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Osgoode students fight alleged abuses by Canadian companies abroad



Professor Emeritus Shin Imai (left), Lisa Rankin '25 and Chase McNabb '25.

Canadian mining companies backed by federal government officials are trampling on the rights of Indigenous peoples abroad, even as they promote reconciliation with First Nations at home, say law students and lawyers working for Osgoode's Justice and Corporate Accountability Project (JCAP).

"It is shocking, the human rights abuses – from environmental abuses, violence, kidnapping and the destruction of homes linked to these projects," said 2L student Lisa Rankin, a former human rights worker in Guatemala.

"And a lot of these companies are on the Toronto Stock Exchange or part of pension funds like the CPP or the Ontario Teachers' Pension Plan," she added. "As Canadians, we are all very involved and tied into that, and I think we have a role in becoming more aware of where we're investing and what Canadian companies are doing abroad."

JCAP has detailed its concerns in a report to the UN Human Rights Council, which is scheduled to release its periodic review of Canada's human rights record in November. Under its Universal Periodic Review (UPR) process, the council surveys the human rights record of each of the UN's 193 member countries every four to five years.

Co-founded by Professor Emeritus Shin Imai and former Osgoode students, the volunteer-driven, transnational legal clinic based at Osgoode has worked to raise awareness of human rights abuses by Canadian companies abroad since

“The support they give them is incredible,” he added. “It’s almost like no questions asked. It’s sad to see my own government involved in that type of deception.”

JCAP’s work was cited in [an Aug. 18 report in *The Guardian* newspaper](#) about a 15-year campaign by Indigenous environmental and land defenders in Guatemala to address the health impacts, land and water contamination and structural damage caused by a Canadian gold and silver mine.

Documents uncovered by JCAP through freedom of information requests purport to show that Canadian government officials have lobbied on behalf of Canadian mining and fossil fuel companies facing community opposition, litigation and tax increases in Guatemala, Mexico, Peru, Tanzania, Sudan, Madagascar and Burkina Faso.

In January 2018, the Canadian government announced the creation of the Canadian Ombudsperson for Responsible Enterprise (CORE), noted Rankin. But she said even the ombudsperson, Sheri Meyerhoffer, has lamented her lack of power in holding Canadian companies fully accountable for their practices abroad.

Rankin said she became familiar with JCAP during the 15 years she worked in Guatemalan communities for the Maritimes-Guatemala Breaking the Silence Network, which supports the efforts of Guatemalans struggling for political, social and economic justice.

“That work with Shin is why I chose to come to Osgoode,” she said. “I had the opportunity to work with a few law firms bringing really precedent-setting cases in Canada that he was very connected with – and I thought JCAP is just so cool.”

JCAP’s work also inspired 2L student Chase McNabb to pursue a legal career at Osgoode. He first met some of the organization’s leaders in 2017 following a trip to Guatemala, where he met human rights and environmental defenders there adversely affected by Canadian mining companies.

McNabb said JCAP is not only a leader in corporate accountability activism in Canada, but in the world. Working with the organization, he added, has offered a disturbing view into the sheer number of human rights violations involving Canadian companies abroad and the scope of their impunity.

“The consequences of this problem often go unnoticed and unreported, let alone receive the critical examination they deserve,” he said.

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