



PRESS RELEASE

END OF BARRICK GOLD'S LAWSUIT : ÉCOSOCIÉTÉ SETTLES OUT OF COURT

Montréal, 18th octobre 2011 – After a three and a half year legal battle, Les Éditions Écosociété has reached an out-of-court settlement with the multinational mining company Barrick Gold. In order to put an end to the proceedings that Barrick Gold instituted against it in April 2008 for the sum of 6 million dollars, and for this reason only, Éditions Écosociété is ceasing the publication of the book *Noir Canada*.

This withdrawal does not constitute a disavowal of the work of the authors, Delphine Abadie, Alain Deneault and William Sacher, nor of the editor. In a few years of existence, *Noir Canada* (Richard-Arès Award 2008) has reached thousands of readers. The book's analysis of the activities of Canadian corporations in Africa has launched a necessary debate concerning the “judicial shelter” that Canada has become for mining companies operating internationally, and it has helped many Canadians to realize that their savings have been invested in controversial activities. Les Éditions Écosociété remains convinced that *Noir Canada* had to be published.

Based in the ample amounts of documentation collected by international observers, *Noir Canada* is asking for an independent commission of inquiry to shed light on the numerous cases of abuse that have been committed throughout Africa. Écosociété and the authors of *Noir Canada* will continue to demand that such a commission be held.

During this three and a half year struggle for the basic freedom of expression, freedom to publish, and the right to information, Écosociété and the authors of *Noir Canada* have received the support of thousands of citizens, hundreds of university professors, dozens of jurists, and numerous organizations and public personalities. The steps taken by Écosociété contributed to the enactment of the Act to amend the Code of Civil Procedure to prevent improper use of the courts and promote freedom of expression and citizen participation in public debate. We take this opportunity to thank all the people and organisations that have supported us since the beginning of this case.

Éditions Écosociété intends to continue its work as a critical, committed, and independent publisher. It resolves to continue, in spite of the threats that weigh against independent books and thought, to defend the freedom of expression that is essential to public debate, critical thought, and democratic life. It equally prides itself in continuing to publish the author Alain Deneault, whose writings constitute a precious contribution to critical thought. Moreover, it is announcing herewith the publication this fall of his next work, *Faire l'économie de la haine* (The Economy of Hate), a collection of texts expounding cultural forms of an “insidious censure” aiming to impede critical reasoning.

With this settlement, Éditions Écosociété and the authors of *Noir Canada* will be spared a 40-day process and multiple procedures. The legal procedures alone represent a colossal financial, human, and moral cost, despite the provision of \$143 000 for expenses that judge Guylaine Beaugé ordered Barrick Gold to pay them on August 12. She concluded in her judgement that the lawsuit had the appearance of abuse.

Indeed, although the Barrick Gold litigation is now behind its defenders, Éditions Écosociété and the authors of *Noir Canada* still face a 5-million-dollar defamation suit, instituted by the multinational Banro in Ontario. They are still awaiting a decision by the Supreme Court so that the suit may be repatriated to Québec, Ontario having not yet adopted an anti-SLAPP (Strategic Lawsuit Against Public Participation) law.

It is well understood that an urgent debate should take place at this time concerning the access to justice and the huge costs it involves.

Les auteurs de Noir Canada n'ont sans doute rien fait de plus que le travail auquel on s'attend des penseurs et des chercheurs au sein de chaque collectivité. Derrière la poursuite dont ils sont l'objet, demeure une question fondamentale: peut-on encore être critique dans notre société? Le pouvoir (et l'argent) doit-il toujours l'emporter sur le droit de savoir, ou du moins sur le droit de s'interroger publiquement? Au-delà de ce que recouvre la notion d'atteinte à la réputation, c'est donc l'avenir de la pensée qui se jouera ici.

Pierre Noreau, « Le pouvoir...contre le savoir ? »,
Le Devoir, 10 décembre 2010

Source : Éditions Écosociété

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