



Petition to the House of Commons - Background

February 25, 2021

ICHRP and MiningWatch Canada

The International Coalition for Human Rights in the Philippines (ICHRP) is a global network of organizations concerned about the human rights situation in the Philippines. Our members are committed to campaign for just and lasting peace in the country. The coalition aims to inform the international community about the grave human rights situation in the Philippines today.

MiningWatch Canada works in solidarity with Indigenous peoples and communities in Canada and overseas who are dealing with existing or planned industrial mining operations that affect their rights, lives and territories, or with the legacy of closed mines, and MiningWatch works with mine workers seeking safe working conditions and fair treatment.

ICHRP-Canada and MiningWatch Canada initiated [this petition](#) because of our concern about the deteriorating human rights situation in the Philippines since 2016. In response to increasing attacks on civilians and human rights defenders, we seek to ensure that: Canadian companies operating abroad can be held accountable in Canada for their role in human rights violations; Canadian consular staff are mandated to protect human rights defenders threatened because of their peaceful opposition to Canadian companies operating overseas; and that the Canadian government is held accountable for its financial and political support both to Canadian companies operating overseas and to governments that are implicated in the abuse of human rights in their countries.

Background

Since the election of President Rodrigo Duterte, extrajudicial killings in the Philippines have increased in part due to a War on Drugs campaign implemented shortly after Duterte's election and counter-insurgency campaigns initiated after the government unilaterally ended peace talks with the National Democratic Front. The United Nations High Commissioner for Human Rights¹ and Global Witness² have raised concerns about the increase in extra-judicial killings, arbitrary arrests, and targeting of human rights, environmental and indigenous land defenders in the Philippines. Often these rights defenders are "red-tagged"³ and either arrested as political prisoners or killed because of their rights-based activism, which is cast as opposition to Duterte's regime. Given these circumstances Canada should

¹ United Nations High Commissioner for Human Rights. 15 June-3 July 2020. [Situation of human rights in the Philippines: Report of the United Nations High Commissioner for Human Rights](#). The report notes that "the underpinning focus on national security threats – real and inflated – has led to serious human rights violations, reinforced by harmful rhetoric from high-level officials... Alongside the intensified campaign against illegal drugs, the State has scaled up its response for countering terrorism and conflicts, which also impact on human rights. OHCHR has examined key national security laws and policy, and their acute impact on civil society, including human rights organizations, lawyers, political and judicial actors, journalists, trade unionists, church groups and others, particularly through the phenomenon of "red-tagging."

² Findings by [Global Witness](#) include that in 2019 over half of all reported killings of rights defenders occurred in just two countries, the Philippines and Colombia, and that mining was the deadliest sector with 50 defenders killed in 2019.

³ "Red-tagging" is a tactic used against rights and environmental defenders in the Philippines. By being labelled as communists or supporters of insurgents, regardless of their actual beliefs or affiliations, activists commonly become targets for extra-judicial killings.

not be selling military equipment and providing defence cooperation to the Philippines. In 2019, Canada issued “Export Permit Denials of Military, Dual-Use and Strategic Goods and Technology” in regard to four countries on the basis of “Canadian foreign and defence policy,” the Philippines should be added to this list.⁴

We are also concerned about Canadian companies operating in countries where gross human rights violations are systemic. In the context of this petition our concern is in regard to Canadian mining companies operating in the Philippines.⁵ On April 6, 2020, some 100 Philippine National Police violently dispersed 29 primarily indigenous Ifugao residents maintaining Didipio’s peaceful People’s Barricade, which was authorized by municipal and provincial governments on July 1, 2019. Rolando Pulido was beaten and arrested; others were wounded.⁶ This event was triggered when Canadian mining company OceanaGold sought to have three fuel trucks run the blockade to maintain basic operations at the Didipio mine. The Didipio mine, situated in Nueva Vizcaya, started operations in 2013, but its permit expired in June 2019 and has not been renewed. Nonetheless, OceanaGold has twice used police to breach the people’s blockade and gain access to the mine site. With the support of municipal and provincial governments,⁷ local citizens and communities continue to oppose renewal of the mine’s permit due to mining-related human rights abuses, environmental degradation, and negative impacts on local livelihoods.⁸

Finally, we are concerned about the lack of effective support by Canadian consular staff for human rights and environmental defenders threatened because of their efforts to protect rights in the context of overseas operations of Canadian companies and the lack of effective accountability mechanisms in Canada to hold Canadian companies to account when they have caused or contributed to human rights abuses overseas. When Didipio villagers met with staff at the Canadian Embassy in Manila in 2018, after having been “red tagged” because of their opposition to human rights and environmental impacts caused by OceanaGold’s operations, they did not receive the protection they requested, in spite of the known threat they faced as red-tagged rights defenders.⁹

We call upon the House of Commons and Prime Minister to:

1. Make the Canadian Ombudsperson for Responsible Enterprise (CORE) independent and empowered to compel evidence and witness testimony under oath. The government of Canada committed to grant the CORE these necessary investigatory powers, but subsequently reneged on this commitment.

⁴ See <https://www.international.gc.ca/trade-commerce/controls-controles/reports-rapports/military-goods-2019-marchandises-militaries.aspx?lang=eng>

⁵ The recently released [Global Witness](#) report finds that mining was the deadliest sector with 50 rights defenders killed in 2019 in the context of conflicts related to mining.

⁶ For more on the violent dispersal of a peaceful and authorized blockade to accommodate OceanaGold see: [Global Civil Society Organizations Condemn Violent Dispersal of Indigenous Peoples’ Mining Barricade in the Philippines.](#)

⁷ In a [letter to President Duterte](#) of December 9, 2020, the Governor of Nueva Vizcaya Province wrote that environmental and human rights abuses associated with the project including “loss of forests, agricultural lands, biodiversity, surface and ground water, peaceful co-existence among communities and loss of lives and properties due to flooding” conditions which he says “far outweighs the benefits derived from mining.” These harms underlie the Governor’s plea to President Duterte: “Continuous operation of OPGI [OceanaGold Philippines Inc.] ...endangers the lives of the community...please heed our appeal. NO TO RENEWAL OF OGPI FTAA [the 25-year Financial or Technical Assistance Agreement].”

⁸ For more on the history of mining-related human and environmental abuses see: MiningWatch Canada and Institute for Policy Studies. [OceanaGold in the Philippines: Ten Violations that Should Prompt Its Removal.](#) October 2018.

⁹ For more on the 2018 red tagging of Didipio indigenous villagers and their meeting with consular staff in Manila see: [Indigenous Rights Defenders Targeted Over Opposition to OceanaGold Mine, Seek Support from Canadian Embassy in Philippines.](#)

2. Enact a human rights due diligence law that compels businesses to respect international human rights. Such a law would have a preventative effect as well as providing a cause of action for legal recourse in Canada for those who have been harmed by the actions of Canadian companies operating overseas;
3. Hold hearings on the human rights situation in the Philippines in the Parliamentary Human Rights Sub-committee during the current session of Parliament;
4. End Canadian support to the Government of the Philippines including socio-economic and financial programming, tactical, logistical and training support, military sales and defence cooperation;
5. Mandate Canadian consular personnel to protect human rights defenders. Whereas Canadian embassy staff are currently mandated to promote and protect the interests of Canadian companies operating overseas, they are not mandated to protect human rights defenders whose lives are threatened because of their criticism of the impacts on rights and the environment caused by these companies.