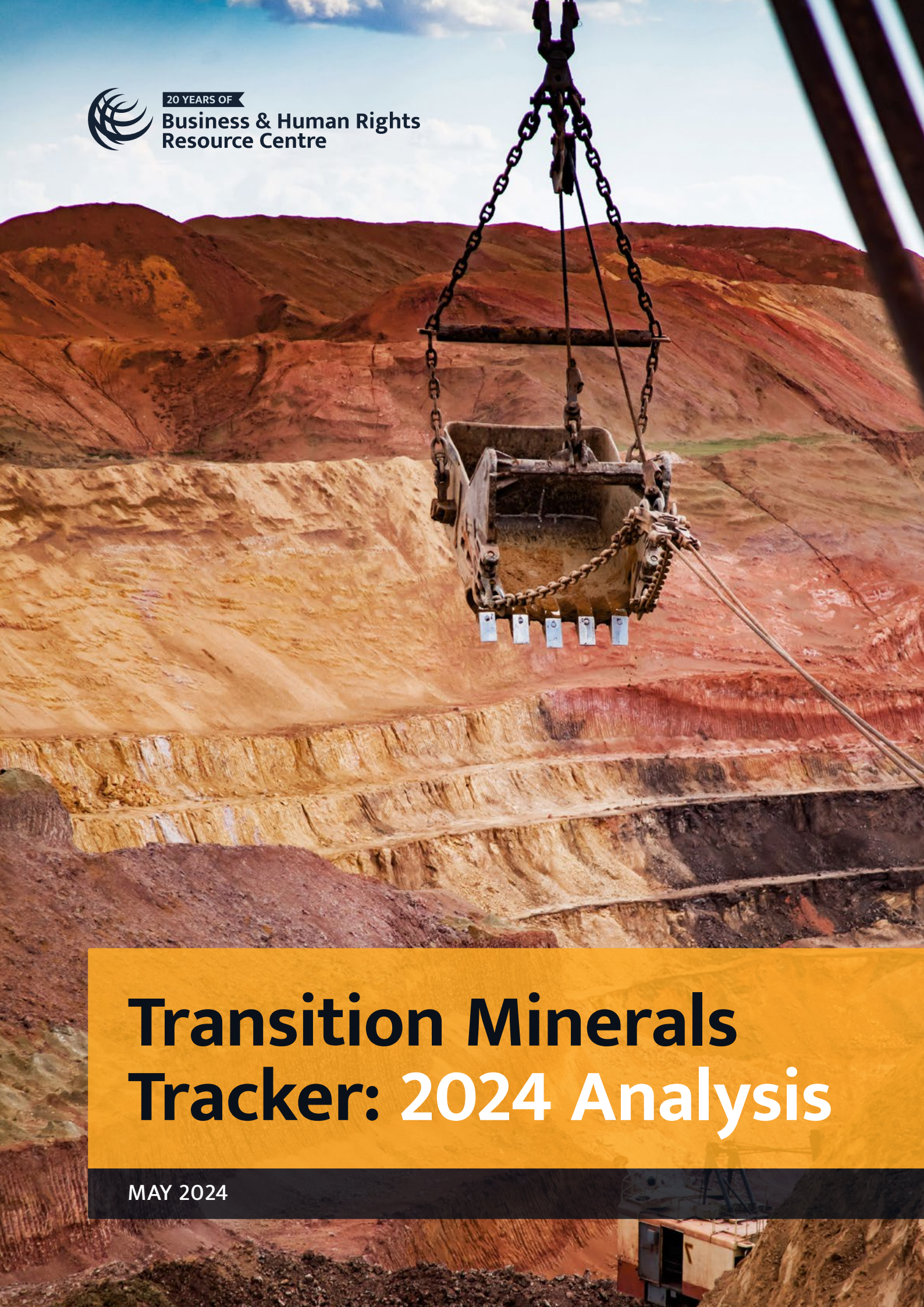

20 YEARS OF
Business & Human Rights Resource Centre

Transition Minerals Tracker: 2024 Analysis

MAY 2024

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Foreword

by **Glen Mpufane**, Director of Mining and Diamond, Gems, Ornaments and Jewelry Production, and Occupational Health and Safety Focal Point at IndustriALL; Mining 2030 Commissioner

Climate change is a deadly global threat – disproportionately affecting the world's most vulnerable populations. The energy transition is a human rights imperative and its success will depend on ensuring it is rights-centred. While this represents an enormous opportunity for building more just economies, it will also deeply affect the global workforce and the very fabric of our societies. The risk of further entrenching global inequalities exists at every stage – from the extraction of essential minerals in the manufacturing of renewable technologies and decarbonised means of transportation, to the swift deployment of wind and solar projects on the ground. Only collective action, good faith collaboration – between states, the private sector, affected communities, workers and their representatives – can meet this enormous challenge.

The Business & Human Rights Resource Centre's Transition Minerals Tracker is an essential tool to capture the broad range of rights violations associated with extracting seven key minerals (bauxite, cobalt, copper, manganese, nickel, lithium and zinc). It provides a unique perspective on the interrelated abuses harming those affected by mining operations. These include: the destruction of local ecosystems; the denial of the rights of communities to have a say in operations affecting them – and of the protected right of Indigenous Peoples to give or withhold consent; egregious attacks against those defending their rights; the perpetuation of gender inequalities; and the unacceptable working conditions and labour rights violations mining workers are too frequently exposed to. We must not forget the 'stakeholders' corporate policies refer to are not watertight and abstract categories; they are often the self-same individuals and families living near mining sites.

This year's updated Tracker now includes 630 allegations from 2010 to 2023 – one in four allegations is a report of an abuse against workers. Reports of gross negligence in occupational health and safety procedures at mining sites should make the sector pause: working conditions at transition mineral mining sites do not reflect the increasing profits made by mining companies in the current commodities boom. One in 12 allegations (53) in the Tracker is a report of a work-related death. This should alarm, and prompt immediate action to completely overhaul operating procedures where needed – including by ensuring a sufficient workforce. Ignorance of collective workers' rights to raise their voices and opinions, including through striking, must be a thing of the past.

Large-scale mining companies need to recognise the urgency required and ensure they have all the necessary policies and due diligence processes up and running to fully respect the rights of communities and workers. The sector must listen to workers' voices and build safe spaces for dialogue with workers and their unions. Their investors must also take swift action and insist on worker- and rights-centric approaches: here too, their collective voice, engagement and leverage with investee companies is critical in calling for and supporting the necessary changes in national legislative and regulatory frameworks to ensure a just and rights-respecting energy transition.

The alternative is increasing tensions, conflicts and distrust. There will not be any energy transition without workers and their communities.

Executive summary

Climate breakdown is already upon us. Winning the fight against climate change for climate security will depend on the availability of minerals for wind turbines, solar panels, battery storage and electrification. While policy options to curb demand for new mining exist and must be considered, new transition minerals will be needed at scale in the coming decades. To reach net-zero globally by 2050, the International Energy Agency (IEA) estimates a sixfold increase in mineral demand by 2040. The geopolitical importance of these minerals and competing demand from other industries are also driving a scramble among states in the Global North to secure their mineral value chains.

Public support is currently being squandered by companies due to an approach which entrenches inequality and abuse – manifesting itself in community and worker protest and resistance to irresponsible investment and business practices. But a more responsible corporate approach is possible, where consultation and consent are achieved through models of shared prosperity, corporate duty of care, and fair negotiations.

A fast transition will only be one that is also fair.

This year's update to the Business & Human Rights Resource Centre's (the Resource Centre) Transition Minerals Tracker (the Tracker) spotlights the human rights challenges and harm of irresponsible transition mineral mining – and the associated risk of derailing the pace of the transition. The Tracker now includes **630 allegations of abuse from 2010-2023** associated with the mining of seven key minerals for the energy transition: bauxite, cobalt, copper (the mineral associated with the highest number of allegations in the Tracker), lithium, manganese, nickel and zinc. **For 2023 alone, 91 allegations of abuse were recorded**, including widespread violations of environmental, land and Indigenous Peoples' rights, coupled with a marked increase in labour rights violations and worker deaths. **The Tracker also features 143 attacks against human rights and environmental defenders (HRDs)** – or 1 in 4 allegations. Those figures only depict a fragment of the reality as our Tracker relies on public sources and, amid rising attacks on civic and media freedoms, abuses often go unreported.

Of all the companies associated with at least one allegation of abuse, **only 39% have a human rights policy in place**. This is a particularly dismal figure more than a decade after the adoption of the UN Guiding Principles on Business and Human Rights and in light of the European Union's recent vote in favour of its watershed human rights due diligence directive.

A handful of companies continue to be responsible for a significant percentage of allegations: 10 companies – a number among the most established in the sector (including **China Minmetals**, **Glencore**, **Grupo Mexico**, **First Quantum Minerals** and **Solway Group**) – are associated with more than 50% of allegations across the whole period. More than two-thirds of all allegations are associated with just 20 companies. The impacts of transition minerals mining operations are highly multifaceted: 64% of allegations are associated with impacts on both local communities and their environment. A too frequent pattern starts with environmental violation, particularly water and soil pollution, compounded by limited or absent consultation with local residents, leading to protracted conflict. **MMG**'s Las Bambas copper mine in Peru is a case in point, ranking #1 in this year's Tracker for the third year in a row, with 68 allegations across the whole period.

Other key findings included:

- **Indigenous Peoples disproportionately bear the brunt of the harmful impacts of transition mineral mining – with 61 allegations (10%) across all years impacting their rights**, including 36 alleged violations of their right to free, prior and informed consent (FPIC).

- **People defending human and environmental rights continue to be attacked, with 14 new allegations of attacks recorded in 2023** (143 across the whole period – or close to 1 in 4). Mining has consistently been the most dangerous sector for HRDs since the Resource Centre began documenting attacks in 2015 – and transition mineral mining operations are not an exception.

- **Labour rights abuses, including risks of severe hazards and occupational health issues, remain a stark reality in the sector, with 162 allegations impacting workers across the whole period (25%).** This includes a sobering 53 work-related deaths (1 in 12 allegations), highlighting the mining sector still has a long way to go to comply with the ILO framework of fundamental principles and rights at work, to which "a safe and healthy environment" was added in 2022.

- **New analysis on the gendered impacts of mining operations reveals 17 allegations across all years**, including lack of respect for women's social, political and economic participation, livelihoods, health, access to jobs, as well as egregious accusations of rape and sexual abuses.

- **Impacts of mining operations on local environment and resources** continue to stand out, with 308 allegations (or 1 in 2) associated with at least one harm to the environment. Water resources are most at risk with 125 allegations (or 1 in 5) associated with either/or impacts on access to water and pollution.

The Tracker highlights an increasing number of court decisions in favour of Indigenous Peoples' rights, as those being harmed by unjust practices take action. In a landmark decision in December 2023, the Inter-American Court of Human Rights ruled in favour of the Q'eqchi' Mayans in their case against **Solway Group** Guatemalan Fenix (El Estor) nickel mine, and required mining to stop. Similarly, in Panama, reports of insufficient consultation with communities on the extension of the exploration concession of the **First Quantum Mineral**'s (FQM) Cobre Panama mine – one the world's largest copper mines – triggered massive protests, leading to Panama's Supreme Court declaring the contract unconstitutional in November 2023. Regulatory action against irresponsible business conduct is also growing more common, with Chile leading the way in 2023. This will have implications for the pace of the global energy transition.

But it does not have to be this way: better policies and practices are within reach. Respect for all human rights and recognition of local communities and Indigenous Peoples as equal partners needs to be the north star guiding corporate and government actions. It begins with embedding respect for human rights, as legislation across the world is beginning to mandate, and commitment by the Global North to curb demand for transition minerals and to centre respect for human rights, global equity and justice in their mineral supply chains.

At a minimum, a just transition will be centred on commitment to three core principles:

- **Shared prosperity** that builds the rights of Indigenous Peoples, workers and other communities' rights in operations and supply chains through new models of business – powerfully articulated by Indigenous Peoples in a recent Declaration by Indigenous Peoples for a Just Transition.
- **Corporate gender-sensitive human rights due diligence** that identifies salient human rights risks and develops robust risk-mitigation plans.
- **Fair negotiation** between business, workers and communities, redressing power inequalities by recognising core rights, such as FPIC and freedom of association, and displaying zero tolerance for attempts to silence environmental and human rights defenders.

Continued disregard for human rights – as this analysis also shows – is too great a risk to deliver the energy transition with sufficient speed and sustainability. The alternative, in contrast, promises a just and inclusive transformation for all.

Key recommendations

Recommendations to companies

Shared prosperity:

- Bring workers, their unions and communities into upstream project conception and design to support models of shared prosperity through decent work, living wages and new models of co-management, ownership and cooperation.

Corporate due diligence:

- Assign clear Board responsibility for, and oversight of, respect for human and environmental rights, including through variable executive remuneration and integration across all departments.
- Implement gender-sensitive human rights and environmental due diligence in operations and supply chains – going beyond regulatory requirements where absent or insufficient – alongside access to remedy, through effective grievance mechanisms, built on safe and inclusive worker and community engagement. Adopt policies to guarantee safety at work, ensure decent work in line with ILO Fundamental Rights at Work, including through fair living wages for all workers and guarantee workers' freedom of association and right to collective bargaining with trade unions or equivalent.
- End user companies to insist on the responsibility of their upstream minerals suppliers to ensure full respect for human rights and the environment.

Fair negotiations:

- Respect and publicly report on good faith consultation and engagement with local communities, prior to investment decisions and during operations. Adopt non equivocal policies for respect of FPIC principles for Indigenous Peoples, including their right to define the process by which it is achieved and to withhold consent – regardless of any opposing claims by governments[1] – through fair negotiations and implementation of equitable benefit-sharing mechanisms, including co-ownership and co-equity models.
- Adopt a company-wide policy commitment to not tolerate or contribute to attacks on human rights and environmental defenders and to work with HRDs to create safe and enabling environments for engagement. This should include an expectation for suppliers and business partners to do the same.

1 For more detailed recommendations, see our joint report published with Indigenous Peoples Rights International Protector not Prisoner.

Recommendations to investors

Shared prosperity:

- Commit to rights-respecting investments in the mining sector. Evaluate risks and impacts of investee companies on people and the planet, alongside financial materiality.
- Develop policy regarding preferred ownership and investment models that favour shared benefit outcomes for communities and workers.

Corporate due diligence:

- Undertake inclusive human rights and environmental due diligence and review potential investee companies' up-to-date record of environmental harm and human rights abuse, including links to attacks on HRDs.
- Publicly support emerging legislation on mandatory human rights and environmental due diligence and stronger legal guarantees on the protection of human rights as part of investment and trade agreements – with specific attention given to land rights and Indigenous Peoples' fundamental rights.
- Use leverage with investee companies which cause, contribute to or are directly linked to human rights and environmental harms, including attacks on HRDs.

Fair negotiations:

- Insist on the need for investees to ensure early and continuous consultation with affected stakeholders, robust HRDs protection, full respect for FPIC and collective labour rights.

Recommendations to governments

Shared prosperity:

- Ensure all mineral licensing is conditioned on upstream consultation and consent with workers and communities, and includes robust action to deliver shared prosperity for workers and communities.
- Support an equitable energy transition by ensuring transition mineral operations in areas of remit (domestic extraction and partnerships with third countries) offer good jobs with freedom of association, right to collective bargaining and greater retention of the value chain in the region.
- Adopt policies to protect the environment, support recycling and re-use of minerals, increase product design efficiency and decrease demand for virgin minerals to reduce human rights impacts related to new mining activities, where community consent has been obtained and equitable benefit and joint monitoring agreements and grievance mechanisms are in place.

Corporate due diligence:

- Pass and enforce legislation mandating human rights and environmental due diligence, including extra territorial obligations, inclusive of corruption risks, throughout the transition mineral mining lifecycle and based on inclusive consultation and shared benefit with rightsholders, such as Indigenous Peoples and workers.
- Ensure all mineral supply chains regulations and strategic partnerships have an equity dimension and corporate accountability requirements. Ensure energy transition-related needs are prioritised for the use of minerals sourced through those partnerships and regulations.

Fair negotiations:

- Strengthen further workers' rights to freedom of association and right to collective bargaining; insist on upstream consultation in the design of projects to ensure health and safety; and invest in enforcement of rights through penalties and sanctions.
- Prohibit mining where Indigenous People have not given FPIC and in protected areas. Pass legislation that recognises Indigenous territories and FPIC, where this is absent.
- Demand zero tolerance from mining companies regarding attempts to silence environmental and human rights defenders, and resource the enforcement of their protection and pass anti-SLAPP legislation.

Context

Demand forecast scenarios for minerals continue to fluctuate but remain exponential: to reach net zero emissions by 2050, demand is expected to triple by 2030 for copper and cobalt, more than triple for zinc, grow five-fold for manganese, and increase about eight-fold for lithium and nickel. Demand for aluminium (the processed form of bauxite) is projected to double by 2050. Meanwhile, public information on the scope of global mining operations and their human rights impacts remain very scarce and are essentially based on companies' reporting. A significant proportion of global reserves for transition minerals are located in areas associated with a high risk of human rights violations: analysis conducted by the International Energy Agency (IEA) in 2023 showed approximately 40% of the current global production of cobalt, lithium and copper come from a mine associated with at least one human rights allegation in the Tracker in 2022. Half of the world's reserves of transition minerals are located near or on Indigenous Peoples' lands.

Since last year's Transition Mineral Tracker update, pressure has been building significantly on governments in the Global North to secure their 'critical' mineral supply chains to support domestic energy transition requirements and other industries dependent on access to very same minerals. Resources are finite and competition for access is global: the current commodity rush has pushed many governments to consider stable mineral supply chains as critical to their national security.

Bauxite: A critical mineral

In 2023, bauxite was added to the list of minerals covered by the Tracker and 12 mines were added. Bauxite is the main source of aluminium – a key metal in the manufacturing of various technologies essential for achieving the energy transition, such as electric vehicles and solar energy projects for which aluminum accounts for 85% of components. Aluminium is both a cross-cutting and high impact metal, meaning its demand is expected to *increase independently of technologies which are used to implement each of the possible climate mitigation measures*. Aluminium's significant role in multiple clean technologies – and in other sectors not related to the energy transition – means increased demand is expected to be high impact. Around 44% of the world's bauxite reserves are located in states categorised as fragile or very fragile, with 68% of these states perceived as corrupt or very corrupt. Guinea alone, endowed with 35% of the world's bauxite reserves, is the 14th most fragile state in the 2023 Fragile States Index. Bauxite is both on the EU and US list of critical minerals.

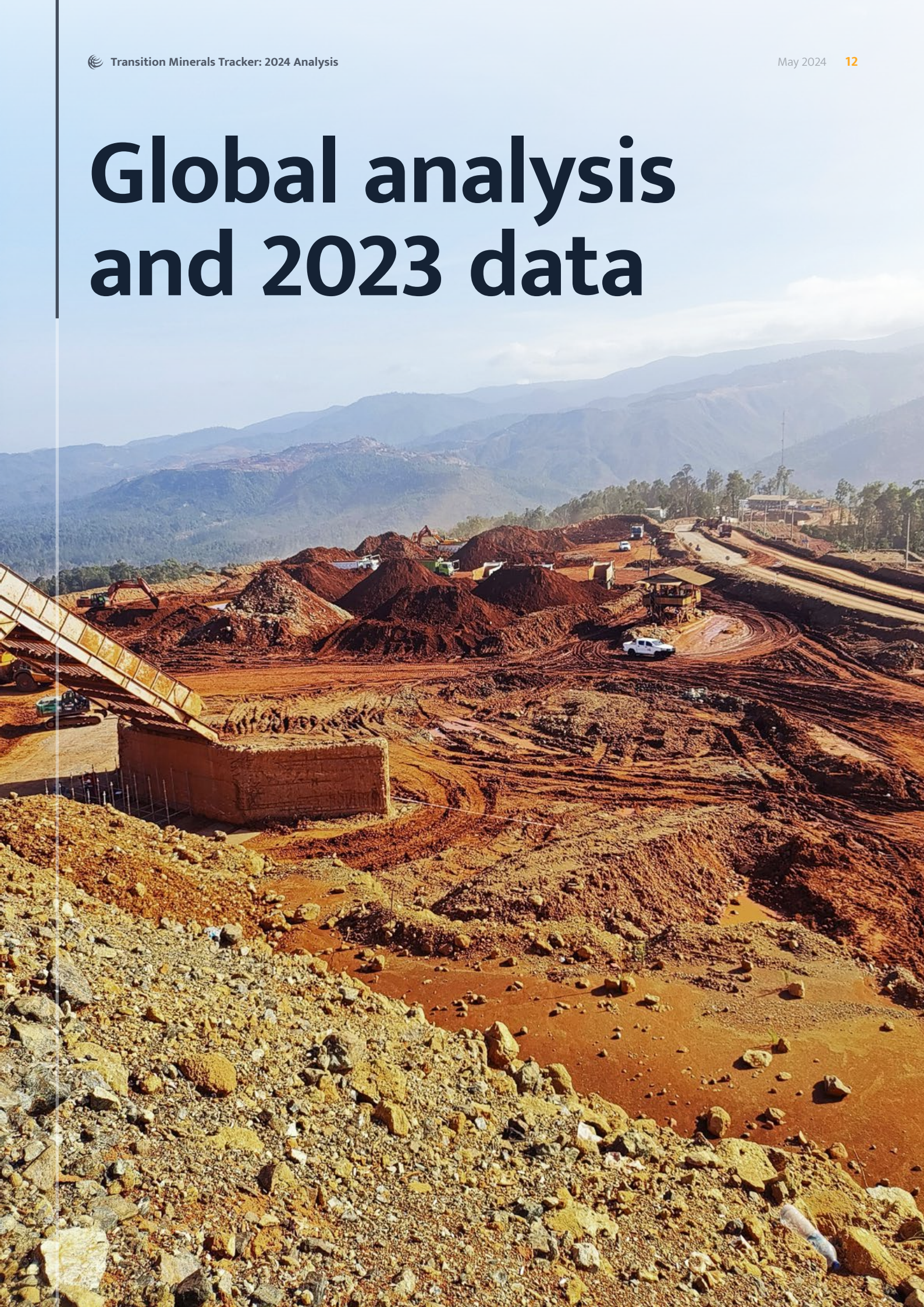
Political agreement on the EU Critical Raw Materials Act (CRMA) was reached in the EU in November 2023, providing support to accelerate permitting procedures in the EU, the development of strategic projects, as well as momentum to secure strategic partnerships with non-EU, resource-rich countries. The 2022 US Inflation Reduction Act provides several loan programmes and tax incentives to support strengthening of US critical minerals supply chains. The number and scope of government-to-government mining partnerships are also rapidly increasing in the context of the global Mineral Security Partnership. Among civil society organisations and observers in resource-rich countries, concerns are growing that this security framing and rush to mine without robust corporate accountability requirements in place may be detrimental to public participation rights and further harm human rights of surrounding communities, HRDs and workers.

At the same time, however, the mining sector is facing greater pressure for better human rights, labour rights and environmental performances – from civil society, trade unions, workers and Indigenous Peoples. It could also be facing increased legal risk, with litigation based on the right to a clean, healthy and sustainable environment, in particular, on the rise. Global policy consensus has also clearly emerged on the crucial necessity for transition mineral supply chains to be responsible, if they are to be reliable, as evidenced in recent publications by the IEA and the OECD – putting clear emphasis on the responsibility of the sector to evolve from its historical record of human rights abuse. Responsible investors too, aware that disregarding human rights in mining operations fuels conflicts and generates project delays and costs, are increasingly engaging with their mining company investees and are willing to play their role in insisting on a more responsible mining sector.

Thus far, the industry response to this rising pressure has largely revolved around industry-led initiatives and sustainability standards and certification schemes, prompting criticism from civil society groups that this approach does not fully align with the UNGPs, nor provide sufficient governance and independence assurances. Whereas the standard developed by the Initiative for Responsible Mining Assurance (IRMA) represents the most comprehensive, transparent, and credible mining sector audit standard available today, it cannot replace designing and implementing effective human rights due diligence on an ongoing basis.

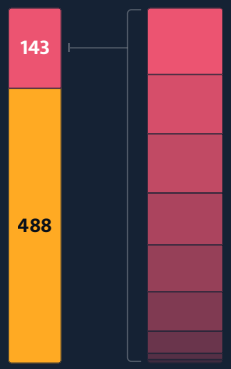
End users of minerals are also increasingly under pressure to make sure they 'clean up' their supply chains. The new EU Battery Regulation introduces unprecedented requirements for end-users of battery minerals to implement effective due diligence along their supply chains. The automotive sector has been under the spotlight for many years for its links to egregious abuses committed in its upstream mineral supply chains – from landmark research by Amnesty International on child labour in cobalt mining in the Democratic Republic of Congo (DRC) in 2016, to the human rights and environmental impacts of nickel mining in Indonesia and the Philippines in electric vehicle battery supply chains – and has shown signs of progress. On the other hand, while the renewable energy sector has demonstrated progress towards respect for human rights, it is still lagging behind when it comes to addressing issues in its upstream mineral supply chains, with due diligence on responsible mineral sourcing remaining a nascent practice among developers and manufacturers.

Global analysis and 2023 data



Key findings

630 allegations were recorded between 2010 and 2023 with **91 for 2023 alone**. Nearly a quarter of these allegations (143) were **attacks against HRDs** including 24 strategic lawsuits against public participation (SLAPPs).



- 27 Arbitrary detention
- 24 Intimidation and threats
- 24 SLAPPs
- 21 Beatings and violence
- 19 Killings
- 16 Lawsuits other than SLAPPs
- 9 Injuries
- 2 Denial of freedom of expression
- 1 Freedom of association

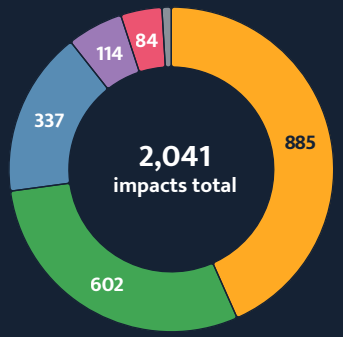
26% (162) of allegations are associated with labour rights violations and/or occupational health and safety issues

10% (61) of allegations are associated with impacts on Indigenous Peoples' rights, including 36 allegations of abuses of their right to FPIC

South America accounts for close to half of the allegations (46%), followed by **Africa & Middle East** (21%), **Asia & Pacific** (14%), **Mexico & Central America** (14%), **North America** (3%) and **Europe & Central Asia** (3%)

Top countries

Number of allegations per category

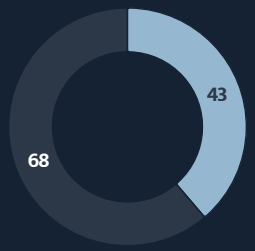


- Local communities (LC)
- Environmental impacts (E)
- Impacts on workers (W)
- Governance and transparency (G)
- Security issues and conflict zones (S)
- Covid-19 pandemic (C)

One allegation can be associated with more than one impact. For more detailed information on the terms used in this analysis and on the Tracker's methodology, please refer to the Terms and approaches section in Annex.

Allegations of abuses are highly multifaceted and interrelated: affected groups are often the self-same individuals and families living near mining sites and their local environment, with 64% of allegations impacting **local communities & their environment** and 14% cutting across the **workers & local communities**' categories

Top impacts in 2023

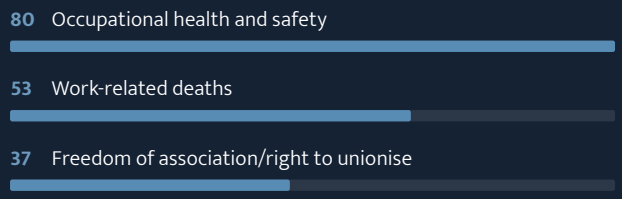


39% of companies with at least one allegation recorded in the Tracker had a human rights policy in place at the time of publication

Top impacts on local communities

Top environmental impacts

Top impacts on workers



Allegations remain concentrated to a handful of companies and mining sites

Allegations remained linked to a small number of companies, with more than two-thirds (68%) of all allegations associated with 20 companies – among the most established in the sector. **Just 10 companies were associated with more than 50% of allegations across all years.**

TOP 20 COMPANIES ASSOCIATED WITH ALLEGATIONS (2010-2023)

Parent company	Headquarters	Allegations:	HRD attacks	Other abuses
China Minmetals	China	72	38	34
Glencore	Switzerland	71	8	63
Grupo México	Mexico	34	5	29
First Quantum Minerals	Canada	24	8	16
Codelco	Chile	24	5	19
Freeport-McMoRan	USA	24	10	14
Solway Group	Switzerland	21	15	6
Minera Los Pelambres	Chile	19	8	11
Antamina	Peru	18	5	13
Tenke Fungurume Mining (TFM)	DRC	14		14
Anglo American	UK	13		12
Pan American Silver	Canada	13	6	7
Newmont	USA	11		10
Vale	Brazil	10		10
South32	Australia	10		8
Rio Tinto	UK	10		9
Gécamines	DRC	10		10
Vedanta Resources Limited	UK	10	3	7
BHP	Australia	9		9
Nickel Asia Corporation (NAC)	Philippines	8		7

- Ninety-five allegations (or 1 in 6) were associated with a company headquartered in China. **China Minmetals** (the owner of Peru's **Las Bambas** copper project) was associated with the highest number of allegations. China remains a significant player in global transition mineral supply chains – with enormous overseas investments at all stages of the mineral value chain (including in processing, smelting and refining operations, not covered in this Tracker), which is also associated allegations of abuses, as evidenced in our 2023 regional briefing.

- Ninety-six allegations were associated with companies headquartered in Switzerland, with **Glencore** coming second for highest number of allegations.

- Ten mining operations were associated with 32% of allegations. In 2023, **Cobre Panama** (owned by **First Quantum Minerals**) recorded the highest count (eight) of allegations.

MINING SITES ASSOCIATED WITH HIGHEST NUMBER OF ALLEGATIONS (ALL YEARS)

Operation/project	Country of incident	Allegations
Las Bambas	Peru	68
Tintaya; Antapaccay	Peru	23
Fenix (El Estor)	Guatemala	21
Los Pelambres	Chile	19
Antamina	Peru	18
Buenavista del Cobre	Mexico	15
Tenke Fungurume	DRC	14
Escobal Mine	Guatemala	13
Cerro Matoso	Colombia	12

Corporate policies remain insufficient to address risk of abuse

Of the 111 companies associated with at least one allegation in the Tracker, only 43 (39%) have a human rights policy in place, showing significant room for improvement. Salient risks of human rights abuses remain inadequately addressed by corporate policies.

- While a rich body of jurisprudence has been developed regarding Indigenous Peoples' rights at the international, regional and national levels, mining companies have yet to develop adequate policies to respect their rights. In 2023, research by Oxfam examined the policies of the biggest mining companies and found that, while many mention FPIC, a number of them use qualifiers such as *"seek to achieve free, prior and informed consent,"* thus allowing projects to proceed even where consent by Indigenous communities has been withheld. Only two companies have a full policy commitment in place to respect FPIC (**Vale** and **Albemarle**).

- Companies' policies to protect the rights of human rights defenders also remain vastly insufficient, as evidenced by our HRD policy tracker (2023): no mining company policy meets all three criteria laid out in the Corporate Human Rights Benchmark: commitment not to tolerate or contribute to attacks; expect the same in their business relationships; and actively engage HRDs to create enabling environments.

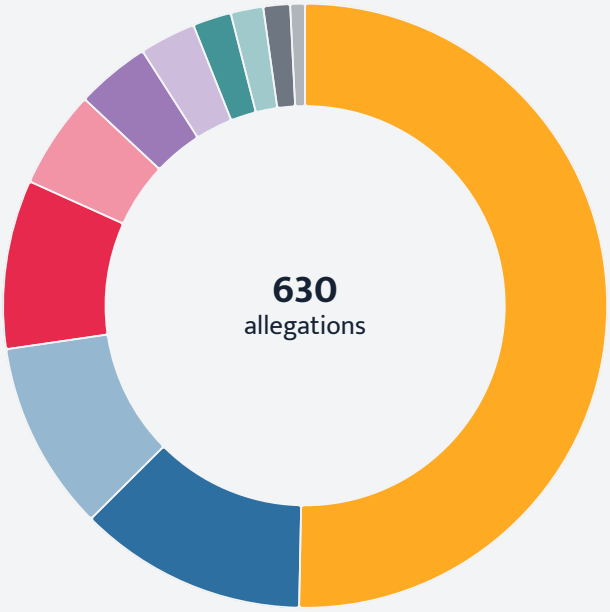
Analysis by minerals

Focus on copper

Copper is a conductive metal and an essential raw material in the energy transition – used in the manufacturing of electric vehicles, solar panels and wind turbines, as well as the development of power grids. In short, the electrification of energy and transport depends on its supply. Chile has the largest global copper reserves (21% of the world's total), followed by Australia and Peru, while copper production is dominated by Chile, DRC, Peru, China and the US. Copper extraction has high water requirements, yet reserves are often located in areas prone to water stress. In Chile, 80% of copper production is taking place in such locations. High water consumption in copper producing areas is likely to generate conflicts with local communities, whose access to water becomes more restricted.

Perhaps unsurprisingly, copper is therefore also the mineral associated with the highest number of allegations in the Tracker across these locations: it was linked to 317 out of 630 allegations (50%) across all years, with 37 out of 91 (41%) allegations for 2023. These allegations led to 45% of all impacts on the environment and 51% of all impacts on communities. Eighty-eight of those allegations were linked to attacks against HRDs and SLAPPs – with 20 out of 24 of all reported cases of SLAPPs across all years, possibly reflecting severe issues with the protection of civic freedoms in countries endowed with copper reserves in South America. This region is one of the worst affected by SLAPPs: of the 385 cases identified globally by the Resource Centre between January 2015 and December 2021, 149 took place in the region, and copper-rich Peru was one of the countries home to the highest numbers of lawsuits bearing the hallmarks of SLAPPs.

ALLEGATIONS BY MINERAL



317 Copper
77 Zinc
64 Copper/cobalt
57 Nickel
33 Lithium
25 Copper and zinc
19 Manganese
13 Bauxite
11 Copper and/or nickel/cobalt
9 Nickel/cobalt
5 Cobalt

In South America, 215 allegations were found (190 for Chile and Peru alone), a high incidence in line with the prevalence of reserves and production taking place in the continent. Across all years, 56 allegations across for cobalt and copper operations came from the DRC, in line with recurring governance and conflicts issues in the country.

Despite this background, copper has largely remained an attractive commodity for long-term investment, as opposed to more volatile ones, such as lithium. However, the Tracker shows that conflicts, community opposition, strikes and protests related to the documented allegations of abuse have all considerably disturbed global production. The closure of **Cobre Panama (First Quantum Minerals)** in 2023 is illustrative.

The **Las Bambas** copper mine in Peru, whose production output accounts for 2% of world copper production, is another case in point. Owned by Chinese company **Minerals and Mining Group (MMG)**, part of **China Minmetals**, it has the highest number of allegations (68 in total) recorded since the Resource Centre began tracking in 2010 – despite **MMG** being the only Chinese-owned mining company having committed to several well-recognised voluntary responsible business initiatives, in addition to its corporate human rights policy. Initially, the mine was owned by **Glencore**, which sold the mine to **MMG** in 2014 – the largest acquisition of an overseas mining asset by a Chinese entity. Over the years, the mine has allegedly caused a series of environmental and human rights impacts, including forced relocation, protests, the violent repression of Indigenous and peasant communities protesting against the mine, as well as killings and imprisonment. In 2018 and 2019, conflict lasting over 200 days erupted over the construction of a road crossing community lands, allegedly without prior consultation. Overall, the site has been described as operating in a constant 'state of conflict', with hundreds of transportation days lost and associated costs of US$9.5million for each day. This illustrates how superficial community engagement can have significant consequences for operations and threaten to derail the global supply of one of the most critical minerals.

COPPER MINES – 2023 ALLEGATIONS

Country	Operation/project	Parent company	Allegations
DRC	**Boss Mining Cobalt & Copper Mine(s)**	Eurasian Resources Group (ERG)	1 ●
	Kamoa-Kakula	Kamoa Kakula	1 ●
	Kolwezi	Kolwezi project	1 ●
	Metalkol RTR Project	Eurasian Resources Group (ERG)	1 ●
	Mutanda	Glencore	1 ●
	Mutoshi	Chemaf (part of Shalina Group)	1 ●
	Tenke Fungurume	Tenke Fungurume Mining (TFM)	1 ●
Zambia	**Mina Kansanshi**	First Quantum Minerals	1 ●
	Lumwana	Barrick Gold	1 ●
	Sentinel	First Quantum Minerals	3 ● ● ●
Australia	**Olympic Dam**	BHP	1 ●
China	**Mina Ashele**	Xinjiang Ashele Copper Co	1 ●
	Mina Dexing	Jiangxi Copper Company	2 ● ●
	Mina Yulong	Yulong Mine	1 ●
Indonesia	**Batu Hijau**	PT Amman Mineral International	2 ● ●
Mexico	**Buenavista del Cobre**	Grupo México	1 ●
	Unidad Minera San Martín	Grupo México	1 ●
Panama	**Cobre Panama**	First Quantum Minerals	8 ● ● ● ● ● ● ● ●
Canada	**Mina Copper Mountain**	Hudbay Minerals	1 ●
Chile	**Alcaparrosa**	Lundin Mining	1 ●
	Andina	Codelco	1 ●
	Carmen de Andacollo	Teck Resources	1 ●
	Chuquicamata	Codelco	1 ●
	Mina(s) El Abra Copper	El Abra	1 ●
	Los Bronces	Los Bronces	1 ●
	Los Pelambres	Minera Los Pelambres	1 ●
	Radomiro Tomic	Codelco	1 ●
	Salvador	Codelco	1 ●
Ecuador	**Llurimagua**	Llurimagua	2 ● ●
	Mirador	Ecuacorriente	3 ● ● ●
Peru	**Antamina**	Antamina	2 ● ●
	Las Bambas	China Minmetals	1 ●
	Tia Maria	Grupo México	2 ● ●
	Tintaya; Antapaccay	Glencore	1 ●

Better protections needed for Indigenous Peoples

The Tracker has added 15 new allegations impacting Indigenous Peoples for 2023, including six allegations of violations of their right to FPIC, seven allegations of violation of their land rights and nine allegations related to water pollution (with some allegations associated with overlapping impacts). This highlights how Indigenous Peoples' resources are deeply affected by the current boom in transition minerals. In the context of two mines – the **Mirador copper mine** in Ecuador and the **Sorowako nickel mine** in Indonesia – Indigenous Peoples have allegedly experienced displacement and forced relocation, in addition to water pollution and impacts on land rights.

Allegations included in the Tracker also show Indigenous Peoples are taking legal action through national and international mechanisms: in Brazil, a coalition of Indigenous and non-Indigenous communities sued **Mineração Paragominas**, first in a Brazilian federal court and then in the Netherlands. In Chile, the El Conchi Viejo Indigenous community – who initiated in 2022 legal action against the **El Abra** copper mine for environmental damages and harms to their cultural heritage – successfully filed a request for protection in 2023, effectively barring the company from carrying out further work on their lands.

One of the most emblematic decisions in 2023 was in Guatemala, in relation to a highly controversial project: the **Fenix (El Estor)** nickel mine. It was approved in 2006, allegedly without the affected Indigenous communities' FPIC. This allegedly led to a series of coercive and violent actions against the Q'eqchi' Mayans community members, including allegations of evictions of families, violent clashes and shootings of community leaders. In a landmark decision in December 2023, the Inter-American Court of Human Rights ruled *inter alia* that the right to judicial protection and the right to collective property under the American Convention on Human Rights had been violated and required mining to stop. In addition, the Court ordered Guatemala to recognise the property rights of the Indigenous community. **Solway Group**, the owner of the mine, has stated it agrees with the Court's decision.

Participants in Indigenous Peoples and the Just Transition: Co-ownership Models and Partnerships for Human Rights and Shared Prosperity, organised by the Resource Centre, Indigenous Peoples Rights International, and Right Energy Partnership with Indigenous Peoples, April 2024

Benefit sharing:
New models as a way forward

In the mining sector, benefit-sharing mechanisms with local communities have historically taken various forms, but mostly revolving around voluntary corporate social responsibility initiatives and other non-binding policies. Facing rising public scrutiny, the mining sector is increasingly pushed to consider other forms of benefit-sharing mechanisms with affected communities. In certain countries, such as Kenya, national policy frameworks include requirements on share of local contents, local procurement and direct employment of the local community. However, common industry approaches have often not delivered on their promises for local development. They have also remained too ad-hoc and not offered the possibility of securing stable, meaningful and culturally appropriate benefits, including financial revenues, at a local level, as well a meaningful ability for Indigenous Peoples to pursue their own to development priorities.

Some countries already have in place a mix of legislative and non-legislative measures to stimulate benefit-sharing with affected communities through community development funds, funded by fiscal revenues or through direct corporate contributions, and Community Development Agreements, used to delineate the direct socio-economic contributions made by companies to affected communities, among others. While the effectiveness of these measures remains to be measured – co-ownership mechanisms by which affected Indigenous Peoples or local communities acquire equity shares in mining assets remain under-researched – they offer significant potential for a more active approach towards the realisation of human rights by giving affected communities a real seat at the table.

A number of Indigenous Peoples, in particular, have called for the adoption of community equity model frameworks, including communities in Peru and Australia. In April 2024, 87 Indigenous Peoples' representatives from 35 countries across seven regions participated in a first-of-its-kind conference on Indigenous Peoples and the Just Transition and issued a declaration expressing a clear call for companies to *"fairly negotiate and implement equitable benefit-sharing mechanisms, including co-ownership and co-equity models, that respect Indigenous Peoples' rights and contributions and ensure respect to their FPIC."*

Several human rights mechanisms, including the Inter-American Court of Human Rights, the African Commission on Human and Peoples' Rights and UN treaty bodies, such as CERD and CEDAW, have reiterated the need for compensation measures for negative impacts on land rights, as well as the sharing of benefits arising from projects undertaken on Indigenous lands. While this obligation pertains to states, the UN Special Rapporteur on the Rights of Indigenous Peoples has noted that in the absence of regulation for such mechanisms, businesses may need to negotiate such agreements directly with Indigenous Peoples and that such compensation and benefit-sharing mechanisms must be understood as a way to comply with the rights of Indigenous Peoples.

In this context, it must be emphasised that compensation and benefit-sharing mechanisms must be aligned with FPIC – and the existence of such mechanisms do not necessarily indicate that FPIC exists. The Committee set up by the International Labour Organisation (ILO) to examine complaints related to mining projects in Ecuador, for example, noted that while agreements between private sector companies and Indigenous Peoples are not prohibited, they are not equivalent to the consultation process under the ILO Indigenous and Tribal Peoples Convention No 169.

Labour rights violations and hazardous working conditions remain a reality

Disregard for individual and collective labour rights, lamentable working conditions and evidence of a lack of distribution of wealth along mining supply chains continues to feature prominently in the Tracker. Transition mineral extraction has long been under the spotlight for egregious allegations of child labour, but the Tracker's data suggests a much wider range of labour rights violations: workers paid a high price in the transition minerals rush in 2023 with 39 allegations impacting them recorded in 2023 alone (162 across all years, or 25%).

Working conditions at mining sites also often remained hazardous, as evidenced by the 20 new allegations related to occupational health and safety issues in 2023 (80 across all years). In South Africa, workers in the **Assmang** manganese mine (a joint venture between **Assore** and **African Rainbow Minerals**) and the **Hotazel** mine (a joint venture between **South32**, **Anglo American** and the **B-BBEE Commission** in South Africa), among others, reported long-term neurological harms as a result of exposure to manganese dust. In Zimbabwe, a fatality at the **Bikita** lithium mine spotlit unsafe working conditions due to extreme working hours and fatigue. The mine was closed for a period of time earlier that year by authorities for labour rights violations and unsafe working conditions. In Morocco's **Bou Azzer** cobalt mine, miners were reportedly being poisoned by the use of arsenic. They also lacked proper equipment, including receiving "boots with holes" and "using no masks", while dealing with explosives and dust and affirmed having been unfairly dismissed upon reporting on any associated illness, such as cancer or injuries.

WORK-RELATED DEATHS ALLEGATIONS (2023 ONLY)

Operation/project	Country of incident	Minerals	Allegations
Arcadia	Zimbabwe	**Lithium**	1 ●
Batu Hijau	Indonesia	**Copper**	1 ●
Bikita Mine	Zimbabwe	**Lithium**	2 ● ●
Bootu Creek Mine	Australia	**Manganese**	1 ●
Bou Azzer	Morocco	**Cobalt**	1 ●
Kansanshi Mine	Zambia	**Copper**	1 ●
Los Bronces	Chile	**Copper**	1 ●
Moa	Cuba	**Nickel, Cobalt**	1 ●
Olympic Dam	Australia	**Copper**	1 ●
San Cristobal	Bolivia	**Zinc**	1 ●
Sandawana	Zimbabwe	**Lithium**	1 ●
Sentinel	Zambia	**Copper, Nickel**	3 ● ● ●
Yulong Mine	China	**Copper**	1 ●

In 2023 alone, the Tracker also recorded 16 newly reported allegations of work-related deaths – bringing the total number of allegations to a staggering 53 across all years.

The vast majority of fatalities were reported as accidents – and often connected with unsafe operating conditions and gross negligence. One case related to a worker at the **Bikita** lithium mine in Zimbabwe, who was allegedly shot by a security guard.

The sector remains particularly prone to pressure on unionised workers, with eight new allegations of violations of the right to unionise and/or freedom of association (37 across all years). In Panama, **Minera Panama** (owned by **First Quantum Minerals**) – operating the now closed **Cobre Panama** copper mine – allegedly discriminated against union leaders. In Indonesia, civil society groups accused **PT Amman Mineral Nusa Tenggara**, the subsidiary of **PT Amman Mineral International** operating the **Batu Hijau** copper mine, of union busting.

Despite these realities, and often at great risk, workers are taking action to claim their rights. In 2023, workers at the **El Aguilar Zinc** mine in Argentina (owned by **Integra Group**), went on strike to demand safer working conditions and salary improvements. In Peru, 1,500 workers at the **Las Bambas** copper mine also went on strike asking for a greater share of profits.

Finally, seven allegations of unfair wages in 2023 suggest profits made by mining companies in the transition mineral boom do not trickle down to workers. For these rightsholders, shared benefit remains a gap for mining companies to close.

Mining operations threaten local ecosystems

For 2023 alone, 41 allegations related to impacts on the environment, among which were 23 allegations of water pollution and/or water access, the leading impact in this category and the second leading source of impacts overall. Those allegations epitomise the growing pressure water-intensive mining operations have on local water resources. Allegations of water pollution often related to violation of environmental safety standards: in Australia, bauxite giant **Alcoa** risked knowingly dumping PFAS-contaminated water into drinking water dam before asking for approval, which was then denied. In 2023, public authorities continued acting against irresponsible business conduct (10 instances of regulatory action recorded globally) – with Chile leading the way (three instances of regulatory action recorded). These included companies operating the **División Andina** copper mine receiving multi-million dollars fine for unauthorised water extraction and an announcement that **Teck Resources** could be fined for not properly monitoring its impacts on groundwater at its **Carmen de Andacollo** project.

Mining tailing dams are designed to retain toxic by-products from mining operations. Their failure can have very severe impacts on the environment and on the right to life, as evidenced by the 2019 Brumadinho dam disaster. Concerns over risk mismanagement have emerged in some of the allegations in 2023. In Ecuador, one of the tailing dams of the **Mirador** copper mine project (**Ecuacorriente**) is said to have been built without complying with environmental regulations and would be at risk of collapsing. In the DRC, authorities halted **ERG-owned Boss Mining** cobalt mining operations as a result of tailing dam overflow that caused substantial damage to the environment and loss of life. In Canada, Indigenous communities and advocates have called on authorities to fully assess the risks to the environment that the extension of the **Copper Mountain** mine project – and its massive tailing dam – could generate.

Public participation rights are under threat

Public participation rights need to be fully upheld to create the conditions of a fast and just energy transition. Ignoring or riding roughshod over these rights has fuelled conflict between private sector actors, authorities and communities around the world.

In 2023, the Tracker recorded 44 new allegations of impacts on local communities, including eight newly reported violations of land rights and six allegations of inadequate/insufficient public consultation. In Panama, the case of the **Cobre Panama** copper mine illustrates how failing to adequately consult with local communities can have serious consequences. The absence of thorough consultation with communities – as established by the Escazú Agreement which Panama has ratified – on the extension of the exploration concession of **First Quantum Mineral**'s (FQM) **Cobre Panama** mine, one the world's largest copper mines, coupled with the mine's poor environmental record, sparked the largest protests seen in the country in the past three decades. Pressure from environmental, Indigenous and worker groups ultimately led to Panama's Supreme Court declaring the contract unconstitutional in November 2023 on the ground of violations to fundamental rights. Similarly, in March 2023, an Ecuadorian court revoked the licence and suspended the operations of the **Llurimagua** mine owned by a **Codelco** and **ENAMI** after confirming violations of the right to consultation and of environmental rights. The court ruling was based on the argument that the environmental impact assessment submitted by the companies in 2014 had failed to fulfil the right to consultation on environmental matters of the communities situated within the project's area of influence.

Facing continued attacks against their collective rights, communities have continued resisting and demanding a fairer approach to extraction, including through initiating legal action against mining companies to protect their lands and resources. In China, a civil society organisation initiated an environmental pollution civil public interest lawsuit against the **Dexing** copper mine – the largest copper mine in Asia.

Human rights defenders continue to pay the highest price

During 2023, the Resource Centre recorded 630 instances of attacks against people raising concerns about business-related harms, directly affecting an estimated 20,000 people, across all sectors. Of these, 14 were specifically related to transition mineral mining operations included in the Transition Mineral Tracker. Mining is consistently the most dangerous sector for HRDs.

Attacks included killings, judicial harassment, physical violence and other types of non-lethal attacks, illustrating the range of tactics used by both companies and states to repress civic freedoms and silence the important voices of HRDs. Unfortunately, most allegations of attacks – both lethal and non-lethal – against HRDs go uninvestigated and unpunished, promoting a culture of impunity and fueling further attacks. This is just the tip of the iceberg: our research is based on publicly available information and because many attacks never make it to media sources and there remains a significant gap in government monitoring of attacks, the problem is even more severe than these figures indicate. These attacks can also affect HRDs' physical safety and mental, emotional and economic well-being. Moreover, attacks on HRDs have a broader effect, causing harm to HRDs' families, their communities and resistance movements. They can also have a chilling effect on the defence of human rights more broadly.

HRD ATTACKS (2023 ONLY)

Operation/project	Country of incident	Allegations
Chuquicamata	Chile	1
Cobre Panama	Panama	6
Escobal Mine	Guatemala	1
Fenix (El Estor)	Spain	1
Los Pelambres	Chile	1
Mirador	Ecuador	1
Sorowako Mine	Indonesia	1
Tia Maria	Peru	2

Six of those allegations recorded in 2023 were related to the **Cobre Panama** mine in Panama. On 23 October 2023, at least 30 activists were arrested following protests against the Panamanian Government's renewal of a copper exploration concession at the largest open-pit copper mine in Central America, operated by **Minera Panama**, a subsidiary of Canada's **First Quantum Minerals**. At the beginning of 2024, 21 of those arrested were charged with terrorism.

HRDs have raised concerns about environmental damage, harm to biodiversity and corruption related to the project. Since the beginning of the protests against the renewal of the concession in October 2023, several people have been injured, including journalist and activist Aubrey Baxter, who lost an eye due to excessive use of force by the police. On 1 November 2023, Diógenes Sánchez, a member of the Panama Teacher's Association (Asociación de Profesores de Panamá – Asoprof), was arrested by police following his active participation in the protests. On 7 November 2023, Abdiel Díaz and Iván Rodríguez were shot and killed by an unknown individual.

Companies use a range of legal harassment strategies to threaten defenders. SLAPPs tend to have a chilling impact on activism as they drain HRDs, organisations and communities of their resources and can act as a deterrent for future human rights defence. In Indonesia, in March 2023, **PT Vale Indonesia** reported the residents of Sorowako to the East Luwu police for illegal land use, even though the site had previously been set aside as compensation to replace the community land taken by **PT Vale Indonesia** for nickel mining activities on Mount Songko in the 1970s.

Risks to human rights in mining are gender-sensitive

In recent years, research has evidenced the link between extractive activities and the perpetuation of gender inequalities poses key challenges to women's equal enjoyment of rights. The Tracker data underscores these gendered impacts in transition mineral mining, yielding a total of 17 allegations, four of which are from 2023.

These allegations demonstrate how the sector needs to better guarantee women's social, political and economic participation at a project level. In Zambia, the company operating the Mopani copper mine would have undermined women's right to participation in land-related negotiations because the law only required the community Chief to be consulted. Similarly, in an allegation from the **Sangaredi** bauxite mine in Guinea, women's access to information was reportedly curtailed as the company provided only written texts on compensation agreements in a context where women were illiterate, which also affected their ability to secure fair compensation.

Moreover, allegations demonstrate how women encounter barriers to accessing job opportunities in the mining sector, facing discrimination and exclusion, such as at **Bikita** lithium mine in Zimbabwe, where a woman reported having been denied a bonus payment after taking maternity leave, or at the **Rosh Pinah** zinc mine in Namibia, where employees were suspended after expressing their concerns over gender quotas not being fulfilled.

In addition, allegations also illustrate the threats and violence women HRDs experience when raising their voice on human rights abuses. These attacks are subject to gender-specific dynamics, such as intrusions into women's private lives. Women, who typically bear a disproportionate burden of caregiving responsibilities, tend to be more emotionally tied to their families. This closeness also makes women HRDs' family members vulnerable to the attacks. For instance, when Carolina Zumara, a union leader who worked for **Codelco**, spoke in 2018 about the mistreatments she faced for raising her voice for workers' rights, she asserted her mother was told Carolina and her son would be killed if Carolina did not cease her activism.

Allegations recorded in the Tracker also demonstrate how women are disproportionately affected by environmental degradation and pollutions around mining sites. For example, women living close to the **Cerro Matoso** nickel mine in Colombia have seen their right to health severely affected, with high numbers of them being diagnosed with uterine fibroids, which the national legal medicine authority found to be correlated to pollution created by mining activities. At **Buenavista del Cobre** copper mine in Mexico, a toxic spill has led to injuries to women's bodies and faces, resulting in women avoiding public spaces, thus affecting their mental health.

Women's access to decent livelihoods can also be affected, which often translates into impacts on their right to food security, health and autonomy, among others. Around the **Sangaredi** bauxite mine in Guinea, environmental damage resulted in an increased burden on women's unpaid labour, such as fetching clean water, while simultaneously impacting their paid activities, such as income generated from crops and gardening.

Allegations from the Tracker also expose gender-based violence in transition mineral mining involving foreign workers or security personnel. For instance, at **PTVI** nickel mine in Indonesia, increased demand for women's sex work paralleled the arrival of high-salaried foreign workers. At **Fenix** nickel mine in Guatemala, private security forces allegedly raped 11 women during a forced eviction in 2009, while military forces reportedly sexually assaulted a woman during forced evictions related to **Metalkol RTR** copper and cobalt project in DRC.

Regional updates

South America

South America continues to be the region associated with the highest number of allegations: 28 for 2023, of which 10 were in Chile, a country endowed with vast copper and lithium resources. Chile is poised to continue playing a significant role in providing transition minerals and is also expecting to derive profits from the current transition minerals rush as it adopted a new mining tax regime in 2023. Three instances of regulatory action were recorded in Chile in 2023 – the highest count for a single country. Peru, home to the **Las Bambas** mine which has recorded 68 allegations across all years, the highest count of any single project, came second in 2023 with seven recorded allegations and 137 allegations recorded across all years.

Cases in the region have continued to evidence a pattern of interrelation between impacts on the environment and on local communities. In Colombia, the **Cerro Matoso** nickel mine (owned by **South32**) continues to be accused of having contaminated local area residents, impacting women's health and contributing to a higher prevalence of lung cancer. Children living near the **Antamina** copper and zinc mine in Peru (a joint venture between **BHP**, **Glencore**, **Teck Resources** and **Mitsubishi Corporation**) were allegedly poisoned with lead and arsenic.

A – allegations, **LC** – local communities and attacks against civil society organisations, **E** – environmental impacts, **W** – impacts on workers, **G** – governance and transparency, **S** – security issues and conflict zones, **C** – Covid-19 pandemic

Country	Parent company	Operation/project	Minerals	A	LC	E	W	G	S	C
Argentina	Integra Capital	El Aguilar	Zinc	1			4			
Bolivia	Minera San Cristobal	San Cristobal	Zinc	1			2			
Brazil	Norsk Hydro	Paragominas Mine	Bauxite	1	6	2				
Chile	Codelco	Andina	Copper	1		2				
		Chuquicamata	Copper	1	3		1			
		Radomiro Tomic	Copper	1			1			
		Salvador	Copper	1			1			
	El Abra	Unknown	Copper	1	2					
	Los Bronces	Los Bronces	Copper	1			3			
	Lundin Mining	Alcaparrosa	Copper	1		2				
	Minera Los Pelambres	Los Pelambres	Copper	1	3	1				
	SQM	Unknown	Lithium	1	1	2				
	Teck Resources	Carmen de Andacollo	Copper	1		1				
Colombia	South32	Cerro Matoso	Nickel	3	6	4				
Ecuador	Ecuacorriente	Mirador	Copper	3	3	3				
	Llurimagua	Llurimagua	Copper	2	3	3				
Peru	Antamina	Antamina	Copper, Zinc	2	4	1				
	China Minmetals	Las Bambas	Copper	1			2			
	Glencore	Tintaya; Antapaccay	Copper	1		4				
	Grupo México	Tia Maria	Copper	2	6	6				
	Nexa Resources	Unknown	Zinc	1		2				
				28	37	33	14			

Middle East & Africa

The region comes second in the number of allegations (26) collected in 2023. The impacts on local communities of large-scale copper and cobalt mining operations in the Katanga region of the DRC continue to feature. In the case of two projects, egregious abuses perpetrated by State armed forces were recorded. An increasing number of allegations were located in Zimbabwe, with 10 allegations recorded in 2023, compared to just two between 2010 and 2022. The country is a more recent mineral producer, including as a key source of lithium. The Tracker's findings highlight areas for improvements within the country, including good governance, as allegations of corruption in the allocation of licences for the **Sandawana** project have surfaced.

In the DRC, an investigation by Amnesty International uncovered evidence of allegations of displacement and forced relocations of communities living near the **Kamoa-Kakua**, **Kolwezi** and **Mutoshi** mines (copper/cobalt), including in the case of the **Mutoshi** and **Metalkol**, use of violence by state forces in the process. In Namibia, alarming levels of lead in the blood of children living near the **Rosh Pinah** zinc mine (**Trevali Mining**) were reported. In Morocco, an investigation revealed alleged widespread labour and environmental rights abuses at the **Bou Azzer** cobalt mine (**Managem**). The company denied any wrongdoing.

A – allegations, **LC** – local communities and attacks against civil society organisations, **E** – environmental impacts, **W** – impacts on workers, **G** – governance and transparency, **S** – security issues and conflict zones, **C** – Covid-19 pandemic

Country	Parent company	Operation/project	Minerals	A	LC	E	W	G	S	C
DRC	Chemaf	Mutoshi	Copper, Cobalt	1	4				3	
	ERG	Unknown	Copper, Cobalt	1	1	3				
		Metalkol RTR Project	Copper, Cobalt	1	6				2	
	Glencore	Mutanda	Copper, Cobalt	1			2			
	Kamoa Kakula	Kamoa-Kakula	Copper, Cobalt	1	2					
	Kolwezi project	Kolwezi	Copper, Cobalt	1	3					
	Tenke Fungurume Mining	Tenke Fungurume	Copper, Cobalt	1	1		3			
Namibia	Trevali Mining Corporation	Rosh Pinah	Zinc	1	1	1				
South Africa	Assmang	Unknown	Manganese	1			1			
	Hotazel Manganese Mines	Hotazel	Manganese	1			1			
Zambia	Barrick Gold	Lumwana	Copper	1	1					
	First Quantum Minerals	Kansanshi Mine	Copper	1			3			
		Sentinel	Copper, Nickel	3			9			
Zimbabwe	Kuvimba Mining House	Sandawana	Lithium	4	3	2	5	3		
	Sinomine Resource Group	Bikita Mine	Lithium	4	1		8		2	
	Zhejiang Huayou Cobalt	Arcadia	Lithium	1			9			
Morocco	Managem	Bou Azzer	Cobalt	2	1	6	6			
				26	24	12	47	3	7	

Europe & Central Asia

Eastern Europe & Central Asia (EECA) is emerging as a new hotspot for transition minerals extraction and supply, primarily due to the vast deposits of minerals, including manganese, chromium, lead, zinc, copper and titanium. The **Bor** copper mine in Serbia continues to be a controversial project, with two new allegations related to labour rights issues in 2023. Analysis by the Resource Centre on allegations related to regionally significant extracting, smelting and processing projects evidence how the urgent need for a fast transition to clean energy has driven a boom in demand for transition minerals.

A – allegations, **LC** – local communities and attacks against civil society organisations, **E** – environmental impacts, **W** – impacts on workers, **G** – governance and transparency, **S** – security issues and conflict zones, **C** – Covid-19 pandemic

Country	Parent company	Operation/project	Minerals	A	LC	E	W	G	S	C
Serbia	Zijin Mining	Bor Mines	Zinc	3			5			
Spain	Solway Group	Fenix (El Estor)	Nickel	1	3	1				
				4	3	1	5			

Asia & the Pacific

Indonesia continues to the region's leading country in terms of number of allegations, with significant impacts on local communities and Indigenous Peoples. This was exemplified by the reported overlap between the **Weda Bay** nickel mining operation concession on the Halmahera Island and the lands of the Hongana Manyawa, an uncontacted tribe. Australia, a country endowed with vast mineral resources and home to some of the world's largest mining companies, also recorded four allegations – all related to allegations of violations of environmental and safety standards.

A – allegations, **LC** – local communities and attacks against civil society organisations, **E** – environmental impacts, **W** – impacts on workers, **G** – governance and transparency, **S** – security issues and conflict zones, **C** – Covid-19 pandemic

Country	Parent company	Operation/project	Minerals	A	LC	E	W	G	S	C
Australia	Alcoa	Huntly Mine	Bauxite	1		3				
		Willowdale Mine	Bauxite	1		3				
		Olympic Dam	Copper	1			3			
	OM Manganese	Bootu Creek Mine	Manganese	1			3			
China	Jiangxi Copper Company	Dexing Mine	Copper	2	3	6				
	Xinjiang Ashele Copper Co	Ashele Mine	Copper	1			1			
	Yulong Mine	Yulong Mine	Copper	1			2			
Indonesia	Dairi Prima Mineral	Dairi Prima Project	Zinc	1		4				
	PT Amman Mineral Intl.	Batu Hijau	Copper	2			6	1		
	PT Vale Indonesia Tbk	Sorowako Mine	Nickel	2	14	3				
	PT Weda Bay Nickel	Weda Bay Project	Nickel, Cobalt	1	4	1				
				14	21	20	15	1		

North America

The **Copper Mountain** project (owned by **Hudbay Minerals**) and its planned extension has been the subject of concerns by Indigenous groups in Canada, who are calling for an environmental impact assessment (EIA) to be conducted. The company has provided a response, citing the December 2023 decision by British Columbia's authorities, confirming a new EIA is not needed.

A – allegations, **LC** – local communities and attacks against civil society organisations, **E** – environmental impacts, **W** – impacts on workers, **G** – governance and transparency, **S** – security issues and conflict zones, **C** – Covid-19 pandemic

Country	Parent company	Operation/project	Minerals	A	LC	E	W	G	S	C
Canada	Hudbay Minerals	Copper Mountain Mine	Copper	1		3				
USA	Teck Resources	Red Dog Mine	Zinc	1			1			
				2		3	1			

Mexico, Central America & the Caribbean

Most allegations for 2023 related to the controversies around the now closed **Cobre Panama** copper project, with six of those eight allegations relating to attacks against HRDs raising concerns over the project's impacts on local communities and the environment.

A – allegations, **LC** – local communities and attacks against civil society organisations, **E** – environmental impacts, **W** – impacts on workers, **G** – governance and transparency, **S** – security issues and conflict zones, **C** – Covid-19 pandemic

Country	Parent company	Operation/project	Minerals	A	LC	E	W	G	S	C
Cuba	Moa JV	Moa	Nickel, Cobalt	1			3			
	Pan American Silver	Escobal Mine	Zinc	1	4	1				
		Unknown	Zinc	2		2	3			
	Grupo México	Buenavista del Cobre	Copper	1	2	4				
		San Martín Mining Unit	Copper, Zinc	1			2			
		Taxco	Zinc	1			1			
	Newmont	Peñasquito	Zinc	2	1	3	2			
Panama	First Quantum Minerals	Cobre Panama	Copper	8	18	9	3			
				17	25	19	14			

Annex:
Terms and approaches

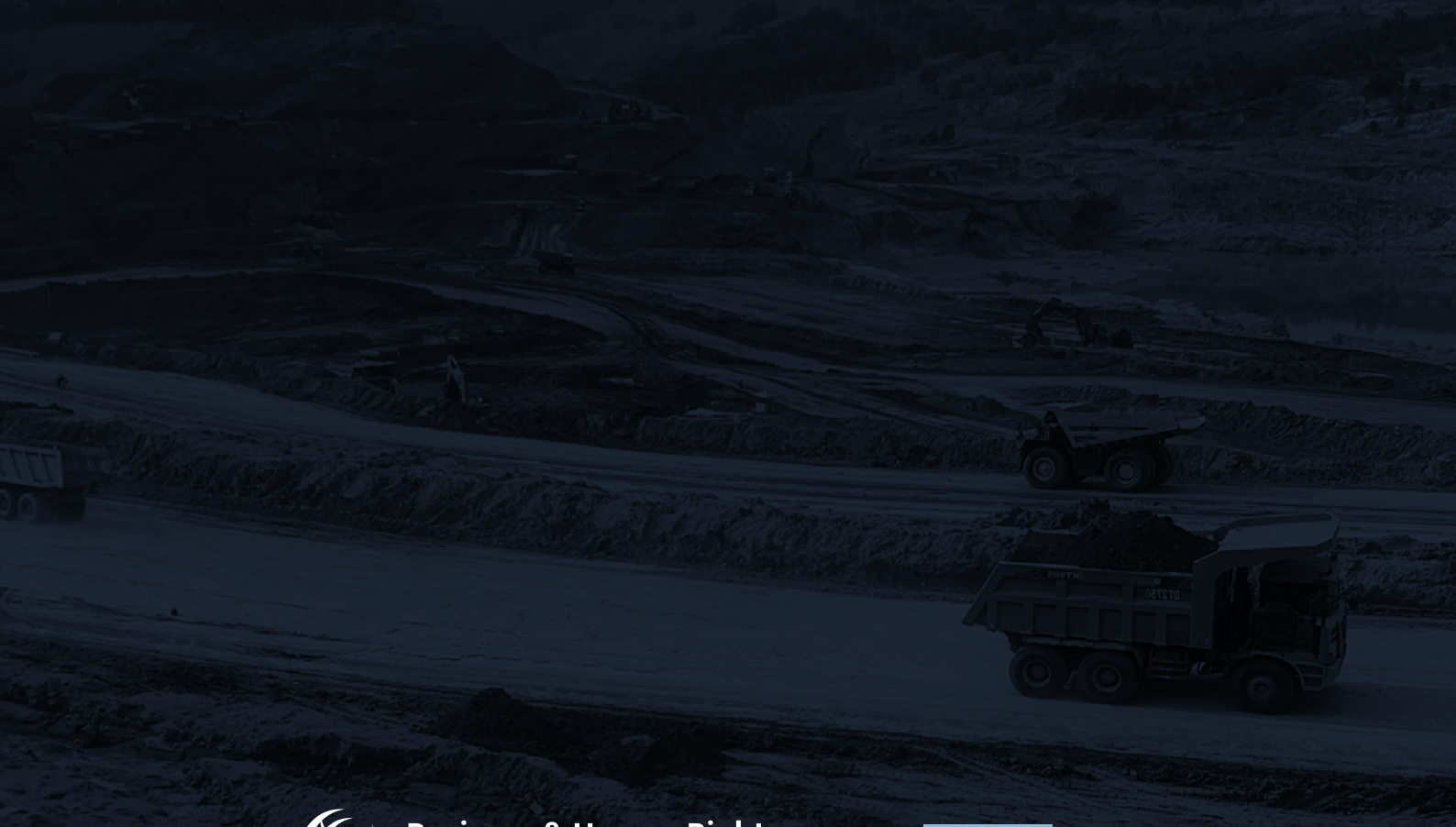
The term 'Tracker' refers to this tool's entire dataset covering 160 companies and their 220 mining operations from 2010-2023. The Tracker aims to cover significant and large-scale mines that are, or have recently been, in production for seven key transition minerals (bauxite, cobalt, copper, lithium, manganese, nickel and zinc) across all geographies. The list of mines covered in the Tracker has also been reviewed and expanded in 2023 to ensure it captures top producing mines for each of the minerals, with the inclusion of 55 additional mines.

This fifth edition of the Tracker follows previous analysis and covers allegations between 2010 and 2023, with allegations for the most recently opened mines and for bauxite mines ranging from 2019 to 2023. **The term 'allegation' refers to publicly reported allegations of specific incidents of: alleged abuse by a company, action against companies including lawsuits and regulatory action or publicly reported attacks against human rights defenders.** One allegation can be associated with multiple impacts i.e., an incidence of water pollution may have other impacts, such as health impacts or impact on livelihoods. Our typology includes 65 types of impact, analysed in six categories: environmental impacts (E), local communities and attacks against civil society organisations (LC), impacts on workers (W), governance and transparency (G), security issues and conflict zones (S) and the Covid-19 pandemic (C). The full dataset is available for download on our website.

The Tracker does not purport to provide comprehensive information on all allegations of abuses against all mining companies. Furthermore, it only includes publicly available information – which is a function of the state of media and civic freedoms. Restrictions in certain parts of the world, coupled with limited means of action for affected parties and fears of reprisals, can translate into under-reporting of abuses.

In line with the Resource Centre's broader policy, we make every effort to reach out to companies accused of abuse and ask them to respond to allegations made, unless the company has already publicly commented on the case, publicly declined to comment (we publish additional comments provided by companies when volunteered), or if the abuse is the basis of a lawsuit or regulatory action.

A full Tracker Methodology is available on the Resource Centre website.



Business & Human Rights Resource Centre

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Business & Human Rights Resource Centre is an international NGO which tracks the human rights impacts of over 10,000 companies in over 180 countries, making information available on our 10-language website.

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This report was updated in September 2024 to reflect new information about the previous data set. An earlier version of the report included one additional allegation which has now been removed from the analysis