



## EXECUTIVE SUMMARY

# NEW REPORT FINDS HUMAN AND PROTEST RIGHTS VIOLATED DURING ANTI-MINING PROTESTS IN PANAMA

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The government of Panama failed to protect the population against police brutality and the criminalization of protestors, in particular environmentalists, trade unionists, and public university students. Four people were killed in a context in which the government, the Canadian mining company (First Quantum), the police, the mainstream media and business groups fueled hatred between pro-miners and protestors.

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Protesters and bystanders in Panama have been systematically subjected to human rights violations since October 2023, when many of them took to the streets in opposition to a new mining contract signed between their government and a subsidiary of the Canadian-headquartered company First Quantum Minerals.

The contract would have legalized the extraction of copper, gold and silver on 13,000 hectares (32,000+ acres) located in the heart of the Mesoamerican Biological Corridor in the north of the country. The company had a contract that was declared unconstitutional by Panama's Supreme Court in 2017. The government of then-President Juan Carlos Varela promised the company that a new contract would be signed and allowed it to begin operations without any legal formalities.

The company began exporting copper concentrate, which included gold, silver and other minerals in June 2019. The new government of Laurentino Cortizo, which took office a month later - on July 1 - promised the company to renegotiate a new contract, while also allowing the company to continue its de facto operations while paying virtually no taxes.

The negotiations were conducted with little transparency; the public gained access to the draft contract mere days before the executive branch presented it to the General Assembly for approval. The first draft was rejected in August 2023 due to the scope of the concessions, which allowed the company to buy land, apply for expropriation, retain tributaries in the upper reaches of the rivers, build infrastructure such as ports, houses, dams, water supply pipelines and charge for their use.

The second draft underwent little public scrutiny. It reached the Assembly during the third week of October 2023. In just three days, the draft passed through three rounds of debate, was approved by 44 Members of Congress, was signed by President Cortizo and notice was published in the Official Gazette. The 'express' approval of the contract was widely questioned in relation to the extent of the past and present economic interest that members of the government were reported having with the company.

Anti-mining protests intensified the night of Friday, October 20. Around 7 pm local time the next morning, the contract was made official as hundreds of Panamanians protested in front of the Assembly where they were met with tear gas and pepper spray by the police.

There were also more than 1,500 arbitrary arrests of students, environmentalists, Indigenous people, trade unionists, and even bystanders not related to the protests.

Hundreds of people were injured, including those gassed by the police with expired tear gas bombs. People were hit with pepper spray canisters, were beaten, and suffered a variety of injuries including gunshot wounds. At least five people lost all or part of their vision due to the actions taken by police, including Aubrey Baxter, a photojournalist and activist who was shot directly in the eye with rubber bullets by a police officer while documenting the crackdown outside the Assembly the week the contract was imposed.

There were 4 people killed during the protests, two of them were run over while protesting – one in Colon and one in Chiriqui – and two other people were intentionally killed in broad daylight by a foreign lawyer with a criminal record. The families of the victims were peacefully protesting in the streets of Chame, west of the capital, against the mining contract. The man got out of his car and asked who was in charge of the protest, then shot in cold blood the two men, one a teacher and the other, the partner of a teacher.

For this report, testimonies were taken that point to excessive use of force by police units, especially against students from public universities, Indigenous people and trade unionists. These groups were strongly stigmatized by government officials, the mainstream media and business groups, most of them with a self-interest in the deal as local suppliers to the mining company.

According to several witnesses and victims interviewed, Indigenous groups were especially racialized, attacked, discriminated against and brutally repressed.

Protesters and bystanders were also criminalized and are still awaiting trial. In Chiriquí, in the west of the country, 21 people were sued for \$50 million by the Chiriquí Chamber of Tourism and accused of being “terrorists” and “kidnappers” – many of them long-time environmentalists and activists. The spokesperson who gave the names of the 21 people to the media ended up working a few months later for the mining company, raising doubts about the true intentions of the lawsuit.

In Colón, the province where the mine is still located, 3 other people were criminalized. One of them belonged to a group of boatmen who protested in front of the mining port, blocking access to the ship that was taking out the minerals while the contract was still pending a court ruling. The other two were arbitrarily detained given, according to their lawyer, they were not protesting at the time of their arrest.

There are still protestors who face ongoing legal charges for various reasons, who must wait at least six months for investigations to be carried out. Most accuse the prosecutors of bias towards the mining company or the government, who acted more as a public relations entity for the company than representing the People of Panama.

Other acts of retaliation were taken against unions who protested against the contract. For instance, the state bank Caja de Ahorros closed the bank accounts of construction workers belonging to the Suntracs workers union without any investigation, alert or complaint at the time. Union leaders also faced criminalization and detention while the protests were taking place.

The Panamanian government also withheld the salary of public teachers as a measure to break the strike which the teachers had declared in opposition to the mining contract.

Also, at least two members of the media were fired from their jobs for openly opposing the contract, as they implied in their statements after their dismissals.

Indigenous peoples were particularly targeted by hate speech, criminalization and violence during the protests, especially on agricultural lands in Chiriquí and Bocas del Toro, where they are the main labor force in the agricultural industry developed in this region. The poor working conditions and standards they have denounced in the past have been met with violence by some of the landowners and farm owners for whom they work. This became clear on November 2, when some farmers and the mayor of Tierras Altas violently ambushed the protest sites, injuring children who were also present.

The information gathered for this report reveals a coordinated effort between the company and some public and private actors to create an environment of hostility against anti-mining protestors and opponents, using hate speech riddled with false accusations such as “terrorists,” “kidnappers,” “communists,” among others. Defamation in the media and/or on social networks was common, advancing a generalized narrative that painted protestors as

a “violent mob” who looted and brought chaos to the streets, without adequately addressing the infiltrators who carried weapons in the protest a few steps away from the police officers. These are just a few of the cases documented for this report. Many more victims across the country continue to suffer the consequences of opposing a large Canadian mining company. In general, fear was inflicted by the system – by the government, police, business, media, and other pro-mining people – in the form of violence, lawsuits, dismissals, hate speech, criminalization and even failure to protect the population from being killed.