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Indigenous Communities in Panama Commemorate March Against Open-Pit Mining in Which Two Protestors Were Killed

by Louisa Reynolds
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A mass celebrated by Father Adonai Cortés in the Iglesia de San Félix on Feb. 5 marked the beginning of a series of commemorative events held by Panama’s Ngäbe Buglé communities—the country’s largest indigenous group—to pay homage to the two protestors killed during an anti-mining march in 2012 (NotiCen, Feb. 23, 2012).

After the mass, indigenous people marched to the junction on the Inter-American Highway where protestor Jerónimo Rodríguez Tugrí was shot by police exactly one year ago.

The protest during which Rodríguez Tugrí and Mauricio Méndez, a handicapped 16-year-old boy, were shot began during the last week of January 2012 and concluded on Feb. 8, when the Catholic Church acted as mediator in the conflict and the government agreed to sign an agreement with Ngäbe Buglé representatives.

In January 2012, members of the Ngäbe Buglé community blocked the Inter-American Highway after the administration of President Ricardo Martinelli eliminated a crucial article in the mining bill (Proyecto de Ley Minera 415) that guaranteed that copper resources would not be extracted from the Cerro Colorado deposit in the Ngäbe Buglé self-governed territory, or comarca, in western Panama. Cerro Colorado is the second-largest copper deposit in Latin America and has attracted interest from Canadian and South Korean corporations (NotiCen, Dec. 9, 2010, and Feb. 24, 2011).

Indigenous communities also demanded that the controversial Barro Blanco hydroelectric dam on the Río Tabasará in the province of Chiriquí, in a territory that includes 6.68 hectares of Ngäbe Buglé land, should be halted until an independent investigation into its environmental impact and its impact on the neighboring communities was carried out.

By modifying the Proyecto de Ley Minera 415, the government was clearly violating the International Labor Organization (ILO) Convention 169 on the rights of indigenous and tribal peoples, which states that governments must consult indigenous people on all issues that might affect their welfare, including oil, mining, and hydroelectric projects on ancestral indigenous lands.

After protestors refused to clear the highway, police used tear gas and opened fire to disperse the crowd, resulting in the deaths of the two protestors.

A subsequent investigation by Panamanian human rights organizations established that, in a military-style onslaught, the police used lethal weapons against unarmed protestors, cut cellular signals for three days—thus leaving the Ngäbe Buglé community cut off from the outside world—suspended constitutional guarantees, illegally detained civilians, and sexually assaulted 25 women.
Thanks to legislation brought in by the Martinelli administration, which prevents the prosecution of police officers, it is unlikely that those responsible for committing these serious human rights violations will be brought to justice.

In a documentary by filmmaker Glenn Ellis and broadcast by Al Jazeera, Minister of Government Jorge Fábrega said that the police had acted "very professionally" and described the killing of the two protestors as "unfortunate events."

**Government accused of breaking agreement**

On March 22, an agreement was finally reached between the government and Ngäbe Buglé representatives, and President Martinelli enacted Ley Minera 415, including the article that prohibited mining activity on indigenous lands without their prior consent. The government also pledged, among other things, to compensate the families of the two protestors killed during the march. It agreed to draw up a report on the environmental effects of the Barro Blanco hydroelectric dam, although it refused to halt construction while the investigation was carried out, claiming that the nation’s fuel bill would rise considerably without hydroelectric energy plants.

A year later, the Martinelli administration claims that it has honored 98% of its pledges. "To be honest, we can’t see the need to call for a new protest that could lead to new confrontations," said Minister of the Presidency Roberto Henríquez.

The government claims that, since the agreements were signed, it has spent US$1.5 million on health and education projects in indigenous comarcas, with the aim of alleviating indigenous poverty.

However, Ngäbe Buglé leader Silvia Carrera told Cuban news agency Prensa Latina that, contrary to the government’s claims, key pledges have not been honored, including compensation for the families of the murdered protestors and the independent study on the environmental impact of the Barro Blanco hydroelectric dam. "They [the government] have failed to honor the agreements even though Minister of Government Jorge Fábrega insists that that is not the case. That makes us think that they are laughing at us," Carrera told Prensa Latina.

**Barro Blanco: a potential environmental disaster**

The project design document, submitted to the UN Clean Development Mechanism Executive Board, says the reservoir of the Barro Blanco hydroelectric dam would reach into the Ngäbe Buglé territory, inundating seven hectares of indigenous lands.

The project developer is Generadora del Istmo SA (GENISA), owned by Panamanian business people and specifically set up for this purpose. Loans have been provided by two European state-owned banks that promote private-sector investments in developing countries: the German Investment Corporation (DEG) and the Netherlands Development Finance Company (FMO), as well as the Central American Bank for Economic Integration (CABEI). Total funding from the three banks amounts to US$78.3 million.

The Martinelli administration plans to build 30 hydroelectric dams with a total installed capacity of 1,804 megawatts.

It is small wonder that the Ngäbe Buglé communities are against the Barro Blanco project, given that the Changuinola dam, developed by US energy giant AES, in the neighboring province of Bocas
del Toro, resulted in numerous indigenous villages being flooded in 2011 with no compensation provided.

Critics say the Barro Blanco project will flood more than half a dozen villages, the impact on the livelihoods of some 5,000 Ngäbe Buglé farmers who rely on the river for potable water, agriculture, and fishing will be catastrophic, primary forest will be cut down, and the habitat of the endangered Tabasará rain frog will be destroyed.

GENISA, however, claims that no resettlement will take place and that the land to be inundated consists of ravines close to the river that are not suitable for agriculture or livestock grazing.

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