Calls For Greater Regulation After Cave-ins Kill Artisanal Miners In Nicaragua

Benjamin Witte-Lebhar

Follow this and additional works at: https://digitalrepository.unm.edu/noticen

Recommended Citation
https://digitalrepository.unm.edu/noticen/10218

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in NotiCen by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.
Calls For Greater Regulation After Cave-ins Kill Artisanal Miners In Nicaragua

by Benjamin Witte-Lebhar
Category/Department: Nicaragua
Published: 2015-01-22

A series of deadly accidents has turned new attention to a centuries-old activity in Nicaragua: artisanal gold mining, which supports thousands of families and represents a sizeable portion of the country’s total gold output yet operates with hardly any guidelines, oversight, or basic security measures.

In late November, a mine collapse in the northwestern department of Chinandega took the lives of four artisanal miners, known locally as güiríseros. News reports claim the mine was "abandoned," meaning it was supposed to be off limits, but was being worked regardless. A fifth miner survived the cave-in by digging to safety.

The circumstances of the Chinandega tragedy were strikingly similar to an event that took place three months earlier near the northern town of Bonanza, in the Región Autónoma del Atlántico Norte (RAAN), where a landslide triggered by heavy rains trapped more than 25 güiríseros. Search and rescue crews were able to save a number of the men. But, five days after the accident, when the authorities decided for safety reasons to suspend the rescue operation, seven of the miners were still unaccounted for.

"The experts had to admit that, because of the danger and difficulty of the terrain, the rescue was impossible," first lady Rosario Murillo said Sept. 1 on the television station Canal 4. "They told us clearly that [continuing the effort] would mean risking the lives of more people. And so, after analyzing the situation, it was decided to call off the search and inform the family members."

One of those family members, Jorge Hernández, had traveled from Managua to Bonanza hoping to find his brother, a father of two. "My brother was left buried," he told the Associated Press. "I don’t know what I’m to tell the daughters who depend on him. What body can I bring them? I don’t know how I’m going to explain this to them."

The Bonanza disaster, like the Chinandega accident that succeeded it, occurred in a mine that was supposed to have been inactive. El Comal, as the mine is known, is part of a large concession controlled by Hemco, the Nicaraguan affiliate of the Colombian mining firm Mineros, which acquired the company in 2013. Previous accidents in the same area prompted Hemco to close the site in question. Güiríseros ignored the company, which continued, nevertheless, to buy and process the raw material—a mix of earth and gold particles known as broza—which the independent miners collected there.

Three months before the El Comal collapse, three miners, including one woman, were killed by a cave-in at a mine known as La Campana, also near Bonanza. Falling earth and stones are not the only danger Nicaraguan gold miners face. In September, again in the Bonanza area, a güirísero died of asphyxiation while operating a motorized pump in a mine tunnel. And in March, four miners were severely burned while pumping out scalding water in B2Gold’s El Limón mine, approximately...
100 km north of Managua. B2Gold, a Canadian firm, is the Nicaraguan gold industry’s leading producer (NotiCen, March 28, 2013).

No legal framework

The cluster of accidents has prompted calls for greater safety and security and drawn public attention to the virtual legal vacuum in which güiriseros operate. Numbers compiled by the Cámara Minera de Nicaragua (CAMINIC) suggest that in 2013—when gold eclipsed beef and coffee as the country’s top selling export product—27% of the total output came from artisanal and small-scale miners. And yet Ley 387, Nicaragua’s general mining law, makes only scant reference to the activity. The law stipulates only that artisanal mining be allowed in areas where it has historically been practiced or within areas under concession to industrial mining companies—namely Hemco and B2Gold—provided the güiriseros work no more than 1% of land in question.

Ley 387 does not require concession holders to provide the independent miners with tools, training, or security. Nor are artisanal miners required to have any kind of license or permit to carry out the activity. What the law does suggest is that complementary legislation be drafted and approved to specifically address artisanal mining. To date no such law exists.

"Thirteen years have gone by and nothing’s been done," José Antonio González Rojas, an author and former mining company chemist, said in an interview last month with the Nicaraguan newspaper El Nuevo Diario. "With a law, the güiriseros would receive training and technical assistance. That way they could take better advantage of their resources."

Two weeks after the El Comal tragedy, Centro Humboldt, an outspoken environmental group, presented the Nicaraguan legislature with a proposal for just such a law. President Daniel Ortega, whose Frente Sandinista de Liberación Nacional (FSLN) controls more than two-thirds of the unicameral Asamblea Nacional (AN), has given no indication his party will even consider the initiative. The president did promise efforts to better identify mines considered too dangerous to operate but said, "It’s not easy to stop" artisanal miners from penetrating those sites regardless.

Even without a specific artisanal mining law in place, some efforts have been made to better organize and regulate the activity. In Bonanza, Hemco has coordinated with local government officials, the Ministerio de Energía y Minas (MEM), and güirisero groups to offer training courses, encourage safety precautions, and carry out a census to determine how many artisanal workers operate in the area and where. Participants in the "Bonanza Model" program, as it is known, are even issued photo identification cards.

Not all of the güiriseros operating around Bonanza, however, are eager to participate in the program or be included in the census. The miners involved in last year’s El Colmal accident are a case in point. "It has a lot to do with the individual person. But the lesson left by El Comal is that the most important thing is [protecting] lives," CAMINIC head Sergio Ríos, a former Hemco president, told the independent news site Confidencial.

The industrial and artisanal mining sectors have historically kept their distance from each other, according to Ríos. Now, however, circumstances are such that they "can and must work together," he said. Others suggest that the two sectors are in essence codependent. The large mining firms provide güiriseros with territory to mine and a market for the material they extract. Artisanal miners, in turn, provide labor and stock and, in some cases, valuable know-how.
"Because of their experience, [güiríseros] are the ones most familiar with the areas and know where to find gold—even better than a university-trained engineer would," Víctor Campos, a deputy director with Centro Humboldt, told Confidencial. "They’re like free prospectors for the companies."

Costs versus benefits

Centro Humboldt has been an outspoken critic in recent years not only of the artisanal mining sector but also of Nicaragua’s cozy embrace of gold and silver mining in general. The organization’s message is that the industry, for all its lustrous growth and earnings figures, takes more than it gives (NotiCen, March 13, 2014).

Since President Ortega returned to power in 2007, gold exports have soared, in both volume and earnings. In 2006, export revenue from mining was approximately US$60 million. In 2014 gold alone brought in US$385.6 million, down somewhat from the record US$436 million earned in 2013. The boom has earned Nicaragua a reputation as a top mining-investment destination and drawn new players, such as India Gold, a British firm, and Golden Reign, a Canadian company, which plan to begin operations in the coming years.

The investment climate is a point of pride for the Ortega administration, which hosted Nicaragua’s first international mining conference in August, just two weeks before the fatal Colmal collapse. The event drew representatives from 19 different countries, including the US and Canada.

Mining opponents from across Central America held a parallel forum in Managua in an effort to draw attention to the industry’s economic and environmental drawbacks. "Mining companies insist that with the use of new technology mining can be environmentally friendly," one of the participants, Pedro Landa of the Centro Hondureño de Promoción para el Desarrollo Comunitario, told Opera Mundi. "The truth is that [mining] accelerates socioenvironmental degradation and destruction in the area."

In a report released in January 2014, Centro Humbolt estimated that, as of 2013, Nicaragua had issued mining concessions equivalent to 12.7% of its national territory. "One has to keep in mind that the gold extracted in Latin America and elsewhere is only used to strengthen the capital holdings of large-scale investors who do not want to risk keeping their money in stocks during a world [economic] crisis," the report reads.