of ten actors, only five would be elected to govern the organization. Still, we still see a governing model confined to the membership here, even though power over the decision-making process is given to a smaller representative sample. Third, the governing structure of the initiative could be made up of external representatives who are not part of the membership. While external stakeholders can be elected to sit on the governing body, the ICMI was the only case where the membership was excluded, meaning that in all the other cases members are guaranteed some form of representation in the decision-making process. This is a key point to understand dynamics of mutual influence, as the structural make-up of the governing body can limit the decision-making power of a single stakeholder group in favour of bringing more actors to the table. It also allows for stakeholders who are not the target of the CSR standards to have a certain degree of decision-making power – as was the case within the VPSHR, with the inclusion of NGOs. There were three types of membership models, outlined in Table 25, which afforded different pathways for actors to exercise power.

Table 25: Different Membership Models in Organizational Structures

<table>
<thead>
<tr>
<th>Exclusive</th>
<th>Membership is made up of the stakeholders which are also the targets of the CSR approaches. Governance power is confined to the membership</th>
</tr>
</thead>
</table>

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119 OECD: 35 members, each of which is given a seat at the highest governing body of the organization. 35 members, each given a voting seat, are provided with a 1:1 ratio in terms of influencing the direction of the organization and its priorities.

120 ILO: 193 member countries, 56 full members and deputy members on the highest governing body of the organization. Even here, only the full members have the right to vote, effectively making them the guiding actors of the organization. Full members are given a representative weigh of around 1:4 (they are 29% of the membership, making decisions for the remaining 71%).

121 As we saw in Chapter Six this is vital for actors which are often excluded from the governance decision-making process, such as community groups or NGOs.
**Inclusive/Expansive** | Membership is made up of stakeholders which are the targets of the CSR approaches as well as including members which are not targets. Governance is made-up of the membership but can also include non-members. Inclusive models confined the governance to members, whereas expansive included non-members – a subtle distinction.
---|---
**Independent** | Governance is independently elected without the participants being able to influence the governing body.

Power sharing arrangements can be changed to address issues of independence and the self-serving nature of many CSR approaches that are championed by international stakeholders (Bebchuk 2005; Zaid, Abuhijleh, and Pucheta-Martinez 2020; Karim, Manab, and Ismail 2020). Part of the value of multi-stakeholder initiatives is that they include different perspectives and allow for a more diverse set of stakeholders to make decisions (Albareda and Waddock 2018; Huber and Schormair 2021; Moberg and Rich 2012). If only one stakeholder group is represented at the governance level, then the CSR approaches of the organization are going to mirror that group’s interests. If there is a diverse set of stakeholders, the approaches are more representative of a collective group of interests (See Table 25). This claim is reinforced by the types of CSR approaches created under the international initiatives. In the multi-stakeholder initiatives, or those which included external non-members, they were more likely to have precise mechanisms to impose specific requirements (besides the non-voluntary ones of course). Both the GRI and VPSHR had expansive membership models and used precise mechanisms which imposed requirements on participants which did help overcome the catch twenty-two issue outlined earlier.

Why might membership models with more diverse stakeholders have more precise CSR norms, a proposition that may seem counter-intuitive at first glance? One explanation is that by including multiple stakeholders, institutions avoid issues of “group think” and can incorporate a broader range of perspectives for the creation of operational solutions. Stakeholders who are not members can participate and help govern initiatives which affect them – irrespective of their
material, financial, or political weight (S. Brammer, Jackson, and Matten 2012; J. Moon 2002). Another potential explanation is that the presence of multiple viewpoints enables international bodies to create norms which respond to the concerns of their members, creating a situation for the organization where responding to CSR issues is integral to maintaining their membership’s buy-in. When there is a range of interests from competing actors under these multi-stakeholder initiatives it is difficult for them to simply create norms which provide lip-service rather than solutions. Instead, since they rely on participation to be effective, the types of CSR approaches they create need to have outcomes to satisfy their membership’s continual involvement.

As expected, the multi-stakeholder bodies had unique organizational designs. The composition of the governing body was expanded to include those who are not the target of the CSR approaches, making them (in theory) representative of a greater range of interests than if it were made up exclusively of participants. For example, the ILO’s governing body includes non-member representatives who are given the same governing power as members. The VPSHR, GRI, ICMI, and the EITI all use the multi-stakeholder approach to governance, providing external stakeholders who are not the target of the initiative the ability to make decisions at the highest level.

While some governance models diffuse decision-making power across multiple stakeholders, we also see models affording certain actors special governance powers (Hurd 2002). There are two ways these special powers affect the make-up of an organization. The first was when

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122 Of the member and deputy members on the governing board of the ILO, 56 are members, while 33 are business and 33 are labor organizations. This means that for a full governing board comprised of 122 representatives, only 56 (46%) are members in this case (ILO 2019). Furthermore, while the governing board of the organization have 122 representatives, power is further compartmentalized amongst the actors, as there are only a little less than half who are able to direct ability to vote on matters presented to the board (ILO 2019, 16).
permanent or guaranteed seats were given to members on the governing body, ensuring that they had voting rights. In other cases, stakeholders have guaranteed representation within an organization, but have no formal power to make decisions. For example, certain countries are represented at the ILO, but have no voting rights; UN department representatives have advisory status on the PRI; and individuals comprise the International Advisory Board in Barrick Gold (ILO 2020; PRI 2020; Barrick Gold 2019b). Ensuring representation or participation for certain actors' gives them guaranteed influence within the organization, allowing them more opportunities to affect decision-making processes formally and/or informally. For one, stakeholders can get the assurance that they will be part of the decision-making process, rather than this access being tied to elections. Two, members or non-members can be assured an advisory role and can be involved in the decision-making process in this way, which can contribute to, but does not necessarily translate into, a final say in setting CSR priorities. Special positions for stakeholders within the organizational hierarchy is important, as it can allow them a more discretionary type of influence over decisions while foregoing organizational requirements – such as membership or participation.

Governance was not the only way through which external stakeholders could influence an organization’s CSR approach. There were several instances, especially with the international cases, where external stakeholders could influence the management of an organization’s CSR approach. In both the Government and company cases, the management of CSR approaches was independent of the membership, while this was not the case with international bodies. There are international stakeholders which have their members directly manage their CSR tools, like governments overseeing the NCP and implementing the MNE Guidelines of the OECD. The VPSHR uses the same method of having participants be responsible for management and implementation of standards. For example, Mozambique’s first onshore liquified natural gas
project managed by Total Energies, a VPSHR member, had the company overseeing the integration of the security standards and working with local communities and local government to ensure respect of human rights (VPSHR 2016; Total 2021). When members control the management of an initiative, having non-participants involved in the CSR process and implementation is more effective for creating more inclusive solutions (Donia et al. 2019; Marti and Gond 2018; Gond, Kang, and Moon 2011; Sheehy 2014).

While some overlap between the management and membership can allow external actors influence over CSR approaches, there are specific tools stakeholders can use to create independent bodies to oversee the CSR strategy of their organization. The GRI, for instance, has a management body to oversee the content of the GRI and decide on changes to improve the standards. The body is kept separate from the governance of the initiative, as the members of the body are independently appointed and not drawn from the participants.123 The inclusion of independent oversight bodies is important to understand dynamics of influence, as it lessens the ability of the members to dictate the CSR approaches of the organization and provides them some breathing room when creating standards. Independence between organizational bodies was used as a strategy to increase the legitimacy and effectiveness of the CSR norms under development, by shielding the process from possible interference by participating members.

Enforceability

How stakeholders enforce their CSR approaches reveals interesting variance between the cases. Consistent with the literature on enforcement, touched upon in Chapter Two, stakeholders

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123 As we saw in the analysis of the GRI and PRI the reason for having independent body to oversee the content of the CSR standards is partly to do with the nature of said standards. In both cases the standards are quite technical, requiring a certain level of expertise that the membership or governing body may not have. The use of a formal independent assessment body within an organization is more common with CSR approaches which use precise tools, especially those which have measurement or technical standards.
use either voluntary or non-voluntary mechanisms to ensure compliance with CSR standards (McBarnet 2011; Olsen 2014; Eijsbouts 2017). The Government is the only stakeholder that has non-voluntary instruments to compel others to adopt CSR norms, though these instruments were more effective domestically than they were internationally. Indeed, there were noticeably fewer non-voluntary enforcement tools which the Government could apply to companies operating abroad. Geographic distance matters and voluntary CSR enforcement mechanisms are relied upon more heavily to affect practices that occur beyond national boundaries. These mechanisms, not only designed by the Government but by companies and international bodies as well, created requirements to ensure adherence to CSR approaches to bridge that enforcement gap. In short, voluntary enforcement mechanisms filled legislative gaps that went beyond the reach of the Government. The global arena is dominated by this grey zone, which exists between voluntary and non-voluntary mechanisms, and the lack of uniformity between baseline non-voluntary instruments becomes apparent when comparing different geographic regions. For example, a report by UN Environment in 2019 found that while many countries had national environmental protection laws, there was significant difference in how rules were constructed and enforced (UN 2019).124 As explained in Chapter Three, while all voluntary approaches lacked the enforceability of the Government’s non-voluntary instruments, some voluntary approaches designed enforcement mechanisms which made them more effective at incentivizing participants to comply with CSR norms.

124 The report, Environmental Rule of Law: First Global Report, is an interesting read to help get a better understanding of the complexities to addressing environmental issues not only in different countries, but also in the global context. It provides a wealth of examples of different legislative structures countries use, but also pitfalls they face when it comes to enforcing their environmental standards. For instance, the report uses the example of China and increased NGO restrictions which hamper the ability of civil society to organize around issues of environmental protection (UN 2019, 7).
The non-voluntary mechanisms were straightforward across the board when it came to enforcement, as they all required adoption and were backed up by penalties (MacLeod 2007; Litor 2021; Ahmed 2020). Non-voluntary mechanisms were precise, setting baseline requirements and potential penalties. There was little ambiguity with regards to what standards were expected. The requirements of these non-voluntary mechanisms tended to reflect the interests of the Government, exerting more influence than any other structural mechanism, even if constrained within national legislative boundaries (McBarnet 2011). While there were cases, such as ESTMA, where high influence mechanisms were applied to companies operating overseas, these examples were uncommon; they were the exception rather than the rule.

While the Government had non-voluntary enforcement mechanisms, companies and international cases did not. As a result, these stakeholders relied on voluntary mechanisms. Barrick Gold and Goldcorp were able to enforce standards within their organizations; for example, they were able to reprimand employees for ethical misconduct or put in place CSR benchmarks, but did not have the same tools to enforce their standards onto others. The internal and external aspects of enforcement are important for understanding how influence works at the international level. Indeed, stakeholders can strategically leverage the enforcement tools of others as an entry point for influence. To illustrate, both companies had the ability to enforce their own CSR standards, which made them the target of government and international stakeholders, who then wanted to inform the content of those standards. Similarly, international stakeholders can target governments to advance their CSR interests. Because the Government has a host of enforcement tools, international initiatives work hard to shape the content of those tools to ultimately influence the practices of companies.
International stakeholders primarily relied on governments and/or companies to enforce their CSR approaches. There were only a few instances where an international body directly enforced the CSR standards of another stakeholder, but generally, the enforcement of their CSR approaches depends on voluntary adoption by other stakeholder groups. The Government’s CFPOA illustrates how this reliance works in practice, whereby the content of the legislation is informed by the OECD’s membership obligations, but the enforcement of the legislation is undertaken by the Government. The international CSR ecosystem thus reflects how actors recognize the enforcement capabilities and limitations of different stakeholders, and how this then is instrumental to explain the types of strategies they adopt to advance their interests and bolster their influence over CSR norms and practices. There are three strategies we see emerging in the global space when it comes to enforcement: stakeholders can influence another actor’s approach by directly imposing enforcement mechanisms onto them, as we see with the Government; they can set CSR standards and rely on the actor which is targeted by those standards to enforce their approach; finally, they can enforce their approach more indirectly through a third party, as we see with the CFPOA where the Government of Canada was responsible for enforcing the CSR norms which were based on consultations with the OECD.

The international and government cases revealed that voluntary CSR approaches can be enforced even in the absence of non-voluntary instruments. For example, consider the positive enforcement approach used by the Canadian Trade Commissioner Services to have companies align their CSR practices with government interests. If a company contravenes the Government’s CSR approach, certain services can be withheld. Companies are also incentivized to adopt CSR
standards; they can receive added support if they follow the Government’s direction. These types of penalties or incentives influence company behavior as they can access services which can translate into competitive advantages. Contravening companies may still operate, yet they lose access to a tool which could give them a competitive edge. However, while the Government has access to these types of positive enforcement mechanisms, the international cases used other types of positive enforcement incentives.

For international initiatives, the primary enforcement tools were membership requirements and penalties. Contravention of an international initiative’s approach can lead to removal from the initiative. For example, the ISO and the ICCM can, should a stakeholder fail to adhere to membership requirements, cut off access to the systems and aid they provide. Reporting requirements offer another type of enforcement mechanism. They are used by voluntary initiatives and act as an oversight mechanism that can lead to exclusion from the initiative or, since they are often public, lead to reputational costs. Providing certification, as the WGC, GRI, ISO, and ICMI do, presents another way to enforce standards. Non-conformity can lead to reputational losses for companies which are not as severe as removal. Still, besides the membership requirements, removal, and reporting/certification, there were few types of enforcement penalties which the voluntary CSR mechanisms were able to impose on participants – especially not any which had material repercussions. The findings thus challenge the notion that voluntary CSR norms cannot

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125 The importance of access to diplomatic connections should not be understated and, at times, financial support between government actors and companies. In the case of the TCS and GAC, they do provide a competitive advantage to Canadian companies as they can act as crucial facilitators between parties, from setting up initial meetings to overseeing negotiations. In other cases, diplomatic offices can help bridge gaps between economies, having existing knowledge of the local players by which to approach a new market. Think of it this way, would you rather enter a country without knowing who the major transportation companies are, or would you prefer to have a representative on the ground already who has worked with them before.

126 The reputational costs of losing certification can have real effects on a company, including losses of shareholder faith, not being able to access financial investment streams, and decreased community relations.
take advantage of enforcement tools to ensure compliance (McBarnet 2011; Ruggie 2018). Stakeholders can create enforcement tools within their organizational structure that they can apply to participating stakeholders, without resorting to traditional non-voluntary approaches.

**Power & Legitimacy**

A stakeholder's power to influence the CSR approaches of others can also be understood through the prism of their organizational capabilities and the tools they use to get others to follow their lead. We see that some stakeholders, particularly companies and governments, are afforded power based on their position in the global CSR ecosystem. For companies, power manifests itself in three ways. First, they have power because they are the main target of the CSR norms being developed by others. Second, they have high degrees of control over their internal enforcement tools, meaning that they operationalize the CSR norms of others on the ground. Companies may lack tools which are created to specifically influence others, but within their own CSR approaches, there is direct reference to using external standards to complement their own. Finally, financing and participating in international initiatives translate into power, as companies can directly contribute to the governance and management of the organizations. The Canadian Government’s power was partially derived from its non-voluntary instruments which imposed CSR requirements on companies with little alternative for them. Furthermore, its structure provided it with substantial material and implementation support – such as diplomatic ties and financial aid through Global Affairs Canada and the TCS (Global Affairs Canada 2019a; Trade Commissioner Service 2021).

In a nutshell, while companies had power because they were the ones who operationalized CSR approaches, the Government’s power came from its ability to control non-voluntary mechanisms and resources it could leverage at the international level.
The difference in power between international stakeholders, governments, and companies was stark. International cases lacked the non-voluntary mechanisms of the Government, as well as the direct influence over operational approaches that the companies had. Instead, the power of international stakeholders to influence CSR came from their ability to get participants to adopt their CSR norms and put them into practice. All the international cases relied on participants to implement or enforce their CSR standards, with a select few – ICMI for instance – creating their own oversight mechanisms. The reliance on members to implement the CSR standards is seen by who the international bodies target to advance their CSR norms, each of which sets a priority of targeting governments or companies with the goal that they will align their CSR practices with those of the international initiative. The SDGs are a good example, as their power in setting guiding principles is reliant on the UN membership (countries) agreeing and implementing them, rather than creating their own processes to do so.

Once again, we return to the question: are certain stakeholders more powerful than others when it comes to influencing global CSR norms? It would be assumed that a stakeholder with non-voluntary tools which could be imposed on others would be the most important stakeholder in the global context. Yet companies are afforded significant power in dictating CSR approaches as we see them as primary participants within several of the international initiatives even without these non-voluntary tools – especially ones where the approach advances precise changes to CSR. At the international level we see that power is more reliant on a stakeholder’s ability to collaborate and take part in the development of norms. All the international stakeholders see their power deriving from the ability to mobilize support for their initiatives, as well as prove that they can have an impact on the practices of others. For government and company actors, the ability to impact CSR more directly gives them power within a voluntary setting, but there is also a push to
participate within the global arena to ensure they have a seat at the table to development CSR norms. This is important, as the global space is one which has been constructed around voluntary participation rather than a reliance on non-voluntary means, but is also one which has become a normative collaborative space for stakeholders (Dashwood 2020; Fritsch 2008).

Each stakeholder also derived its legitimacy from its ability to show other actors that their CSR approaches are effective, and that they are positioned as leaders in the global realm of CSR norm development. Part of the legitimacy of the Government’s strategy came from showing that they were participants in the development of voluntary approaches in collaboration with other actors in the international space (See Appendix 2 & Appendix 3). Thinking back to Chapter Four, we are reminded that while the non-voluntary side of their strategy was strong at home, they legitimized their approach in the global arena through direct reference, participation, and promotion of global CSR norms.

For the stakeholders, legitimacy is also a reputational consideration. International stakeholders measure the effectiveness of their CSR approaches by the impact they have on the perception others. This is not an abstract connection. Several of the stakeholders, the Government of Canada, Barrick Gold, and the OECD for instance, mention the importance of responding to CSR issues to protect their reputation internationally (Barrick Gold 2020e; Global Affairs Canada 2019c; OECD 2011). Stakeholders make it a priority to prove to outsiders that their CSR approaches can successfully address issues, for instance through annual reports, risk assessments, and policies, a form of due diligence that builds confidence in their strategies. For CSR approaches which go above the baseline and non-voluntary requirements, one of the key incentives for stakeholders is the protection or promotion of their reputation. Looking back at Barrick Gold and Goldcorp in Chapter Five, we saw communication strategies that sought to prove the effectiveness
of their CSR approaches to other stakeholders (Government of Canada 2012; Global Affairs Canada 2019b; Barrick Gold 2020e; Goldcorp 2019a). In other words, to be perceived as a legitimate CSR player, it is not enough to have designed a successful CSR approach, it must also be recognized as such by others.

We can see that reputation within the other stakeholder groups is a major concern which leads them to showcase the legitimacy of their CSR approaches. For the international initiatives, legitimacy was based on their ability to attract membership, while at the same time measuring the extent to which their own CSR approaches led to improvements in the practices of participants. The GRI, PRI, and VPSHR, for example, all use reporting to measure impact, highlighting the effects they have on participants, to legitimize their contribution to setting CSR standards. The companies which participate also use these reports to legitimize their own approaches, with Barrick Gold and Goldcorp both highlighting their compliance with CSR standards to illustrate to observers that they are actively addressing issues of social responsibility. For the Government, participation afforded them similar legitimacy, yet it also allowed them to transfer some responsibility for oversight to other stakeholders while still showing that they were contributing to the development of global norms.

At the international level, legitimacy is about more than just developing CSR approaches and responding to issues. It also entails creating structures that incorporate competing interests and respond to alternative viewpoints. For multi-stakeholder initiatives, such as the VPSHR, part of their legitimation strategy involves highlighting how their standards are in line with other CSR norms – whether they come from companies, governments, or other international bodies. Indeed, there is evidence to suggest that the CSR approaches of each of the stakeholders are amalgamations and reformulations of approaches used by others, truly illustrating the dynamics of mutual
influence. Legitimacy for each of the stakeholders rises as their own CSR practices are referenced by other CSR players.

**Conclusion**

This chapter compared the three stakeholder groups and how their organizational structures provided them with different means to influence the CSR practices of others. It was immediately apparent that while non-voluntary mechanisms are available, they are not often used by stakeholders in the global environment since they are largely constrained within national boundaries. CSR in the global context does rely on government non-voluntary instruments to set baselines from country to country, but the international space is dominated by voluntary measures which rely on by-in from stakeholders. Voluntary CSR approaches add to the baseline, increasing the norms beyond the non-voluntary realm even though they are weaker in their application since they lack enforceable power.

Structurally, we see direct connections between the stakeholders within many of the international bodies. This means that there are low levels of independence between the participants (members) and the governance and/or management of these organizations. Because the participants are often responsible for overseeing the governance and development of an initiative, the lack of independence can limit an international organization’s influence on CSR norms. Indeed, the connection between the members and the organizational make-up means that international bodies are often perceived as self-serving, at the mercy of their members’ interests.

We also discussed power-sharing mechanisms—an effective way to prevent the tunnel-visioning of CSR approaches and undue influence caused by a lack of independence. For Barrick Gold and Goldcorp, these power-sharing tools came in the form of including formal external advisors at the governance level, participation in projects with multiple stakeholders, or external
stakeholder partnerships to oversee projects on the sites – such as with the VPSHR or community development initiatives. (Barrick Gold 2020e; Goldcorp 2019a). Several international bodies relied on power-sharing mechanisms at the governance and management levels of their organizations, diffusing power from one stakeholder group and enticing a broader range of actors to participate. However, there was variation in the organizational make-up of this stakeholder group. Some international initiatives kept an exclusive membership which did not include collaborating stakeholders within their governance structures – such as the OECD or UN. Instead, they only provided external stakeholders with influence over management and implementation approaches. Structure did affect the ability of stakeholders to influence the practices of others, and there were direct illustrations that different types of organizational structure had a bearing on the types of approaches one could undertake, but it uncovered certain relationship ties between stakeholders. The precise and general structural observations of different approaches were particularly important, as how the stakeholders constructed their CSR strategies could have real differences in how they influenced the practices of others. Organizational make-up did have an impact on a stakeholder’s ability to influence the CSR practices of others, which means this line of argument offers an important complementary explanation to existing theories on CSR norm development and the dynamics of mutual influence in the global space.

127 It could also be argued that participation and collaboration within international initiatives themselves provide protection against the tunnel-visioning of creating CSR approaches, as it allows for different strategies and ideas to be presented and worked upon by a broader range of actors. Looking at the ICMM, part of their mandate is to facilitate dialogue between members, working together to address issues and come up with solutions that individual members may not have thought of.
Chapter Eight: Conclusion

Thus far, this dissertation has examined how different stakeholder groups, governments, companies, and international actors, seek to influence the CSR practices of others. My argument highlighted how organizational structure enables or constrains these CSR actors as they develop norms and shape practices on the global stage. Looking back to Chapter Two, where I reviewed the scholarly criticisms of international CSR norms (weak enforcement, substandard implementation, and a lack of uniformity), we can see the benefit of incorporating organizational make-up into the analysis, not only to anchor the comparison between stakeholder groups, but to account for some of these enduring weaknesses of CSR norms and practices. The institutional and stakeholder theories, with a focus on design, enforcement, power, and legitimacy, confirmed the relationship between an actor's organizational make-up and the ability to influence the CSR practices of others. It also helped highlight the multiple ways in which stakeholders leveraged their organizational strengths to promote their preferred norms and practices. Overall, stakeholders with more non-voluntary mechanisms had more power than those reliant on purely voluntary approaches, yet they also faced legislative constraints in the global space. However, stakeholders with exclusively voluntary mechanisms (the international bodies) created power sharing models and had tools to enforce their CSR norms with participants – an interesting observation. Simply because an approach is voluntary does not mean that it cannot be enforced.

It was also interesting to see the range of tools stakeholders used to influence the practices of others; it includes laws and regulations, operational reporting, risk assessments, general guidance, and the setting of CSR standards. The tools used by stakeholders to approach CSR were interesting. There was also significant interconnectivity between the different cases at the international level. Not only did the stakeholders reference the approaches of others, but more
importantly, actively contributed and participated in the development of global CSR standards. The CSR approaches of each stakeholder were not developed in silos. Rather, they were often created in collaborative environments with others. My framework helped tease out these connections, outlining the tools that were deployed in the midst of competitive and collaborative dynamics in the CSR space. To wrap up, this chapter will provide a general summary of global CSR norm development in mining by identifying organizational structure as a key explanatory variable. The contributions made to the existing scholarly literature also open up some avenues of future research. I also propose recommendations that could improve the ways in which each stakeholder attempts to influence CSR norm development in the international arena. Finally, limitations will be discussed before concluding with some final thoughts on the international state of CSR.

Contributions to the Literature

There are several ways this dissertation helps improve our understanding of how actors vie for influence in the global CSR space. Chapter Two’s literature review showed that assessments of the impact and effectiveness of CSR programs have received significant attention. However, the literature lacked a thorough analysis of how distinct actors compete and cooperate to define the content of CSR norms (Fordham and Robinson 2018; Stephen Brammer, Millington, and Rayton 2007; Jenkins and Yakovleva 2006; Karim, Manab, and Ismail 2020; Fritsch 2008; Zaid, Abuhijleh, and Pucheta-Martinez 2020; Roszkowska-Menkes and Aluchna 2018). This study identified organizational structure as an important factor, enabling or inhibiting companies, governments, and international actors to exercise influence over CSR standards. For example, the reporting tools were more successful in creating precise benchmarks for companies to follow,
something general guidance did not. These differences are relevant for assessing the respective influence of CSR actors in the global context.

This dissertation also contributes to the literature through its comparison of how stakeholders design their organizations. The relationship between the membership, governance, and management of an organization's hierarchy helps to explain differences in how they can influence CSR. A large portion of the existing literature argues that governments should take responsibility for ensuring CSR amongst companies. Intuitively this makes sense. Governments can use non-voluntary mechanisms to bend companies to their will. However, the analysis of the international context showed that the Government of Canada did not have the structural capabilities to impose its non-voluntary instruments on companies operating abroad. Instead, the Government constructed a CSR strategy that relied on the perpetuation of voluntary norms in the international space (Jette S Knudsen and Brown 2015; Scherer et al. 2016; Albareda et al. 2008; Zueva and Fairbrass 2019; Jackson et al. 2020). While the Government does not use its non-voluntary instruments for many CSR issues overseas, it does use them for other issues—specifically financial issues with foreign governments, and corruption. Non-voluntary approaches do not need to be confined to jurisdictional boundaries, illustrating that there is a potential for stakeholders to extend their non-voluntary influence overseas. More research is needed to identify the conditions under which governments decide to extend their non-voluntary influence into the global arena, as it would seem they are hesitant to do so.

When it came to the content of CSR approaches, the distinction between general and precise guidelines, tools, and policies showed a subtle distinction where stakeholders, and future research, can delve deeper. All the CSR approaches had a mix of broad guidelines and priorities, reinforced by precise guidelines which outlined the implementation of CSR standards. Concerning
influence, precise guidelines translated into more tools with measurable requirements to comply with; for instance, the reporting requirements under the GRI or acceptable wastewater management levels under the Canadian Governments CEPA (Government of Canada 1999; Denčić-Mihajlov and Zeranski 2018; GRI 2013). This empirical contribution is important, as it helps highlight that the strategies employed by a stakeholder can lead to different outcomes which effect another’s approach, and it illustrates how precise guidelines can more forcefully change operating practices. While the existing literature was heavily focused on measuring impacts, empirically the analysis showed that the type of tools actors used affects the degree of influence they can have on the practices of others (Zaid, Abuhijleh, and Pucheta-Martínez 2020; Jenkins and Yakovleva 2006; Hamann 2003).

Theoretically, the institutional and stakeholder foundations complemented one another quite well, allowing for a more complete analysis of the capabilities of the stakeholders’ organizational structures, their relationships in the international arena, and how influence manifests itself between them. The institutional side focused on organizational structure, effectively measuring the design and the range of enforcement tools stakeholders had created. The stakeholder theory helped to explain the connections between the different cases, and more specifically, how each stakeholder’s structure provided governments, companies, and international bodies with power and legitimacy to influence the CSR practices of others. While Herold (2018) set the groundwork for illustrating that these two theories could work together, this dissertation expanded the theoretical work already done by applying them to an analysis of organizations and influence (Herold et al. 2019).

A final contribution concerns the importance of reputation and norm diffusion as a driving force for influencing CSR in the international space. Focusing on the organizational make-up of
international bodies highlighted how important reputation was to them; it could be leveraged as an incentive to garner support from companies and governments to set norms. In the voluntary environment of global CSR, reputation was important for the company and government stakeholders as well – affording them with advantages when operating overseas. The companies made reference to the benefits of active contribution and the legitimizing effect of addressing issues of social responsibility on their operations, allowing them to more easily acquire a social license to operate but also foster more sustainable relations in the long run (Goldcorp 2013b; Barrick Gold 2020a). In an evaluation of their CSR strategy, the Canadian Government highlighted the importance of fostering networks and partnerships, but also the positive contribution engagement had for contributing “to Canada’s reputation as an honest broker and convenor of multi-stakeholder dialogue abroad” (Global Affairs Canada 2019c; 2020b, i). While the analysis touched on the importance of reputation, it only scratched the surface. Empirically the approach helped flesh out how reputation can be viewed through organizational structure, like what was done with the ICMI independent assurance reporting and providing companies with certifications (Vanhamme and Grobben 2009; Daugirdas 2019). How reputation can be leveraged by stakeholders to garner by-in from others to follow their CSR norms can be further explored.

Future Research

Given the limited scope of this dissertation’s theory development exercise, it would be interesting to expand the analysis to include additional stakeholder groups, like community-level stakeholders. There were instances where they informed the practices of government, company, and international stakeholders directly. For instance, the analysis of Barrick Gold indicated that

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128 For example, many of the stakeholders highlighted the importance of proving that they were compliant with external CSR initiatives as part of their legitimacy, but how this manifests itself clearly remains to be explored.
local communities are not always informally included in the decision-making process. Sometimes they are formally included within a company’s organization, in this case through the CDCs, thus contributing to the development of the CSR strategy on the ground. The notion that community groups are excluded, or not formally integrated, within the operational structure of mining companies is questioned here. This dissertation has shown that there is a formal structural body specifically created to integrate community groups and that they are afforded power in the decision-making process. In the Government case, community involvement was also observed, albeit to a lesser extent, through consultations and dispute resolution mechanisms. The international cases referenced community-level stakeholders playing a part in the development of their CSR approaches. However, structural bodies which include them are like the government approaches—advisory in nature and less formal. Understanding how community-level stakeholders are integrated, either as advisors or directly into the structural processes within an organization, and the influence they are provided would be an interesting future study.

Apart from community-level groups, the cases also identified the importance of representative associations, like the ICMM, WGS, ISO, and MAC, as influential stakeholders within the global ecosystem. In fact, while both companies lacked direct mechanisms designed to influence other stakeholders; they both mentioned the importance of associations as tools to protect and represent their CSR interests. While the MAC was not part of the analysis, the ICMM, WGS, and ISO were. The analysis showed that there were ways in which they influenced CSR differently because of their status as industry organizations. The ISO was a particularly unique body, as it was made up of standards associations from around the world, whereas the ICMM and WGS were made up of a mix of companies and national industry associations. The membership composition is important, as there is a very real possibility that the type of CSR approaches these representative
organizations create are very different based on the interests of their members. The relationship between industry and representative organizations, and the mandates of the organizations themselves, could provide a future area of research for better understanding these types of stakeholders.

**Recommendations**

Policy wise, there are several areas stakeholders should focus on to improve their ability to influence the CSR practices of others. I recommend several improvements. First, international stakeholders should address the glaring lack of independence in their governance structures. In most cases, members of the initiatives were also the ones dictating the CSR approaches themselves. A common critique in the literature (Chapter Two) was that international bodies did not go far to cause substantial change on others. My analysis suggests that this stems from weaknesses within the structural make-up of organizations (Banerjee 2014; Holmes et al. 2013; Michael 2003). Making the situation worse, participants within the international bodies, the ones implementing the CSR standards, were often the ones dictating what those standards were. To respond to issues of independence, I recommended that tools be incorporated which distance participants from controlling the CSR strategies of the initiatives—as was done in the case of the GRI through external assessment of the requirements (Chapter Six).

Independent oversight of CSR standards within organizations is not the only strategy to increase independence; there are structural make-ups which clearly separate the membership from being able to unduly influence the CSR norms. For instance, when initiatives had a diverse set of stakeholder groups at the governance level it was less likely that the CSR approaches were dictated by one stakeholder group, albeit not entirely. Diffusion of power within the international cases saw higher levels of influence as they used more operational requirements and precise mechanisms.
The multi-stakeholder initiatives were especially effective at diffusing governance and management power to numerous stakeholder groups, even if those groups were still the target of the CSR strategies. If full independence cannot be achieved within international initiatives (only seen in the ICMI), diffusing governance power can help alleviate independence issues and increase the likelihood that the CSR strategies will have a more precise effect on addressing issues.

From a governance perspective, there were also ways in which independence could be entrenched within an organization, dealing with some of the power and legitimacy issues seen in Chapter Seven. For international stakeholders, this included having governing bodies with representatives from outside of the targeted stakeholder group of the CSR initiatives, or creating models which shared governance responsibilities of different issues to separate bodies. Diffusing power amongst stakeholders who are not the target for initiatives, whether they be affected by mining operations or not, can also help improve the CSR standards being created. Complete independence between the organizational bodies, as seen in the government and company cases, is unlikely within the current examples of international CSR initiatives for two reasons. First, they rely heavily on the membership for their power and legitimacy, since the members are the same ones which adopt their CSR standards. Second, international bodies are invariably reliant on the membership to function, using the resources of the members (money, personnel, expertise) to advance their CSR standards. From an institutional standpoint, the relationship between members and the international bodies is one of mutual benefit.

So where should international bodies focus their attention to improve their ability to influence the CSR practices of others? The cases showed that by increasing their access to high influence mechanisms, ones which had enforcement or membership requirements, international bodies could improve their ability to influence the practices of the other groups. Concerning
enforcement, the analysis revealed that no international initiative could impose material repercussions, such as financial or operational penalties, on stakeholders who went against their CSR standards. Rather, the initiatives which did have tools with requirements, the OECD, ICMI, and VPSHR for instance, relied on enforcement through membership, potentially excluding and punishing members based on non-conformity with their standards. Tools which had less severe punishments than exclusion could be more effective at influencing and aligning the interests of stakeholders. Consider the Government of Canada and positive enforcement under the TCS. Their voluntary mechanisms rewarded good behaviour and punished bad behaviour by withholding diplomatic or financial support. Even the Government’s non-voluntary instruments had degrees for non-conformity, imposing penalties which ranged in severity. While removal from an initiative is the most severe punishment available, developing more middle ground solutions might be worth contemplating.

The Government held a unique position as a stakeholder in the international context. It had a limited ability to influence CSR beyond its borders. The Government had a high degree of power and legitimacy and was a major player in the international realm. It shaped norms and approaches through participation in international initiatives and mobilized the most support to advance new CSR strategies. But despite their position, they had few voluntary structural elements. The Government had non-voluntary tools but did/could not apply them to CSR practices overseas. To influence companies overseas, the government must use voluntary measures. On the voluntary side, the Canadian strategy can be improved as they created their own programs, particularly through GAC and the Ombudsperson. However, the tools available to each were limited and seemed to be only partially developed. For GAC, the use of positive enforcement mechanisms provided an incentive for external stakeholders to align their practices. Continuing to develop
positive enforcement tools and improve formal dispute processes can strengthen the effectiveness of the Government’s voluntary approach. The Ombudsperson, on the other hand, was more limited with regards to their approach. They did not have direct access to these positive enforcement mechanisms. The voluntary tools of the international bodies, such as program development under the VPSHR or the reporting requirements of the GRI, can be adapted to suit the Ombudsperson’s mandate of overseeing CSR issues surrounding Canadian companies and set more formal approaches.

The Ombudsperson has developed its dispute resolution mechanism since the office’s creation, enabling claimants to use the Office as an arbitrator when there are disagreements related to a company’s CSR practices (Bone 2021; Global Affairs Canada 2019b). While the Ombudsperson can act as a mediator, the mechanism does not require participation from stakeholders or a straightforward way to enforce decisions. Improvement of the dispute resolution mechanism to entice participation, even without the threat of penalties, could improve its effectiveness at setting CSR standards and increase the legitimacy of the Office as a voluntary oversight body. For example, leveraging positive enforcement tools to bring stakeholders to the table, like the TCS does, would provide a viable option. The penalty side is more complicated. It is unlikely the Office could impose requirements onto contravening stakeholders without the use of legislative instruments. However, while penalties may be difficult, following the lead of GAC and creating formal, positive enforcement mechanisms, would be beneficial.

Stakeholders that want to influence CSR approaches, but have few mechanisms to do so, can focus on the interests of stakeholders. Specifically, actors might find it useful to appeal to the stakeholder’s twin interest of reputation protection and improvement of practices. As mentioned in the future research section, reputation as tied to a stakeholder’s legitimacy, plays a key role.
when it comes to the identity of the different stakeholders’ CSR approaches. Stakeholders can use reporting and certification to get others to align their external practices, but also to show that they are following accepted CSR norms and acting responsibly. These mechanisms reinforce norms over time, using public perception and criticism to have stakeholders which operate poorly comply with CSR standards. Developing mechanisms which formally praise or reprimand stakeholders in the eyes of the public can be used to promote conformity, like certification of adherence to CSR standards under the ICMI (Abboubi and Cornet 2012). We also saw the Canadian Government explicitly commend the CSR practices of Barrick Gold and Goldcorp, providing a point of legitimization for the companies as well as signalling to other actors what CSR approaches get traction with the Government (Natural Resources Canada 2017c; Almatrooshi et al. 2018).

Finally, tools which are precise were seen as having more influence not only on the practices of others, but also for setting organizational standards amongst stakeholders which followed them. While general guidelines set the stage, so to speak, precise tools operationalize CSR standards and make them workable within an organizations approach. From my professional experience, a major draw for mining companies is in the proof of concept, making sure that the standards or processes they are adopting work. They are looking for tools which can enhance their existing business practices, rather than having to completely develop them and potentially miss-step. Precise tools are well suited for this, as they provide the operational component while also aiding in the process of CSR standard adoption and making it easier for stakeholders to decide on what works and what does not.

Limitations

While there were benefits to using institutional and stakeholder theories together, there were also issues maintaining consistency through application of the concepts of design,
enforcement, power, and legitimacy. The institutional side was more grounded in material observations (board compositions, mechanisms, management structures), whereas the stakeholder approach was more relational (understanding power dynamics, how the cases legitimized their approaches in relation to one another, etc.). During the writing process, the dynamics between the two theoretical foundations were sometimes at odds. The institutional basis was easy to layout from the qualitative analysis of primary documents produced by each stakeholder, while the stakeholder side relied on observing the relationships, as laid out in these same guidance documents. While the material did show connections between the stakeholders, it did not measure the full extent of said connection. For instance, the documents of the Ombudsperson and the two companies did not reference working together, but from professional experience, I know that they have a working relationship during deliberations. Thinking back to my time at Queen’s University working on a Partnership Development Grant project there were many instances when company, government, and international stakeholders would come together – at conferences, meetings, or consultations – to discuss priorities and how they could more effectively address CSR issues – either working together or on their own. In a number of these interactions the Ombudsperson (at that time the CSR Counsellor) was an active participant in the discussions. From the analysis, I believe outlining the organizational structures under institutional theory is important for understanding how stakeholders influence the practices of others. More work is needed to develop

129 A Partnership Development Grant is a multi-year project which can bring together multiple stakeholders from multiple background (academia, business, government, etc.) to respond to certain objectives outlined by SSHRC. The project I worked on looked at drawing together members from the mining industry (Rio Tinto), international bodies (International Committee of the Red Cross & the Geneva Centre for Security Sector Governance), and academic institutions (Queen’s University, Université de Montréal) to generate knowledge concerning security practices on extractive sites.
how those structures effect the relationship between the stakeholders, which could be further bolstered by fieldwork, interviews, or additional participant observation.

Concerning case selection, the use of three different stakeholder groups also created difficulties during the analysis—especially with regards to the Barrick Gold and Goldcorp cases in Chapter Five. When the cases were chosen, it was assumed that each would have structural elements designed specifically to influence the other two stakeholder groups, and that these mechanisms would be found within their documentation. However, while the Government of Canada and the international stakeholders had tools which were created to influence others, it was not as evident for the companies. The approach to influencing the CSR of other stakeholders was handled internally, through government relations, employees, or consultations. However, there was a process of leveraging their positions as mining companies to exert influence. Both companies actively contributed to the development of international CSR norms through their membership with representative associations (MAC, ICMM, WGC), and their direct participation as members within the international stakeholders. The companies were more focused on the internal processes and implementation rather than developing resources to influence others. Future studies would benefit from focusing on one stakeholder group at a time and then comparing them afterwards. Having one government, two companies, and then thirteen international organizations may have produced valid observations, yet the comparative findings were slightly skewed towards the international cases. Still, when rationalizing the case selection in Chapter Three the goal was to create exploratory observations to see if structure had an impact on a stakeholder’s ability to influence others, which it did. Having answered the question, it would now be interesting to expand the government and company cases to continue to identify nuances between their organizational structures and the ways they influence the practices of others in the global arena.
Using a qualitative approach was beneficial to answering the research question. It allowed for flexibility in the analysis and the observations, important for measuring power and legitimacy under stakeholder theory. However, because it only focused on published documents from the stakeholder cases, it constrained the observations after the analysis was completed. Document review was done for the sake of feasibility, but there could have been more data gathered through interviews, surveys, or getting a more in-depth understanding of the management side of the organizations. This would have strengthened the stakeholder analysis of power and legitimacy as observations from the documentation was not always clear or complete.

Final Thoughts

This study posed the questions of what determines dynamics of mutual influence in the international CSR space, and under what conditions will a stakeholder lead, follow, or resist the influence of other actors when it comes to defining CSR norms and practices in the global context? As argued, different organizational structures translate into different strengths and weaknesses which shape how actors influence CSR norms in the global space. The focus on organizational structure helped expand our understanding of the CSR space as well. The voluntary versus non-voluntary debate concerning CSR is more nuanced than one would initially believe; there are a range of tools which do not always fit neatly into one category. Voluntary and non-voluntary approaches are not all the same. The ways they are used in the global context are tied to a

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130 Interviews and fieldwork could have been scheduled for the summer of 2019 to provide complementary information, however, the Covid-19 pandemic put external engagement for many companies on hold. This makes sense, as the priority for many of the mining companies were put towards minimizing losses caused by the pandemic and juggling how the new restrictions effected their supply-chain. In my professional experience there also seems to be a certain hesitancy for many mining companies to undertake interviews or surveys which can be “put on the record” so to speak. During a research project at Queen’s University, I sent out a number of surveys to mining companies, many of whom either were reluctant to fill them out or pointed me towards their sustainability policies to answer the questions. While mining companies see their legitimacy based on proving their adherence to CSR norms, there is also a perceived risk in going further.
stakeholder’s organizational structure. There is ample room to not only expand our understanding of CSR structures at the international level, but also ways to improve existing approaches to make them more effective at influencing others—especially in the voluntary arena.

Despite the potential for improvement, the international CSR context is still largely dominated by the influence of government and company stakeholders. Critiques that international initiatives are incapable or weak when it comes to influencing CSR standards are not wrong, and we see organizational reasons for why these weaknesses exist. Without addressing issues within international CSR structures, like independence between bodies or lack of enforcement, there is a real possibility that international CSR norms will continue to remain stagnant and subject to criticism. For international CSR initiatives to lead to more substantive change non-voluntary tools, requires learning from approaches which incorporate some sort of requirement—a middle ground between all or nothing.131 There are glimmers of light concerning the global development of norms. The international space is adopting more inclusive structural arrangements, bringing more stakeholders to the table, and stakeholders are using new tools to improve mining practices, tools which go beyond simple lip-service to respond to issues of social responsibility. Organizational changes are taking place to respond to competing interests, and there is room to better understand how these changes effects the dynamics of mutual influence in the global CSR space.

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131 One example of a penalty which could fall between severe and non-existent would-be variable membership based on conformity with precise standards. If a participant does not reach CSR goals, or reports poor operational standards, small membership fee penalties could apply. Leveraging reputation, as we’ve seen within the analysis, would be another avenue that international cases could leverage. Certification is also a means to ensure standard adoption, as non-certification or de-certification are penalties which allow for improvement and do not remove the contravening actor from the international initiative completely.
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## Appendices

### Appendix 1: Legislative and Regulatory Instruments of the Canadian Governments CSR Approach

| Legislative Instrument | Managing Body | Targeted Stakeholder | CSR Specific | Influential Power | Relation to CSR Approaches | Applicability | Mechanism type |
|------------------------|---------------|----------------------|--------------|------------------|----------------------------|---------------|----------------|}
| Canada Business Corporations Act (CBCA) (Government of Canada 1985a) | Corporations Canada (CC) | Companies | No | High-influence | Governance requirements.  
Reporting, auditing, membership requirements, membership liabilities.  
CSA influence: board independence; the role of the board and management; board assessment; director selection; senior officer compensation; written codes of business conduct and ethics to promote integrity and to deter wrongdoing; and; board responsibility for monitoring | Domestic. | Baseline Requirements: Flexible (Allows for interpretation)  
Reporting  
Structure Requirements  
Penalties for non-compliance (Financial and criminal)  
Range of Penalties |
▪ Reporting (Certain requirements and amounts, ex: $100k+)  
▪ Penalties (financial)  
▪ Range of Penalties |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Corruption of Foreign Public Officials Act (CFPOA)** (Government of Canada 1988) | Royal Canadian Mounted Police | Companies | Yes | High-Influence | Reporting obligations, social responsibility, combating corruption  
▪ Business operations  
▪ Anti-bribery and anti-corruption | Domestic and overseas, brought out by the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions | ▪ Requirements  
▪ Penalties (financial and criminal)  
▪ Reporting  
▪ Non-flexible |
| **Canadian Criminal Code** (Government of Canada 1985c) | Royal Canadian Mounted Police | Companies  
Public Stakeholders | Yes | High-Influence | Reporting  
▪ Business operations | Domestic  
▪ Non-flexible  
▪ Requirements  
▪ Penalties (financial and criminal)  
▪ Range of Penalties |
| **Federal Sustainable Development Act (FSDA)** (Government of Canada 2008) | Sustainable Development Office – Environment Canada | Public Stakeholders | Yes | High-medium | Increase sustainability integration within the Government of Canada and departmental | Domestic, (overseas limited to government operations). | ▪ Oversight  
▪ Review  
▪ National Strategy  
▪ Flexible  
▪ No-penalties  
▪ Requirements |
Canadian Environmenta l Protection Act (CEPA) (Government of Canada 1999)  

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| | | | | Assessment and risk requirements for mining companies.  

132 This includes what types of chemicals can be used to purify minerals or water, how to dispose of hazardous waste, gas emissions, and the types of emergency responses which are required.

Appendix 2: International Initiatives Promoted by the Government of Canada (Natural Resources Canada 2018; Global Affairs Canada 2019c).

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Domestic  
Requirements  
Penalties (Financial and criminal)  
Reporting  
Non-flexible
| Organization for Economic Cooperation and Development (OECD) Guidelines for Multinational Enterprises | OECD | The Guidelines are far-reaching recommendations addressed by governments to multinational enterprises operating in or from adhering countries. The guidelines cover key areas of business ethics, observe internationally recognized standards, and respond to other societal expectations. |
| Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas | OECD | Provides detailed recommendations to help companies respect human rights and avoid contributing to conflict through their mineral purchasing decisions and practices. |
| Global Reporting Initiative Guidelines | GRI | GRI's mission is to make sustainability reporting standard practices for all organizations. Its core product is the Sustainability Reporting Framework and Guidelines. |
| Voluntary Principles Security and Human Rights | VPSHR | The principles cover providing of security by public sector bodies and by private actors, and conducting risk assessments concerning security and human rights. |
| International Finance Corporation (IFC) Performance Standards | IFC | The Performance Standards provide guidance on how to identify risks and impacts, and are designed to help avoid, mitigate, and manage risks and impacts as a way of doing business in a sustainable way, including stakeholder engagement and disclosure obligations of the client in relation to project-level activities. |
| Equator Principles | EP Association | The Equator Principles are a voluntary set of environmental and social screening criteria and guidelines that provide a framework for banks to manage environmental and social issues in project financing. Note that Export Development Canada has signed on to them. |
| Extractive Industries Transparency Initiative (EITI) | EITI | The EITI is a coalition of governments, companies, civil society groups, investors and international organizations. Its principle methodology, known as the EITI Standard, works to ensure that global standard for revenue transparency at the local level is maintained throughout the different implementing countries. |
| ISO 26000 | ISO | ISO 26000 is the international guidance standard for social responsibility. It supports companies and organizations in translating principles into effective actions, and promotes best practices relating to social responsibility at a global level. It targets both large and small organizations in the public and private sectors. |
| UN Global Compact | UN | The UN Global Compact is a strategic policy initiative to encourage companies to adopt sustainable and socially responsible policies, specifically in the areas of human rights, labour, environment and anti-corruption. |
Endorsed by the United Nations Human Rights Council in 2011, the Guiding Principles are a global standard for preventing and addressing adverse impacts on human rights caused by business activity.

The ILO standards are a comprehensive system of instruments related to work and social policy. These standards are backed by an international supervisory system and mechanisms that help to ensure the implementation and ratification of the standards within the member states.

The ILO has given special attention to multinational enterprises by adopting the 1977 Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (recently revised). This is a global commitment designed to guide governments, employers, and workers in areas of employment, training, working conditions and industrial relations.

### Appendix 3: Tools and Guidance Mentioned as Useful Under the Government of Canada's CSR Strategy

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<td>International Chamber of Commerce</td>
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<td>• Stakeholder Engagement Standard</td>
<td></td>
</tr>
</tbody>
</table>
Appendix 4: Organizational Structure of the Government of Canada's CSR Approach

<table>
<thead>
<tr>
<th>Legislative Instrument</th>
<th>Managing Body</th>
<th>CSR Specific</th>
<th>Influential Power</th>
<th>Domestic vs. Overseas Applicability</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Canadian Securities Administrators (CSA)</td>
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<tr>
<td>Corruption of Foreign Public Officials Act (CFPOA) (Government of Canada 1988)</td>
<td>Royal Canadian Mounted Police</td>
<td>Yes</td>
<td>High-Influence</td>
<td>Domestic and overseas, brought out by the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions</td>
</tr>
<tr>
<td>Canadian Criminal Code (Government of Canada 1985c)</td>
<td>Royal Canadian Mounted Police</td>
<td>Yes</td>
<td>High-Influence</td>
<td>Domestic</td>
</tr>
<tr>
<td>Canadian Environmental Protection Act (CEPA) (Government of Canada 1999)</td>
<td>Environment Canada</td>
<td>Yes</td>
<td>High-influence</td>
<td>Domestic</td>
</tr>
<tr>
<td>Canada Labour Code (Government of Canada 1985b)w</td>
<td>Employment and Social Development Canada</td>
<td>Yes</td>
<td>High-Influence</td>
<td>Domestic (Limited foreign – Canadians in a company operating overseas are provided the same protections.)</td>
</tr>
</tbody>
</table>

Appendix 5: CSR Bodies of the Government of Canada's Voluntary Approach

<table>
<thead>
<tr>
<th>Government Body</th>
<th>Interest in CSR</th>
<th>Powers</th>
<th>Role</th>
<th>Make-up</th>
<th>Priorities</th>
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<tr>
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<tr>
<td>Canadian Ombudsperson for Responsible Enterprise</td>
<td>Primary Interest</td>
<td>Oversight, no coercion or penalties</td>
<td>Recommendations</td>
<td>Dispute Resolution</td>
<td>Act as the main government office which is interested in promotion and advancement of CSR abroad within the Canadian extractive industries.</td>
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<td>▪</td>
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<td></td>
<td>▪ Single office (limited structure) ▪ Promote the implementation of the UN Guiding Principles and the OECD Guidelines ▪ Advise Canadian companies on their practices and policies with regard to responsible business conduct ▪ Review a complaint that is submitted by or on behalf of an individual, organization or community concerning an alleged human rights abuse where the abuse allegedly occurred after the day on which the first Ombudsperson is appointed or, if it allegedly occurred before that day, is ongoing at the time of the complaint ▪ Review, on the Ombudsperson’s own initiative, an alleged human rights abuse where the abuse allegedly occurred after the day on which the first Ombudsperson is appointed or, if it allegedly occurred before that day, is ongoing at the time of the complaint</td>
</tr>
</tbody>
</table>
Ombudsperson is appointed or, if it allegedly occurred before that day, is ongoing at the time of the review
- Offer informal mediation services
- Provide advice to the Minister on any matter relating to their mandate, including issues related to the responsible business conduct of Canadian companies operating abroad

| Global Affairs Canada       | Secondary interest | Limited enforcement mechanisms (potential financial or diplomatic penalties should a company not adhere to guidance, withhold diplomatic support). |
|                            |                   | Responsible Business Conduct Abroad – guiding document |
|                            |                   | Enforced through Trade Commissioner Service |
|                            |                   | Diplomatic corps of the Government of Canada, has diplomatic relations and representatives in other countries. |
|                            |                   | Government Department |
|                            |                   | Foreign Offices |
|                            |                   | Embassies |
|                            |                   | Trade Commissions |

<p>| Centre for Excellence in CSR | Primary Interest – Extractive Industries | Body under the Trade Commissioner Service | Part of the national strategy. Provides the research component. | Single office Executive Committees – multi-stakeholder, |
|                            |                                           |                                           |                                           | Support |
|                            |                                           |                                           |                                           | Knowledge |
|                            |                                           |                                           |                                           | generation |
|                            |                                           |                                           |                                           | Advisory |</p>
<table>
<thead>
<tr>
<th>Trade Commissioner Service</th>
<th>Secondary</th>
<th>160 commissioners worldwide</th>
<th>Business and investment development arm of GAC</th>
<th>Offices in diplomatic offices</th>
<th>Research</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>None- multi-stakeholder research and advisory body.</td>
<td>Guidance Documents: Community Stakeholder Engagement (Canadian Trade Services Commissioner 2016a); Managing Requests for Community Support (Canadian Trade Services Commissioner 2016b); Hiring Responsibility (Canadian Trade Services Commissioner 2016c); Conflict-sensitive good business practices (Canadian Trade Services Commissioner 2017a); Local procurement (Canadian Trade Services Commissioner 2017b); Site-level community response mechanisms engagement (Canadian Trade Services Commissioner 2017c)</td>
<td>Point of contact for ombudsperson</td>
<td>Industry and non-industry members.</td>
</tr>
</tbody>
</table>

- Improving investment relations
- Expert advice
- Risk advisory
- Advisory services
| Natural Resources Canada | **Primary** – Domestic focus, provides support for overseas | **Limited enforcement** (without competitive advantage services) | **Legislative enforcement** (domestic sphere) | **Corporate Social Responsibility (CSR) Checklist for Canadian Mining Companies Work Abroad** – Focuses on mitigation and planning when it comes to environmental, social, and ethical challenges (Natural Resources Canada 2019a).  
**Catalogue of Corporate Social Responsibility (CSR) Practices** – Database of different CSR practices used by companies in Canada. Has information on different activities, the impacts, and how they are implemented based on company reporting (Natural Resources Canada 2017c).  
**Exploration and Mining Guide for Aboriginal Communities** – Tool for community level actors to have a better understanding of mining in Canada. A number of  | **Government Department Domestically based** | **Environmental Protection Department of the Government of Canada**  
**Oversight of company environmental practices**  
**Incident oversight**  
**Penalties for non-compliance** | **Economic development** |
Canadian embassies, through Global Affairs Canada, has adapted the toolkit for other countries to help companies (Natural Resources Canada 2017d).

<table>
<thead>
<tr>
<th>OECD National Contact Point</th>
<th>Primary</th>
<th>Limited enforcement. Largely dispute resolution and grievance review. No penalties besides the ability to provide non-binding decisions.</th>
<th>National Office</th>
<th>OECD Guidelines</th>
<th>Review</th>
<th>Dispute Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Economic Development Canada (EDC)</td>
<td>Secondary</td>
<td>Support, provides guidance largely. Semi-coercive, companies must comply with the requirement for investment support: Environmental and Social Risk Management Policy, as well as the EDC Environmental and Social Review Directive (ERD) which it uses when assessing credit for companies (Export Development Canada 2019). Adoption of the International Finance Corporations (IFCs) Performance Standards</td>
<td>Provide economic and investment development support to companies</td>
<td>Range of offices domestically. Representation internationally</td>
<td>Investment</td>
<td>Business development</td>
</tr>
</tbody>
</table>
  - CSR: An Implementation Guide for Canadian Business – How to incorporate CSR into a business, how to develop and implement a strategy, how to measure outcomes (Government of Canada 2015b).  
  - SME Sustainability Roadmap – Focus on management, operations, and leadership of CSR practices within small and medium-sized enterprises (Government of Canada 2012).  
  - CSR Toolkit – Focus on governance, decision-making processes, human resources, supply chain, and marketing practices (Government of Canada 2015c). | Government Department | Implementation support |

**Appendix 6: List of Barrick Gold and Goldcorp Operations**

<table>
<thead>
<tr>
<th>Company</th>
<th>Operational Size</th>
</tr>
</thead>
</table>
### Goldcorp (Goldcorp 2019a, 25–27)
- 6 operations (primary owner): 4 in Canada (Éléonore, Musselwhite, Porcupine, and Red Lakes), 1 in Argentina (Cerro Negro), 1 in Mexico (Peñasquito).
- 1 closed operation in Guatemala (Marlin).
- 4 exploration projects: 3 in Ontario, Canada (Borden, Century and Cochenour), 1 in Yukon, Canada (Coffee)
- 2 operations (joint venture): 1 Argentina (Alumbrera), 1 Dominican Republic (Pueblo Viejo)
- 2 exploration projects (joint venture): 2 Chile (Nueva Unión, Norte Abierto).

### Barrick Gold
- Operational: 1 United States (Nevada Gold Mines), 1 Canada (Hemlo), 1 Argentina (Veladero), 1 Chile (Zaldivar – Copper), 1 Mali (Loulo-Gounkoto), 1 Côte d’Ivoire (Tongon), 1 Saudi Arabia (Jabal Sayid - Copper), 1 Zambia (Lumwana – Copper), 1 Democratic Republic of Congo (Kibali), 3 Tanzania (North Mara, Bulyanhulu, Buzwagi), 1 Dominican Republic (Pueblo Viejo)
- Operational (Joint Venture): 1 Papua New Guinea (Porgera Joint Venture)
- Care and maintenance: 1 United States (Golden Sunlight), 1 Peru (Lagunas Norte), 1 Mali (Morila)
- Development Projects: 2 United States (Donlin Gold, Fourmile), 1 Argentina (Pascua-Lama), 2 Chile (Norte Abierto, Alturas), 1 Senegal (Massawa)
- In Closure: 1 Peru (Pierina)

### Appendix 7: The Organizational Structures of the Company Cases and their CSR Mechanisms

<table>
<thead>
<tr>
<th>Company Stakeholder</th>
<th>Target Stakeholders</th>
<th>Governance Structure</th>
<th>Management Structure</th>
<th>Approach to CSR</th>
<th>Mechanisms</th>
</tr>
</thead>
</table>
| Goldcorp            | Shareholders        | Membership: exclusive, shareholders (investors).  
|                     |                     | Governing Body: Board of Directors: representative, elected by membership, independent members (Canadian corporate law).  
|                     |                     | Formal Committees, link to management, | Managing Body: Executive Leadership Team (ELT): Approved by the Governing Body, 5 employees\(^{134}\), hierarchical Managing Executive: Corporate Affairs and Sustainability Officer | Yearly Sustainability Report: Priorities and Achievements.  
|                     |                     |                     |                     | CSR Policy: Sustainability Policy: Health, Safety, Environment and Social Performance | Reporting (GRI)\(^{(Range of mechanisms)}\)  
|                     |                     |                     |                     | Human Rights Policy | Violations reporting  
|                     |                     |                     |                     | Community Contributions Policy | Internal enforcement  
|                     |                     |                     |                     | Security Policy | External Consultations  
|                     |                     |                     |                     | Code of Conduct: 13 points, Anti-Bribery | Independent Assurance (Ernst & Young: ICMM & GRI reporting)  
|                     |                     |                     |                     |                      | Alignment with International Norms (ILO) |

\(^{134}\) Chief Executive Office (CEO)(Senior), Chief Financial Officer (CFO), Chief Operating Officer (COO), Corporate Affairs and Sustainability Officer, General Council

203
| **governing by policies from the Board.**<sup>133</sup> | **Senior Officers:** Management, Operations, Health, Safety & Environment, Risk & Compliance. Site Managers: Mine General Managers | **and Anti-Corruption policy (Government actors), Diversity and Inclusion Policy (external consultation)**<br>**Disclosure, Confidentiality, and Insider Trading Policy**<br>**Goldcorp Investment Framework**<br>**Human Rights Policy:** 10 commitments, informed by international and national law.<sup>135</sup> **Occupational Health and Safety Policy**<br>**Community and Contributions Policy**<br>**Monitoring Report:** Sustainability Compliance Assurance Standard | **Alignment with National Norms**<br>**Creation of Industry Norms**<br>**Community Investment**<br>**Sustainability Tracking**<br>**Accident Reports**<br>**Side-level Reporting**<br>**CSR Risk Assessments**<br>**CSR Impact Assessments**<br>**Organizational CSR planning**<br>**Site-level CSR Plans**<br>**Supply-chain verification and oversight**<br>**CSR Hierarchy**<br>**CSR Non-Independent Governance**<br>**Monitoring System** |
| Governing Body (CSR): Sustainability Committee, internal employees, Board members, and outside consultants | and the Human Resources and Compensation Committee and the Sustainability Committee | and the Human Resources and Compensation Committee, the Governance and Nominating Committee, the Audit Committee, the Sustainability Committee, and the Human Resources and Compensation Committee (Goldcorp 2018b).<sup>133</sup> | **Governance & Nominating Committee, the Audit Committee, the Sustainability Committee, and the Human Resources and Compensation Committee (Goldcorp 2018b).**

|-------------|--------------|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------|

\textsuperscript{136} risk aggregation, risk management, and oversight/governance

\textsuperscript{137} Includes tailing risks, project risks, safety risks, and site risks.
members (Canadian corporate law).

- International Advisory Board: Appointed by Board, advises on issues of sustainability.

- Formal Committees: Audit and Risk Committee, a Corporate Governance & Nominating Committee, and a Compensation Committee, Corporate Governance & Nominating Committee

- CSR Specific Committee: Environmental and Social (E&S) Oversight Committee

- Biodiversity
- Conflict-Free Gold,
- Disclosure,
- Diversity,
- Environmental,
- Human Rights,
- Insider Trading,
- Safety and Health Policy
- Recoupment,
- Shareholder Engagement
- Social Performance
- Sustainable Development.
- Tax
- Anti-Bribery and Anti-Corruption Policy
- Risk Management Policies and procedures
- CSR Risk Management System
- CSR Monitoring System
- Company-wide Tax Management Policy

- Assurance and Compliance Reporting
- Monitoring System
- Risk Assessments
- Grievance Mechanisms
- Compliance Management
- Penalties
- Stakeholder Engagement
- Consultation
- Financial Investment
- Implementation Support
- Priority Setting
- Community Investment
- Reporting Transparency

Appendix 8: The Activities of the Community Development Committees (CDC)

**Community Development Committees (CDC)**

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138 Barrick Gold has identified eight (8) internal and external stakeholder groups which are interested in the social responsibility of the company, and who may be important when identifying issues and creating solutions. This includes shareholders, employees & unions, home & host governments, local communities, civil society organizations, suppliers & contractors, joint venture partners, and finally media (Barrick Gold 2019d; 2020a).
Community development budgets revolve around priorities put forward by community groups, through consultation, rather than based solely on the financial considerations of the company.

Community investment and development projects focus on five different categories of consideration during the budgetary allocation process – education, health, food, water, and local economic development.

Ensure sustainability of the development projects lifecycle so that it can become independent of operational funding in the future, as well as continue to deliver on social, economic, and/or environmental benefits to the community.

Social investments must be tailored both for the benefit of the corporation and the community where appropriate depending on the environment in which they are being adopted.

Build partnerships and relationships with other stakeholder groups to positively impact development projects, including partners from the private and public realms. These include formal and informal partnerships between partners, however, in the case of the latter clear roles, resource allocations, and agreements must be in place to comply with the company’s Code of Conduct Policy and the Anti-Corruption Policy (Barrick Gold 2019d, 45).

Appendix 9: Structure and Mechanisms of International Cases

<table>
<thead>
<tr>
<th>International Stakeholder</th>
<th>Target Stakeholders</th>
<th>Governance Structure</th>
<th>Management Structure</th>
<th>Approach to CSR</th>
<th>Mechanisms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organizations for Economic Cooperation and Development (OECD) Guidelines for Multinational Enterprises&lt;sup&gt;139&lt;/sup&gt;</td>
<td>▪ Government&lt;sup&gt;140&lt;/sup&gt; (Primary) ▪ Companies (Secondary)</td>
<td>▪ Membership (Governments, Exclusive - With Requirements) ▪ Governing Body: Council of All Members ▪ Committees</td>
<td>▪ Secretariat (Administration) ▪ Governments – National Contact Points</td>
<td>▪ OECD Guidelines for Multinational Enterprises: 10 Priority Areas, 1 General 9 specific.&lt;sup&gt;141&lt;/sup&gt; ▪ 1 general management</td>
<td>▪ Knowledge Generation ▪ Reporting ▪ Implementation Support ▪ Program ▪ Compliance ▪ Membership Requirements</td>
</tr>
</tbody>
</table>

<sup>139</sup> (OECD 2001; 2019b; 2017; 2020; 2018a; 2013)


<sup>141</sup> The OECD Guidelines are made up of a number of other, specific, CSR standards for government adoption, including the OECD Due Diligence Guidelines for Responsible Business Conduct, the OECD Due Diligence for Responsible Supply Chains of Minerals from Conflict-Affected and High-risk Areas, the OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector, the OECD Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector, OECD-FAQ Guidance for Responsible Agriculture Supply Chains, Responsible Business Conduct for Institutional Investors, and the Practical Actions for Companies to Identify and Address the Worst Forms of Child Labour in Mineral Supply Chains. These include human rights; employment and industrial relations; environment; combating bribery, bribe solicitation and extortion; consumer interests; competition; and taxation (OECD 2011).
### Extractive Industries Transparency Initiative (EITI)\(^{143}\)

- **Government (Primary)**
- **Companies (Secondary)**

**Membership** (Governments, Companies, Civil Society, Inclusive – With Requirements)

**Governing Body:** Board, 20 members, elected, diffused amongst groups.

- **EITI International Secretariat**
- **World Bank**
- **Regional Banks**
- **Governments**

- **EITI Standard**
- **Licensing, taxation, royalties, social contributions**

### Global Reporting Initiative (GRI) Standards\(^{144}\)

- **Companies (Primary)**
- **Governments (Secondary)**

**Membership** (Governments, Companies, Civil Society, Inclusive – With Requirements)

**Stakeholder Council** (Exclusive, elected, election requirements).

**Governing Body:** Board of Directors

- **Global Sustainability Standards Board (GSSB)** – Independent body, oversight & due process
- **GRI Secretariat**

- **GRI Standards:** general and specific (environmental, economic, social), management systems standards

### Notes

\(^{142}\) OECD Due Diligence Guidelines for Responsible Business Conduct, OECD Practical Actions for Companies to Identify and Address the Worst Forms of Child Labour in Mineral Supply Chains, OECD Due Diligence for Responsible Supply Chains of Minerals from Conflict-Affected and High-risk Areas, the OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector.

\(^{143}\) (EITI 2020; Andreasen et al. 2013; EITI 2017)

\(^{144}\) (GRI 2016b; 2020b; 2020c; 2020f; 2018; 2020d; 2016a; 2019)
<table>
<thead>
<tr>
<th>United Nations Sustainable Development Goals (SDGs)</th>
<th>Governments (Primary)</th>
<th>Membership – Governments (Exclusive)</th>
<th>UN Development Programme</th>
<th>Sustainable Development Goals: general - 17 main targets with 169 sub-targets.</th>
<th>• Independent Appointments Committee • Governmental Advisory Group</th>
<th>• Economic and Social Council • Governing Body: High-level Political Forum (HLPF)</th>
<th>• Parent Body: UN Department of Economic and Social Affairs (UN DESA) • Managing Body: Division for Sustainable Development Goals</th>
<th>• Reporting • Stakeholder Assessments • Knowledge Generation • Goal Setting (long-term) • Performance Indicators • Implementation Support • Align International Environment • Partnerships • Knowledge Generation</th>
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<tr>
<td>Governments (Primary)</td>
<td>Governments (Secondary)</td>
<td>Membership: Exclusive</td>
<td>Managing Body: PRI Executive (administration)</td>
<td>Principles for Responsible Investment: 6</td>
<td>Align with International Norms (SDGs)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Companies (Primary)</td>
<td>Governing Body: Association Board, 11 elected member; 1</td>
<td>Managing Body: PRI</td>
<td></td>
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<td>International Standards Creation</td>
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</table>

145 Representation on the Governing Board is spread amongst a variety of stakeholder groups – 28 government, 14 business, and 14 labour regular member representatives, as well as 28 government, 19 business, and 19 labour deputy representatives (ILO 2020; 2019, 15)
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<tr>
<td>Finance, Audit and Risk Committee, the Governance Committee, the Human Resources and Remuneration Committee, the Policy Committee, and the Signatory Status Committee</td>
<td>146 The six general principles which make up the foundations of the initiative include incorporation of ESG issues into investment analysis and decision, inclusion of ESG issues into ownership policies and practices, seeking disclosure of ESG issues within entities when investing, promotion the implementation of the principles in the investment industry, use of a multi-stakeholder approach to implementation of the principles, and be transparent when it comes to the organizations work (PRI 2019)</td>
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</table>
### Equator Principles (EPs)
- **Companies (Primary)**
- **Governments (Primary)**

- **Membership:** exclusive (banks)
- **Governing Body:** Steering Committee, exclusive, elected by members.
- **Working Group:** Organizational – implementation,
- **Working Group:** Thematic – policies, principles

- **Management Body:** EP Secretariat (Administration)
- **Equator Principles (EPs):** Environmental and social risks in financing: 10 principles.
- **Financing Standards,**
- **Listed on Socially Responsible Investing Indices**

### International Organization of Standardization (ISO) ISO 26000
- **Companies (Primary)**
- **Governments (Primary)**

- **Membership:** General Assembly, exclusive, tiered: members, correspondents, and subscriber members.

- **Managing Body:** Central Secretariat (Administration)
- **ISO Standards:** ISO 26000 Sustainability
- **Implementation Guidance**

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148 The difference between the Equator Principles and the PRI is minor, as the former deals with project finance, while the later deals with sustainability within institutional investments (O. Weber and Acheta 2014; 2016)

149 Other examples include ISO 20121 (Sustainable Events), ISO 45001 (Occupational Health and Safety, and ISO 37001 (Anti-Bribery Management Systems).
| International Council of Mining and Metals (ICMM) | Companies (Primary) | Managing Body: ICMM Staff (Administration) | ICMM 10 Principles (ICMM Principles) | Industry Standards Creation |
|———|———|———|———|———|
| Membership: exclusive 27 mining and metals companies, 30 regional commodities associations. | Governing Body: Council, all company members, elected 2 commodity association members. | ICMM Statements: 8 statements in addition to the principles on specific points, ICMM Sustainable Development Framework | ICMM Statements: 8 statements in addition to the principles on specific points, ICMM Sustainable Development Framework | Industry Standards Creation |
| Principle Liaisons Committee: Company members, 2 association members. | | | | Representation of Members |
| | | | | Alignment with International Norms |
| | | | | Implementation Support |
| | | | | Reporting |
| | | | | Membership Requirements |

150 President’s Committee, the Council Standing Committees, Advisory Groups, and the Policy Development Committees.
154 SDGs, the Global Reporting Initiative (GRI), the UN Global Compact (UNGC), the OECD Guidelines on Multinational Enterprises, the World Bank Operational Guidelines, the OECD Convention on Combating Bribery, the ILO Conventions 98, 169, and 176, and the Voluntary Principles on Security and Human Rights.
|---|---|---|---|---|---|---|---|---|

152 Communications Oversight Committee, the Environment Programme Committee, the Social & Economic Development Programme Committee, and the Health & Safety Programme Committee.
### Appendix 10: Influence Based on Targeted Stakeholders

<table>
<thead>
<tr>
<th>International Initiative</th>
<th>Direct Influence</th>
<th>Secondary Influence</th>
<th>Indirect Influence</th>
</tr>
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<tbody>
<tr>
<td>OECD Guidelines</td>
<td>Governments</td>
<td>Companies</td>
<td>Governments</td>
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<td>EITI</td>
<td>Governments</td>
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<td>Companies</td>
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<td>GRI Standards</td>
<td>Companies</td>
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<td>Initiatives</td>
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<td>UNGPs</td>
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<td>MNE Declaration</td>
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<tr>
<td></td>
<td>International Initiatives</td>
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</table>
Appendix 11: Relationship between the International Cases and the Government and Company Cases

<table>
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<tr>
<th>International Initiative</th>
<th>Participation</th>
<th>Support</th>
<th>No Direct Relation</th>
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<tr>
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<td>Canada (UN 2020b; 2020a; 2020c; 2020e)</td>
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<td>Goldcorp</td>
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<tr>
<td>EITI</td>
<td>Goldcorp(^{155})</td>
<td></td>
<td>Canada(^{157})</td>
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<tr>
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<td>Barrick Gold(^{156})</td>
<td></td>
<td>Barrick Gold</td>
</tr>
<tr>
<td>GRI Standards</td>
<td>Goldcorp</td>
<td></td>
<td>Canada (Global Affairs Canada 2019c)</td>
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<tr>
<td></td>
<td>Goldcorp</td>
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</tr>
</tbody>
</table>

\(^{155}\) Goldcorp adheres to EITI reporting standards in seven countries – Argentina, Dominican Republic, Ghana, Guatemala, Mexico, Peru, and Suriname.

\(^{156}\) Barrick Gold adheres to EITI reporting standards in four countries – the Dominican Republic, Peru, Zambia, and Tanzania. Newmont Goldcorp adheres to EITI reporting standards in seven countries – Argentina, Dominican Republic, Ghana, Guatemala, Mexico, Peru, and Suriname. Canada does support the development of the EITI, aiding in policy development as well as promoting the initiative in countries which adopt the reporting requirements.

\(^{157}\) Canada does support the development of the EITI, aiding in policy development as well as promoting the initiative in countries which adopt the reporting requirements.

| MNE Declaration | • Canada | • Goldcorp
| • Goldcorp
| • Barrick Gold
| PRI | • Canada | • Goldcorp
| • Barrick Gold
| VPSHR | • Canada • Barrick Gold • Goldcorp | • Goldcorp
| • Barrick Gold
| EPs | • Canada | • Goldcorp
| • Barrick Gold
| ISO 26000 | • Canada | • Goldcorp
| • Barrick Gold
| ICMM | • Barrick Gold • Goldcorp | • Canada
| CFGS | • Barrick Gold • Goldcorp | • Canada
| ICMI | • Goldcorp • Barrick Gold | • Canada