

Geneva, 8 May 2023

Mr. Tristan Pascall  
CEO  
First Quantum Minerals Ltd.

cc: Minister of Labour and Labour Development, Ms. Doris Zapata Acevedo

## **Calling on First Quantum Minerals to guarantee respect of the right to freedom of association of workers at its subsidiary Minera Panama**

Dear Mr Pascall,

I am writing on behalf of [IndustriALL Global Union](https://www.industrial-all.org/), the global union federation representing more than fifty million workers in the manufacturing, energy and extractive manufacturing sectors in 140 countries, to urge your company to respect the right to freedom of association of workers at Minera Panama, a subsidiary of First Quantum Minerals.

We have been informed by the Sindicato Industrial de Trabajadores de la Construcción de Minas y Desarrollo de la Minería (STM), affiliated to the Confederación Convergencia Sindical (CS) of Panama, about activities carried out by management, which are in violation of the fundamental right to organise and bargain collectively as enshrined in ILO Conventions 87 and 98.

We condemn the illegal dismissal of the STM leaders, the delay in complying with the rulings of the Supreme Court of Justice of Panama regarding the reinstatement of the General Secretary, as well as the repeated violations of the right to freedom of association, which have had the effect of denying union leaders the right to carry out their legitimate trade union activities at a time when the labour authorities are poised to determine which of the two unions at the company have a majority for the purposes of collective bargaining.

Specifically, we would like to draw your attention to the following:

- The company continues to refuse to reinstate STM General Secretary Osvaldo Tallet to the same position and with the same conditions he enjoyed before his unfair dismissal and continues to insist on assigning him duties that are not stipulated in his contract.
- Three additional leaders, José Ibarra, Abel Rojas, Maxwell del Cid, are also in a situation where they do not have access to the mine.
- The company is discriminating against Osvaldo Tallet and José Ibarra by not covering their accommodation expenses as it does for other workers in an isolated mining project.
- Maurin Flores, Roberto Rodney, Franklin Estribi, three activists who recorded videos in support of the STM as part of the union's affiliation campaign, have suffered reprisals and are prevented from reporting for work. The company is taking advantage of an agreement signed with the other union, UTRAMIPA, which allowed it to send workers on paid leave while

negotiations were ongoing with the government over taxes and royalties. Even though the rest of the workforce has since been called back to work, the company is using the agreement as a pretext to keep the three activists out of the workplace.

Denying union leaders and activists access to the mine means they are unable to hold meetings and assemblies with their members and other workers and thus conduct their legitimate trade union activities. The ILO recognizes that access to the workplace is of particular importance in cases where workers live in places that are privately owned by a company, such as in a mining camp.

First Quantum's actions represent a serious violation of the fundamental right to freedom of association, which includes the freedom of workers to freely form and join organisations of their own choosing. Anti-union discrimination represents one of the most serious violations of freedom of association, as it can jeopardise the very existence of trade unions. Any favourable or unfavourable treatment towards one union over another can influence the decision of workers when choosing which organisation to join and therefore represents a serious act of discrimination.

Mr. Pascall, we urge you to take the necessary steps to reverse the acts of discrimination against the STM and to ensure full respect for the right to freedom of association.

We look forward to your response.

Yours sincerely,



Atle Høie  
General Secretary