



# Formal Deposition and Urgent Appeal

Human Rights Violations and Denial of Justice: The Stablex Case and the Imposition of Bill 93 in Quebec

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**TO: Dr. Marcos A. Orellana**  
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"Communication regarding the imminent destruction of the Great Bog of Blainville and the direct threat to public health and access to justice for Canadian citizens."

*Millennial ecosystem threatened by the expansion of the Stablex hazardous waste site (Cell 6).*

Submitted in Blainville, May 2026 · Document transmitted electronically to the Secretariat of the Special Procedures of the OHCHR.

FORMAL DEPOSITION TO THE UNITED NATIONS

# I. Executive Summary and Standing

This report constitutes a formal deposition addressed to the Special Rapporteur on the human rights implications of the environmentally sound management and disposal of hazardous substances and wastes, **Dr. Marcos A. Orellana**. This communication is filed on behalf of the community of Blainville, Quebec, and specifically on behalf of a **14-year-old citizen acting as a representative of future generations** whose fundamental rights are directly and irremediably compromised by the combined actions of the Government of the Province of Quebec and the Federal Government of Canada. [1][2]

## The Core Issue

The subject of this complaint is the imposition of the *Act respecting the transfer of a property of the Ville de Blainville* (hereinafter "**Bill 93**"), sanctioned on March 27, 2025. This exceptional legislation aims to force the expansion of the Stablex Canada Inc. hazardous waste landfill site onto the territory of the Great Bog of Blainville, an ecosystem of inestimable ecological value.

## Legal Framework Violated

Through this law, the government has not only ignored the scientific recommendations of the *Bureau d'audiences publiques sur l'environnement* (BAPE) but has also orchestrated a **denial of justice** by stripping citizens and the municipality of their fundamental right to challenge the project before regular judicial bodies. [1][2]

The following legal analysis demonstrates that the situation in Blainville constitutes a flagrant violation of **Section 7 of the Canadian Charter of Rights and Freedoms, Article 3 of the Universal Declaration of Human Rights (UDHR), and UN General Assembly Resolution 76/300** recognizing the right to a clean, healthy, and sustainable environment. [1][2]

**Table 1: Key Stakeholders and Responsibilities in the Stablex Case**

Stakeholder	Role and Responsibility	Impact on Human Rights	Source
<b>Stablex Canada Inc.</b>	Subsidiary of Republic Services (USA). Operator of the toxic waste treatment site. Emitter of contaminants (cadmium, arsenic). Pressure for expansion.	Direct contamination risk	[3]
<b>Government of Quebec</b>	Responsible for adopting Bill 93 under a "gag" (closure) procedure.	Violation of the right to an effective remedy. Forced expropriation.	[1][5]
<b>Government of Canada</b>	Signatory to international treaties. Responsible for the protection of migratory birds.	Failure to intervene in the face of a transboundary toxic risk.	[1][2]
<b>City of Blainville</b>	Expropriated municipality. Defender of the Great Bog.	Victim of an infringement on municipal and democratic autonomy.	[3][6]
<b>Citizen Coalition</b>	Grouping of organizations (Eau Secours, Mères au front, etc.).	Source of evidence regarding contamination and aquatic mortality.	[3][4]



## II. Technical and Environmental Context of the Stablex Plant

The Stablex plant, operating since 1983 in Blainville, is the only center in Quebec authorized for the final disposal of materials resulting from a stabilization and solidification treatment of industrial inorganic residues. The process used, often compared to the "Sealosafe" system, consists of mixing highly toxic waste with cementitious binders and polymers to create a solid block intended to trap contaminants. [1][2][3][4][5]

### Structural Weakness

However, the robustness of this process is subject to significant scientific criticism. Technical data indicates that the final compound reaches a strength of only **200 psi (1.38 MPa)** after one year of curing, which is significantly lower than the National Building Code's minimum standards for stable structures. This structural weakness, combined with the planned accumulation of 8 to 13 million tons of waste in a cell (**Cell 6**) reaching 22 meters in height, poses a risk of "punching through" the underlying clay layer and causing a catastrophic collapse. [1][2][3][4][5]

### The Great Bog of Blainville

The chosen location for this expansion is the **Great Bog of Blainville**, a millennial ecosystem that provides natural water filtration and the sequestration of massive amounts of carbon. The BAPE concluded in September 2023 that the project was "premature" and that existing capacities were sufficient until 2030, rendering the urgency invoked by the government devoid of scientific basis. [1][2][3]

**Table 2: Physical and Technical Characteristics of the Expansion Project (Cell 6)**

Parameter	Technical Specification	Environmental Implication	Source
<b>Storage Volume</b>	~8 million m <sup>3</sup> / 13 million tons	Massive concentration of toxins on a single site.	[1][2]
<b>Structure Height</b>	22 meters (equivalent to 8 stories)	Risk of structural failure due to weight overload.	[3]
<b>Affected Area</b>	60 to 71 hectares of natural environments	Destruction of carbon sinks and species habitats.	[1][3]
<b>Origin of Waste</b>	~30% USA, 12% other provinces	"Toxic Colonialism": importation of foreign risks.	[6]
<b>Operating Period</b>	Until 2065-2067	Commitment of the territory for three generations.	[1]



# III. Violation of the Right to Life and Security

## Section 7 Charter / Art. 3 UDHR

The right to life and security of the person is the fundamental pillar of any human rights system. In Canadian constitutional law, Section 7 of the Charter protects against state actions that threaten physical integrity or impose serious health risks. Jurisprudence has evolved to recognize that forced exposure to toxic substances, without rigorous justification in accordance with the principles of fundamental justice, constitutes a violation of this right. [1][2][3]

### Physical Integrity Threat through Toxic Exposure

The expansion of Stablex in Blainville imposes a risk of chronic exposure to persistent, bioaccumulative, and toxic (PBT) substances on the population. Stored residues include **arsenic, cadmium, lead, mercury, and cyanides**. Special Rapporteur Marcos Orellana has emphasized in his thematic reports that exposure to such substances, without the free and informed consent of the populations, amounts to an infringement on human dignity and life. [1][2][3]

A citizen sampling campaign conducted in December 2023 revealed **cadmium concentrations 320 times higher** than environmental standards in surface waters near the site. Cadmium is a highly carcinogenic heavy metal whose exposure is linked to kidney failure and bone system damage. By adopting Bill 93, the government deliberately chooses to facilitate the accumulation of these poisons rather than applying the Precautionary Principle. [1][2][3]

### Risk of Structural Catastrophe

The "security of the person" aspect is also engaged by the risk of major failure of Cell 6. The burial of millions of tons of stabilized waste in a water-saturated wetland presents hydrogeological challenges that Stablex's impact study appears to have minimized. A breach of the sealing membrane or soil liquefaction under the weight of the structure would lead to **irreversible contamination of deep aquifers and fractured rock**, compromising access to drinking water for thousands of citizens. [1][2][3]



## IV. Denial of Justice and Effective Remedy: The "Legislative Gag"

The adoption of Bill 93 represents a major rupture with the Rule of Law in Canada. The concept of "denial of justice" is not limited to the absence of courts but encompasses any legislative measure that prevents a citizen from exercising an effective remedy to protect their fundamental rights. [1][2][3]

### Bill 93: A Tool of Legislative Coercion

The Government of Quebec used the "gag" (closure procedure) to cut short debates in the National Assembly and force the adoption of the law in **less than 24 hours** of intensive session. This exceptional procedure is normally reserved for national crisis situations; its use to favor a private company (Stablex) constitutes a flagrant misuse of power. [1][2][3]

### Judicial Exclusion Clauses

More seriously, Bill 93 contains **judicial exclusion clauses**. It stipulates that the forced sale of the land and the resulting authorizations cannot be challenged in court on their merits, limiting remedies solely to questions of jurisdiction. This provision strips the right to a fair trial and the right to an effective remedy, guaranteed by Articles 8 and 10 of the UDHR, of their meaning. [1][2][3]

Table 3: Analysis of Procedural Infringements in Bill 93

Mechanism of Bill 93	Effect on the Citizen / The City	Violation of International Norms	Source
Forced Expropriation	Withdrawal of municipal property rights without consent.	UDHR Art. 17 (Right to property).	[5][6]
Relative Immunity	Prevents lawsuits for damages caused before April 15.	Right to reparation and effective remedy.	[5]
Withdrawal of Judicial Review	Courts cannot review the decision on its merits.	UDHR Art. 8 (Effective remedy).	[5]
Gag Procedure	Suppression of democratic parliamentary debate.	ICCPR Art. 25 (Public participation).	[3][5]



# V. Violation of the Right to a Healthy Environment

## UN Resolution 76/300 (2022)

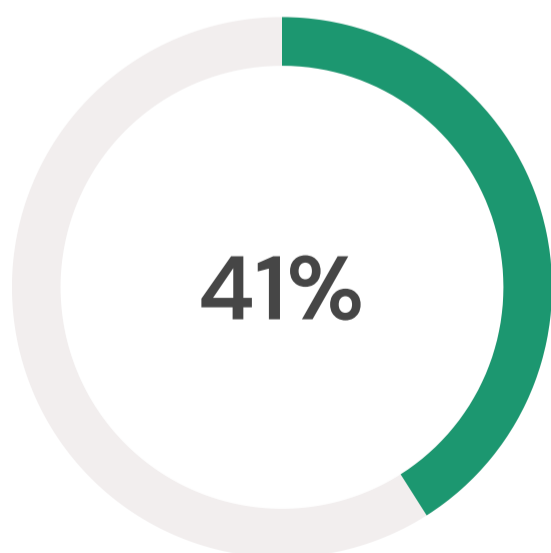
On July 28, 2022, the UN General Assembly adopted a historic resolution (76/300) recognizing the right to a clean, healthy, and sustainable environment. The Stablex project, as imposed by Bill 93, directly conflicts with this emerging international norm. [1][2][3][4]

### "Toxic Colonialism" and Environmental Justice

Canada and Quebec are positioning themselves, through this project, as receptacles for hazardous waste on behalf of American and Ontarian industries. BAPE projections indicate that nearly **41% of the waste buried in Blainville will come from outside Quebec** (29% from the USA). By concentrating these risks on the territory of a municipality that opposes them, the government creates a flagrant environmental injustice. [1][2][3][4]

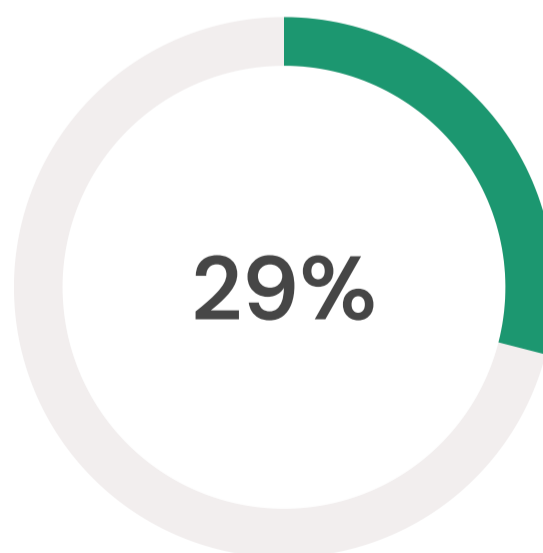
### Transparency and Public Participation

The right to a healthy environment includes the right to information and effective public participation. In Blainville, the government acted in near-total opacity after rejecting the BAPE report. The Minister of the Environment refused to provide raw data from the April 2024 sampling, asserting that the results were "satisfactory" without allowing for citizen counter-expertise. This "Omertà" is incompatible with UN standards for the management of toxic substances. [1][2][3][4]



Foreign Waste

Of waste buried in Blainville originates from outside Quebec



From USA

Of total waste volume imported from the United States



Cadmium Levels

Times higher than environmental standards in surface waters near the site

# VI. Evidence of Irreparable Harm and Urgency

## Documented Aquatic Mortality and Contamination

Evidence suggests that the Stablex site has already caused major environmental damage. In 2014, dead fish were discovered in Lake Fauvel, a body of water fed by the bog's resurgence. The testimony of Léopold Bigras, who discovered these fish, highlights a persistent risk for a decade. [1][2][3][4]

## Destruction of the Bog: A Climate Crime

Tree clearing and excavation of the bog began precipitously in April 2025, in a race against time to bypass federal migratory bird regulations. A millennial bog cannot be "rebuilt." Once the soil is excavated and the clay layers disturbed, the ecosystem's natural filtration function is lost forever. [1][2][3][4]

**Table 4: Species and Habitats Threatened by Immediate Expansion**

Species / Habitat	Protection Status	Direct Project Impact	Source
Great Bog	Millennial Ecosystem	Destruction of 278,000 m <sup>2</sup> .	[1][3]
Eastern Wood-Pewee	Special Concern (Federal)	Loss of forest habitat.	[1]
Canada Warbler	Threatened (SARA)	Loss of nesting habitat.	[1]
Virginia Woodwardia	Vulnerable (Quebec)	Direct botanical destruction.	[1]
Lake Fauvel	Local Aquatic Ecosystem	Increased risk of leachate contamination.	[3][4]



# VII. Request for Intervention: Urgent Allegation Letter

Under the mandate of the Special Rapporteur, we demand the following measures: [1][2][3][4]

**1** **Issuance of an Urgent Allegation Letter**  
Addressed to the Government of Canada, demanding clarification on the compatibility of Bill 93 with international obligations regarding effective remedy.

**2** **Scientific Transparency Requirement**  
Compel the Province of Quebec to publish all 2024 sampling data and authorize an independent UN expert mission.

**3** **Immediate Suspension of Works (Provisional Measures)**  
Recommend an immediate halt to works on Cell 6 under the Precautionary Principle and the right to life of neighboring populations.

**4** **Investigation into the "Legislative Gag"**  
Denounce the use of closure to suppress judicial review in environmental matters.



# VIII. Conclusion and Commitment of Future Generations

The situation in Blainville is not a simple neighborhood dispute. It is the symbol of an authoritarian drift where the financial interests of a foreign multinational are prioritized by the State over the fundamental rights of its own children. [1][2][3][4]

A 14-year-old citizen does not have the right to vote, but has the right to life, health, and an environment that is not mortgaged by the toxic waste of their ancestors. The intervention of the Special Rapporteur is the final recourse to restore justice and prevent an environmental disaster whose echoes will be felt for generations. [1][2][3][4]

📄 **End of Deposition.** Submitted in Blainville, May 2026. Document transmitted electronically to the Secretariat of the Special Procedures of the OHCHR.

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01

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