MINING WATCH CANADA

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ACCOUNTABILITY FAILURE BY DESIGN

Canadian Mining and the Risks Facing Environmental Human Rights Defenders






Submission made by MiningWatch Canada as part of the consultation on forthcoming thematic report to the 64th session of the United Nations Human Rights Council on Environmental Human Rights Defenders by the Special Rapporteur on the human right to a clean, healthy and sustainable environment, Ms. Astrid Puentes Riaño

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Left to right: Civil disobedience action led by women protesting the "sacrifice zone" in Rouyn-Noranda, Québec. (Maude Desbois); Communities organize a protest in defense of the Santurbán páramo in Colombia (Comité para la defensa y la protección del páramo Santurbán); Women sit on the edge of water in the Kimsakocha páramo in Ecuador (Yasunidos Cuenca); Historic protests take place in Panama City, against Canada's First Quantum Minerals (Olmedo Carrasquilla Aguila, Colectivo Voces Ecológicas y Radio Temblor Internacional).

Introduction

For over 25 years, **MiningWatch Canada** has worked in solidarity with Indigenous peoples and non-Indigenous communities dealing with potential or actual industrial mining operations that affect their lives and territories, or with the legacy of closed mines.[1] We work from one of the largest mining jurisdictions in the world: nearly half of the world's publicly-traded mining companies are headquartered in Canada, drawn by lax regulation and substantial government support, while domestically, the country is home to hundreds of active mines and thousands more abandoned.[2]

MiningWatch Canada is the only national organization in Canada solely focused on mining issues, having intervened since 1999 in over 250 mining conflicts worldwide in support of affected communities, advocating for higher standards and binding legislation to hold Canadian companies accountable for egregious environmental and human rights violations.[3] We have produced over 200 reports, investigations, and legal actions documenting the adverse impacts of mining – including risks and harms to environmental and human rights defenders – becoming a vital resource for mining-affected communities worldwide and a key voice championing urgent reform.[4]

This submission briefly highlights examples from Ecuador, Colombia, Panama, and Canada where environmental defenders face significant risks as they denounce the imposition of mining projects. More information on additional cases is referenced in the footnotes of this brief. We conclude with key recommendations for the UN Special Rapporteur on the human right to a clean, healthy and sustainable environment to consider in the office's thematic report to the 64th session of the UN Human Rights Council on Environmental Human Rights Defenders.

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1 Visit miningwatch.ca for extensive documentation about abuses related to mining.

2 Natural Resources Canada. "Canadian Mining Assets." Government of Canada. January 2026. https://natural-resources.canada.ca/minerals-mining/mining-data-statistics-analysis/minerals-mining-publications/canadian-mining-assets

3 Catherine Coumans. "Background Brief: Canada's Role in Mining Abuse Abroad." Brief submitted to the House of Commons Standing Committee on International Trade. MiningWatch Canada. 14 February 2023. https://www.ourcommons.ca/Content/Committee/441/CIIT/Brief/BR12253733/br-external/MiningWatchCanada-e.pdf

4 For additional information on key human rights and environmental issues tied to the Canadian mining industry, along with a broad overview of MiningWatch's efforts to hold the industry accountable, read our October 2024 report, "25 Years: A bedrock for mining justice." https://miningwatch.ca/sites/default/files/25years_bedrockforminingjustice_2024.pdf

Mining: Environmental human rights defenders pay a high price

Environmental and human rights defenders across the world regularly face targeted attacks and repression, with Latin America consistently experiencing some of the highest levels of violence against those who defend their land, water, biodiversity, and human rights.[5] These risks are particularly acute in communities confronting mining projects, where opposition can threaten significant corporate investments and government power.

Canadian mining companies have an outsized role in expanding this extractive frontier across Latin America. Many Canadian-listed companies are junior exploration companies focused on identifying deposits and securing permits before extraction begins, putting Canadian companies at the forefront of entering new, often remote, ecologically sensitive, and Indigenous territories where communities have longstanding systems of governance and organizing. Much of this expansion is taking place at the same time as countries across Latin America undergo a rapid rise in authoritarianism and the enactment of regressive laws that undermine fundamental democratic principles and human rights.[6]

MiningWatch has documented recurring patterns as companies establish a presence: efforts to **divide communities and undermine local leadership**, while attempting to **bypass or weaken ancestral decision-making processes**. Even before exploration activities begin, many Canadian companies have already **violated Indigenous rights to free, prior, and informed consent (FPIC)**. Consultations, when required, are often superficial and carried out through intimidation. Defenders who oppose projects may subsequently face **violence, threats, surveillance**, and **spurious criminal charges** intended to silence opposition.

These risks do not end once a mine is in operation. Mining projects are frequently imposed with the **direct collaboration of state security forces**, with surrounding areas placed under states of siege or permanently **militarized**.[7] Some environmental defenders have been

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5 "Roots of Resistance." Global Witness. September 2025. https://gw.hacdn.io/media/documents/Defenders_Annual_Report_2025_online_EN.pdf. See also: Shin Imai, Leah Gardner, & Sarah Weinberger, "The 'Canada Brand': Violence and Canadian Mining Companies in Latin America." 1 December 2017. Osgoode Legal Studies, Research paper No 17/2017, online: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2886584

6 Between 2024 and 2025, Ecuador, El Salvador, Nicaragua, Paraguay, Peru, and Venezuela adopted or amended laws imposing disproportionate controls on civil society. These "anti-NGO laws" impose, among other measures, registration burdens, funding restrictions, and disclosure requirements that facilitate surveillance, reprisals, selective enforcement of regulations, and intimidation against civil society. See more: Amnesty International. "Americas: Tearing up the social fabric: Impact of restrictive laws on civil society organizations in the Americas." 23 March 2026. https://www.amnesty.org/en/documents/amr01/0792/2026/en/

7 In 2013, Tahoe Resources' Escobal mine in southeastern Guatemala – now owned by Pan American Silver – was brought into operation through a militarized security strategy, involving the enactment of states of siege in four municipalities surrounding the mine and the installation of a permanent military outpost in response to strong local opposition. In May 2013, private security guards employed by the company shot at peaceful protestors with live ammunition, seriously injuring at least 7. These attacks were later the subject of a civil lawsuit against Tahoe Resources in British Columbian courts. For more, see Luis Solano, "Under Siege: Peaceful Resistance to Tahoe Resources and Militarization in Guatemala." November 2015. https://miningwatch.ca/sites/default/files/solano-underseigereport2015-11-10.pdf ; "Plaintiffs Conclude Lawsuit with Pan American Silver over 2013 Shooting in Guatemala, Communities Reaffirm Opposition to Escobal Mine, Warn of Rising Tensions." MiningWatch Canada, Earthworks, et al. 31 July 2019. https://miningwatch.ca/news/2019/7/31/plaintiffs-conclude-lawsuit-pan-american-silver-over-2013-shooting-guatemala

killed by private security,[8] while others have faced **attacks and killings that remain uninvestigated and unpunished**.[9] Communities often experience **restricted access to information** about mine development and expansion, and associated impacts to the environment, their health, and livelihoods.[10]

Be it in Canada or Latin America, environmental human rights defenders (EHRDs) face the daily reality of **environmental contamination** from mining, including **toxic spills** into waterways[11] and **air pollution** many times above government standards for health and safety.[12] This toxic exposure can present significant **mental and physical health challenges**.

Environmental defenders in Canada face many of the same pressures as those in Latin America, although the forms of repression and risk can differ. Indigenous peoples and rural communities confronting mining projects face significant power imbalances when governments and companies prioritize resource development, particularly amid growing demand for "critical minerals" and efforts to accelerate permitting. Defenders can encounter **aggressive legal tactics**, **criminalization**, **threats and harassment**, **violence by state security forces**, **reputational attacks**, and **efforts to undermine community decision-making**, among other serious threats. Communities often **struggle to access independent information** about environmental and health risks. The growing push to fast-track mining development in Canada can further narrow opportunities for meaningful participation and consent.

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8 In 2009, Maya Q'eqchi' environmental defender and local teacher Adolfo Ich Chamán was killed by mine security guards in a neighbouring community near the Fenix nickel mine in eastern Guatemala. See more "Mynor Padilla: Killer of anti-mining activist pleads guilty." BBC News. January 2021. https://www.bbc.com/news/world-latin-america-55573682

9 In 2014, 16-year-old environmental defender Topacio Reynoso was shot and killed in Guatemala. Topacio was a leader in the youth movement against the Escobal mine. Her father, Alex Reynoso, was shot and severely injured in the same attack, and survived a second shooting in 2015. To date, there has been no investigation into the murder of Topacio Reynoso or the multiple attacks against her father. A complaint has been filed before the Inter-American Commission on Human Rights against Guatemala. See more: "Reynoso Pacheco et al. v. Guatemala: When Mining Turns Into Murder." Robert & Ethel Kennedy Human Rights Centre. https://kennedyhumanrights.org/litigation/when-mining-turns-into-murder/

10 Communities near Barrick Mining's Pueblo Viejo mine in the Dominican Republic spent years advocating to be granted access to Barrick's Environmental and Social Impact Assessment (ESIA) for its proposed El Naranjo Tailings Storage Facility. Barrick is proposing to build the facility to extend the open-pit gold mine's life to 2040 and beyond. Once finally released, an independent evaluation of the ESIA revealed that Barrick had failed to disclose the real environmental and social risks of its proposed expansion, failed to properly disclose how it chose the site and design for the tailings dam, and failed to fully consider the implications of a dam collapse. See more: "Barrick's Major Mine Expansion in the Dominican Republic Brings Extreme and Unreported Risks, says Safety Expert." MiningWatch Canada, Comité Nuevo Renacer, ENTRE et al. 6 September 2023. https://miningwatch.ca/news/2023/9/6/barrick-s-major-mine-expansion-dominican-republic-brings-extreme-and-unreported-risks.

11 Communities in Argentina near Barrick Mining's Veladero mine have reported at least five toxic spills between 2013-2022, allegedly contaminating the Jáchal River and local waterways with heavy metals, including arsenic and mercury. While the number of spills should require Barrick to have its permits revoked under Argentina's environmental laws, the company continues to operate. See more: "Ten Years After the Worst Spill in Argentina's History, Communities Express Concern about Fish Deaths near Barrick's Veladero Mine." MiningWatch Canada. 17 February 2026. https://miningwatch.ca/blog/2026/2/17/ten-years-after-worst-spill-argentinas-history-communities-express-concern-about

12 The population of Rouyn-Noranda in Québec, Canada, is regularly exposed to toxic emissions from Glencore's Horne smelter that far exceed the standards enforced elsewhere in the province of Québec. See more in the case studies outlined later in this report, and at: "Access to Justice and Effective Remedies in the Context of Toxics: Submission to the United Nations' Special Rapporteur on toxics and human rights, to inform the Rapporteur's 2025 thematic report to the UN Human Rights Council." MiningWatch Canada. 4 March 2025. https://miningwatch.ca/sites/default/files/2025-03-04-miningwatch-canada-access-to-justice-in-the-context-of-toxics-unsr.pdf

Canada's mining agenda puts EHRDs at risk

A common thread across Canada and Latin America is a widening gap between the power of governments and mining companies to advance projects and the ability of people most affected to participate meaningfully in decisions about their lands, waters, and futures.

The federal *Building Canada Act* and Ontario's Bill 5, the *Protect Ontario by Unleashing Our Economy Act*, advance the use of Special Economic Zones and other measures designed to accelerate major projects, raising serious concerns about weakened environmental protections, limited community consultation, and the erosion of Indigenous rights, including free, prior and informed consent (FPIC). Canada's history of imposing resource and infrastructure projects – including the Coastal GasLink Pipeline, as well as the frequent use of injunctions and RCMP enforcement to advance contested projects – offers a warning of what this approach can mean for environmental and human rights defenders. As Canada seeks to rapidly expand mining and "critical mineral" development, we are concerned that these approaches could further marginalize communities, undermine Indigenous rights, and expose EHRDs to increased harassment, criminalization, violence, and threats to their health, environment, safety, and lives.

Likewise, successive Canadian governments have clearly signalled to the civil service, foreign affairs officials, and diplomatic mission staff that they have a mandate to promote and protect the economic interests of Canadian mining companies operating overseas. By design or default, protection of EHRDs has too often remained secondary to this imperative. There are many documented instances in which Canadian embassy officials have intervened to advance the commercial interests of Canadian mining companies – including by advocating for project approvals or supporting reforms to mining laws – in contexts where such interventions are alleged to have placed EHRDs at greater risk.[13] Meanwhile, concrete steps that embassy officials could



Ecuadorians participate in the "Quinto Rio" march in Cuenca against Canadian mining projects. September 2025.
(Credit: @sinetiquetas593 on Instagram)



The Santurbán páramo in Santander, Colombia, where Canadian companies are planning to begin mining operations. (Credit: Comité para la protección y defensa de Santurbán)

13 Mariano Abarca was a Mexican environmental defender opposed to Canada's Blackfire Exploration, who was killed in 2009. After receiving multiple death threats, Mariano appealed to the Canadian Embassy for support. Despite knowing that his life was in danger, the Canadian Embassy continued to lobby on behalf of Blackfire with Mexican officials to secure the company's operation permit. A case has been filed with the Inter-American Commission on

take to lessen the risks faced by EHRDs – such as those outlined in Voices at Risk: Canada's Guidelines for Supporting Human Rights Defenders[14] – remain non-binding and inconsistently implemented, with little transparency or accountability regarding their application.[15] Prime Minister Mark Carney has signalled that his government intends to deepen this approach to economic diplomacy, while facilitating landmark investments by the Government of Canada in mining projects in Latin America.[16]

The following case studies exemplify some of the key risks and harms faced by EHRDs as they speak out against Canadian mining projects at home and abroad.

CASE STUDIES

ECUADOR

Shrinking civic space and weakening environmental protections

Ecuador has long been a destination for Canadian mining investment, but the recently signed Canada–Ecuador Free Trade Agreement is intended to significantly deepen trade and investment ties between the two countries.[17] The agreement was signed amid a worsening human rights crisis in Ecuador. Ecuadorian and international human rights organizations have documented widespread, systematic human rights violations, including increasing militarization, repression of protest, the criminalization of environmental defenders, and government measures that threaten constitutional safeguards and the rule of law. Some of these abuses have occurred in the context of efforts to advance Canadian-owned mining projects.[18]

Human Rights against Canada, alleging Canada's use of economic diplomacy put Mariano at greater risk. See more: "Did Canada Fail to Protect a Human Rights Defender Assassinated for His Opposition to a Canadian Mine in Mexico?" MiningWatch Canada. 5 June 2023. https://miningwatch.ca/news/2023/6/5/did-canada-fail-protect-human-rights-defender-assassinated-his-opposition-canadian

14 "Voices at Risk: Canada's Guidelines on Supporting Human Rights Defenders." Government of Canada. 2019. https://www.international.gc.ca/world-monde/issues_development-enjeux_developpement/human_rights-droits_homme/rights_defenders_guide_defenseurs_droits.aspx?lang=eng

15 For more on the harms of this approach, see MiningWatch's 2024 brief to UN Special Rapporteur on the situation of human rights defenders Mary Lawlor, "Putting Voices at Risk: Government of Canada prioritizes economic interests of Canadian mining companies over the safety of human rights and environmental defenders." https://miningwatch.ca/sites/default/files/unbrief_mary-lawlor_june2024.pdf

16 "IDB and Canada Sign Landmark Guarantee to Mobilize $1bn in Investments Across Latin America and the Caribbean." BNAmericas. 10 July 2026. https://www.bnamericas.com/en/news/idb-and-canada-sign-landmark-guarantee-to-mobilize-1-billion-in-investments-across-latin-america-and-the-caribbean

17 The Canada-Ecuador Free Trade Agreement was officially signed in Ottawa on 24 July 2026 by Canadian Minister of International Trade Maninder Sidhu and Ecuadorian Minister of Production, International Trade and Investment Luis Alberto Jaramillo. To be ratified, the trade agreement will go to Parliament in Canada. In Ecuador, it must first pass through the Constitutional Court and be adopted by the National Assembly, before being ratified by the President. Legal challenges testing the constitutionality of the agreement in Ecuador have already been launched. For more, see: MiningWatch Canada, Americas Policy Group, Canadian Centre for Policy Alternatives, et al. "Canadian Organizations Condemn Signing of High-Risk Ecuador Free Trade Agreement." 24 July 2026. https://miningwatch.ca/news/2026/7/24/canadian-organizations-condemn-signing-high-risk-ecuador-free-trade-agreement

18 Viviana Herrera. "Canada's Mining Footprint in Ecuador: A look at some of the impacts of existing Canadian mining investment





Left: Protest outside the Canadian Embassy in Quito, Ecuador, against Canadian mining harms and the Canada-Ecuador Free Trade Agreement (Alianza por los Derechos Humanos Ecuador); Right: Environmental defenders announce a legal action against the granting of an environmental permit to DPM Metals (Federation of Indigenous and Campesino Organizations - Azuay Province).

Over the course of the trade negotiations, which proceeded without consultation with Ecuadorian civil society or the consent of Indigenous Peoples, Ecuador adopted a series of regressive laws aimed at attracting and facilitating more mining investment. These include the Law for the Strengthening of the Strategic Mining and Energy Sectors, which removes key environmental licensing requirements in order to fast-track mining projects,[19] and the Law on Social Transparency, which imposes sweeping restrictions on civil society organizations[20] and effectively makes it illegal to protest mining projects that have been authorized by the government.[21]

The trade agreement also includes a mechanism for Investor State Dispute Settlement (ISDS), despite Ecuador's constitutional restrictions on ceding sovereign jurisdiction to international arbitration and voters' rejection of international arbitration in a 2024 referendum. ISDS gives Canadian investors the ability to bring claims directly against the Ecuadorian state for alleged breaches of the treaty's investment protections.[22] Critics warn that such claims can constrain governments' ability to strengthen environmental and human rights protections, particularly when regulatory measures affecting mining projects expose states to potentially significant financial liability. Former UN Special Rapporteur on human rights and the environment David Boyd has warned that ISDS can have "catastrophic" consequences for climate action, environmental protection, and the realization of human rights.[23]

in Ecuador as negotiations advance towards a Canada-Ecuador Free Trade Agreement." MiningWatch Canada. September 2024. https://miningwatch.ca/sites/default/files/brief_mining_impact_ecuador_fta_2024.pdf

19 "New Mining Law in Ecuador Threatens Biodiversity and Indigenous Territories." Amazon Frontlines. February 2026. https://amazonfrontlines.org/chronicles/new-mining-law-in-ecuador-threatens-biodiversity-and-indigenous-territories/

20 "Americas: Tearing up the social fabric: Impact of restrictive laws on civil society organizations in the Americas." Amnesty International. 23 March 2026. https://www.amnesty.org/en/documents/AMR01/0792/2026/en/

21 "Organizaciones sociales no podrán promover la paralización de proyectos mineros, según reglamento legal." Primicias. 25 October 2025. https://www.primicias.ec/economia/organizaciones-sociales-paralizacion-proyectos-mineros-reglamento-ley-transparencia-108285/

22 Ladan Mehranvar. "Diversification against democracy in Canada's latest global agreements." Canadian Centre for Policy Alternatives. 29 July 2026. https://www.policyalternatives.ca/news-research/diversification-against-democracy-in-canadas-latest-global-agreements/

23 David R. Boyd. "A/78/168: Paying polluters: the catastrophic consequences of investor-State dispute settlement for climate

Militarization, criminalization, and targeted violence against defenders

Existing Canadian mining investments in Ecuador are already posing significant risks to EHRDs. One example is the El Domo-Curipamba copper-gold project in Las Naves, owned through a joint venture between Canadian companies Silvercorp Metals and Salazar Resources. Seventeen Indigenous and campesino communities in the surrounding area have raised concerns about the project, including its potential impacts on watersheds that provide drinking water and sustain local livelihoods.[24] In 2023, the Ecuadorian government made multiple attempts to advance an environmental consultation amid the deployment of police and military forces. UN experts subsequently raised concerns about **escalating violence, the use of security forces, and the criminalization of environmental defenders** in connection with environmental consultations for mining projects.[25] Community members also challenged the legitimacy of the consultation, noting that approximately 150 people attended the relevant hearing despite more than 7,000 people living in communities they consider directly affected. Community leaders opposing the project have also faced criminal proceedings. Since 2021, more than 20 defenders have faced charges brought by individuals alleged to have links to the mining company, while several have subsequently been **convicted and sentenced to prison**, including an elder incarcerated for 70 days in 2024.[26] These proceedings have intensified concerns that the criminal justice system is being used to deter community opposition to the project.

A similar pattern has emerged around the La Plata project, a proposed copper, gold, zinc, and silver mine owned by Canadian company Atico Mining. Local campesino, Montubio, and Indigenous communities in and around Palo Quemado and Las Pampas have opposed mining in the area for decades, citing potential impacts on water and air quality, community cohesion, and livelihoods based on cattle raising and organic sugar-cane farming.[27] In 2023 and 2024, Ecuadorian authorities **deployed police and military forces** as the government sought to advance an environmental consultation process for the project. During confrontations in March 2024, human rights organizations reported that **at least 15 people were injured** and **one person was left in a coma**.[28]

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and environment action and human rights." United Nations. 13 July 2023. https://www.ohchr.org/en/documents/thematic-reports/a78168-paying-polluters-catastrophic-consequences-investor-state-dispute?s=03

24 Kimberley Brown. "Tensions flare as Ecuador's environment consultation process is put to the test." Mongabay. 16 October 2023. https://news.mongabay.com/2023/10/tensions-flare-as-ecuadors-environment-consultation-process-is-put-to-the-test/

25 UN Special Rapporteur on Human Rights Defenders. "Ecuador: actos de violencia y criminalización en contra de defensores de derechos humanos en el marco de consultas ambientales para proyectos mineros (comunicación conjunta)." United Nations. 31 July 2024. https://srdefenders.org/ecuador-actos-de-violencia-y-criminalizacion-en-contra-de-defensores-de-derechos-humanos-consultas-ambientales-proyectos-mineros-comunicacion-conjunta/

26 "Ecuador: Upcoming hearing in criminalisation case against six environmental and human rights defenders from the province of Bolívar." Frontline Defenders. 28 November 2024. https://www.frontlinedefenders.org/en/statement-report/ecuador-upcoming-hearing-criminalisation-case-against-six-environmental-and-human

27 "Interview with Rosa Masapanta, President of the Association "Flor de Caña" in Ecuador." MiningWatch Canada, Youtube. 21 November 2024. https://www.youtube.com/watch?v=189RK_1SE6U

28 Aimee Gabay. "As miner quells protests in Ecuador, Canadian firms' rights record faces scrutiny." Mongabay. 15 May 2024. https://news.mongabay.com/2024/05/as-miner-quells-protests-in-ecuador-canadian-firms-rights-record-faces-scrutiny/

At the same time, more than 70 environmental defenders were **accused of terrorism** in connection with their opposition to the project, prompting serious concerns about the **use of criminal law to suppress legitimate protest**.[29] UN Special Procedures subsequently raised concerns with the governments of Ecuador and Canada, Atico Mining, and other companies about escalating violence by security forces and the alleged misuse of criminal law against environmental defenders in connection with mining consultations.[30] Ecuadorian and international organizations have continued to denounce the criminalization and intimidation of community members opposing La Plata, situating the case within a broader pattern in which militarization, restrictive laws, and criminal proceedings are narrowing the space available for communities to challenge extractive projects.

COLOMBIA

Stigmatization, intimidation, and criminalization of environmental defenders

In Colombia, members of the Comité para la Defensa del Agua y el Páramo de Santurbán have faced a sustained pattern of intimidation and stigmatization linked to their work defending the páramo of Santurbán and the water sources on which surrounding communities depend. The Comité, a civic platform comprising more than 40 social organizations, has worked since 2009 to protect Santurbán and to raise concerns about the potential environmental and human rights impacts of the Soto Norte gold and copper project, owned by Canadian company Aris Mining. In 2025, UN Special Procedures expressed concern about alleged **harassment and intimidation** against two members of the Comité in connection with their environmental and human rights advocacy.[31]

These risks escalated sharply in 2026. Beginning in June, a coordinated-looking social media campaign falsely associated members of the Comité with armed groups, illegal mining, and other criminal activity, while portraying them as “fake environmentalists” and seeking to undermine their legitimacy to participate in decisions over the future of Santurbán. The

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29 Viviana Herrera. “Criminalization in Ecuador: Charged for Speaking out Against Canadian Mining.” MiningWatch Canada. 21 November 2024. https://miningwatch.ca/blog/2024/11/21/criminalization-ecuador-charged-speaking-out-against-canadian-mining

30 UN Special Rapporteur on Human Rights Defenders. “Ecuador: actos de violencia y criminalización en contra de defensores de derechos humanos en el marco de consultas ambientales para proyectos mineros (comunicación conjunta).” United Nations. 31 July 2024. https://srdefenders.org/ecuador-actos-de-violencia-y-criminalizacion-en-contra-de-defensores-de-derechos-humanos-consultas-ambientales-proyectos-mineros-comunicacion-conjunta/

31 UN Special Rapporteur on Human Rights Defenders. “Colombia: actos de hostigamiento e intimidación contra Mayerly López Carreño y Hernán Alberto Morantes del Comité para la Defensa del Agua y el Páramo de Santurbán (comunicación conjunta).” United Nations. 9 May 2025. https://srdefenders.org/colombia-actos-de-hostigamiento-e-intimidacion-contra-mayerly-lopez-carreno-y-hernan-alberto-morantes-del-comite-para-la-defensa-del-agua-y-el-paramo-de-santurban-comunicacion-conjunta/?s=09. For more information on the Comité’s efforts to seek support from the Canadian Embassy in Bogotá, Canada’s implementation of its Voices at Risk guidelines, and broader concerns regarding Canadian diplomatic responses to threats against environmental and human rights defenders affected by Canadian mining operations, see Lital Khaikin, “Stonewalling voices at risk: Human rights obligations at Canadian embassies dead on arrival.” Rabble. 31 July 2025. https://rabble.ca/environment/stonewalling-voices-at-risk-human-rights-obligations-at-canadian-embassies-dead-on-arrival/

online attacks were accompanied by in-person harassment and efforts to disrupt public meetings on the delimitation of the páramo. By **publicly identifying defenders and associating them with armed and criminal groups**, these attacks expose members of the Comité to heightened risks of threats, violence, and reprisals, while restricting their ability to participate freely and safely in environmental decision-making. The escalation has continued despite repeated complaints to Colombian and Canadian authorities and previous intervention by UN human rights experts.



Protest in defense of the Santurbán páramo in Colombia. (Comité para la Defensa del Agua y el Páramo de Santurbán)

In August 2026, Colombia's new government revoked a measure adopted by the outgoing administration that had protected 1,499 hectares of the La Baja micro-watershed from mining, citing alleged procedural irregularities and announcing a new technical and legal review. The Comité denounced the decision, warning that it removes a key protection affecting the area of the proposed Soto Norte project and places the water supply of nearly two million people at risk.[32]

PANAMA

Restrictions on freedom of movement, use of excessive force

In Panama, Canada's First Quantum Minerals operates the Cobre Panama mine, a massive open-pit copper mine located in the heart of the Mesoamerican Biological Corridor. Operations were suspended in 2023 following historic national protests and a Supreme Court ruling that the mine's operating contract had been granted illegally. During the protests, state security forces were accused of using **excessive force**, resulting in hundreds of reported injuries, while more than 1,500 people were **arbitrarily detained** and dozens of protesters and community leaders faced **criminalization** for exercising their right to protest.[33]

Despite the mine's closure, Indigenous Ngäbe communities living within the concession continue to report severe **restrictions on their freedom of movement**. Residents must pass through company-controlled checkpoints, including barbed-wire gates and multiple identity checks, while transportation provided by the company reaches some communities

32 "Colombia lifts the mining ban in the La Baja micro-basin linked to the Santurbán massif." Demócrata. 19 August 2026. https://www.democrata.es/en/international/colombia-lifts-the-mining-ban-in-the-la-baja-micro-basin-linked-to-the-santurban-massif/

33 Rekha Chandiramani and Anna Teresa Benjamín M. "Human Rights Violations, Abuses, and Incidents Registered During the Protests Against the Mining Contract in Panama (October-November 2023)." 6 May 2024. Fundación para el Desarrollo Integral Comunitario y Conservación de los Ecosistemas en Panamá (FUNDICCEP) and Red Nacional en Defensa del Agua Panamá. https://miningwatch.ca/sites/default/files/informe_protestasantimineras_panama_english_0.pdf

only twice a week – restrictions that residents say have created serious barriers during medical emergencies.[34] Communities have also raised longstanding concerns about the mine's impacts on rivers, forests, biodiversity, and human health, although First Quantum disputes allegations that its operations are responsible for reported illnesses and water contamination. More recently, an independent audit identified **significant environmental and safety risks at the closed mine**, including concerns related to acid rock drainage, tailings dam stability, and biodiversity management.[35]

CANADA

Health impacts associated with living in a "sacrifice zone"

Rouyn-Noranda, Québec, has become what residents describe as a "sacrifice zone,"[36] where the population is routinely **exposed to toxic emissions** from Glencore's Horne smelter at levels far exceeding provincial standards. Several of the emissions are known carcinogens or potentially carcinogenic. For arsenic alone, the Québec government has permitted the smelter to emit arsenic at an average annual concentration of up to 45 ng/m^3 – 15 times the provincial standard of 3 ng/m^3 and far surpassing levels deemed safe by the World Health Organization. While Glencore had committed to lower its arsenic emissions by March 2028 to an average annual target of 15 ng/m^3 (still five times the provincial standard), it recently announced it will not meet this target date.[37]

These elevated exposures have serious public health implications: provincial and public health data have found **significantly lower life expectancy** in Rouyn-Noranda, low birth weights, and higher rates of lung diseases and cancers linked to toxic air pollution.[38] Parents in Rouyn-Noranda are concerned about the health impacts of high levels of arsenic exposure on the developing brains, bones, and immune systems of children.[39] Plans to relocate 200 families from the heavily-contaminated neighbourhood of Notre-Dame have also provoked distress in residents who first heard the news through the media in March 2023 that they were facing a major relocation plan and would be asked to leave homes they have lived in for decades to the benefit of the polluter.[40]

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34 Chris Taylor. "Panama's vast Cobre mine is closed. So why is their security still restricting access to local villages?" The Guardian. 21 January 2025. https://www.theguardian.com/global-development/2025/jan/21/panama-cobre-mine-first-quantum-minerals

35 "Panama's Donoso Mine Audit Report Exposes Future Risks and Weaknesses in the Environment." Newsroom Panama. 20 June 2026. https://newsroompanama.com/2026/06/20/panamas-donoso-mine-audit-report-exposes-future-risks-and-weaknesses-in-the-environment/

36 Several residents of Rouyn-Noranda and supportive partners recently published a book with this same title. See: Anaïs Barbeau-Lavalette, Véronique Côté, Isabelle Fortin-Rondeau et al. (2025). Zones sacrifiées. Éditions du Quartz. Rouyn-Noranda.

37 Anabelle Olivier. "Delaying emission targets at Horne Smelter will have impacts on public health, doctor says." Radio-Canada. 29 March 2026. https://www.cbc.ca/news/canada/montreal/horne-smelter-emission-targets-delay-health-impacts-9.7140268

38 "Doctors ask Quebec to crack down on arsenic emissions in Abitibi region." CBC News. 4 July 2022. https://www.cbc.ca/news/canada/montreal/quebec-doctors-open-letter-arsenic-emissions-rouyn-noranda-1.6510138

39 Rachel Watts. "Fear of arsenic emissions from smelter weighs on moms in Rouyn-Noranda, Que." CBC News. 21 February 2025. https://www.cbc.ca/news/canada/montreal/arsenic-emissions-smelter-western-quebec-horne-smelter-1.7464366

40 Stéfane Blais. "Range of emotions for residents facing relocation over smelter in Rouyn-Noranda." The Canadian Press. 28



Civil disobedience action led by women protesting the “sacrifice zone” in Rouyn-Noranda, Québec. (Maude Desbois)

Glencore has regularly signalled that increases in environmental standards may lead to smelter closure, leading to **social divisions** between environmental defenders and those who work at the plant.[41] Residents have also faced significant barriers to **accessing information** about the contaminants emitted by the smelter and obtaining effective remedies. Government-held information about substances processed at the facility have been difficult to obtain, while federal pollution-release data have been criticized as incomplete.[42]

Despite sustained public opposition, citizen mobilization, and a provincial consultation showing that residents did not support continued exemptions from environmental standards, authorities have continued to permit elevated pollution levels. In response to the ongoing pollution and lack of adequate government action, residents launched a class action lawsuit against Glencore in October 2023, seeking compensation for health and environmental damages and an order requiring the smelter to comply with Québec’s regulatory standards.[43] The case is still before the courts and may represent one of the community’s last avenues for accountability and compensation. The situation illustrates broader concerns about corporate pollution, government failure to protect communities, barriers to access vital information about environmental impacts and health, and the disproportionate burden placed on communities living near major industrial facilities.

March 2023. https://www.cbc.ca/news/canada/montreal/range-of-emotions-for-residents-facing-relocation-rouyn-noranda-1.6783553

41 “Fears of social divide as Rouyn-Noranda residents prepare to vote on emissions threshold from smelter.” The Canadian Press. 23 August 2022. https://www.ctvnews.ca/montreal/article/fears-of-social-divide-as-rouyn-noranda-residents-prepare-to-vote-on-emissions-threshold-from-smelter/

42 A citizen had to take legal action against the province to obtain vital information about the contaminants being released at the Horne smelter. For more: *Fonderie Horne c. Ministère de l’Environnement et de la Lutte contre les changements climatiques*, 2022 QCCAI 199; *Fonderie Horne c. Ministère de l’Environnement et de la Lutte contre les changements climatiques*, 2023 QCCQ 10259.

43 Thomas Gerbet. “Un recours collectif contre la Fonderie Horne et le gouvernement du Québec.” Radio-Canada. 23 October 2023. https://ici.radio-canada.ca/nouvelle/2020237/justice-glencore-gouvernement-rouyn-noranda-abitibi; The plaintiffs seek “compensation for damages caused as a result of the release of toxic and carcinogenic contaminants (including arsenic, lead, cadmium, and sulphur) into the atmosphere by the Horne smelter.” They are also seeking “an order enjoining Glencore Canada Corporation to reduce all emission from the Horne smelter to the maximum concentrations established by current regulatory standards adopted under the Environment Quality Act, and cease harming the life, health, safety, and comfort of class members, causing damages, or otherwise adversely affecting the quality of the environment and property.” See more: Siskinds Desmeules. “Class Action. Horne Smelter’s contaminants emission.” https://www.siskinds.com/class-action/horne-smelters-contaminants-emission-class-action/

No accountability in Canada by design

While MiningWatch has documented an intensification of attacks against EHRDs over the last 25 years, there have been few avenues for accountability – either abroad or in Canada. Far from being able to access justice through domestic courts when the rights of environmental defenders are violated, defenders are more often the target of those same judicial systems, criminalized for their efforts to protect land and water. Repeatedly, communities harmed by the operations of Canadian mining companies approach MiningWatch to support them in seeking accountability in Canada, only to discover that Canada has chosen to shut its door on accountability.

Over the past 25 years, we have seen the proliferation in Canada of voluntary guidelines and standards for the industry – many produced or supported by the Government of Canada.[44] Successive Canadian governments have continued to promote and protect the economic interests of Canadian mining multinationals over the rights of those harmed by our companies and over the rights of defenders who speak out about these rights violations.[45]

In June 2026, the Canadian government abruptly announced the closure of the office of the Canadian Ombudsperson for Responsible Enterprise (CORE), an office established to receive complaints against Canadian companies operating in the mining, oil and gas and garment sectors, to investigate these complaints, make findings of fact and report publicly on its findings.[46] The creation of the CORE in 2019 was the culmination of a decade of advocacy by Canadians and civil society organizations for an independent corporate watchdog. However, from the outset, the government failed to give the CORE the independence and investigative powers it had promised. The first Ombudsperson was appointed in 2019 as a special advisor to the Minister of International Trade Diversification, rather than as an independent officer, and was never granted the power to compel companies to provide documents and testimony – powers essential to conducting effective investigations.

While CORE was widely criticized for these limitations, advocates consistently called for the office to be strengthened, not eliminated.

Following the announcement of the CORE's closure, complainants were advised their cases could either be closed or transferred to Canada's National Contact Point (NCP) – an OECD

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44 "Global Affairs Canada, Responsible Business Conduct Abroad: Canada's Strategy for the Future." Global Affairs Canada. 2022. https://www.international.gc.ca/trade-commerce/rbc-cre/strategy-2022-strategie.aspx?lang=eng

45 Justice and Corporate Accountability Project, submitted on behalf of MiningWatch Canada. "Canada's Systematic Failure to Fulfill its International Obligations to Human and Environmental Rights Defenders Abroad. Submission to the UPR Working Group of the United Nations Human Rights Council in anticipation of the 2023 Universal Periodic Review (UPR) of Canada." 4 April 2023. https://justice-project.org/wp-content/uploads/2023/04/JCAP-Submission-to-UNPR-2023-final.pdf

46 Darren Major. "Carney says feds are eliminating watchdog that oversees companies operating abroad." CBC News. 11 June 2026. https://www.cbc.ca/news/politics/carney-eliminating-canadian-ombudperson-for-responsible-enterprise-9.7232539

mechanism long criticized as ineffective, as it does not conduct independent investigations or determine whether companies have violated international standards. What's more, unlike some of its European counterparts, Canada's NCP does not recommend remedies for victims. Instead, it relies primarily on voluntary dialogue between communities and corporations, which is poorly suited to cases involving serious human rights abuses and environmental harm. Further, the NCP is housed within the International Trade department of Global Affairs Canada, the same department responsible for protecting and promoting Canadian trade and investment abroad. This creates an inherent conflict of interest by housing a corporate grievance mechanism within the very department tasked with advancing the commercial interests of Canadian companies.



A petition with over 43,000 signatures is delivered to Members of Parliament in Canada calling for due diligence legislation. (CNCA)

Canada's NCP is ineffective by design. Canada's reliance on the NCP and its decision to shut down the CORE represent a significant setback for efforts to hold Canadian companies accountable for human rights and environmental abuses abroad, and leaves affected environmental and human rights defenders with no real avenue to seek accountability and remedy.


Members of Canadian civil society and Members of Parliament speak at a press conference following the announcement of the closure of the CORE. (MiningWatch Canada)

Furthermore, Canada has not responded to calls by UN Mandate holders and Treaty Bodies[47] to ensure access to Canadian courts, which is currently blocked to many overseas plaintiffs by many legal hurdles.[48]

To ensure both prevention of harm and a cause of action to allow foreign plaintiffs to file cases in Canadian courts, Canada should implement mandatory environmental and human rights due diligence legislation that includes a civil cause of action should Canadian companies cause or contribute to rights violations in their overseas operations, or those of their subsidiaries and business relations. Draft legislation has been developed by Canadian organizations through the Canadian Network for Corporate Accountability,[49] but has been ignored by successive Canadian governments.

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47 United Nations Human Rights Committee, Concluding observations on the seventh periodic report of Canada, UN Doc CCPR/C/CAN/CO/7. 2 April 2026. Online: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FCAN%2FCO%2F7&Lang=en

48 Penelope Simons & Ratana Ly. "The Right to an Effective Remedy and Forum Non Conveniens." June 2026. https://www.researchgate.net/publication/405985207_THE_RIGHT_TO_AN_EFFECTIVE_REMEDY_AND_FORUM_NON_CONVENIENS

49 Canadian Network for Corporate Accountability, "Global Leadership in Business and Human Rights Act." February 2016. https://cn-

Conclusion

The cases outlined in this brief demonstrate that the risks faced by environmental human rights defenders (EHRDs) in the context of mining are not isolated incidents, nor are they simply the result of individual actors. **These risks and associated harm are a direct consequence of the permissive Canadian and overseas policy contexts in which mining happens – how projects are promoted, permitted, protected, and imposed**. Across the Americas, defenders who challenge mining projects can face criminalization, intimidation, stigmatization, surveillance, violence, restrictions on movement, social division, and serious impacts to their physical and mental health. These risks are compounded when governments prioritize the rapid expansion of mining while weakening environmental protections, limiting meaningful participation, disregarding Indigenous Peoples' rights to free, prior, and informed consent (FPIC), and failing to ensure access to information, justice, and effective remedy.

This situation is particularly concerning as governments increasingly frame mining and "critical minerals" as matters of economic and national security. In this context, the interests of mining companies in advancing a project closely align with those of governments in granting authorization, while the rights and concerns of affected communities are treated as obstacles to development. At a time when mining is expanding rapidly, what is needed is not further deregulation or fast-tracked approvals, but stronger protections for those who defend land, water, health, and human rights.

Lessening the risks faced by EHRDs requires governments to prevent corporate abuses, protect defenders from reprisals, guarantee meaningful participation and access to information, uphold Indigenous rights to consent, and ensure independent non-judicial and judicial mechanisms capable of providing accountability and remedy. Absent these safeguards, the renewed global mining push is being accompanied by an equally rapid erosion of human rights and defender safety. Below we provide a broad list of recommendations to help rein in mining abuse in Canada, and by Canadian companies operating overseas, and ultimately lessen the risks faced by EHRDs globally.

Recommendations

Protecting environmental human rights defenders (EHRDs) cannot be separated from regulating the mining activities that create the risks they face.

1. Canada must ensure all diplomatic, political, and economic support to Canadian mining companies is made contingent on their proven respect for human rights and the safety of environmental defenders through a transparent process.

ca-rcrce.ca/wp-content/uploads/2024/02/2016-CNCA-RCRCE-Global-Leadership-in-Business-and-Human-Rights-Act-final-EN.pdf

2. Canada should strengthen *Voices at Risk: Guidelines for protecting human rights defenders*,[50] and make it mandatory for Canadian civil servants at all levels – particularly for overseas mission staff. There should be regular public reporting on how guidelines have been implemented, as well as regular independent reviews of their effectiveness. EHRDs who remain at risk, or whose rights remain violated, must be able to bring their cases forward for an independent review.

3. Canada should implement mandatory Human Rights and Environmental Due Diligence legislation as proposed by the Canadian Network for Corporate Accountability (CNCA),[51] requiring Canadian companies to identify and address risks to EHRDs as part of due diligence practices. Legislation should require companies to carefully assess the risk of harm to people and the environment when doing business, report publicly on the risks identified, do what's needed to prevent the risk, and remedy any existing harm. If a company fails to do any of these things, the legislation would give people adversely affected a civil cause of action so that they may seek justice in Canadian courts.

4. Restore and strengthen an independent corporate accountability mechanism.[52] Establish an independent corporate accountability body with the power to independently investigate complaints against Canadian mining companies and their subsidiaries, make public findings of fact, and make recommendations for remedy. Unlike the former CORE, the body should have genuine independence from the Government of Canada, the power to compel documents and testimony, and adequate resources.

5. Each province and territory should adopt strong anti-SLAPP protections covering EHRDs, allowing courts to dismiss abusive lawsuits aimed at silencing public opposition to mining projects.

6. Ensure all laws and practices governing mining activities at the provincial and federal level in Canada comply with the UN Declaration on the Rights of Indigenous Peoples, including the rights of Indigenous Peoples to free, prior, and informed consent (FPIC) through all stages of mining activity.

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50 "Voices at Risk: Canada's Guidelines on Supporting Human Rights Defenders." Government of Canada. 2019. https://www.international.gc.ca/world-monde/issues_development-enjeux_developpement/human_rights-droits_homme/rights_defenders_guide_defenseurs_droits.aspx?lang=eng

51 See model legislation developed by the Canadian Network for Corporate Accountability (CNCA). "The Corporate Respect for Human Rights and the Environment Abroad Act." https://cnca-rcrce.ca/model-legislation-due-diligence/

52 Teich, Sarah, David Matas, & John Packer, "Canada still needs an ombudsperson for responsible enterprise". Mcdonald-Laurier Institute. 17 August 2026. https://macdonaldlaurier.ca/canada-still-needs-an-ombudsperson-for-responsible-enterprise-sarah-teich-david-matas-and-john-packer-for-inside-policy