5-21-2010

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Peru: Mining Issues Increase Social Conflicts

by LADB Staff

Category/Department: Peru

Published: Friday, May 21, 2010

April saw the emergence of 14 new social conflicts, all tied to mining projects, according to the Defensoría del Pueblo's monthly report. The government nevertheless announced that mining investment in the country would not stop. The Defensoría del Pueblo report indicates that half the 260 national social conflicts registered by April 30 were related to socioenvironmental issues. The new cases in April deal with opposition to mining projects, mining companies' failure to comply with agreements, demands for environmental reparations, closure of mining operations, as well as labor demands and complaints of mining contamination and communal-land degradation in the regions of Ancash, Cajamarca, Cusco, La Libertad, Lima, Pasco, Piura, and Puno. April also brought the resumption of seven earlier conflicts, four of them socioenvironmental and having to do with mining companies. In two of those, the residents, organizations, and authorities of La Oroya, Yauli province, Junín department, are demanding that the Doe Run Company comply with the environmental agreement Programa de Adecuación y Manejo Ambiental (PAMA), while inhabitants of Reque, Chiclayo province, Lambayeque department, oppose mining company La Granja-Río Tinto's installation of a metallurgy-research plant for fear of its environmental impact. Vice Minister of Mines Fernando Gala Soldevilla told CPN Radio that the coming year will bring mining projects worth US$14 billion to various regions of Peru, and he doubts that recent social conflicts will paralyze mining investment in the country. "Mining investment in the country is not going to stop; on the contrary, it's going to increase," he said, referring to projects he says will begin next year, such as Las Bambas in the Apurímac region and Tía María in Arequipa. "The mining sector is responsible for 63% of the socioenvironmental conflicts registered in our country," Manuel Lévano, commissioner for the Defensoría del Pueblo's social-conflict-prevention department (Adjuntía para la Prevención de Conflictos Sociales y Gobernabilidad, APCSG), told environmental press agency Inforegión. "It's clear that socioenvironmental conflicts have increased in the last three years, mainly because [mining] investment in our country has also increased." And the national interest? José De Echave, a specialist with the nongovernmental organization (NGO) Red Muqui, says that mining projects should be examined from the perspective of the common good to avoid social conflicts. "I have the impression that Peru does not have mechanisms to evaluate a project from the logic of national and public interest. There is only the environmental-impact study, which measures the project's viability and not its benefit for the country," De Echave told El Comercio on March 6. "The environmental-impact study and citizen participation should be strengthened. And the population should be informed from the beginning. There is a fait accompli logic, which is at the root of many problems. The state should be present and represent the national interest. In the mining areas, the only relationship is that of company-population." It is precisely the company-population relationship that many times devolves into social conflict, as was the case with the inhabitants of Islay province in Arequipa department who oppose Southern Peru's Tía María mining project because they fear that it will pollute the water used for agriculture. On April 14, some 3,500 people from Islay took over the Panamericana Sur highway to protest against the Tía María project, demanding its immediate and indefinite suspension. Their opposition is not new. In September 2009, 94% of the population of the province voted against the mining activity. President Alan García, far from calling for dialogue, responded confrontationally to the show of force. "When
the tiny minority blocks a highway, it is not a social conflict, it is politicking, but the country's large majority will overcome these momentary conflicts," he said in statements published in the daily La Primera. Juan Guillén, a member of the Coordinadora de Islay contra la Agresión de la Minería, said that the project was going to use and pollute agriculture water, affecting the ecosystem in the entire area, including the phreatic water table. Such occurrences have already been seen in other Southern Peru projects in Moqueagua and Tacna provinces. Southern uses 7 million cubic meters of water annually for its operations and has proposed building a dam to store it. Finally, after six days, the Islay population opted to lift the highway blockade to move forward with round-table discussions with members of the executive. The following day, April 20, they agreed to a 90-day suspension of activities at Southern Peru Copper Corporation's Tía María copper project. They also agreed to form a technical commission, with an equal number of company representatives and local authorities, to analyze the company's environmental-impact study within 90 days. The national government explicitly agreed to not allow the project to use El Tumbo valley's aquifer, where the project is located. Also, the Paltiture dam will be built with Ministerio de Agricultura financing to provide water for agricultural and domestic use. Meanwhile, Red Muqui, which comprises some 25 citizen and environmental-rights organizations in mining areas, said in a public communiqué, "Islay again raises the necessity of not reducing the discussion on development strategies and territorial regulation to the contents of an environmental-impact study, an instrument that only foresees impacts of a specific project and measures to mitigate them." "Islay also reminds us of the limitations of environmental-impact studies as instruments for preventing environmental damage. It lacks rigor in information about water, the impact on ecosystemic relations, and the cumulative impacts of large projects," it added. In March, the Autoridad Nacional del Agua (ANA) identified 235 ongoing social conflicts resulting from problems related to water resources throughout the country. The principal causes of these conflicts include reduced water availability as a result of climate change, more intensive water-use activities, and environmental pollution. ANA secretary-general Javier Carrasco indicated that the lack of information is a crucial factor in generating this type of conflict "not neglect or disinterest by state agencies." "One sees weak communication in the asymmetric relationship between huge mining and energy companies and the communities that belong to the poorest sector of the country. This asymmetry that exists amid economic growth causes misunderstandings," said the Defensoría del Pueblo about the Islay conflict. International Labor Organization (ILO) Convention 169 regarding indigenous peoples and tribes, signed by Peru 15 years ago, requires consultation with communities before decisions are made that affect their lives. Nevertheless, the prior-consultation law (Ley del Derecho de Consulta Previa a los Pueblos Indígenas) has yet to be ratified by Congress, so it is not being enforced. Conflict continues In early May, Islay province social organizations considered resuming the blockade, suspended in April, because of the government's excessive delay in issuing resolutions confirming the dialogue agreements. Richard Calcina, leader of the provincial coordinating group against mining aggression, told La Primera that the Cabinet presidency had "forgotten" to issue a decree declaring Tambo valley waters off-limits for mining companies. Meanwhile, Chinalco mining company is looking to accelerate the process of moving people from the city of Morococha in the central-highlands department of Junín, because they are living atop the Toromocho project reserves. But residents have refused to accept the company's price offered for houses in the city, and they are complaining that the area chosen for the new town is too humid. In another conflict, people living in hamlets in Cajamarca department in the northern highlands are complaining that the Yanacocha company has not kept promises made in 2001 to apply the mitigation plan for springs that disappeared because of mining activities. "The only democratic and lasting solution is to regulate mining activity
within the framework of territorial-regulation processes developed with real participation of the people affected, through neighborhood consultations or prior consultation in the case of indigenous peoples, according to ILO Convention 169," said a communiqué from the anti-mining group Comité de Apoyo a la Lucha del Pueblo de Islay contra el Proyecto Minero Tía María. "The present institutional model of extractive activities no longer works because of its lack of democracy, its ecological destruction, its failure to redistribute wealth, and the social injustices that it generates."

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